



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
Principals
School Nurses

FROM: Emily Heatwole
Director, Office of Governmental Affairs

Katie Nilges
Assistant General Counsel, Office of Governmental Affairs

DATE: June 13, 2019

RE: R. 43-241. Medical Homebound Instruction.

Please be aware that as of May 24, 2019, the following changes to South Carolina Regulation 43-241, Medical Homebound Instruction became effective.

“43-241. Medical Homebound Instruction.

I. Students who cannot attend public school because of illness, accident, or pregnancy, even with the aid of transportation, are eligible for medical homebound or hospitalized instruction.

A. A physician, nurse practitioner, in compliance with the requirements the Nurse Practice Act, or physician assistant in compliance with the requirements of Article 7 of the Medical Practice Act, must certify that the student is unable to attend school but may profit from instruction given in the home or hospital.

B. Any student participating in a program of medical homebound instruction or hospitalized instruction must be approved by the district superintendent or his or her designee on standardized forms provided by the State Department of Education (Department).

C. A South Carolina school district may count in membership a pupil who is compelled to reside outside the State to receive medical services provided the teacher is certificated by the Department in the state where services are rendered.

D. All approved forms must be maintained by the district for documentation.

II. A student is eligible for medical homebound instruction (1) on the day following his or her last day of school attendance or (2) on the first day of the regular nine-month academic year of the school in which he or she is enrolled and would otherwise be in attendance. The student remains eligible (1) until the day before he or she returns to school or (2) until the last day of the regular academic year in the school year he or she would normally be enrolled, whichever occurs first.

III. The Department shall fund a maximum of five periods per week of medical homebound instruction pursuant to the Education Finance Act (EFA).

A. A day of instruction must be based on the student's individual need but may be no less than fifty minutes to qualify for state funding.

B. There is no limit to the amount of instruction that may be provided with funds other than state funds.

C. If more instruction is needed, the school district must provide the additional funds.

IV. Should an approved student not be provided the medical homebound instruction that he or she is entitled to receive, the student is eligible to have the medical homebound instruction made up by the district.

A. This make up may occur during the student's remaining eligibility for medical homebound instruction or may occur after the student returns to school provided the make-up periods are not during the regular school day.

B. State funding for medical homebound instruction is available until the last day of the regular school year. If the school district delays the start of services for any reason, the student is still entitled to the instructional services, and the school district must make up the missed instructional periods even if the regular school year has ended and services are provided without the benefit of state funding.

V. All teachers providing medical homebound instruction to students domiciled in South Carolina must hold a valid South Carolina teacher's certificate.

A. The teacher shall teach the medical homebound student or students in a room especially set aside for the period of instruction.

B. Medical homebound teachers are required to keep a weekly record of teaching services provided."

The Nurse Practice Act can be found online at: <https://www.scstatehouse.gov/code/t40c033.php>

The Medical Practice Act can be found online at: <https://www.scstatehouse.gov/code/t40c047.php>