48206.3.
(a) A pupil with a temporary disability that makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable shall receive either individual instruction at home provided by the school district in which the pupil is deemed to reside, or individual instruction in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or other residential health facility is located.

(b) For purposes of this section and Sections 48207, 48207.3, 48207.5, and 48208, the following terms have the following meanings:

(1) "Individual instruction" means instruction provided to an individual pupil in the pupil's home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by regulations adopted for that purpose by the state board.

(2) "Temporary disability" means a physical, mental, or emotional disability incurred while a pupil is enrolled in regular day classes or an alternative education program, and after which the pupil can reasonably be expected to return to regular day classes or the alternative education program. A temporary disability shall not include a disability for which a pupil is identified as an individual with exceptional needs pursuant to Section 56026.

(c) (1) For purposes of computing average daily attendance pursuant to Section 42238.05, each clock hour of teaching time devoted to individual instruction shall count as one day of attendance.

(2) No pupil shall be credited with more than five days of attendance per calendar week, or more than the total number of calendar days that regular classes are maintained by the school district in any fiscal year.

(d) Notice of the availability of individual instruction shall be given pursuant to Section 48980, and shall include information regarding a pupil's eligibility for, and the duration of, individual instruction.

(e) Nothing in this section shall be construed to limit any rights accruing to a pupil with a temporary disability who is also identified as an individual with exceptional needs, as defined in Section 56026.

(Amended by Stats. 2018, Ch. 167, Sec. 1. (AB 2109) Effective January 1, 2019.)

48207.
(a) Notwithstanding Section 48200, a pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, located outside of the school district in which the pupil's parent or guardian resides, shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

(b) Notwithstanding any other law, a school district or charter school may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a
hospital or other residential health facility in order to facilitate the timely reentry of the pupil in his or her prior school after the hospitalization has ended, or in order to provide a partial week of instruction to a pupil who is receiving individual instruction in a hospital or other residential health facility, for fewer than five days of instruction per week, or the equivalent, as described in subdivision (c) of Section 48206.3.

(c) (1) A pupil with a temporary disability who remains enrolled in a school district of residence or a charter school pursuant to subdivision (b) while also receiving individual instruction in a hospital or other residential health facility may only be counted by the school district of residence or charter school for purposes of computing average daily attendance pursuant to Section 42238.05 for days on which the pupil is in attendance in that school district or charter school.

(2) A pupil with a temporary disability who remains enrolled in a school district of residence or a charter school pursuant to subdivision (b) while also receiving individual instruction in a hospital or other residential health facility may only be counted by the school district in which the hospital or other residential health facility is located for purposes of computing average daily attendance pursuant to Section 42238.05 for days on which the pupil is receiving individual instruction in a hospital or other residential health facility.

(d) The total attendance counted for purposes of computing average daily attendance pursuant to Section 42238.05 for a pupil with a temporary disability, including days of attendance in a hospital or other residential health facility, shall not exceed five days per week, or the equivalent, as described in subdivision (c) of Section 48206.3.

(Amended by Stats. 2018, Ch. 167, Sec. 3. (AB 2109) Effective January 1, 2019.)

48207.3
(a) A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that he or she attended immediately before receiving individual instruction, if the pupil returns during the school year in which the individual instruction was initiated.

(b) A pupil who attends a school operated by a school district or a charter school, who is subsequently enrolled in individual instruction in a hospital or other residential health facility for a partial week, shall be entitled to attend school in his or her school district of residence, or receive individual instruction provided by the school district of residence in the pupil’s home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if he or she is well enough to do so.

48207.5
Individual instruction in a pupil’s home pursuant to Section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.
48208.
(a) It shall be the primary responsibility of the parent or guardian of a pupil with a temporary disability to notify the school district in which the pupil is deemed to reside pursuant to Section 48207 of the pupil's presence in a qualifying hospital.

(b) Upon receipt of notification pursuant to subdivision (a), a school district shall do all of the following:

(1) Within five working days of receipt of the notification, determine whether the pupil will be able to receive individual instruction, and, if the determination is positive, when the individual instruction may commence. Individual instruction shall commence no later than five working days after a positive determination has been rendered.

(2) Provide the pupil with individual instruction pursuant to Section 48206.3. The school district may enter into an agreement with the school district in which the pupil previously attended regular day classes or an alternative education program to have the school district the pupil previously attended provide the pupil with individual instruction pursuant to Section 48206.3.

(3) Within five working days of the commencement of individual instruction, provide the school district in which the pupil previously attended regular day classes or an alternative education program with written notice that the pupil shall not be counted by that school district for purposes of computing average daily attendance pursuant to Section 42238.05, effective the date on which individual instruction commenced, except as provided in Section 48207.

(Amended by Stats. 2018, Ch. 167, Sec. 6. (AB 2109) Effective January 1, 2019.)