

## 9270- PROCEDURE FOR EDUCATING A CHILD AT HOME (HOME INSTRUCTION)

Under provisions set forth in WV Code 18-8-1(c)(1), the instruction shall be in the home of the child or children or at some other place approved by the Board and for a time equal to the instructional term set forth in WV Code 18-5-45.

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

The instruction shall be conducted by a person or persons who, in the judgment of the Superintendent and the Board, 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 Superintendent, shall furnish to the Board information and records as may be required, from time-to-time, with respect to attendance, instruction, and progress of students enrolled between the entrance age and seventeen (17) years receiving the instruction.

Under provisions set forth in WV Code 18-8-1(c)(2), upon commencing home instruction, the parent of a child receiving home instruction shall present to the Superintendent or the Board of Education a notice of intent to provide home instruction. The notice shall include the name, address, and age of any child of compulsory school age to be instructed. The notice shall also include an 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 guideline. The person providing home instruction shall notify the Superintendent upon termination of home instruction for a child who is of compulsory attendance age. Upon establishing residence in a new county, the person providing home instruction shall notify the previous superintendent and submit a new notice of intent to the superintendent of the new district of residence.

If a child is in a public school, notice of intent to provide home instruction shall be on or before the date the home instruction is to begin.

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.

The Board has also established the following requirements and limitations to home instruction.

### **Participation in School**

The Superintendent or a designee shall offer such assistance, including textbooks, other teaching materials and available resources, as may assist the person or persons providing home instruction subject to their availability.

Students who are excused from attendance at school by reason of home education will be deemed to have withdrawn from enrollment in the District during the period of home education.

Any child receiving home instruction, upon approval of the School Board, may exercise the option to attend any class offered by the School Board. Appropriate registration procedures must be followed.

A homeschooled student is not eligible to participate in any of the District's student services, programs, or activities including, but not limited to:

- A. attendance at a District school on a part-time basis subject to normal registration and attendance requirements;
- B. participation in school-sponsored athletic programs or teams; West Virginia Secondary School Activities Commission eligibility rules require that a student must attend the school in which s/he is enrolled before s/he can participate);
- C. participation in school-sponsored co-curricular or extra-curricular activities or programs.

### **Assessment**

Annually, the person or persons providing home instruction shall obtain an academic assessment of the child for the previous school year in one (1) of the following ways:

- A. The child receiving home instruction takes a nationally normed standardized achievement test published or normed not more than ten (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 subject of reading, language, mathematics, science and social studies. The child shall be 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.
- B. The child participates in the testing program currently in use in the District's public schools. The test shall be administered to the child at a public school in the county of residence. Determination of acceptable progress will be based on current guidelines of the State testing program.
- C. 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.
- D. The child completes an alternative assessment of proficiency that is mutually agreed upon by the parent or legal guardian and the Superintendent.

A parent or legal guardian shall maintain copies of each student's Academic Assessment for three (3) years. When the annual assessment fails to show acceptable progress, the person or person providing home instruction shall initiate a remedial program to foster acceptable progress and the Board, upon request, 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. However, the identification of a disability shall not preclude the continuation of homeschooling.

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 Superintendent additional evidence that appropriate instruction is being provided.

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

As stated above the home-schooled student will be permitted to take achievement tests given by the District. This is to be done cost-free but must be done during the regular testing cycle. It is the parent's responsibility to make the appropriate arrangements with the school principal. The Board will not pay for any standardized testing of students not residing in the District. The student may take tests such as the SAT, ACT, PSAT, PLAN, etc. normally given at the high school at the same cost charged to students enrolled in the public schools.

The Superintendent may, after a showing of probable cause, seek from the circuit court of the District an order denying home instruction of a child. The order may be granted upon a showing of clear and convincing evidence that the child will suffer neglect in the child's education or that there are other compelling reasons to deny home instruction.

### **Re-Enrollment in School**

Students are encouraged to enroll at the beginning of a school year or semester, and the grade placement for the child shall be the determination of the schools' personnel.

If a parent wishes to have his/her child return to a District school, s/he must follow normal enrollment guidelines. The conditions described in AG 9270A - Admission of students from Non-Chartered Schools will apply.

In grades 9-12, if the student wishes to enroll, the parent must provide an academic assessment report for each class taken at home. In addition, the school will need the grades from the last public or private school attended. Athletic eligibility will be determined by WVSSAC guidelines and the District's athletic policy.

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