

NOTICE OF INTENT TO PROVIDE HOME INSTRUCTION

School Year: _____ - _____

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

<u>NAME(S) OF CHILD(REN)</u>	<u>DATE OF BIRTH</u>	<u>GRADE LEVEL</u>

I wish to be recognized as eligible to provide home instruction by selecting the option indicated below. (Check one)

	<p>I have a high school diploma or a higher credential. (Attach copy of diploma or certificate from high school or college and a description of the curriculum to be followed for the coming year.)</p>
	<p>I have the qualifications prescribed by the Board of Education for a teacher. (Attach a copy of teaching certificate or statement to this effect from the Virginia Department of Education and a description of the curriculum to be followed for the coming year.)</p>
	<p>I have provided a program of study or curriculum which is to be delivered through a correspondence course or a distance learning program or in some other manner. (Attach notice of acceptance or other evidence of enrollment showing name and address of the school, the courses in which each child is enrolled, and a description of a program of study or curriculum you will use. If you choose to provide a program of study or curriculum in some other manner as specified in the Code, you must submit a copy of that program of study or curriculum to the school division.)</p>
	<p>I have attached to this notice a program of study or curriculum for the coming year which provides evidence that I am able to provide an adequate education for my child(ren).</p>

I understand that by August 1 following this school year, I must provide evidence of educational achievement as prescribed in § 22.1-254.1 of the Code of Virginia which defines the requirements for home instruction. (A copy of § 22.1-254.1 of the Code is attached to this Notice of Intent.)

I hereby certify that I am the parent/guardian of the child(ren) listed above and agree to comply with applicable policies and procedures.

Signature: _____ Date: _____

Print or type name, address, phone #

PHONE: _____

Return to:
Director for Student Services
Lynchburg City Schools
P. O. Box 2497
Lynchburg, Virginia 24505

§ 22.1-254.1. Declaration of policy; requirements for home instruction of children.

A. When the requirements of this section have been satisfied, 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 (i) holds a high school diploma; or (ii) is a teacher of qualifications prescribed by the Board of Education; or (iii) provides 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.

B. Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the division superintendent in August of his intention to so instruct the child and provide a description of the curriculum to be followed for the coming year and evidence of having met one of the criteria for providing home instruction as required by subsection A. Effective July 1, 2000, parents electing to provide home instruction shall provide such annual notice no later than August 15. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the division superintendent of his intention to provide home instruction as soon as practicable and shall thereafter comply with the requirements of this section within 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.

C. The parent who elects to provide home instruction shall provide the division 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 (ii) an evaluation or assessment which the division superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) an 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) a report card or transcript from a community college or college, college distance learning program, or home-education correspondence school. 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 year. Parents shall file with the division superintendent evidence of their ability to provide an adequate education for their child in compliance with subsection A 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 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 § 22.1-254. The requirements of subsection C shall not apply to children who are under the age of six as of September 30 of the school year.

D. Nothing in this section shall prohibit a pupil and his parents from obtaining an excuse from school attendance by reason of bona fide religious training or belief pursuant to subdivision B 1 of § 22.1-254.

E. Any party aggrieved by a decision of the division superintendent may appeal his decision within 30 days to an independent hearing officer. The independent hearing officer shall be chosen from the list maintained by the Executive Secretary of the Supreme Court for hearing appeals of the placements of children with disabilities. The costs of the hearing shall be apportioned among the parties by the hearing officer in a manner consistent with his findings.

F. School boards shall implement a plan to notify students receiving home instruction pursuant to this section and their parents of the availability of Advanced Placement (AP) and Preliminary Scholastic Aptitude Test (PSAT) examinations and the availability of financial assistance to low-income and needy students to take these examinations. School boards shall implement a plan to make these examinations available to students receiving home instruction.

(1984, c. 436; 1986, c. 215; 1991, c. 306; 1992, c. 131; 1993, c. 992; 1994, c. 854; 1998, c. 435; 1999, cc. 488, 552; 2005, c. 377; 2006, cc. 562, 567, 911, 932; 2008, cc. 364, 553.)