



Illinois School Code is Amended Regarding Home and Hospital Instruction for Students

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By Colleen O'Keefe

On July 14, 2011, Public Act 97-0123 was enacted, effective immediately, amending Section 5/14-13.01 of the *Illinois School Code* regarding home and hospital instruction for students.

The amended Act redefines the standards for determining when a student is eligible to receive home or hospital instruction. Specifically, a student now qualifies for home or hospital instruction when a medical physician **anticipates** that, due to a medical condition, the student will: (1) be unable to attend school for two or more consecutive weeks or (2) be absent on an ongoing intermittent basis. The term "ongoing intermittent basis" is defined as the student's medical condition being of such a nature or severity that it is **anticipated** that the student will be absent for periods of "at least 2 days at a time multiple times during the school year totaling at least 10 days or more of absences."

Prior to this amendment, a student was only eligible to receive home or hospital instruction once the student was unable to attend school for two or more consecutive weeks due to his or her medical condition. Now, there is no minimum number of days a student must be absent before the student qualifies for home or hospital instruction. Additionally, the amended Act states that the home or hospital instruction **may** begin as soon as the school district receives a written physician's statement and **must** begin within five days of receiving the physician's statement.

Finally, the amended Act requires school districts to implement, as part of the student's home or hospital instruction, any special education and related services pursuant to an IEP and any services and accommodations pursuant to a Section 504 plan unless the IEP or Section 504 team determines that modifications are necessary during the home or hospital instruction due to the student's condition.

In response to this amendment, school districts should review and revise any applicable policies and procedures regarding student home and hospital instruction. Please do not hesitate to contact Franczek Radelet in order to assist you with policy and procedure revisions.

More Information

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