

DEPARTMENT OF EDUCATION
SUPERINTENDENT OF PUBLIC INSTRUCTION
SPECIAL EDUCATION PROGRAMS AND SERVICES

Filed with the secretary of state on July 12, 2022

This rule takes effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By the authority of the superintendent of public instruction under sections 1701 and 1703 of the revised school code, 1976 PA 451, MCL 380.1701 and 380.1703, and Executive Reorganization Order No. 1996-7, MCL 388.994)

R 340.1746 of the Michigan Administrative Code is amended, as follows:

R 340.1746 Homebound and hospitalized services.

Rule 46. (1) A district or intermediate district shall provide homebound and hospitalized services to a student with a disability in accordance with section 109 of the state school aid act of 1979, 1979 PA 94, MCL 388.1709, and the individuals with disabilities education act, 20 USC 1400 to 1482.

(2) A district or intermediate district shall not assign more than 12 students at any 1 time to a special education teacher employed for homebound or hospitalized services, or for a combination of these services.

(3) A student with a disability receiving homebound or hospitalized services shall receive a minimum of 2 nonconsecutive hours of instruction per week. Related services may supplement, but not substitute for, the teacher's instruction.

(4) Homebound and hospitalized services are not a substitute for special education programs and services. The provider of homebound and hospitalized services shall, to the extent appropriate, provide curricular experiences that the district or intermediate district provides in the program where the student is enrolled.

(5) For purposes of this rule, "district" and "intermediate district" mean those terms as defined in sections 3 and 5 of the state school aid act of 1979, 1979 PA 94, MCL 388.1603 and 388.1605.

June 18, 2022