

## Fact Sheet – Diabetes and School Attendance

Children should attend school regularly, even if they have diabetes. And in an ideal world, your student would never have to stay home from school because of diabetes or diabetes-related sickness. It is important that absences only happen when they are absolutely medically necessary. But when absences do happen, you can make sure that there are no unfair consequences for missing class time.

If your child is missing school frequently because of very high or low blood sugar levels or difficulties with blood glucose management, it might be time to have a conversation with your diabetes care provider. A change in medication or schedule could be needed.

### What are my child's rights to receive accommodations to school attendance policies?

Students who miss class time for diabetes-related causes are entitled to accommodations under a federal law, Section 504 of the Rehabilitation Act. Keep in mind:

1. A school or teacher may not reduce a student's grade for missing class time because of diabetes, even if a school-wide policy on attendance or participation exists.
2. Students have the right to make up all work missed when they are absent for their diabetes, including tests and quizzes.
3. However, if attendance can earn a privilege, such as being excused from the final exam for perfect attendance, a student may not be entitled to that privilege, even if absences are diabetes-related.
4. If a school has established protocols for reporting absences and providing medical documentation, the school can require you to follow those procedures.
5. A student may not receive punishment, such as detention, for any diabetes related absences.

### What can I do to make sure that my student's attendance is accommodated?

#### Do some advance planning.

1. Double check that your student's 504 Plan states that your child will be excused from school for all diabetes-related absences. Some examples include: when the student is experiencing difficulties with blood glucose management, when your student has ketones, and due to physician's/clinic appointments.
2. Ask your diabetes care provider to write in his/her medical orders that the student may need to be absent from school on occasion if they are ill or having difficulties with their diabetes management.
3. Some schools limit the number of times a parent may excuse a student. Find out if your school has a rule, and keep track. If your student reaches that number, many times you can obtain excuse notes from your child's diabetes care providers. Have a discussion with your diabetes care provider about his/her procedures for providing an excuse note for a student encountering diabetes management difficulties without being seen by the provider.

#### Communicate with the school regularly.

1. When your student is absent, immediately follow up with the attendance office to confirm that they received the excuse note and documented it properly.
2. Keep records. In a notebook, keep track of each date your student is absent, the reason for the absence, a picture of the blood sugar recording or download of the meter's reading, and a copy of the doctor's excuse note.
3. Follow up with each teacher to create a plan to make up any missed work.

### **What could happen if my student misses too many days of school?**

The potential legal consequences are different in each state and can be serious. Some examples include:

1. Child Protective Services (CPS) Involvement: if a child misses many days of school, or if a school staff member is concerned about a child's health, the school might be required to report the situation to child protective services to investigate. Sometimes CPS will need to do an investigation to determine whether absences were necessary. Often, these investigations will be closed with no finding of fault for the family.
2. Juvenile Delinquency Court: in some states, students who miss a certain number of days are required to appear in juvenile court in front of a judge.

No matter what the situation it is important to remember that in almost all cases, these consequences can be avoided by staying in regular communication with the school, your diabetes care provider, and providing the proper documentation.

### **How can I get help if my child is experiencing discrimination?**

**If you need help, call us at 1-800-DIABETES (342-2383)** and ask how you can speak with an American Diabetes Association legal advocate. These legal advocates are lawyers who specialize in diabetes discrimination issues. They will help you understand the law and your rights. A legal advocate will provide strategies for you to stand up for your rights, give you tools to use to advocate for yourself, help you negotiate an agreement, guide you through the legal process, or, if necessary, help you find a lawyer to take your case.

Many free resources are available in a packet that you can receive by calling 1-800-DIABETES (342-2383). Additional resources are available online at our [Safe at School](http://www.diabetes.org/safeatschool) website.

**Important Note: This document describing the legal rights of individuals with diabetes is for your general information and review only. It is not a substitute for the advice of legal counsel.**

