

## **SPECIAL SERVICES**

### **Admissions, Residency, and Attendance**

### **Home Instruction by Parents or Guardians and Part-Time Enrollment of Home-Schooled Students**

This regulation supersedes Regulation 2245.6.

#### **I. PURPOSE**

- A. To specify the form and procedures to be used by parents or guardians to notify the Division Superintendent of their intention to provide home instruction for their children in lieu of school attendance.
- B. To provide for the part-time enrollment of students receiving home instruction.

#### **II. REQUIREMENT FOR NOTIFICATION**

- A. In accordance with §22.1-254.1 of the Code of Virginia, any parent or guardian who elects to provide home instruction for a school-age child in lieu of school attendance shall, using the form provided as Attachment A, notify the Division Superintendent annually of his or her intention and shall provide a description of the curriculum to be followed for the coming year and evidence of having met one of the qualifications described in section III. of this regulation.
- B. In addition, any parent, guardian, or other person having control or charge of a student being home instructed, exempted, or excused from school attendance shall comply with the immunization requirements provided in §32.1-46 of the Code of Virginia in the same manner and to the same extent as if the child has been enrolled in and is attending school. Upon request by the Division Superintendent, the parent or guardian shall submit documentary proof of immunization in compliance with §32.1-46 of the Code of Virginia. No proof of immunization shall be required of any student upon submission of (i) an affidavit to the Division Superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or (ii) a written certification from a licensed physician that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

#### **III. QUALIFICATIONS REQUIRED OF PARENTS**

A parent, defined by the Code of Virginia to include a biological parent, an adoptive parent, a guardian, or another person having control or charge of a child, may elect to provide

home instruction in lieu of school attendance if he or she meets any one of the following qualifications:

- A. The parent or guardian holds a high school diploma.
- B. The parent or guardian is a teacher of qualifications prescribed by the Virginia Board of Education.
- C. The parent or guardian has enrolled the student in a correspondence course approved by the Virginia superintendent of public instruction.
- D. The parent or guardian provides a program of study or curriculum that, in the judgment of the Division Superintendent, includes the Standards of Learning (SOL) objectives adopted by the Virginia Board of Education for language arts and mathematics, or the parent or guardian provides evidence that he or she is able to provide an adequate education for the student.

#### **IV. PROCEDURES FOR MAKING NOTIFICATION**

A parent or guardian who elects to provide home instruction during any school year in lieu of school attendance shall notify the Division Superintendent by August 15 by completing the form provided as Attachment A and sending it, with all required supporting documents attached, to:

Fairfax County Public Schools  
Home Instruction  
8115 Gatehouse Road  
Suite 4700  
Falls Church, Virginia 22042  
Fax: 571-423-4447

Any parent or guardian who moves into Fairfax County or begins home instruction after the school year has begun shall notify the Division Superintendent of his or her intention to provide home instruction as soon as practicable and shall comply with the requirements of sections II., III., and IV. of this regulation within 30 days of such notice.

The director of student services shall be responsible for coordinating all notices of intent to provide home instruction and for related recordkeeping, follow-up, and reporting.

The Division Superintendent or his or her designee shall review the information submitted by the parent or guardian and inform the parent or guardian by letter whether or not the notification complies with Virginia law as set forth in §22.1-254.1 of the Code of Virginia.

## V. REQUIREMENT TO PROVIDE EVIDENCE OF ACHIEVEMENT

A parent or guardian who elects to provide home instruction shall provide the Division Superintendent, by August 1 following the school year in which the student has received home instruction, with either of the following:

- A. Evidence that the student has attained a composite score in or above the fourth stanine on any nationally normed standardized achievement test.
- B. An evaluation or assessment that the Division Superintendent determines to indicate that the student is achieving an adequate level of educational growth and progress.

If the required evidence of progress is not provided by the parent or guardian, the home instruction program for that student may be placed on probation for one year. A parent or guardian shall file, with the Division Superintendent, evidence of his or her ability to provide an adequate education for his or her child in compliance with section III. and a remediation plan for the probationary year that indicates the parent's or guardian's 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 or guardian shall make other arrangements for the education of the student that comply with §22.1-254 of the Code of Virginia.

