

GUIDELINES FOR HOME-SCHOOLING
EXEMPTION A/EXEMPTION B

Contact the Nicholas County Schools Director of Attendance at (304) 872-3611-Ext. 145 for information and request for home schooling.

Items in the packet for home schooling are as follows:

1. The Nicholas County Home-School Policy
2. Copy of WV Code 18-8-1/Exemption A/Exemption B (Subsection A & B)
3. Information and form to request home-schooling.

Items required for home-schooling:

1. Completion of the county form for Notice-of-Intent which contains the name, age, date-of-birth, current grade level, last public school attended and date attended.
2. Name of teacher and proof of the teacher's formal education. Must be a high school diploma or equivalent and four years of formal education higher than the most academically advanced student.
3. Outline of the plan of instruction for the ensuing school year. Include curriculum publisher or name (Nicholas County School curriculum, A Beka, etc.) and each subject to be taught.
4. Annual academic assessment results must be sent to the Superintendent on or before June 30 of the school year for which the student is in a home school.

Assessment is from one of the following:

- A. A standardized test. If test is not administered in a public school, you must give the person's name who gave the test.
- B. A written narrative of the portfolio of samples of the child's work indicating that a portfolio has been reviewed and that the child's academic progress for the year is in accordance with the child's abilities. This narrative should be prepared by a certified teacher or other person mutually agreed upon by the parent and the County Superintendent.
- C. Evidence of an alternative academic assessment of the child's proficiency mutually agreed upon by the parent and county Superintendent.

NICHOLAS COUNTY BOARD OF EDUCATION
SUMMERSVILLE, WEST VIRGINIA

BOARD POLICY: Exemptions from compulsory school attendance, permitting permitting instruction in a private, parochial or other approved school; home or other approved place.

ADOPTED: August 17, 1998

The Nicholas County Board of Education recognizes that exemptions to compulsory school attendance are provided by WV Code 18-8-1, A, B (a), B(b). WV 18-8-1, A, B(a), B(b) provide for instruction in a private, parochial or other approved places. This policy provides for the implementation of WV 18-8-1, A, B(a), B(b). This policy also provides for the appropriated placement of exempt students who enter public schools.

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 sixteenth birthday. The Nicholas County Board of Education will require and document exemptions only for any student subject to the age conditions of the compulsory school law. The Nicholas County Board of Education will terminate all responsibility for providing any services, except those required by Special Education SB Policy 2419, when an exempt child becomes sixteen years of age.

Requirements of West Virginia State Department of Education Policy 2419, Regulations for the Education for Exceptional Students, will be applied for students who will be, or are currently under Exemptions A, B(a), B(b).

Exemptions from the foregoing requirements of compulsory public school attendance shall be made on behalf of any child for the following causes and conditions, each such cause or condition being subject to confirmation by the attendance authority of the county:

Section 1. . EXEMPTION A: Instruction in a Private, Parochial or Other Approved School.

Such instruction shall be in a school approved by a county board of education and for a time equal to the school term of the county for the year. In all such schools it shall be the duty of the principal or other person in control upon the request of the county superintendent.

of schools, to furnish to the county board of education such information and records as may be required with respect to attendance, instruction, and progress of pupils enrolled between the entrance age and sixteen years.

Section 2.1. EXEMPTION B. Board Approval Under B(a) Subsection.

Authority - Criteria for approval of private instruction in-home or other approved place as per State School Law, Exemption B (a) which states: "Such instruction shall be in the home of such child or children or at some other place approved by the county board of education for a time equal to the school term of the county...The instruction in such cases shall be conducted by a person or persons who, in the judgment of the county superintendent and county board of education, are qualified to give instruction in subjects required to be taught in the free schools of the state. It shall be the duty of the person or persons giving the instruction, upon request of the county superintendent, to furnish the county board of education such records as may be required from time-to-time with respect to attendance, instruction and progress of pupils enrolled between the ages of five and sixteen years receiving such instruction."

