

Hampton City Schools Policy Manual

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| Book: | Hampton City Schools Policy Manual |
| Section: | I - Instruction |
| Title: | HOME INSTRUCTION |
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| Status: | Active |
| Legal: | Code of Virginia, as amended, § 22.1-254 Code of Virginia, as amended, § 22.1-254.1 Code of Virginia, as amended, § 22.1-271.4 Code of Virginia, as amended, § 32.1-46 |
| Adopted: | March 4, 1998 |
| Last Revised: | September 6, 2017 _____, 2024 |

Policy Detail

Home Instruction Students

As prescribed in § 22.1-254.1 of the Code of Virginia, any parent/[guardian](#) who elects to home instruct a child in lieu of school attendance must meet certain requirements annually. A parent /[guardian](#) may home instruct a child if:

- i. The teaching parent/[guardian](#) holds a high school diploma. (Option I)

The parent/[guardian](#) must submit to the Superintendent/designee documentation that shows that the parent/[guardian](#) has earned a high school diploma or a higher credential (e.g., a certificate, an associate's degree, a bachelor's degree, a master's degree, or a doctorate). A high school equivalency examination approved by the Board of Education would not meet this requirement.

- ii. The teaching parent/[guardian](#) meets the qualifications for a teacher prescribed by the Board of Education. (Option II)

To qualify under this option, the parent/[guardian](#) must hold and provide a teaching license or a letter of eligibility for licensure in Virginia and submit it to the Superintendent/designee. If the certified tutor acknowledgement form is still

required then that should be noted

- iii. The teaching parent/[guardian](#) provides a program of study or curriculum that may be delivered through a correspondence course or distance learning program or in any other manner. (Option III)

If the child is enrolled in a correspondence course or distance learning program, the parent/[guardian](#) must submit evidence of such enrollment and a list of the subjects to be studied for the coming year to the Division; however, no judgment of the materials is required of the Superintendent/designee. If the teaching parent/[guardian](#) provides a program of study or curriculum that is delivered through any other manner, a list of the courses to be studied for the coming year must be submitted to the Division. Submission of these materials is for information purposes only.

- iv. The teaching parent/[guardian](#) **provides evidence that the parent/[guardian](#) is able to provide an adequate education for the child.** (Option IV)

To assess a parent's/[guardian's](#) ability to provide an adequate education, the Superintendent/designee will determine whether the information submitted exhibits a mastery of language by the writer.

Parents/[guardians](#) may continue to use the Standards of Learning (SOL) objectives as a basis for their program of study under any of the options in §22.1-254.1.A, if they choose to do so.

List of Subjects to be Studied During the Coming School Year

Effective July 1, 2012, § 22.1-254.1.B of the Code of Virginia reads as follows: Any parent/[guardian](#) who elects to provide home instruction in lieu of school attendance shall annually notify the Division Superintendent/[designee](#) in August of ~~his~~[their](#) 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.

Annual Notice of Intent to Home Instruct

By August 15 of each year, any parent/[guardian](#), with established residency, who elects to provide home instruction in lieu of school attendance must annually notify the Superintendent/[designee](#) of this intention and must provide evidence of having met the requirements of state law and a description of the curriculum to be followed for the

coming year (22.1-254.1). Any parent /guardian of any school-age child who does not meet the notification requirements by August 31 of any school year will be required to adhere to the state compulsory school attendance law.

Any parent/guardian who establishes residency in Hampton or begins home instruction after the school year has begun shall give written notice of intention to provide home instruction as soon as practicable and shall thereafter comply with the requirements of this policy within thirty (30) days of this notice.

The notice of intent to provide home instruction may be in the form of a letter or other written documentation and must identify the child or children involved. Parents /guardians will also be asked to provide a home address and child(ren)'s DOB or age as of September 30 of the school year

Evidence of Achievement

To comply with § 22.1-254.1 of the Code of Virginia, the parent/guardian is required to submit, by the following August 1, evidence of the child's academic achievement in one of the following ways:

1. Evidence that the child has attained a composite score in or above the fourth stanine on any nationally normed standardized achievement test; or
2. An evaluation or assessment that the Superintendent /designee 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; a copy of the evaluator's credentials are needed with this letter or
 - b. A report card or transcript from a community college or college, college distance learning program, or home-education correspondence school. Parents/guardians are urged to work with the Superintendent/designee to determine what information is necessary in order to make such a judgment.

The parent/guardian may use any nationally normed standardized achievement test as evidence of academic achievement. Please note, however, that any evaluation or

assessment referenced must be sufficient to allow the Superintendent/[designee](#) to determine that the child is achieving an adequate level of educational growth and progress.