## VI. RIGHT OF APPEAL

Any party aggrieved by a decision of the Division Superintendent may appeal the decision within 30 days to an independent hearing officer appointed by the School Board from a list maintained by the executive secretary of the Supreme Court of Virginia. A parent or guardian who wants to request an appeal shall, within 30 days from receipt of the Division Superintendent's decision, make a written request to:

Fairfax County Public Schools  
Coordinator of Monitoring and Compliance  
8115 Gatehouse Road  
Suite 3600  
Falls Church, Virginia 22042

The costs of the hearing shall be apportioned among the parties by the hearing officer in a manner consistent with his or her findings.

## VII. PROCEDURES FOR PART-TIME ENROLLMENT

- A. On a tuition-paying basis, high school-age students whose parents or guardians have complied with the Code of Virginia's requirements to provide home instruction may enroll in courses through the Fairfax County Public Schools (FCPS) Office of

Adult and Community Education and/or through the FCPS Online Campus. A completed part-time enrollment application (Attachment B) must be submitted. Prerequisites for courses must be satisfied. Typically, it takes 60 days to process a request.

- B. High school-age students whose parents or guardians have complied with the Code of Virginia's requirements to provide home instruction may apply to enroll in up to two core courses (English, mathematics, science, social studies, or foreign language) per year, in the high school serving the student's attendance area, on a space-available basis. Student assignment applications to another high school shall not be considered unless a course is not offered at the school serving the student's attendance area or unless there is no space available in the course in the school serving the student's attendance area.

1. A completed and signed partial enrollment application (Attachment B) and a completed and signed parent or guardian agreement form (Attachment C) must be submitted between April 15 and June 1 for the following academic year to:

Fairfax County Public Schools  
Coordinator of Student Registration  
8115 Gatehouse Road  
Suite 4700  
Falls Church, Virginia 22042  
Fax: 571-423-4447

2. Final approval of applications for partial enrollment of home instruction students shall be given no later than August 31, provided parents or guardians comply with the requirement for notification and the requirement to provide evidence of achievement outlined in sections III. and V. of this regulation.
3. No home instruction student shall be admitted to a course after the third class meeting of that course.
4. Prior to admission, partially enrolled home instruction students shall fulfill all enrollment requirements as defined in the current versions of Policies 2101 and 2202 and Regulations 2101 and 2202.
5. Prerequisites for requested courses must be satisfied. Student registration staff members shall determine, with parental consultation, whether a student meets the prerequisite(s) for the requested course(s). Assessment testing may be required.
6. Partially enrolled home instruction students shall be subject to all provisions of the current version of Regulation 2601, Student Responsibilities and Rights and all similar policies, regulations, and requirements pertaining to students, including grading policies.

7. Partially enrolled home instruction students shall comply with all requirements of the course(s) in which they are enrolled. Any student enrolled in a course with a corresponding Standards of Learning (SOL) end-of-course test, Advanced Placement (AP) exam, or International Baccalaureate (IB) exam shall take that test or exam. In addition, partially enrolled home instruction students may use SOL test results for math and language arts courses to demonstrate evidence of academic progress for the school year.
8. Partially enrolled home instruction students shall not be eligible for participation in school-sponsored athletics, student organizations and clubs, or other co- or extracurricular activities.
9. Partially enrolled home instruction students shall limit their presence on campus to the times of their class(es), except when attending events open to the general public or when complying with a bona fide request made by a teacher or an administrator.
10. FCPS does not provide transportation for partially enrolled home instruction students.
11. Partially enrolled home instruction students shall not be eligible to receive an FCPS diploma or to participate in commencement activities.

#### **VIII. RETURNING TO SCHOOL FROM HOME INSTRUCTION**

When an elementary or middle school student enters FCPS from a home instruction program, the principal shall determine grade placement. The principal will make this determination based on evidence of the student's achievement provided by the parent or guardian. If further evidence is necessary, consultation with school staff members or testing can be required.