The state department of education shall develop guidelines for the home schooling of special education students including alternative assessment measures to assure that satisfactory academic progress is achieved.

If such request for home instruction is denied by the county board of education, good and reasonable justification for such denial must be furnished in writing to the applicant by the board of education.

Section 2.2. PROCEDURES: Procedures to be followed when requesting approval for home-schooling under B(a).

The following requirements are to be met by the person or persons requesting approval from the Nicholas County Board of Education to provide home instruction for any child of compulsory school age. If the child is enrolled in a public school, written notice of intent to provide home instruction shall be given at least two weeks prior to withdrawing.

Submission of the following information to the county superintendent:

- A. Qualifications of the person or persons providing home schooling. The person or persons must be qualified to give instruction in subjects required to be taught in the public schools.
- B. Name, age, grade level of child or children to be taught, as well as the names of parents or legal guardian (s) of children that will be instructed at home or other approved place.
- C. Address of the place where instruction will be conducted.
- D. Students who wish to take the option of attending classes a public school must submit proof of proper immunizations and tests in accordance with WV Code 16-3-4, Compulsory Testing for Tuberculosis of the board of education is required.
- E. At the end of each nine weeks, the persons or persons providing instruction shall furnish the board of education reports with respect to attendance, instruction and progress of pupils.

Section 2.3. REQUIREMENTS: Requirements for Home Schooling Under B (a).

The following conditions shall be met in order to receive credits:

Length of school term and school day shall be for a time equal to the school term and school day of Nicholas County.

Subjects required by the Nicholas County Board of Education are to be taught.

In order to receive credit for home instruction in grades 9-12, the following requirements must be met:

1. Student must be under the age of sixteen.
2. The student must master learning objectives as evidenced by a passing grade on comprehensive tests

approved by the county superintendent or designee. The test will be composed by the certified teacher providing the home instruction and shall be based upon state approved learning objectives.

3. The student must complete all objectives set by the county and state per class.
4. The instruction must be delivered by a certified teacher in that subject or a teacher who has a special permit issued by the State Department of Education.
5. Successful documentation of the above will result in a grade as determined by certified teacher, providing the home instruction and shall be recorded on the student's transcripts.
6. Student receiving home instruction cannot receive a diploma from the Nicholas County Board of Education.

Approval shall be granted for home schooling for a period of not more than one academic year, providing criteria have been met. The right-of-revocation for permission to so instruct shall be maintained by the the board and county superintendent at any time wherein it is found that any of the criteria for this exemption has been violated.

Correspondence schooling does not meet the requirements for home schooling exemption.

Section 3.1.

EXEMPTION B (b). Requirements for Home Schooling Under B(b).

Persons may also apply for home schooling exemption under B(b). For exemptions under B(b), the parent must provide the superintendent or board of education with the notice-of-intent to home school on the county form for request to home school. The written notice-of-intent shall include the name, birthdate, grade and address of any child of compulsory school age to be instructed. If the child or children are enrolled in a public school, the notice of intent to provide home instruction shall be given at least two weeks prior to withdrawing such child from public school.

The person or persons providing home instruction shall submit satisfactory evidence of (i) a high school diploma or equivalent and (ii) formal education at least four years higher than the most academically advanced child for whom the instruction will be provided.

The person or persons providing home instruction shall outline a plan of instruction for the ensuing school year.

