



Home and Hospital Instruction Policy

Introduction

All public school students have a right to public education, including when they may have a short-term medical situation that prevents them from attending school in person. To this end, the Students' Right to Home and Hospital Instruction Act of 2020^[1] (Act), requires every school to adopt and implement a home and hospital instruction program.

Center City has designed this policy to promote a participating student's academic progress by allowing the student to stay current with classroom instruction in core subjects, to the greatest extent possible. The delivery of home or hospital instruction fosters coordination between the classroom teacher and the home and hospital instructors to ensure that seamless reintegration into classroom instruction can be achieved when the student returns to school.

Process

1. An interested parent/guardian must complete a request to notify the school that they are interested in HHI. The request may be made verbally, but Center City will require a written application and will provide that application within two school days of any verbal request.
2. The written application can be found [here](#) or is available at the main office.
3. Parents/guardians will be notified of Center City's decision within five calendar days of receipt of the application.
 - a. Center City will issue a written decision with an explanation for approval or denial.
 - b. If approved, Center City will include a written plan for the delivery of HHI which includes the location, services to be delivered, method of delivery, number of hours per week of direct instruction, and the schedule for service delivery. This plan shall last the duration of the student's health condition or 60 days, whichever is less. If a student requires more than **60** days of HHI, the parent/guardian must reapply at Center City **five** days before the expiration of the current HHI plan.
 - c. If denied, a specific written explanation of the reason for denial will be provided. Denials shall be based on an application or medical certification of need that is missing or incomplete.
4. Upon receipt of an HHI application for a student who has an individualized education program (IEP) or who is suspected of having such a disability, the Center City is responsible for contacting the appropriate team members.



5. The Individuals with Disabilities Education Act (IDEA) supersedes all HHI requirements.
 - a. If a student is eligible for an IEP, the Center City shall also:
 - i. Provide the parent/guardian with procedural safeguard notices under IDEA;
 - ii. Consider whether the placement could impact the student’s “Center City restrictive environment” and if so, convene a placement team to review and revise the student’s IEP, as appropriate; and
 - iii. In doing so, the determination and eligibility for HHI shall be governed by the IDEA rather than the HHI program.
 - iv. The parent/guardian has the right to appeal the decision through the Office of the State Superintendent of Education (OSSE) (see below for additional detail).

6. If home or hospital instruction is approved, during the provision of such instruction Center City may make reasonable requests for information from the parent concerning the student’s continuing medical need for home or hospital instruction and work with a student’s parent to develop accommodations or measures that would permit the student to return to school.

Medical Certification

To access HHI, a parent/guardian must provide a medical certification of need. The request and physician verification form can be found [here](#) or at the campus front office. The form must be completed by the appropriate medical personnel and must:

1. Include signatory’s license number;
2. Certify that a student has been diagnosed with a health condition and explain how the condition had caused or is anticipated to cause the student to be unable to attend in-school instruction on a continuous, partial, or intermittent basis, at the student’s school of enrollment or attendance for 10 or more consecutive or cumulative school days during a school year;
3. Contain a recommendation that the student receive HHI;
4. Identify if there are a maximum number of direct instructional hours permitted due to the student’s health condition;
5. Define the expected duration and frequency of the student’s health condition and the needed start date for services; and
6. Explain whether the medical condition is anticipated to cause continuous, partial, or intermittent absence from school.

Recertification of Medical Need

When a student has already been receiving HHI services and the initial 60-day period, a parent/guardian must obtain a recertification of medical need and reapply at Center City **five** calendar days before the current HHI plan expires. This requires a second letter of need, with the same requirements of the original medical certification and must **also** include:

1. Verification of the continued need for HHI.



2. Includes the maximum number needs to continue them beyond of hours per week that the student can receive HHI; and
3. Defines the anticipated duration and frequency.

Delivery of Instruction

Home or hospital instruction will begin within 5 school days of the request being approved. Instruction will be provided in core academic subjects to the greatest extent possible. Special education and related services will also be provided to the greatest extent possible in accordance with an IEP or Section 504 Plan.