Students desiring credit for high school courses taken during a home instruction program shall provide FCPS with a list of courses taken, the objectives for the courses, and evidence of achievement. The courses for which credit is desired must correspond to courses offered by FCPS.

The list of courses, the objectives for the courses, and the evidence of achievement must be evaluated by appropriate school personnel. If the evidence of achievement is found to be insufficient, principals may require students to take examinations in each grade or course for which they want to establish placement and/or credit. Demonstration of an acceptable level of competency on the examinations shall result in proper placement and/or credit being awarded for instruction up to the level of proficiency attained.

Students who enroll prior to the opening of school should take any and all examinations by September 15. All other students entering after the school year begins should take the examinations on a school day within 30 days of their entry. If these time limits put an

undue burden on the student or the school staff, a schedule of examinations should be devised and approved by the school principal.

Any credit granted by FCPS for courses taken under home instruction shall be indicated as such on the student's scholastic record. It will be designated as credit transferred from home instruction.

Any person seeking a diploma from FCPS must be officially enrolled in FCPS as a full-time student. Students must meet all FCPS requirements for admission and residency prior to enrollment.

**IX. ELIGIBILITY TO TEST FOR GENERAL EDUCATIONAL DEVELOPMENT (GED)**

A student who is 16 years of age or older who has been home instructed pursuant to §22.1-254.1 of the Code of Virginia and who has completed such home instruction is eligible to test for general educational development through which he or she may earn a high school equivalency certificate.

**X. RELIGIOUS EXEMPTION**

A. In accordance with §22.1-254.1 of the Code of Virginia, the School Board shall excuse from attendance at school any pupil who, together with his or her parents or guardians, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological, or philosophical views or merely a personal moral code.

B. Parents or guardians shall submit a written request to the School Board for exemption stating their religious beliefs that are in conflict with public school attendance. Older children (14 years or older) should provide their own individual statements of their religious beliefs that conflict with school attendance. Parents or guardians should provide letters of support from their religious leader and/or persons who can vouch for the authenticity of their beliefs.

C. Parents or guardians requesting religious exemption should send their letters and supporting documents by August 15 to:

Fairfax County Public Schools  
Home Instruction  
8115 Gatehouse Road  
Suite 4700  
Falls Church, Virginia 22042  
Fax: 571-423-4447

Any parent or guardian who moves into Fairfax County after the school year has begun shall submit a letter of request and supporting documents within 30 days of the move.

The home instruction office shall forward the requests quarterly to the School Board for consideration at its regular meetings. The School Board office sends the letter of approval for religious exemption to the parents or guardians.

Once granted, the exemption applies for future years, although parents or guardians should notify the School Board in writing, referencing their religious exemption status, as younger children come of compulsory school attendance age.

**XI. ELIGIBILITY FOR PARTICIPATION IN SCHOOL-SPONSORED EXTRACURRICULAR ACTIVITIES**

- A. The Standards for Accrediting Public Schools in Virginia (July 2000) requires each enrolled student in grades 1 through 12 to maintain a full-day schedule of classes, except as noted in section VII. of this regulation.
- B. Home instruction is a full-time alternative to school attendance, except as noted in section VII. of this regulation.
- C. Home-instructed students shall not be permitted to participate in academic or co- or extracurricular activities or enroll on a part-time basis, except as noted in section VII. of this regulation or as required by law.