The person or persons providing home instruction shall annually obtain an academic assessment of the child for the previous year. This shall be satisfied in one of the following ways:

- A. Any child receiving home instruction annually takes a standardized test, to be administered at public school in the county where the child resides, or administered by a licensed psychologist or other person authorized by the publisher of the test, or administered by a person authorized by the county superintendent or county board of education. The child shall be administered a test which has been normed by the test publisher on that child's age or grade group. In no event may the child's parent or legal guardian administer the test. Where a test is administered outside of a public school, the child's parent or legal guardian shall pay the cost of administering the test. The public school or other qualified person shall administer to children of compulsory school age the Comprehensive Test of Basic Skills, the California Achievement Test, the Stanford Achievement Test, or the Iowa Tests of Basic Skills Achievement and Proficiency, or an individual standardized achievement test that is nationally normed and provides statistical results which test will be selected by the public school or other person administering the test, in the subjects of reading, language, social studies, science and mathematics; and shall be administered under standardized conditions as set forth by the published instructions of the selected test. No test shall be administered if the publication date is more than ten years from the

date of the administration of the test. Each child's test results shall be reported as a national percentile for each of the subjects tested. Each child's test results shall be made available on or before the thirtieth day of June of the school year in which the test is to be administered to the person or persons providing home instruction, the child's parent or legal guardian and the county superintendent. Upon request of a duly authorized representative of the WV Dept. of Education, each child's test results shall be furnished by the person or persons providing home instruction, or by the child's parent or legal guardian, to the state superintendent of schools. Upon notification of the mean of a child's test results for any single year has fallen below the 40th percentile, the county board of education shall notify the parents or legal guardian of said child, in writing, of the services available to assist in the assessment of a child's eligibility for special education services: Provided, that the identification of a disability shall not preclude the continuation of home schooling.

If the mean of the child's test results for any single year for language, reading, social studies, science and mathematics fall below the 40th percentile on the selected tests, then the person or persons providing home instruction shall initiate a remedial program to foster achievement above that level and the student shall show improvement. If, after two calendar years, the mean of the child's test results fall below the fortieth percentile level, home instruction shall no longer satisfy the compulsory school attendance requirement exemption.

- B. The county superintendent is provided with a written narrative indicating that a portfolio of samples of the academic progress for the year is in accordance with the child's abilities. This narrative shall be prepared by a certified teacher or other person mutually agreed upon by the parent or legal guardian and the county superintendent. It shall be submitted on or before the thirtieth day of June of the school year covered by the portfolio. The parent or legal guardian shall be responsible for payment of fees charged for the narrative.

- C. Evidence of an alternative academic assessment of the child's proficiency mutually agreed upon by the parent or legal guardian and the county superintendent is submitted to the county superintendent by the thirtieth day of June of the school year being assessed. The parent or legal guardian shall be responsible for payment of fees for the assessment.

Section 3.2 Any child receiving home instruction may, upon approval of the county board of education, exercise the option to attend any class offered by the county board of education as the person or persons providing home instruction may deem appropriate subject to normal registration and attendance requirements. Prior approval of the board of education is required.

Students wishing to participate in classes must submit proof of proper immunizations and tests in accordance with WV 16-3-4, Compulsory Immunization of School Children: and Code 16-3-4a, Compulsory Testing for Tuberculosis of Children.

The superintendent or designee shall offer such assistance, including textbooks, other teaching materials and available resources as may assist the person or persons providing home instruction subject to their availability.

Home schooling exemptions are in effect for a period of not more than one academic year, providing the preceding criteria have been met.

The county superintendent shall also have the right to seek from the circuit court of the county an order denying the home instruction, which order may be granted upon a showing of clear and convincing evidence that the child will suffer educational neglect or that there are other compelling reasons to deny home instruction. Cases of educational neglect or other compelling reasons must be documented for the purpose of seeking an order to deny home instruction from the circuit court. Due process will be applied in cases to be presented to the circuit court.

Correspondence schooling does not meet the schooling requirements. However, a correspondence curriculum taught in the home by the parent or guardian meets requirements for home schooling.

Section 4.1. Procedures to be Followed for the Enrollment of Home Schooled Students in Nicholas County Schools.

Grades K-12. Exemption B(a) and B(b).

