

Home-Based Education

When a parent/guardian of a student who has attained the age of seven years and is below the age of 16 wants to establish a nonpublic home-based educational program for their child, the program shall include, but need not be limited to, communication skills of reading, writing and speaking, mathematics, history, civics, literature, science, and regular courses of instruction in the Constitution of the United States. A “nonpublic home-based educational program” means the sequential program of instruction for the education of a child which takes place in a home, which is provided by the child’s parent/guardian or by an adult relative of the child designated by the parent/guardian, and which is not under the supervision and control of a school district.

The following procedures shall be followed in accordance with law:

1. The parent/guardian must submit on an annual basis written notification of establishment of the home-based program to the district’s director of student services. The initial written notification shall be submitted at least 14 days before the program is started.
2. The parent/guardian must certify in writing the name, age, place of residence and number of hours of attendance of each of their children enrolled in the program. The program shall include no less than 172 days of instruction averaging 4 instructional contact hours per day.
3. The superintendent or designee shall give the parent/guardian 14 days written notice to produce records required by law if the district has probable cause to believe the program is not in compliance with the law.

4. Each student in a home-based program shall be evaluated when the student is in the third, fifth, seventh, ninth and 11th grades. The student's academic progress shall be evaluated either by giving a nationally standardized achievement test or by submitting an evaluation of the student conducted by a qualified person as defined in state law. The student's test or evaluation results shall be submitted to the district or to an independent or parochial school in Colorado. If the test or evaluation results are submitted to an independent parochial school, the name of the school shall be provided to the district.
5. If the student's composite score on the test is above the 13th percentile, the student shall continue to be eligible for the home-based educational program and exempt from compulsory attendance. If the score is at or below the 13th percentile, the parent/guardian shall be given the opportunity to have the student re-tested using an alternate version of the same test or a different nationally standardized test selected by the parent/guardian from a list supplied by the State Board of Education.
6. If the student's composite score on the test is above the 13th percentile, the student shall continue to be eligible for the home-based educational program and exempt from compulsory attendance. If the score is at or below the 13th percentile, the parent/guardian shall be given the opportunity to have the student re-tested using an alternate version of the same test or a different nationally standardized test selected by the parent/guardian from a list supplied by the State Board of Education.

7. If the student's composite score on the test is above the 13th percentile, the student shall continue to be eligible for the home-based educational program and exempt from compulsory attendance. If the score is at or below the 13th percentile, the parent/guardian shall be given the opportunity to have the student re-tested using an alternate version of the same test or a different nationally standardized test selected by the parent/guardian from a list supplied by the State Board of Education.
8. If the evaluation conducted by a qualified person indicates that the student is making sufficient academic progress according to the student's ability, the student shall continue to be exempt from compulsory attendance.
9. If the composite score on a retest continues to be at or below the 13th percentile or if the evaluation conducted by a qualified person indicates that the student is not making sufficient academic progress, the district shall require the parent/guardian to enroll the student in a public, independent or parochial school.

Extracurricular and interscholastic activities

Students participating in home-based educational programs have the same rights as district students to participate in district extracurricular and interscholastic activities. Such participation is subject to the same rules of any interscholastic organization or association of which the district is a member, applicable law and the district's eligibility requirements.

If a student withdraws from the school district more than 15 days after the start of the school year and enters a home-based educational program, the school district shall remain the child's district of attendance for purposes of extracurricular and interscholastic activities. If the child was eligible to participate in extracurricular or interscholastic activities when the child withdrew from the public school, the child remains eligible to participate at that school for the remainder of the academic year.

Habitually truant students

Any student who has been declared habitually truant at any time during the last six months of attending public school before the proposed enrollment in a home-based educational program may not be enrolled unless the parent/guardian first submits a written description of the curricula to be used along with the written notification required in paragraph #1 above.

Re-entering district schools

A student from a home-based program may re-enter the district's schools at any time. With the consent of the student's parent/guardian, the district shall place the student at the grade level deemed most appropriate by the district. All students from home-based programs must demonstrate proficiency in the district's academic standards at their appropriate placement level. The district may test the student to determine placement.

1. The district shall accept the transcripts from a home-based educational program. In order to determine whether the courses and grades earned are consistent with district requirements and the district's academic

standards, the district shall require submission of the student's work or other proof of academic performance for each course for which credit toward graduation is sought. In addition, the district may administer testing to the student to verify the accuracy of the student's transcripts. The district may reject any transcripts that cannot be verified through such testing. See policy IKF.

Adopted April 5, 2000

Revised October 2, 2002

Revised June 18, 2008 (CASB-Jul)

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Revised September 7, 2022

Legal References

- C.R.S. 22-7-1006.3 (3)(b) (*home school students not required to take state assessments, even when the student attends a district school for a portion of the school day and is included in the district's pupil count*)
- C.R.S. 22-32-116.5 (*extracurricular and interscholastic activities*)
- C.R.S. 22-33-104.5 (*home-based education law*)
- C.R.S. 22-33-104.5 (3)(f) (*scores on nationally standardized tests or evaluations are not considered when measuring school performance and determining accreditation*)
- C.R.S. 22-33-107 (*compulsory attendance law*)

Cross References

- JGA, Assignment of New Students to Classes and Grade Levels
- JHB, Truancy
- JJJ, Extracurricular Activity Eligibility