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ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL Home and Hospital Instruction Policy

Introduction

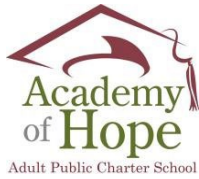
All public school learners have a right to public education, including when they may have a short-term medical situation that prevents them from attending school in person. To this end, the Learners' Right to Home and Hospital Instruction Act of 2020¹ (Act), requires every LEA to adopt and implement a home and hospital instruction program.

ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL has designed this policy to promote a participating learner's academic progress by allowing the learner 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 the classroom instruction can be achieved when the learner returns to school.

Process

1. An interested learner must complete an application to notify the **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL** that they are interested in HHI. The request may be made verbally, but **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL** 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](#). It includes:
 - a. Learner's name and date of birth;
 - b. **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL** current campus;
 - c. Learner's address, phone number and email address as available;
 - d. A medical certification, as defined below;
 - e. Requested start date and duration of services;
 - f. Consent for disclosure of medical information; and
 - g. Learner's signature.
3. HHI Application Process:
 - a. The learner downloads application form here.
 - b. The current school Principal/ Assistant Principal must approve and sign the HHI application
 - c. The learner emails the completed application to **admissions@aohdc.org**
4. Learners will be notified of **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL**'s decision within five business days of receipt of the application.
 - a. **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL** will issue a written decision with an explanation for approval or denial.

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



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- b. If approved- **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL** will include a written plan for the delivery of HHI that 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 learner's health condition or 60 days, whichever is less. If a learner requires more than **60** days of HHI, the learner must reapply at Academy of Hope Adult Public Charter Schools **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.
5. The learner 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 **ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL** may make reasonable requests for information from the learner concerning the learner's continuing medical need for home or hospital instruction and work with a learner to develop accommodations or measures that would permit the learner to return to school.

Medical Certification

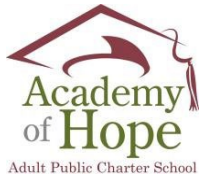
To access HHI, a learner must provide a medical certification of need. This is a written letter from the appropriate medical personnel and must:

1. Include signatory's license number;
2. Certify that a learner has been diagnosed with a health condition and explain how the condition had caused or is anticipated to cause the learner to be unable to attend in-school instruction on a continuous, partial, or intermittent basis, at the learner'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 learner receive HHI;
4. Identify if there are a maximum number of direct instructional hours permitted due to the learner's health condition;
5. Define the expected duration and frequency of the learner'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 learner has already been receiving HHI services and the initial 60-day period, a learner must obtain a recertification of medical need and reapply at Academy of Hope Adult Public Charter Schools **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;



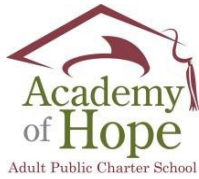
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2. Includes the maximum number needs to continue them beyond of hours per week that the learner can receive HHI; and
3. Defines the anticipated duration and frequency.

Appeal and Mediation

Appeals are limited to instances where the learner asserts that the application and medical certification or recertification are complete and/or the ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL's decision was not made in accordance with the statute and/or regulations. The appeal process is outlined below.

1. Learner appeals by submitting a written request for an appeal to OSSE within **10** calendar days of receipt of the ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL decision approving or denying the learner home or hospital instruction. Appeals to OSSE can be made through the OSSE Home and Hospital Instruction Appeal [Portal](#).
 - An appeal must include all learner information, the ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL's reason for denial (if given), a copy of the medical certification, and why the applicant believes the ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL's decision was not in alignment with the law.
 - 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.HHIappeal@dc.gov for further assistance.
2. OSSE will refer each request for appeal to the OSSE Office of Dispute Resolution to coordinate mediation of the request for appeal.
 - Mediation is an automatic step in the appeal process.
 - The ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL shall participate in a mediation with the parents/guardians.
 - Learners have the right to request **one** change in date for mediation.
 - OSSE will deny the appeal if the learner fails to participate in the mediation.
3. If, following receipt of the appeal and after completion of mediation, the ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL and the learner 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.
 - The learner may request an opportunity for oral argument before the appeals panel.
 - The learner shall have the burden of proof.
 - The presumption will be in favor of the medical opinion set forth in the medical certification or recertification. The ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL shall have the burden of proof in seeking to rebut this presumption.
 - The panel will consist of OSSE employees with appropriate expertise as determined by OSSE.



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4. 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.
5. In the case where the appeal is determines that HHI should be provided, the ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL 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 learner from participating in the day-to-day activities typically expected during school attendance.

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

Home and hospital instruction program – a program that provides instruction and support to learners 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.

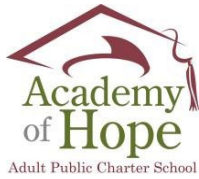
IEP – an individualized education program, which is a written plan that specifies special education programs and services to be provided to meet the unique educational needs of a child with a disability, as required under section 614(d) of IDEA (20 U.S.C. § 1414(d)).

In School – Instruction that takes place when the learner is either physically present in the school of attendance or when the learner is receiving instruction remotely, excluding remote Academy of Hope Adult Public Charter Schooling as part of a home instruction program pursuant to this chapter or in accordance with the IDEA.

ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL – 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 learner enrolled in a school or in an ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL, a learner who is 18 years or older and for whom educational rights have transferred, or an emancipated minor.



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Administrative

ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL's HHI policy can be found [HERE](#).

ACADEMY OF HOPE ADULT PUBLIC CHARTER SCHOOL's HHI application can be found [HERE](#).

For more information Academy of Hope Adult Public Charter Schools **Chief Academic Officer, Dr. Michael Durant** by submitting the request via email at mdurant@aohdc.org.