Students, grades K-8, receiving home instruction who wish to enroll in the Nicholas County School System must notify the building principal of this intent two weeks prior to the beginning of the semester in which enrollment is to take place. It is required that the written notice of intent be submitted two weeks prior to the beginning of the semester in which enrollment is to take place. However, the school principal may waive the two-week notice to re-enroll for extenuating circumstances. All K-8 students also have the option to re-enter at any time during the semester.

Upon notification of intent to enter, the building principal will contact the parent or legal guardian to establish times and dates and may administer a norm-referenced or criteria-referenced individually administered test of academic achievement, designed to estimate the grade level at which a student is performing in basic mathematics, reading, spelling, handwriting and written composition. Results of this testing and other criteria such as age appropriateness may be used by classroom teachers and building administrators to determine grade placement for student success.

Parents who have norm-referenced testing or portfolios of work that is current (testing of work during the current school year or no more than one year old), may wish to submit such. Final grade placement decisions are made by the admitting principal.

All work missed during the grading period or semester must be made up or the school principal has the option to accept portfolios in lieu of makeup work.

A student who fails any required subject must repeat that particular course.

Section 4.2. Students in grades 9-12 receiving home instruction who wish to enroll in the Nicholas County School System must notify the building principal of this intent two weeks prior to the beginning of the semester in which enrollment is to take place. The building principal or designee will contact the parent or legal guardian to establish a meeting to determine credits that can be accepted (see requirements for credits) and determine grade placement. Students who enroll after a semester begins and wish to receive credit for courses they will finish that semester must meet the following requirement:

All work missed during the grading period or semester must be made up or the school principal has the option to accept portfolios in lieu of makeup work.

A student who fails any required subject must repeat that particular course.

Section 5. Exemption Guidelines

Compulsory school attendance exemptions are in effect for a period of not more than one academic year, provided all criteria has been met. The rights of denial and revocation for the exemption to instruct students shall be maintained by the board of education and the county superintendent. Denial or revocation will occur at any time it is found that any of the criteria upon which the exemption has been granted has not been met. No student will be exempt from compulsory attendance until all requirements for such are met.

When the exemption is granted, a letter to verify that the student is exempt from compulsory school attendance for the current school year will be issued by the superintendent to the parent. The local school will be notified of changes in the enrollment status of exempt students.

Parents are to notify the superintendent in writing of any changes that may affect the status of exemption.

Failure to comply with any of the requirements of this policy by the parent will be considered educational neglect. Parents will be notified of any probationary status due to any inadequate conditions of the compulsory school attendance exemption.

The parent will sign a letter to state that they have read and understand items that involve their responsibilities in home-schooling.

Section 6. Testing Guidelines

Parents of exempt students will be notified by the superintendent of the annual standardized tests administered by the Nicholas County School System. It will be the responsibility of the parents to contact and make arrangements with the local school to have the standardized test administered to their exempt child. The principal can deny testing when the parents or child do not fulfill arrangements for testing such as deadlines, notification and conditions that would result in a hardship for the principal to accommodate. Results of the standardized tests will be reported to the superintendent, and he will make the results available to the parents.

Section 7. Textbooks and Materials

At the end of each school year, the parents will be responsible for returning all textbooks, materials and items supplied by the county board of education to the location where they were issued.

Section 8. Process for Exemption

1. All requests are submitted to the superintendent & forwarded to the director of attendance.
2. Information packets are provided upon the parent's inquiry for home schooling.
3. Exemptions are granted upon the proper compliance to required items in the packet.

4. Exemptions are evaluated at the end of each school year.

WV Code 18-8-1

Exemption A. Instruction in a private, parochial or other approved school.—Such instruction shall be in a school approved by the county board of education and for a time equal to the school term of the county for the year. In all such schools it shall be the duty of the principal or other person in control, upon the request of the county superintendent of schools, to furnish to the county board of education such information and records as may be required with respect to attendance, instruction and progress of pupils enrolled between the entrance age and sixteen years.

