



HOME OR HOSPITAL INSTRUCTION POLICY

The purpose of the Home or Hospital Instruction Policy is to provide academic instruction and support to students who have been or will be absent from school for 10 or more consecutive or cumulative school days during a school year due to a health condition¹. Thurgood Marshall Academy's Home or Hospital Instruction program is designed to promote student academic progress, provide academic instruction in core subjects, and special education and related services when applicable, to the greatest extent possible, foster coordination between the student's classroom teachers and the home or hospital instructors, and facilitate the rapid reintegration into classroom instruction when the student returns to school.

LEA Designee

Thurgood Marshall Academy PCHS has designated the following individual to manage PCS' home and hospital instruction program:

Elena Roberts
eroberts@tmapchs.org

Eligibility for Home or Hospital Instruction

Any Thurgood Marshall Academy student who has been or is anticipated to be absent from school, on a continuous, partial, or intermittent basis, for 10 or more consecutive or cumulative school days during a school year due to a health condition may be eligible for home or hospital instruction. The following steps must be taken before home or hospital instruction is provided:

- A parent/guardian, or adult student, is responsible for requesting home or hospital instruction. This request may be written or oral and must be submitted to **Elena Roberts**.
- Upon receipt of a request for home or hospital instruction, Thurgood Marshall Academy PCHS will document and acknowledge the request within 2 school days and will provide the parent with information on how to submit an application requesting home or hospital instruction
 - If the student has a known or suspected disability under Section 504 of the Rehabilitation Act ("Section 504") or the Individuals with Disabilities Education Act ("IDEA"), the acknowledgement will include a notice of the parent/student's rights under the IDEA or Section 504.
- The parent must submit a completed application for home or hospital instruction that includes a completed Medical Certification of Need and signed Parent Agreement for Home or Hospital Instruction. The application must include:
 - The student's name, and date of birth;
 - The name of the LEA the student is enrolled in and the name of the student's current school of attendance;
 - The parent's name, address, phone number, and email address;

¹ "Health condition" means 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.



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- A medical certification of need;
- The requested start date and duration of home or hospital instruction services;
- The consent of the parent for disclosure of information contained in or related to the medical certification of need; and
- The parent's signature.
- Within 5 calendar days of receiving the medical certification of need and parent agreement for home or hospital instruction, Thurgood Marshall will issue a written decision approving or denying the request and explaining the basis for that decision;
 - A request will only be denied if the medical certification of need is missing or incomplete;
 - If a request is denied, the written explanation will state specifically that the basis for the determination was a missing or incomplete application or medical certification of need;
 - If a request is denied, Thurgood Marshall will include in the written decision how the parent may appeal that decision.
 - If a request is approved, the written decision will include a written plan for the delivery of instruction that includes the service delivery location service to be delivered, identification of virtual and/or in-person service delivery as the method of service, identification of the number of hours per week of direct instruction for eligible students according to the medical certification of need, and the schedule for service delivery.

Medical Certification of Need

The medical certification of need must be signed by a licensed physician, licensed nurse practitioner, licensed clinical psychologist, licensed mental health counselor or therapist, or physician's assistant and must include the following:

- The signatory's license number;
- Diagnosed health condition and explanation of how the health condition has caused or is anticipated to cause the 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;
- Recommendation that student receive home or hospital instruction to the extent permitted by the student's health condition;
- Recommended start date for services;
- Whether there is a maximum number of direct instructional hours that the student may receive per week based on the student's health condition;
- Anticipated duration and frequency of the student's health condition and need for home or hospital instruction;
- Whether the student's health condition is anticipated to cause continuous, partial, or intermittent absence from school.

While home or hospital instruction is being provided, Thurgood Marshall Academy may request updated information related to the student's continued medical need and work with the parent to develop a plan that would permit the student to return to school.



Medical Recertification of Need

The medical recertification of need must be signed by a licensed physician, licensed nurse practitioner, licensed clinical psychologist, licensed mental health counselor or therapist, or physician's assistant and must include the following:

- The signatory's license number;
- Verification of the continued need for home or hospital instruction and whether the student requires instruction in a home or hospital;
- Whether there is a maximum number of direct instructional hours that the student may receive per week based on the student's health condition; and
- Anticipated duration and frequency of the student's health condition.

Duration of Home or Hospital Instruction

Approval of home or hospital instruction requests are expected to last no longer than 60 calendar days or the duration estimated in the medical certification of need, whichever is less. A parent may request to extend the program for periods of up to 60 calendar days by submitting a medical recertification of need at least 5 calendar days before the date that the parent desires for the extension to begin.

Proposed Accommodations to Allow Student to Remain in School

Before or after a request for home or hospital instruction is granted, Thurgood Marshall may propose accommodations to allow the student to remain in school but will only proceed with such accommodations if the medical professional that signed the medical certification of need agrees in writing that such accommodations meet the medical needs of the student and permit in-school instruction.

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 or asynchronous learning. Instruction may be provided virtually without a parent's consent in the following circumstances:

- During a public health emergency;



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- 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;
- When Thurgood Marshall Academy determines safety concerns prevent the delivery of in-person services; or
- When the student is receiving medical treatment outside of the District of Columbia.

Home or hospital instruction will include a minimum number of hours per week of direct instruction for an approved student based on the medical certification or recertification of need.. Additional instruction, special education, and/or related services will be individualized based on student need, the student's schedule and the amount of in-school instruction the student is expected to receive.

Instruction will be provided during regular school hours at times determined by Thurgood Marshall 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.

Attendance records will be maintained for a student receiving home or hospital instruction. During the period of home or hospital instruction, the student will be counted as medically excused, except when a student is not available for home or hospital instruction, in which case the student may be counted absent.

A regular program of study and preparation of lessons and materials, by their teachers, is required for each student. PCS will provide content aligned to that being provided in the student's classroom at their school of attendance, including without limitation a nonpublic special education day school or residential facility. 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, Thurgood Marshall will work with the hospital to coordinate appropriate services.

If a student with a disability is found eligible for home or hospital instruction, the responsibilities for planning, implementing and monitoring the academic program remain with the student's IEP or 504 team.

Students with Disabilities Under the IDEA

Nothing in this policy shall be construed to supersede the requirements of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et seq.) with regard to an LEA's obligation to determine the educational placement in the least restrictive environment for a student with a disability under the IDEA.



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When a parent makes a request for home or hospital instruction for a student who is suspected of being or is eligible for special education services under the IDEA, the LEA shall:

- (a) Provide the parent with notice of the procedural safeguards under the IDEA defined by 34 CFR § 300.504; and
- (b) Consider whether the request for home or hospital instruction could impact the student's educational placement in the least restrictive environment, and if so, convene a placement determination team to review and revise the educational placement of the student, as appropriate, and to review and revise the student's IEP, as appropriate.

If an LEA convenes a placement determination team to review whether the educational placement of a student with a disability should be changed, the determination and eligibility for home or hospital instruction shall be governed by the IDEA and any applicable District law or regulation governing IDEA rather than the standards in this chapter.

If a student with a disability is placed in home or hospital instruction in accordance with the IDEA, the provision and duration of services shall be governed by the IDEA and any applicable District law or regulation governing IDEA rather than the standards in this chapter.