If the parent/[guardian](#) does not provide the required evidence of progress, the Superintendent/[designee](#) may place the home instruction program on probation for one year. (For the purpose of this provision, "not provided" means either that no information is submitted or the child is not making satisfactory academic progress as determined by the results of testing or the results of an evaluation or assessment.) If this happens, the parent/[guardian](#) will be required to file a remediation plan and evidence of the ability to provide an adequate education for the child. The Superintendent/[designee](#) must determine whether these submissions are adequate. The Superintendent/[designee](#) is not required to place the program on probation or accept the remediation plan. If the plan and evidence are not accepted or the required evidence is not provided by August 1 following the probationary year, home instruction shall cease and the parent/[guardian](#) must make other arrangements that comply with the compulsory attendance law. (§ 22.1-254.1.C, Code of Virginia)

The evaluation requirement does not apply to children under the age of six as of September 30 [of the current school year](#).

Right to Appeal

Any party aggrieved by a decision of the Superintendent/[designee](#) may appeal ~~his or her~~ [this](#) decision to an independent hearing officer within 30 days of the decision by providing a written request for an appeal to the Superintendent's/[designee's](#) office. The Division must contact the Supreme Court of Virginia, secure the name of a hearing officer, and notify the parent/[guardian](#) of the hearing officer's appointment. The costs of the hearing shall be apportioned among the parties by the hearing officer in a manner consistent with his findings. (§ 22.1-254.1.E, Code of Virginia)

Immunization Requirements

Section 22.1-271.4 of the Code of Virginia requires that parents/[guardians](#) of students being taught at home or those excused from attendance under the provisions of § 22.1-254 or § 22.1-254.1 of the Code comply with the immunization requirements of § 32.1-46 of the Code in the same manner and to the same extent as if the child were enrolled in and attending school. The Superintendent/[designee](#) will not collect this information with the Notice of Intent to Provide Home Instruction but may do so at his/her discretion. Parents/[guardians](#) are required to provide the information upon request unless the

parents/[guardians](#) submit an affidavit stating that immunization conflicts with their religious beliefs or the parents/[guardians](#) provide a doctor's statement indicating that one or more of the required immunizations is detrimental to the child's health. This statement must include the specific nature of the medical condition or circumstances that contraindicates immunization.

Part-Time Enrollment in Public Schools

Students provided home instruction may be allowed to enroll in Hampton City Schools for participation in curricular activities on a part-time or single course basis in any mathematics, science, English, history, social science, vocational education, fine arts, foreign language, health education, or physical education or on-line courses when available. The Average Daily Membership (ADM) calculation shall be 0.25 per course up to a maximum of 0.50, or two (2) courses per student. Enrollment will be on a space-available basis with the approval of the Superintendent/designee. If a student wishes to give up the home-instructed designation he/she would be allowed to enroll on a full-time basis in Hampton City Schools.

Children who are being tutored under the provisions of § 22.1-254 of the Code of Virginia or have received a religious exemption under those provisions are not eligible to enroll in a public school on a part-time basis.

Students provided home instruction will not be allowed to enroll in Hampton City Schools for participation in extracurricular activities.

Participation in certain interscholastic activities such as varsity sports is governed by policies of the Virginia High School League (VHSL) and the policies of the HCS School Board.

Admission of Home Instructed Students to Hampton City Schools

Students who have received home instruction and seek admission in Hampton City Schools will be admitted and placed in accordance with the following provisions:

Enrolling elementary and middle school students: ~~Parent~~ [Parents/guardians](#) should contact the zoned school and present the parent/[guardian](#) copy of the verification of progress letter sent each year by the Coordinator of School Social Work Services after

the student's annual testing. The school admissions staff will then contact the Coordinator of School Social Work Services to verify homeschool status and for the official school copy of the verification ~~before admitting the student.~~ The school shall make the determination of grade placement based on the information in the verification. School staff may administer assessments, screenings to determine best placement.

Enrolling high school students: ~~Parent-~~ Parents/guardians should contact the zoned school and present the parent copy of the verification of progress letter sent each year by the Coordinator of School Social Work Services after the student's annual testing. The school admissions staff will then contact the Coordinator of School Social Work Services to verify homeschool status and for the official school copy of the verification ~~before admitting the student.~~ School staff may administer assessments, screenings to determine best placement and schedule of courses.

Awarding of Course Credits

Credit will be awarded for courses in which a student meets established academic requirements and/or a passing score on tests deemed appropriate by the Hampton City Schools.