WV Code 18-8-1

Exemption B. Instruction in home or other approved place.--(a) Such instruction shall be in the home of such child or children or at some other place approved by the county board of education and for a time equal to the school term of the county. If such request for home instruction is denied by the county board of education, good and reasonable justification for such denial must be furnished in writing to the applicant by the county board of education. The instruction in such cases shall be conducted by a person or persons who, in the judgment of the county superintendent and county board of education, are qualified to give instruction in subjects required to be taught in the free elementary schools of the state. It shall be the duty of the person or persons providing the instruction, upon request of the county superintendent, to furnish to the county board of education such information and records as may be required from time-to-time with respect to attendance, instruction and progress of pupils enrolled between the entrance age and sixteen years receiving such instruction. The state department of education shall develop guidelines for the home schooling of special education students including alternative assessment

measures to assure that satisfactory academic progress is achieved.

WV Code 18-8-1

(b) Notwithstanding the provisions of subsection (a) of this Exemption B, the person or persons providing home instruction meet the requirements for Exemption B when the conditions of this subsection are met: Provided, That the county superintendent shall have the right to seek from the circuit court of the county, an order denying the home instruction, which order may be granted upon a showing of clear and convincing evidence that the child will suffer educational neglect or that there are other compelling reasons to deny home instruction.

(1) The person or persons providing home instruction present to the county superintendent or county board of education, notice of intent to provide home instruction and the name and address of any child of compulsory school age to be instructed: Provided, That if a child is enrolled in a public school, notice of intent to provide home instruction shall be given at least two weeks prior to withdrawing such child from public school:

(2) The person or persons providing home instruction submit satisfactory evidence of (i) a high school diploma or equivalent and (ii) formal education at least four years higher than the most academically advanced child for whom the instruction will be provided:

(3) The person or persons providing home instruction

outline a plan of instruction for the ensuing school year:

and

(4) The person or persons providing home instruction shall annually

obtain an academic assessment of the child for the previous

year. This shall be satisfied in one of the following ways:

(i) Any child receiving home instruction annually takes a

standardized test, to be administered at a public school in the county where the child resides, or administered by a licensed psychologist or other person authorized by the publisher of the test, or administered by a person authorized by the county superintendent or county board of education. The child shall be administered a test which has been normed by the test publisher on that child's age or grade group. In no event may the child's parent or legal guardian administer the test. Where a test is administered outside of a public school, the child's parent or legal guardian shall pay the cost of administering the test. The public school or other qualified person shall administer to children of compulsory school age the Comprehensive Test of Basic Skills, the California Achievement Test, the Stanford Achievement Test, or the Iowa

Test of Basic Skills, Achievement and Proficiency, or an individual standardized achievement test that is nationally normed and provides statistical results which test will be selected by the public school, or other person administering the test, in the subjects of language, reading, social studies, science and mathematics; and shall be administered under standardized conditions as set forth by the published instructions of the selected test. No test shall be administered if the publication data is more than ten years from the date of the administration of the test. Each child's test results shall be reported as a national percentile for each of the six subjects tested. Each child's test results shall be made available on or before the thirtieth day of June of the school year in which the test is to be administered to the person or persons providing home instruction, the child's parent or legal guardian and the county superintendent. Upon request of a duly authorized representative of the West Virginia Department of Education, each child's test results shall be furnished by the person or persons providing home instruction, or by the child's parent or legal guardian, to the state superintendent of schools. Upon notification of the mean of the child's test results for any single year has fallen below the (fortieth) percentile, the county board of education shall notify the parents or legal guardian of

said child, in writing, of the services available to assist in the assessment of the child's eligibility for special education services: Provided, That the identification of a disability shall not preclude the continuation of home schooling.