Legal reference: Code of Virginia sections 22.1-253.13:1, 22.1-254, 22.1-254.1, 22.1-254.2, and 32.1-46

See also the current versions of:

- Policy 2101, Physical Examinations, Immunizations, Contagious Diseases, Treatment of Injuries
- Regulation 2101, Physical Examinations, Immunizations of Students, and Tuberculosis Screening Requirements
- Policy 2201, Compulsory Attendance Requirements
- Policy 2202, Eligibility for Enrollment
- Regulation 2202, Required Admissions Credentials for Students
- Policy 2245, Home Instruction by Parents or Guardians and Part-Time Enrollment of Home-Schooled Students
- Regulation 2412, Full-Day Schedule Requirement for Students
- Regulation 2601, Student Responsibilities and Rights Booklet
- Regulation 3515, Requirements for General Educational Development (GED) Certificate

**NOTIFICATION BY PARENT OR GUARDIAN OF INTENT TO PROVIDE HOME INSTRUCTION**

INSTRUCTIONS: Complete this form fully, including your signature, attach a description of the curriculum to be followed for each child for the coming year and any other required supporting documents, and send to: **Fairfax County Public Schools Home Instruction, 8115 Gatehouse Road, Suite 4700, Falls Church, VA 22042. Fax: 571-423-4447.**

I hereby certify that I am the parent or guardian of the child or children listed below, that I intend to teach the child or children at home during the coming school year in lieu of school attendance in accordance with §22.1-254.1 of the Code of Virginia, and that the information I am providing is true and correct to the best of my knowledge and belief.

Name of Child or Children (last, first, middle)	Date of Birth (month, day, year)	Grade Level for the ___ - ___ School Year	FCPS Base School
1.			
2.			
3.			
4.			

I hereby certify that I am eligible to provide home instruction under Virginia law because (CHECK ONLY ONE):

- I hold a high school diploma. (ATTACH A COPY OF THE DIPLOMA **AND** A DESCRIPTION OF THE CURRICULUM TO BE FOLLOWED DURING THE COMING YEAR FOR EACH CHILD.)
- I have the qualifications prescribed by the Virginia Board of Education for a teacher. (ATTACH A COPY OF YOUR CURRENTLY VALID VIRGINIA TEACHING CERTIFICATE OR A STATEMENT OF ELIGIBILITY FROM THE VIRGINIA DEPARTMENT OF EDUCATION **AND** A DESCRIPTION OF THE CURRICULUM TO BE FOLLOWED DURING THE COMING YEAR FOR EACH CHILD.)
- I have enrolled the child or children in a correspondence course approved by the Virginia superintendent of public instruction. (ATTACH PROOF OF ENROLLMENT FROM THE INSTITUTION SHOWING THE SCHOOL'S NAME AND ADDRESS AND, FOR EACH CHILD: THE CHILD'S NAME, THE TERM(S) FOR WHICH ENROLLED, AND THE COURSE(S) IN WHICH ENROLLED.)
- I have attached to this notice a program of study and/or curriculum for the coming year that includes the state Standards of Learning objectives for language arts and mathematics. Also, I have attached a statement that provides evidence that I am able to provide an adequate education for the child or children.

**Upon request of the Division Superintendent, I will submit documentary proof of immunizations, medical contraindication certified by a licensed physician, or affidavit attesting that the administration of immunizing agents conflicts with our religious tenets or practices.**

I understand that if I conduct home instruction, I must provide the Division Superintendent by August 1 of next year with either (a) evidence that the child or children have attained a composite score in or above the fourth stanine on any nationally normed standardized achievement test or (b) an evaluation or assessment that the Division Superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress. I also understand that if the required evidence of progress is not provided by me, Virginia law provides for a one-year probationary period. Parents or guardians shall file, with the Division Superintendent, evidence of their ability to provide an adequate education for their child or children and a remediation plan that indicates that their program is designed to address any educational deficiency.

\_\_\_\_\_  
(PRINT OR TYPE) Parent's or Guardian's Name

\_\_\_\_\_  
Parent's or Guardian's Signature

\_\_\_\_\_  
Number and Street

\_\_\_\_\_  
Date

\_\_\_\_\_  
City State ZIP Code

H \_\_\_\_\_ W \_\_\_\_\_  
Telephone

**PARTIAL ENROLLMENT APPLICATION FOR HIGH SCHOOL-AGE HOME INSTRUCTION STUDENTS**

Send completed form to: Fairfax County Public Schools  
Coordinator of Student Registration  
8115 Gatehouse Road, Suite 4700  
Falls Church, Virginia 22042  
Fax: 571-423-4447  
If you have questions, call 571-423-4470