Credit will be awarded in academic courses successfully completed through correspondence schools or distance learning programs. Proper documentation is needed to verify course completion. Credit will be awarded in other disciplines or courses when proof or documentation of accomplished work is approved by the Home Instruction Review Committee. A portfolio may be required for a student seeking credit in elective areas. The parent or guardian will be notified of the decision of the Review Committee within seven (7) working days of the presentation of the documentation. The Review Committee members include Coordinator of School Social Work Services, Director of ~~Guidance and Testing~~ Student Development and Counseling, school guidance counselor, Coordinator of Psychological Testing, curriculum specialist(s), and parent/guardian.

State requirements for health and physical education must be met to obtain credit.

Home instruction courses that are considered for credit will receive a Pass (P) or Fail (F) grade.

The student's cumulative record will indicate "home instruction," replacing the teacher's name, for those courses receiving credit. Course work completed through accredited private or public schools will determine the student's cumulative grade point average.

~~A student will have no more than six credits for home instruction courses to be considered for valedictorian or salutatorian or to obtain a Hampton City Schools diploma.~~

Grade level placement will be determined by the number of credits earned in accordance with established promotion criteria in Hampton City Schools.

Graduation requirements for students who have been home instructed are the same as those for all Hampton City Schools students - course credit requirement and state testing requirements must be met.

Advanced Placement Tests and Preliminary Scholastic/Aptitude Tests

Advanced Placement (AP), Preliminary Scholastic Aptitude Test/National Merit Scholarship Qualifying Test (PSAT/NMSQT) and PreACT examinations are available to students receiving home instruction. The Division will notify students receiving home instruction and their parents/[guardians](#) about the availability of AP and the PSAT examinations and the availability of financial assistance to low-income and needy students taking these examinations § 22.1-254.1 of the Code of Virginia.

Advanced Placement (AP) Tests are administered the first two [full](#) weeks of May. Students desiring to take AP exams administered by Hampton City Schools must register with [their zoned school no later than the College Board designated registration date, typically, mid November.](#) ~~the Testing Department no later than March 15th.~~

The PSAT/NMSQT is administered annually in October. Students receiving home instruction who desire to take such tests must notify the zoned school of the intent to test no later than ~~August 15th~~ [September 15th.](#)

~~Students receiving home instruction who desire to take the PreACT must provide notice to the Hampton City Schools Department of Student Development and Counseling of the intent to test no later than October 30. The test date and site will be provided after timely receipt of the notice of intent to test.~~

A college admissions test newsletter with dates, deadlines, cost and eligibility will be made available to registered students receiving home instruction by August 15th. ~~PreACT test date and site will be available after October 30.~~ Students registering after August 15th will receive notification once parents/[guardians](#) notify the Division of the intent to provide home instruction.

Grade Placement or Credit Approval Appeal Procedures

Elementary School: Parents/[guardians](#) who wish to appeal the placement of an elementary school student may do so by filing a written letter of appeal to the ~~Executive Director for School Leadership~~ [Chief of Elementary School Leadership](#) or designee.

Middle School: Parents/[guardians](#) who wish to appeal the placement of a middle school student may do so by filing a written letter of appeal to the ~~Executive Director for School Leadership~~ [Chief of Secondary School Leadership](#) or designee.

High School: Parents/[guardians](#) who wish to appeal the awarding of credit for any course for a high school student may do so by filing a written letter of appeal to the ~~Executive Director for School Leadership~~ [Chief of Secondary School Leadership](#) or designee.

Parent/[guardian](#) letter of appeal must be received by the appropriate ~~Executive Director for School Leadership~~ [Chief of School Leadership](#) or designee within seven (7) working days of the date of the decision notice.

The ~~Executive Director for School Leadership~~ [Chief of School Leadership](#) or designee shall hold the hearing within seven (7) working days.

The ~~Executive Director for School Leadership~~ [Chief of School Leadership](#) or designee shall notify the parent/[guardian](#) of the decision within five (5) working days

Adopted:
3/4/1998

Revised:
2/16/2000, 6/6/2001, 06/02/2004, 11/1/2006, 7/2/2008, 6/19/2013, 10/15/2014, 9/6/2017,
[___/___/2024](#)

CROSS REF.:

JECBA – ADMISSION OF NONPUBLIC RESIDENT STUDENTS FOR PART-TIME
ENROLLMENT
JEG - EXCLUSIONS AND EXEMPTIONS FROM COMPULSORY SCHOOL
ATTENDANCE