If the mean of the child's test results for any single year for language, reading, social studies, science and mathematics fall below the (fortieth) percentile on the selected tests, then the person or persons providing home instruction shall initiate a remedial program to foster achievement above that level and the student shall show improvement. If, after two calendar years, the mean of the child's test results fall below the (fortieth) percentile level, home instruction shall no longer satisfy the compulsory school attendance requirement exemption: or

- (ii) The county superintendent is provided with a written narrative indicating that a portfolio of samples of the child's work has been reviewed and that the child's academic progress for the year is in accordance with the child's abilities. This narrative shall be prepared by a certified teacher or other person mutually agreed upon by the parent or legal guardian and the county superintendent. It shall be submitted on or before the thirtieth day of June of the school year covered by the portfolio. The parent or legal guardian shall be responsible for payment of fees charged for the narrative: or

(iii) Evidence of an alternative academic assessment of the child's proficiency mutually agreed upon by the parent or legal guardian and the county superintendent is submitted to the county superintendent by the thirtieth day of June of the school year being assessed. The parent or legal guardian shall be responsible for payment of fees charged for the assessment.

The superintendent or a designee shall offer such assistance, including textbooks, other teaching materials and available resources, as may assist the person or persons providing home instruction subject to their availability. Any child receiving home instruction may, upon approval of the county board of education, exercise the option to attend any class offered by the county board of education as the person or persons providing home instruction may deem appropriated subject to normal registration and attendance requirements.

TO: Superintendent
Nicholas County Schools
400 Old Main Drive
Summersville WV 26651

NOTICE OF INTENT

In accordance with the requirements of 18-8-1, Exemption B, Subsection b of the WV Code in regard to compulsory school attendance, I am notifying your office of my intent to home school the following children:

Child's Name	Name	Age	Date of Birth	Current Grade Level	Last Public School Attended School Name & Dates
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

If a child is enrolled in a public school, this notice shall be given two weeks prior to withdrawing the child from public school.

Instruction will be provided by _____
Attached is proof of his/her formal education.

This outline of a plan of instruction for the ensuing school year will include, but not be limited to, the following curriculum, publisher or name, and subjects:

I understand that I am required to send annual assessment results to you on or before June 30, _____, as specified in 18-8-1, Exemption B, subsection b of the WV Code. If test is not taken in a public school, send the name of the standardized test administrator. I have read and understand my responsibilities in home schooling my child.

Signature of Parent Date _____

Street Address

City/State/Zip Code

Telephone

*THIS DOCUMENT REQUIRES BOARD OF EDUCATION ACTION:

APPROVED () DISAPPROVED ()

Date

TO: Nicholas County Board of Education
400 Old Main Drive
Summersville WV 26651

My child, _____ is receiving instruction in our home
(Name)
for the _____, school term as provided for in WV 18-8-1B(b).

This letter is to request your approval for _____
(Name)
to attend _____ at _____
(Grade/Class/Classes) (School)
for the _____, school term as required in WV Code 18-8-1B(b).

Also, _____ is current with the proper
immunizations, testing for tuberculosis and other requirements for school enrollment.

Parent Signature

Superintendent

Address

County

Attendance Director

County

INSTRUCTION IN THE HOME B(b)
YEARLY CHECKLIST
SCHOOL YEAR _____

Parent's/Guardian's Name _____

Address _____

Telephone _____ Student's Age _____

Student's Name _____ Grade _____

Student's Social Security Number _____

Instructor's Qualification:

1. High School Diploma/Equivalent _____
2. Proof of Formal Education 4 years beyond that of child _____

Plan of Instruction on file _____

County Textbooks borrowed _____

County Textbooks returned _____

Annual Assessment (due before June 30, _____)

- 1) Standardized Test _____
- 2) Written Narrative _____ prepared by _____
(preparer must be mutually agreed upon by parent and the County Superintendent)
- 3) Alternative Academic Assessment _____ (must be mutually agreed upon by parent and the County Superintendent)

Subject(s) below 40th percentile and the score

_____	_____
_____	_____
_____	_____

Remedial program required _____

Remedial program submitted _____