Instruction will be provided in-person by a home or hospital instructor unless the parent consents to virtual instruction via real-time videoconferencing. Instruction may be provided virtually without a parent's consent in the following circumstances:

- During a public health emergency;
- When the student has been diagnosed with a communicable disease;
- When a household member has been diagnosed with a communicable disease, if the student is to receive instruction at home; or
- When Center City PCS determines safety concerns prevent the delivery of in-person services.

Home or hospital instruction will include a minimum amount of time as directed by OSSE HHI guidance and best practices of direct instruction in each core subject. Additional instruction, special education, and/or related services Instruction will be provided during regular school hours at times determined by Center City PCS unless the parent and instructor agree otherwise. Failure of students to attend or participate in scheduled sessions will not result in additional time allotted or make-up sessions.

If instruction takes place in the home, the student's parent/guardian is responsible for being home during the entirety of the instructional period. Parent/guardian must be 18 years of age or older. A quiet, designated space must be provided for instruction to occur.

A regular program of study and preparation of lessons and materials, by their teachers, is required for each student. Substitute assignments may be provided if regular assignments or activities cannot take place outside of the classroom. In addition to the weekly instructional sessions, the student is expected to complete assignments on his or her own time. Assignments must be completed by the designated due date and are returned to the school for grading. Failure to complete or turn in assignments on time will result in zeros for those assignments and reflected in the grade accordingly. Grades earned during hospital and homebound instruction will be adding to any current grades and calculated towards the final grade for the quarter/year. For all content not covered through home or hospital instruction, the student will be given alternative assignments for credit recovery.



For hospitalized students, Center City PCS will work with the hospital to coordinate appropriate services.

Please reach out to the contact below with any questions about Center City's Home and Hospital Process:

Dr. Kate Merrill

Managing Director of Curriculum and Instruction

kmerrill@centercitypcs.org

202-589-0202

Appeal and Mediation

Appeals are limited to instances where the parent/guardian asserts that the application and medical certification or recertification are complete and/or the Center City's decision was not made in accordance with the statute and/or regulations. The appeal process is outlined below.

1. Parent/Guardian appeals by submitting a written request for an appeal to OSSE within **10** calendar days of receipt of the Center City decision approving or denying the student home or hospital instruction. Appeals to OSSE can be made through the OSSE Home and Hospital Instruction Appeal [Portal](#).
 - a. An appeal must include all student information, the Center City's reason for denial (if given), a copy of the medical certification, and why the applicant believes the Center City's decision was not in alignment with the law.
 - b. An individual who is unable to file a written request for appeal by e-mail may contact the OSSE Division of Systems and Supports, K12, Special Populations and Programs office at OSSE.HHlappeal@dc.gov for further assistance.
 - c. OSSE will refer each request for appeal to the OSSE Office of Dispute Resolution to coordinate mediation of the request for appeal.
 - d. Mediation is an automatic step in the appeal process.
 - e. Center City shall participate in a mediation with the parents/guardians.
 - f. Parents/Guardians have the right to request **one** change in date for mediation.
 - g. OSSE will deny the appeal if a parent/guardian fails to participate in the mediation.
2. If, following receipt of the appeal and after completion of mediation, the Center City and the parent/guardian are unable to resolve the issues raised by the appeal, the appeal shall be reviewed by a three-member appeals panel within OSSE within **eight** school days of the failed mediation.
3. The parent/guardian may request an opportunity for oral argument before the appeals panel.
 - a. The parent/guardian shall have the burden of proof.



- b. The presumption will be in favor of the medical opinion set forth in the medical certification or recertification. The Center City shall have the burden of proof in seeking to rebut this presumption.
- c. The panel will consist of OSSE employees with appropriate expertise as determined by OSSE.
- d. OSSE will issue a final decision within **10** days following receipt of the appeal to the panel that indicates the findings of fact upon which the decision is based, and next steps.
- e. In the case where the appeal is determines that HHI should be provided, the Center City must provide services no later than **five** days following the issuance of the decision.

