

## Homebound Instruction: Questions & Answers for School Districts

Revised April 2009

The Department of Public Instruction receives inquiries from parents, guardians, schools, and others regarding homebound instruction. This document is intended to help to clarify a school district's obligation to respond to these requests.

### **1. Are school districts required to provide homebound instruction at parental request?**

No. There is no law that specifically requires a school district to provide homebound instruction to a student who is unable to attend school. Wisconsin Statute 118.15 (1)(d) does list a number of examples of curricular modifications parents may request, of which homebound instruction is one. Districts must respond, in writing, to these requests but are not obligated to provide them.

However, different requirements apply to special education students, i.e., students with Individual Education Plans (IEPs). In addition, federal laws such as the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 may impact a school district's obligation to provide homebound instruction. This document does not address these standards, but school districts should consider the requirements of and protections in these laws whenever reviewing a request for homebound instruction for a student who is (or may be) considered disabled under any of these federal laws.

### **2. What if the parent presents a prescription from a physician or other provider for homebound instruction? Doesn't this mean the district must provide it?**

No. The district is required to consider the request and respond accordingly. The school district has the statutory authority to determine the most appropriate educational program for a student.

### **3. My district typically provides homebound instruction when students must miss school for an extended period due to a significant illness, surgery, or injury. Does this mean we have to provide it for all requests?**

No. A local school district has the authority to consider the individual circumstances surrounding each request, and respond as they feel is appropriate. However, services should be made available to students on an equitable basis.

**4. Are districts required to have a local policy to deal with these requests?**

No. However, a local policy may help to ensure that requests are being considered fairly in all schools across the district.

**5. How long does a local district have to respond to a parental request for homebound instruction?**

According to state statute, the local school board must render its decision, in writing, within 90 days of the request. However, if the child has been evaluated for special education but was not found to be eligible for special education, then the school board must provide a written decision to the request within 30 days. Considering the short-term and immediate nature of most homebound instruction requests, it would be most beneficial to the student's education to handle such requests on an expedited basis.

**6. What happens if a parent keeps their child home for an extended period of time, even if the district does not provide homebound instruction?**

A child who is excused because she/he is "temporarily not in proper physical or mental condition to attend a school program, but who can be expected to return to a school program upon termination or abatement of the illness or condition" cannot be found to be truant or habitually truant.

**7. What if the school questions whether the child is truly unable to attend school?**

The school may request a statement to this effect from a physician, dentist, chiropractor, optometrist, psychologist, or Christian Science practitioner as sufficient proof of the condition of the child. This excuse shall state the time period for which it is valid, not to exceed 30 days. There is no statutory limit to the number of 30-day excusals the district may permit.

**8. If a district does choose to provide homebound instruction, what are the requirements?**

There are no requirements as to the amount of time, time of day, or subjects covered. Homebound instruction is not expected to completely replicate the educational program available at school. The instruction must be provided by a licensed teacher.

**9. Are requests for homebound instruction for school age parents addressed differently?**

Yes. Districts are required to provide educational services for school age parents to enable them to continue and complete their educations. Homebound instruction may be requested for these students and it must be considered under the school age parent program. However, as in other requests for homebound instruction, the district is not obligated to provide the homebound instruction simply because a student, parent, physician, or other provider requests it. School districts may receive categorical aid for provision of homebound

instruction to school age parents. For more information, please refer to the DPI publication Instruction and Services for School Age Parents at <http://www.dpi.wi.gov/sspw/pdf/schoolageparents.pdf>.

**10. How are parents/guardians notified of these provisions?**

Wisconsin Statute 118.15 (1)(f) requires school districts to notify students, parents, and guardians at the beginning of each school year of their opportunity to request modifications in their or their child's program. A request for homebound instruction is one example of these modifications.

**11. How is homebound instruction different from home schooling?**

In a home-based private education program, or "home schooling," the parents or guardians take responsibility for providing their child's education. These parents must submit a registration form to DPI in order to meet their obligation under compulsory attendance. Homebound instruction, when it is provided, is provided by the school district of residence.

**12. If a parent requests homebound instruction and is denied, may they enroll their child in home-based private education?**

A parent always has the right to provide home-based private education.

For further information or questions, contact Judy Kuse, Consultant, School Counseling Programs, at (608) 266-2820 or [judith.kuse@dpi.wi.gov](mailto:judith.kuse@dpi.wi.gov). This document is also available to download at [http://dpi.wi.gov/sspw/pdf/homeboundinstruction\\_sd.pdf](http://dpi.wi.gov/sspw/pdf/homeboundinstruction_sd.pdf).

This document is meant to provide general guidance to school districts regarding homebound instruction. It is not meant to substitute for legal advice. Please consult an attorney for assistance in individual cases.

The references used in preparing this document are Wisconsin Statutes 118.15, Compulsory Attendance, and Subchapter VI of Chapter 115, Education for School Age Parents.

More information about compulsory school attendance can be obtained at <http://www.dpi.wi.gov/sspw/compulattnd.html>.