

HOME SCHOOL

I. Purpose.

Compulsory school attendance shall begin with the school year in which the sixth birthday is reached prior to the first day of July of such year or upon enrolling in a publicly supported kindergarten program and continue to the seventeenth birthday. The Raleigh County Board of Education (RCBOE) recognizes there is an exemption from the foregoing requirement of compulsory public school attendance as stated in West Virginia §18-8-1 and in this policy.

II. Statutory Provisions.

A. A child is exempt from compulsory school attendance for home instruction if one of the following is met.

- (1) The instruction shall be in the home of the child or children or at some other place approved by the {RCBOE} and for a time equal to the instructional term set forth in W. Va. Code §18-5-45.

If the request for home instruction is denied by the RCBOE, good and reasonable justification for the denial shall be furnished in writing to the applicant by the RCBOE.

The instruction shall be conducted by a person or persons who, in the judgment of the county superintendent and RCBOE, are qualified to give instruction in subjects required to be taught in public elementary schools in the state.

The person or persons providing the instruction, upon request of the county superintendent, shall furnish to the RCBOE information and records as may be required periodically with respect to attendance, instruction and progress of students receiving the instruction.

Or

- (2) The child meets the requirements set forth in this subdivision: *provided*, that the county superintendent may, after a showing of probable cause, seek from the circuit court of the county an order denying home instruction of the child. The order may be granted upon a showing of clear and convincing evidence that the child will suffer neglect in his or her education or that there are other compelling reasons to deny home instruction.

B. The parent of a child receiving home instruction **shall** present to the county superintendent or RCBOE a **notice of intent** to provide home instruction and that includes the name, address, and age of any child of compulsory school age to be instructed and assurance that the child shall receive instruction in reading, language, mathematics, science, and social studies and that the child shall be assessed annually in accordance with this policy. The person providing home instruction shall notify the county superintendent upon termination of home instruction for a child who is of compulsory school age. Upon establishing residence in a new county, the person providing home instruction shall notify the previous county superintendent and submit a new notice of intent to the superintendent of the new county of residence: *Provided*, That if a child is enrolled in a public school, notice of intent to provide home instruction shall be on or before the date home instruction is to begin;

C. The person or persons providing home instruction shall submit satisfactory evidence of a high school diploma or equivalent, or a post-secondary degree or certificate from a regionally accredited institution or from an institution of higher education that has been authorized to confer a post-secondary degree or certificate in West Virginia by the West Virginia Council for Community and Technical College Education or by the West Virginia Higher Education Policy Commission;

D. Annually, the person or persons providing home instruction shall obtain an academic assessment of the child for the previous school year in one of the following ways:

- (1) The child receiving home instruction takes a nationally normed standardized achievement test published or normed not more than 10 years from the date of administration and administered under the conditions as set forth by the published instructions of the selected test and by a person qualified in accordance with the test's published guidelines in the subjects of reading, language, mathematics, science and social studies. The child is considered to have made acceptable progress when the mean of the child's test results in the required subject areas for any single year is within or above the fourth stanine or, if below the fourth stanine, shows improvement from the previous year's results; or
- (2) The child participates in the testing program currently in use in the state's public schools. The test shall be administered to the child at a public school in the county of residence. Determination of acceptable progress shall be based on current guidelines of the state testing program; or
- (3) A portfolio of samples of the child's work is reviewed by a certified teacher who determines whether the child's academic progress for the year is in accordance with the child's abilities. The teacher shall provide a written narrative about the child's progress in the areas of reading, language, mathematics, science, and social studies and shall note any areas which, in the professional opinion of the reviewer, show need for improvement or remediation. If the narrative indicates that the child's academic progress for the year is in accordance with the child's abilities, the child is considered to have made acceptable progress; or
- (4) The child completes an alternative academic assessment of proficiency that is mutually agreed upon by the parent or legal guardian and the county superintendent.

E. A parent or legal guardian shall maintain copies of each student's academic assessment for three years. When the annual assessment fails to show acceptable progress, the person or persons providing home instruction shall initiate a remedial program to foster acceptable progress. Upon request, the RCBOE shall notify the parents or legal guardian of the child, in writing, of the services available to assist in the assessment of the child's eligibility for special education services. Identification of a disability does not preclude the continuation of home schooling. In the event that the child does not achieve acceptable progress for a second consecutive year, the person or persons providing instruction shall submit to the county superintendent additional evidence that appropriate instruction is being provided.

F. The parent or legal guardian shall submit to the county superintendent the results of the academic assessment of the child at grade levels three, five, eight, and 11, as applicable, by June 30 of the year in which the assessment was administered.

G. The county superintendent or a designee shall offer such assistance, including textbooks, other teaching materials and available resources, all subject to availability, as may assist the person or persons providing home instruction. Any child receiving home instruction may upon approval of the RCBOE exercise the option to attend any class offered by the RCBOE as the person or persons providing home instruction may consider appropriate subject to normal registration and attendance requirements.

III. Requirements for Entering.

A. In accordance with W. Va. Code §18-8-1a(c), attendance at a state-approved, nonpublic kindergarten program, including a Montessori, homeschool, Hope Scholarship, or private, parochial, or church kindergarten program, is deemed school attendance. Students entering Raleigh County Schools after such kindergarten program shall be placed in the developmentally and academically appropriate grade level.

B. In accordance with W. Va. Code §18-8-1a(e), a student from another state, or who is eligible to enroll in a public school in this state, shall be enrolled in the same grade level in a public school in West Virginia as the student was enrolled at the school or program from which the student transferred. A transcript or other credential provided by a public school, private school, homeschool, microschool program, or HOPE scholarship program shall be accepted by Raleigh County Schools as a record of a student's previous academic performance for purposes of placement and credit assignment.

C. Upon notification of intent to enter, the building principal will contact the parent or legal guardian to establish a date and time to enroll the student and begin the development of a course schedule.

D. Students who enroll after a semester begins and wish to receive credit for courses they will be enrolled in that semester must meet the following requirements:

- (1) All work missed during the grading period or semester must be made up and submitted on a date mutually agreed upon by the student and teacher(s) involved; and
- (2) A student who fails any required subject must repeat that particular course.
- (3) The student's permanent record will reflect the time during which home schooling occurred.
- (4) A high school diploma will be granted if the student meets Raleigh County Board of Education Policy D.3.30: Promotion, Retention, and Graduation Requirements. Otherwise, a student may exercise the right to take the West Virginia High School Equivalency Assessment or be considered a candidate for the Option Pathway program which is contingent on meeting eligibility requirements and availability.

IV. Severability.

If any provision of this policy or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.

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