Definitions

Health Condition – a physical or mental illness, injury, or impairment that prevents a student from participating in the day-to-day activities typically expected during school attendance.

Home or hospital instruction – academic instruction and support provided to a student participating in a home and hospital instruction program.

Home and hospital instruction program – a program that provides instruction and support to students who have been or are anticipated to be unable to attend in-school instruction, on a continuous, partial, or intermittent basis, from their school of enrollment for 10 or more consecutive or cumulative school days during a school year due to a health condition.

IDEA – the Individuals with Disabilities Education Act, approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § 1400 *et seq.*), and its implementing regulations.

IEP – an individualized education program, which is a written plan that specifies special education programs and services to be provided to meet the unique educational needs of a child with a disability, as required under section 614(d) of IDEA (20 U.S.C. § 1414(d)).

In School – Instruction that takes place when the student is either physically present in the school of attendance or when the student is receiving instruction remotely, excluding remote Center Cityrning as part of a home instruction program pursuant to this chapter or in accordance with the IDEA.

Center City – Local education agency, which is the District of Columbia Public Schools and any individual or group of public charter schools operating under a single charter in the District of Columbia.

OSSE – the Office of the State Superintendent of Education established by the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176, D.C. Official Code § 38-2601 *et seq.*).



Parent – a parent, guardian, or other person who has custody or control of a student enrolled in a school or in Center City, a student who is 18 years or older and for whom educational rights have transferred, or an emancipated minor.

Administrative

Center City’s HHI policy can be found [here](#).

Center City’s HHI application can be found [here](#).

For more information, contact Dr. Kate Merrill at kmerrill@centercitypcs.org.

[1] DC ACT 25-526, D.C. Official Code Sections 38-251.01 through 38-251.10



Home and Hospital Instruction Request Form

<i>To be completed by the parent</i>	
Student Name:	DOB:
Campus:	Grade:
Requested Start Date of HHI:	Requested Duration of Services:
Advocate or Attorney Representation, if applicable:	
Disclosure statement: <i>I consent for my child's physician(s) to disclose medical information relevant to this HHI request, including but not limited to diagnoses, resting results, and treatment.</i>	
Parent Name: _____	
Signature: _____	

Physician Verification Form: Medical Certification of Need

<i>The treating practitioner for the diagnosis related to absences should complete this form. It MUST be completed by a licensed physician, licensed nurse practitioner, licensed clinical psychologist, licensed mental health counselor or therapist, or physician's assistant, and cannot be completed by any other provider or the parent/guardian.</i>	
Provider Name:	Provider Title:
Provider License Number:	Date Completed:
Practice Name:	Practice Number/email:
Name the student's health diagnosis and explain how the condition caused, or is anticipated to cause, the student to be unable to attend in-school instruction for 10 or more consecutive	

or cumulative school days during the school year:

Will this condition result in continuous, partial, or intermittent absences from school?

Describe how the student's health condition will affect their ability to participate in home/hospital instruction. Are there a maximum number of direct instruction hours permitted due to the student's health condition? If so, explain:

What is the expected duration and frequency of the student's health condition? When is the anticipated start date for HHI services?

Describe the student's treatment plan (including frequency and duration) and expected return date to the regular educational environment.

Please note any other information the school should be aware of.



Physician's Certification: I hereby certify the following:

- This student is under my care and treatment for the aforementioned condition(s).
- The student requires home or hospital instruction and is unable to attend school, on a continuous, partial, or intermittent basis, for 10 or more consecutive or cumulative school days during a school year as a result of their health condition(s).
- My recommendation has been made on the medical needs of the patient and not parent preferences.
- Any treatment plan that may result in impacts to school attendance is medically necessary.
- I understand that this certification is for 60 days or the duration estimated in the medical certification of need, whichever is less; and that I will need to recertify the need for continued home or hospital instruction if the need extends beyond 60 days.

(Print) Physician's Name

Physician's Signature

Date