

### **Your Question:**

You asked for examples of state policies addressing school attendance for students who are out of school temporarily due to disability or illness.

### **Our Response:**

States have a range of policies in place to address the needs of students who are unable to attend school due to a temporary disability or illness. Based on a preliminary scan of state policy, states have generally addressed the issue of attendance and continued education for students facing a prolonged absence in their administrative code and department of education rules. However, California serves as an example of a state that has addressed the issue directly in statute through [AB 2109](#) (2018). The bill amended the attendance law to require districts to provide students with a temporary disability individual instruction at home or in the hospital. The student can remain enrolled in school while they are receiving individual instruction.

State codes tend to distinguish between chronic absenteeism or truancy, extended temporary absence due to health-related issues, and long-term absences that require a modified instruction plan. In code addressing temporary absences due to illness states commonly specify:

- Conditions that meet the state definition of prolonged absence,
- Required documentation to approve the absence,
- Type and minimum amount of instruction that must be provided.

### **State Policy Examples**

#### **South Carolina**

In their attendance [code](#) (S.C. Code Ann. Regs. 43-274 VII), South Carolina establishes a process for excusing students who are absent for more than 10 days. The state recognizes absence due to illness as a lawful absence, however, the code does not address temporary disability or illness explicitly. The focus of the code is on ensuring students who experience a prolonged absence can complete their graduation requirements. The code establishes that:

- The local board of education is charged with approving a student's extended absence.
- Districts must allow students who are absent from school for more than 10 days the opportunity to make up their missed work through before or after school instruction, weekend instruction and/or extended year instruction.

## Louisiana

In their attendance [code](#)<sup>1</sup>, Louisiana outlines provisions for homebound instruction for students who are unable to attend school due to medical treatment, physical illness or accident. The following provisions are outlined in the attendance code:

- Homebound instruction for students who are receiving medical treatment will begin on the eleventh day of the student's absence from school.
- The instructor must be a certified teacher. However, for student requiring fewer than 20 days of homebound instruction during the school year, the instruction can be provided by a consultant working with a certified teacher.
- Homebound instruction must include the following core subjects: English, math, science and social studies.
- A minimum of four hours of instruction per week must be provided unless the student's medical condition requires less instruction.

## West Virginia

The Department of Education [Rule 2510](#) (126-42-6 (6.2.c)) specifically addressing absence and educational services provided to students who are hospitalization and homebound. In the rule the following conditions are established:

- The student must have written statement from a physician for the reasons they are hospitalized or homebound.
- The physician must also include in their statement the criteria and conditions under which the student will return to school and the expected date of their return.
- The student must be absent for three or more weeks.
- The instructional services that are provided must be sufficient for the student to progress towards mastery of grade level material.
- If the student must be out of school for a prolonged period of time or is unable to attend school for the required amount of time, other arrangements must be made to accommodate the student's needs.

## Illinois

In [code](#), Illinois outlines a process for providing instruction to students who are homebound or hospitalized, including pregnant students. The following provisions are outlined in the code:

- A written statement must be provided by a physician. The statement must include the child's medical condition, the impact the medical condition has on the student's ability to attend school and the anticipated length of the student's absence.
- The student must be unable to attend school for 10 days or more to be eligible for home instruction. The code does not place a cap on the length of time the student may receive the services.
- The amount of instruction provided must be based on the student's education, physical and mental needs.
- The minimum amount of instructional time must be greater than five hours per school week. If the instruction is being provided via telephone or other technology the minimum number of hours of instruction is reduced to two hours.
- Instruction must come from certified teachers, including certified substitute teachers.

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<sup>1</sup> To access the cited code, click on the link *Title 28: CXV, Bulletin 741: Louisiana Handbook for School Administrators*. In the word document go to Chapter 11 § 1103 (E).