

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Action/Discussion Item:**

Request from Metcalfe County to waive Sections 4(4) and 5(2) of 704 KAR 7:120, Home/Hospital Instruction

### **Applicable Statute or Regulation:**

KRS 157.270, 159.030, 160.290

### **Action Question:**

Should the Kentucky Board of Education (KBE) grant Metcalfe County's request for a waiver from Sections 4(4) and 5(2) of 704 KAR 7:120?

### **History/Background:**

***Existing Policy.*** KRS 156.160(2)(a) states: "At the request of a local board of education or a school council, a local school district superintendent shall request that the Kentucky Board of Education waive any administrative regulation promulgated by that board. Beginning in the 1996-97 school year, a request for waiver of any administrative regulation shall be submitted to the Kentucky Board of Education in writing with appropriate justification for the waiver."

704 KAR 7:120, the Home/Hospital Instruction regulation, provides guidelines for how services are to be provided to students who are unable to attend school if the condition of the student prevents or renders inadvisable attendance at school. KRS 157.270 governs the amount of time a teacher must spend with students under home/hospital instruction and states that a minimum of two (2) visits a week with a minimum of one (1) hour of instruction per visit, by a teacher provided by the board of education, is equivalent to the attendance of one (1) child five (5) days in school. 704 KAR 7:120 Section 4(4) states that the use of Kentucky Virtual High School (KVHS) or other electronic instruction, as approved by the local board of education, shall be in addition to the minimum of two (2) one (1) hour visits per week.

Metcalfe County is requesting a waiver for students in grades 4-12 from the requirement that homebound instruction must include an onsite presence for a minimum of two (2) one (1) hour visits per week. The district is asking that consideration be given to methods that provide instruction in the most efficient manner possible. Great advances have been made in the use of technology for content delivery and communication. The request is that a digital learning model be the preferred method of instruction for homebound students.

**Staff Recommendation(s) and Rationale(s):**

Staff recommends that the KBE approve the Metcalfe County request for a waiver from Sections 4(4) and 5(2) of 704 KAR 7:120. Technology use has increased across all instructional programs in school districts and home/hospital instruction needs to join other programs moving in a more digital direction. The digital opportunities in Metcalfe County allow the performance of students engaged in home/hospital instruction to be improved.

**Impact on Getting to Proficiency:**

Home/hospital instruction allows students to continue their studies while unable to physically attend school.

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**Commissioner of Education**

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