

Virginia Homeschool Laws

*Yvonne Bunn
Director of Homeschool Support & Government Affairs
Home Educators Association of Virginia*

Four ways to homeschool:

1. Opt-Out Provision §22.1-254(H)(5)

- ☐ Applies to any child who is not six years old by Sept. 30
- ☐ Notify local school board that you don't wish your child to attend school until the following year
- ☐ End of year testing not required if child is not six by Sept. 30
- ☐ Next year may register for homeschool kindergarten or 1st grade

2. Homeschool Statute §22.1-254.1

Comply with **ONE** of the following options by filing a "Notice of Intent to Provide Home Instruction" form or a letter by **August 15**:

Option 1: High School Diploma

- ☐ Either parent
- ☐ Send copy of diploma to division superintendent
- ☐ Provide description of curriculum which could include list of subjects and textbook titles

Option 2: Certified Tutor

- ☐ Send copy of Virginia teacher certification
- ☐ Provide description of curriculum which could include list of subjects and textbook titles

Option 3: Provide a Program of Study or Curriculum

- ☐ Correspondence course
- ☐ Distance learning program
- ☐ Or curriculum delivered in any other manner
- ☐ Provide description of curriculum which could include list of subjects and textbook titles

Option 4: Provide evidence that you are able to provide an adequate education

- ☐ Include a statement explaining why you are able to provide an adequate education
- ☐ Information submitted must exhibit mastery of the English language
- ☐ Must show a broad overview of what the parent plans to teach
- ☐ Information must include plans for instructional activities

You will find a printable copy of the “Notice of Intent to Provide Home Instruction” at <http://www.heav.org/thelaw/intent/noticeofintent.html>. If you choose this option, the form or a letter must be submitted by August 15 each year you homeschool.

Under the Homeschool statute, evidence of progress is required each year:

Achievement Test or Independent Evaluation §22.1-254.1(C)

- ☐ By **August 1** each year parents must submit
 - The results of any standardized achievement test or
 - An independent evaluation or assessment
- ☐ Test results or evaluation must be submitted to the division superintendent
- ☐ End of year testing or evaluation is not required if child is **not six by Sept. 30**

Achievement Test

- Any nationally normed, standardized achievement test
- Parents select test & administrator
- Parents cover cost
- Pre-approval not necessary
- Only basic battery required
- Send a **copy** of the test results to the division superintendent by **August 1** each year
- Must score in or above 4th stanine (23rd percentile)

Independent Evaluation or Assessment *including but not limited to:*

- Evaluation letter prepared by
 - ☐ Person licensed to teach in any state or
 - ☐ Person with a master’s degree or higher in an academic discipline
- A report card or transcript from
 - A community college or college
 - College distance learning program
 - Home-education correspondence school
- Send a copy of the evaluation letter, report card, or transcript to the division superintendent by **August 1** each year.
- Division superintendent determines if child is making adequate progress

Including but not limited to...

Portfolio option?

- ☐ Portfolio
 - Submit samples of student’s work; evaluator writes letter to division supt. evaluating the work

- Division supt. determines if child is making adequate progress

Probation

- ☐ If evidence of progress not provided:
 - One-year probation
 - Parents file evidence of ability to provide education
 - Parents file remediation plan
 - If evidence of progress not provided or not accepted by Aug. 1 the following year, home instruction must cease

3. Certified Tutor §221-254(A)

- ☐ Either parent qualifies
- ☐ Virginia certification must be current
- ☐ Send qualifications to local superintendent for approval
- ☐ End of year testing is **not** required

4. Religious Exemption §22.1-254(B)(1)

- ☐ "A school board shall excuse from attendance at school
 - any pupil who,
 - together with his parents,
 - by reason of *bona fide* religious training or belief,
 - is conscientiously opposed to attendance at school."
- ☐ Cannot be philosophical, political, sociological, moral reasons
- ☐ End of year testing is **not** required

***Immunization Requirements for ALL Homeschool Students**

- ☐ Must comply with standard immunization requirements
- ☐ Maintain records at home
- ☐ Exemptions for religious and medical reasons available