

<b>FAUQUIER COUNTY PUBLIC SCHOOLS</b>	Policy: 6-1.11
	Adopted: 1/14/2013
	Revised: 2/8/16, 2/13/17, 12/11/17, 9/10/18
<b>HOME INSTRUCTION</b>	

**1. Generally**

- 1.1. The Fauquier County School Board recognizes that, when the requirements of the Code of Virginia, section 22.1-254.1 are met, instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday may elect to provide home instruction in lieu of school attendance if he/she: (i) holds a high school diploma; (ii) is a teacher with qualifications prescribed by the Board of Education; (iii) provides the child with a program of study or curriculum which, may be delivered through a correspondence course or distance learning program or in any other manner; or (iv) provides evidence that he is able to provide an adequate education for the child.
- 1.2. For the purposes of this policy, “parent” means the biological parent or adoptive parent, guardian, or other person having control or charge of a child.

**2. Notification**

- 2.1. Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the division superintendent no later than August 15 of his/her intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one (1) of the criteria for providing home instruction. Any parent who moves into the School Division or begins home instruction after the school year has begun shall notify the division superintendent of his/her intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty (30) days of such notice. The division superintendent shall notify the Superintendent of Public Instruction of the number of students in the School Division receiving home instruction.
- 2.2. The School Board shall make Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and the PreACT examinations available to students receiving home instruction. The School Board shall notify such students and their parents of such registration deadline and the availability of financial assistance to low-income and needy students to take such examinations.

**3. Evidence of Progress**

- 3.1. A parent who elects to provide home instruction to a child who is over the age of six (6) as of September 30 of the school year shall provide the Superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine on any nationally normed standardized achievement test, or an equivalent score on the ACT, SAT, or PSAT or (ii) an evaluation or assessment, which, the Superintendent, determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) evaluation letter from a person licensed to teach in any state, or a person with a master’s degree or higher in an academic discipline, having knowledge of the child’s academic progress, stating that the child is achieving an adequate level of educational growth and progress; or (b) report card or transcript from a community college or college, college distance learning program, or home-education correspondence school.
- 3.2. In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one (1) year. Parents shall file with the division superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year, which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the division superintendent, the home instruction may continue for one (1) probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1, following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with the Code of Virginia, section 22.1-254.

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- 3.3. The division superintendent and the School Board will not disclose to the Department of Education or any other person or entity outside the local school division information that is provided by a parent or student to satisfy the requirements of this Policy regarding home instruction. However, the division superintendent or the School Board may disclose, with the written consent of the parent, such information to the extent provided by the parent’s consent.

**4. Immunizations**

- 4.1. Any parent, guardian, or other person having control or charge of a child being home instructed, exempted, or excused from school attendance shall comply with the immunization requirements provided in the Code of Virginia, section 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.
- 4.2. Upon request by the division superintendent, the parent or guardian shall submit to such Superintendent documentary proof of immunization in compliance with the Code of Virginia, section 32.1-46.
- 4.3. No proof of immunization shall be required of any child upon submission of (i) an affidavit to the division superintendent stating that the administration of immunizing agents conflicts with the parent’s or guardian’s religious tenets or practices or (ii) a written certification from a licensed physician that one (1) or more of the required immunizations may be detrimental to the child’s health, indicating the specific nature of the medical condition or circumstance that contraindicates immunizations.

**5. Entry to Public Schools**

- 5.1. Any parent who elects to enter his/her child in public schools after providing home instruction will provide the accepting school with documentation of the child’s achievement in order to determine placement. This documentation will consist of transcripts from correspondence courses, standardized test results, or portfolios of work completed in the classes. The receiving school will be responsible for assessing the academic achievement and determining the appropriate placement of the child for the purpose of assigning grade level and or earned credits.
- 5.2. High school students may be required to take tests to demonstrate mastery of skills for any specific class. This may include final exams, achievement testing, textbook assessments, or teacher-developed assessments. No grade or credit will be assigned for home-instructed high school classes without the appropriate documentation.
- 5.3. High school weights shall be applied only to grades earned for completion of both Advanced Placement course work and corresponding examinations sanctioned by the College Board.
- 5.4. Elementary and middle school students may be required to take achievement tests to determine grade placement. This may include achievement test, or other standardized testing to determine grade equivalency.
- 5.5. Decisions about grade placement and course credits are the responsibility of the school principal or her/his designee. The decision of the principal is final.

**LEGAL REFERENCE:** Code of Virginia of 1950, as amended, §§ 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-34; *Pollard v. Goochland County School Board*, No. 3:00CV563 (E.D. Va. Sept. 27, 2001).

*Form Follows*

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**ACCOMPANYING FORMS**

6-1.11 F1      NOTICE OF INTENT TO PROVIDE HOME INSTRUCTION



## NOTICE OF INTENT TO PROVIDE HOME INSTRUCTION

SCHOOL YEAR: 20\_\_\_\_ - 20\_\_\_\_

I am providing notice of my intention to provide home instruction for the child(ren) listed below as provided by §22.1-254.1 of the *Code of Virginia*, in lieu of public school attendance:

Name(s) of Child(ren)	Date of Birth	Age on or before September 30	Grade Level

I am eligible to provide home instruction under the following option (check one):

- I have a high school diploma or higher credential.**  
(Attach copy of high school diploma OR transcript OR higher credential)
- I have the qualifications prescribed by the Board of Education for a teacher.**  
(Attach copy of your current teaching license or a statement to this effect from the Virginia Department of Education)
- I have provided a program of study or curriculum to be delivered through a correspondence course, distance learning program or some other manner.**  
(Attach a notice of acceptance or other evidence of enrollment showing name of the school and a list of subjects to be studied. for a correspondence course or distance learning program. For a program program of study or curriculum delivered through any other manner, attach a list of subjects to be studied for the coming year)
- I have attached to this notice evidence that I am able to provide an adequate education for my child(ren).**  
(Attach a statement)

**A description of the curriculum, limited to a list of subjects to be studied during the coming school year, is attached for each child** as prescribed in §22.1-254.1 (B). Evidence of having met one of the above criteria, list of subjects to be studied, along with this Notice will be provided to the school division by **August 15** of each year, as prescribed in §22.1-254.1 of the *Code of Virginia*. If I begin home instruction after the school year has started, I will submit this Notice as soon as practicable and comply with the other requirements within 30 days of this Notice to the school division.

I understand that by **August 1** following this school year, I must provide **evidence of progress** for each child listed above between the age of six (on or before September 30 of this school year) and 18 who has not graduated or obtained a high school diploma, as prescribed in § 22.1-254.1 of the *Code of Virginia*.

High school-age home instruction students may participate in Advanced Placement (AP) and Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and PreACT examinations. Please contact the guidance department at the high school which serves your home address to register your child by September 15 for the PSAT and March 1 for AP test registration. Financial assistance is available to low-income and needy students to take these examinations.

I hereby certify that I am the parent or guardian of the child(ren) listed above.

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name and address:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Email \_\_\_\_\_  
 Phone \_\_\_\_\_

\*\*\* For Office Use Only\*\*\*

**Please submit all materials to Fauquier County Public Schools Home Instruction:**

- US Mail: Office of Home Instruction, 775 Waterloo Road, Warrenton, VA 20186
- FAX: (540) 422-7739
- E-mail: homeinstruction@fcps1.org

\_\_\_\_\_  
 Acknowledgement of receipt of Notice of Intent  
 and required documents

\_\_\_\_\_  
 Date