

Private Instruction in the Home or Other Approved Place

Compulsory school attendance shall begin with the school year in which the sixth birthday is reached prior to the first day of September of such year or upon enrolling in a publicly supported kindergarten program and continue to the seventeenth birthday.

Exemptions from compulsory public school attendance shall be made for the following causes, subject to confirmation by the Tyler County Board of Education.

18-8-1 (c)

- Parents/guardians may choose to home school their child (children) under Subsection 1 or Subsection 2 of state law 18-8-1 (c)

Subsection 1

Allows the county to determine who is qualified to homeschool and to request a variety of records from the home school provider. Under subsection 1, the county could deny homeschooling without seeking action from the county circuit court.

Requirements:

1) Instruction shall be in a school approved by the county board and for a time equal to the instructional term set forth in section forty-five, article five. In all private, parochial or other schools approved pursuant to this subsection. It is the duty of the principal or other person in control, upon the request of the county superintendent to furnish to the county board such information and records as may be required with respect to attendance, instruction, and progress, of students enrolled.

2) If the instruction is in the home approved by the county board of education the instruction shall be conducted by a person or persons who, in the judgement of the county superintendent and county board of education are qualified to give instruction in subjects required to be taught in public schools of the state. Approval shall be granted for home instruction. The right of revocation of permission to so instruct students shall be maintained by the board of education and the county Superintendent of schools at any time wherein it is found that any of the criteria upon which approval was made has been violated.

Re-Entry of Home Schooled Students following Exemption c, Subsection 1, Grades K-8 Approved Schools

Students grades K-8 receiving home instruction who wish to re-enter the Tyler County School system must notify the building principals of this intent. Upon notification the building principal will make arrangements with the child's parents/guardian to review test scores and or portfolios for student placement.

Exemption c, Subsection 2
Requirements

- 1) The parent of a child receiving home instruction shall present to the county superintendent or county board a notice of intent to provide home instruction 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.
- 2) The person or persons providing 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.
- 3) Annually, the person or persons providing home instruction shall obtain an academic assessment of the child for the previous schoolyear in one of the following ways.
 - a. The child takes a nationally normed standardized achievement test published or normed not more than ten 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, mathematics, science and social studies. Acceptable progress will be considered when the mean score 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 state's public schools. The test shall be administered to the child at a public school in the county of residence. Determinations of acceptable progress shall be based on current guideline 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; or
 - d. The child completes an alternative academic assessment of proficiency that is mutually agreed upon by the parent or legal guardian and the county superintendent.

- 4) 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 initiate a remedial program to foster acceptable progress. The county 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. 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.
- 5) 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 eleven, as applicable, by June 30 of the year in which the assessment was administered.

The following applies to both home instruction exemptions in subdivisions (1) and (2).

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 county board exercise the option to attend any class offered by the county board as the person or persons providing home instruction may consider appropriate subject to normal registration and attendance requirements.

Re-Entry of Home Schooled Students following Exemption c, Subsection 2 Grades K-8

Upon notification of intent to re-enter, the building principal will contact the parent or legal guardian to establish times and dates to review samples of student work, and review standardized test results so that classroom teachers and the building administrator can best determine appropriate grade placement for the student. If the student's test scores are below the average required by the state, the student will be given a placement test in Reading/Language Arts and Mathematics. Results will then be used to determine student placement.

Re-Entry of Home Schooled Students following Exemption c, Subsection 2 Grades 9-12

Students in grades 9-12 receiving home instruction who wish to re-enter the Tyler County School system or who wish to take semester exams for credit, must notify the building principal of their intent two (2) weeks prior to the beginning of the semester in

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which enrollment is to take place and/or the test is to be taken. No student at this level receiving home instruction will be allowed to enter for credit after the semester course has started.

Upon notification of intent to re-enter or take semester exams, the principal will contact the parent to establish times and dates for testing in the program areas the student desires to receive credit. The test will consist of the semester exams developed by the program areas teacher for all students enrolled in his or her course for the semester

Home instructed students will be expected to score 84% or above on each test to receive one half (1/2) unit credit for this offering

Grades will be recorded as P= Pass, F- Fail, only, no percentage grades will be recorded.

Students re-entering from home schools will not be eligible for class ranking or for determining Valedictorian/Salutatorian honors.

Grade level placement will be determined as follows:

- 6 units—10th grade
- 12 units – 11th grade
- 18 units – 12th grade

No credits will be granted for courses taken on-line from Exemption K schools unless they are recognized by the West Virginia State Board of Education.

A student who fails any required course, (See Tyler County Policy: IH), must repeat that particular course.

To be eligible for graduation and receive a diploma from Tyler Consolidated High School, a student must attend both semesters of the senior year and successfully complete the state and county requirements enumerated in Tyler County Policy: IH.

The person who administers a program of secondary education at a public, private or home school that meets the requirements of Senate Bill 447 may issue a diploma or other appropriate credentials to a person who has completed the program of secondary education. *Nothing prevents any agency or institution of higher learning from inquiring into the substance or content of the program to determine whether a person meets other specific requirements.*

Students must be enrolled full time in an approved school and have a 2.0 grade point average to participate in interscholastic athletics. The West Virginia Secondary Schools activities Commission (WVSSAC) indicates full time enrollment is at least 4 periods a day and earning credits toward a diploma. However, the WVSSAC rule regarding 4 periods is a minimum standards and the WV Board of Education Policy 2510, Section 5.6.b.1 defines full time enrollment for public high school students as the full instructional day and defines the required credits public school student must earn to receive a diploma.

Since home schooled children have an exemption from compulsory school attendance W.Va. Code 18-8-1 (c) they cannot be both a homeschooled student and enrolled full time in public schools and they do not earn a public high school diploma. Therefore, they are not eligible to participate on public school interscholastic teams.

A Home Instruction Notice Form can be found in the [Tyler County Administrative Procedures Manual](#).

REFERENCE: West Virginia Code 18-8-1 Commencement and Termination Of Compulsory School Attendance; Exemptions.
WV Boards of Education Policy 2510,

DATE: 8/15/16, 6/21/10, 10/22/07, 8/20/01, 2/5/90, 6/5/89, 1/5/87, and 11/1/82