***Application must be received no later than June 1 for the following academic year.***

Student Name \_\_\_\_\_ Base High School \_\_\_\_\_  
Last First MI

Date of Birth \_\_\_\_\_ Current Grade Level \_\_\_\_\_

Parent or Guardian Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_  
Home Parent or Guardian Work Parent or Guardian Cell

Has student ever attended a Fairfax County public school? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, name of last Fairfax County school attended \_\_\_\_\_ Year \_\_\_\_\_

**COURSE(S) REQUESTED**

Course Title	Location Requested (ACE, Online Campus, or Base High School)	Alternative High School Site If Space Unavailable or Course Not Offered	Requested Start Date

\_\_\_\_\_  
Parent or Guardian Signature Date

\_\_\_\_\_  
Student Signature Date

***For Office Use Only***

Space Available at Requested Site \_\_\_\_\_ Yes \_\_\_\_\_ No Prerequisites Met \_\_\_\_\_ Yes \_\_\_\_\_ No

Date notification of intent to provide home instruction approved \_\_\_\_\_

Date evidence of prior year's progress approved (if applicable) \_\_\_\_\_

\_\_\_\_\_ Request Approved for \_\_\_\_\_ Request Denied  
Course Location

\_\_\_\_\_ Staff Member Signature \_\_\_\_\_ Date

**PARTIAL ENROLLMENT PARENT OR GUARDIAN AGREEMENT FORM FOR HIGH SCHOOL-AGE HOME INSTRUCTION STUDENTS TO ATTEND HIGH SCHOOL CLASSES**

I have requested partial enrollment for my child, \_\_\_\_\_, in Fairfax County Public Schools (FCPS) for the \_\_\_\_\_ school year. My signature below indicates that I have read and agree to comply with the following conditions:

1. Requests for home instruction students to attend high school classes must be made to the FCPS Office of Student Registration between April 15 and June 1 for the following school year.
2. Partial enrollment of home instruction students is on a space-available basis.
3. A student is required to attend the high school serving his or her attendance area unless a requested course is not offered at the school or unless there is no space available in the course in the school serving the student's attendance area.
4. Only high school-age home instruction students are eligible for partial enrollment.
5. Home instruction students may enroll in no more than two high school classes per year.
6. Enrollment in high school classes is limited to the core curriculum subjects: English, mathematics, science, social studies, and foreign language.
7. Notification by parent or guardian of intent to provide home instruction for the school year in which partial enrollment is requested is required.
8. Evidence of achievement for the preceding school year is required if the student received home instruction during that year.
9. All admissions requirements related to eligibility for enrollment, residence, custody, placement, and immunizations as defined in the current version of FCPS Policies 2101 and 2202 and FCPS Regulations 2101 and 2202 must be met.
10. Prerequisites for requested courses must be satisfied. Assessment testing may be required to ensure appropriate placement.
11. Partially enrolled home instruction students are subject to all provisions of the FCPS Student Responsibilities and Rights and all similar policies, regulations, and requirements pertaining to students, including grading policies.
12. Partially enrolled home instruction students are required to comply with all requirements of the course(s) in which they are enrolled, including SOL, AP, and/or IB testing.
13. No home instruction student will be admitted to a high school course after the third class meeting.
14. Partially enrolled home instruction students are not eligible for participation in school-sponsored athletics, student organizations and clubs, or co- or extracurricular activities.
15. Partially enrolled home instruction students shall limit their presence on campus to the times of their class(es), except when attending events open to the general public or when complying with a bona fide request made by a teacher or administrator.
16. FCPS does not provide transportation for partially enrolled home instruction students.
17. A partially enrolled home instruction student is not eligible to receive an FCPS diploma or to participate in commencement activities.
18. In instances in which school resources are limited, principals may be required to give priority to full-time students.

\_\_\_\_\_  
(PRINT OR TYPE) Parent or Guardian Name

\_\_\_\_\_  
Parent or Guardian Signature

\_\_\_\_\_  
Date