

COMPETENT PRIVATE INSTRUCTION

In the event a child of compulsory attendance age, over age six and under age sixteen, does not attend public school or an accredited nonpublic school the child must receive competent private instruction.

A parent choosing competent private instruction for a student must notify the school district prior to the first day of school on forms provided by the school district. The forms are available in the central administration office. One copy of the completed forms will be kept by the school district and another copy will be forwarded to the area education agency.

The superintendent will determine whether the completed form is in compliance with the law. Specifically, the superintendent will determine whether the individual providing the instruction is either the student's parent, guardian, legal custodian or an Iowa licensed practitioner; whether the licensed practitioner's license is appropriate for the age and grade level of the student; that the student is being instructed a minimum of one hundred and forty-eight days per year; that immunization evidence is provided for students placed under competent private instruction for the first time and that the report is timely filed.

The school district will report noncompliance with the reporting, immunization, attendance, instructor qualifications, and assessment requirements of the compulsory attendance law to the county attorney of the county of residence of the student's parent, guardian or custodian.

Students receiving competent private instruction are eligible to request open enrollment to another school district. Prior to the request for open enrollment, the student will request dual enrollment in the resident district. The receiving district will not bill the resident district unless the receiving district complies with the reporting requirements. If the parent, guardian or custodian fails to comply with the compulsory attendance requirements, the receiving district will notify the resident district. The resident district will then report the noncompliance to the county attorney of the county of residence of the parent, guardian or custodian.

Students receiving competent private instruction from a parent, guardian or legal custodian must be evaluated annually by May 1 unless such person is properly licensed. The parent, guardian or legal custodian may choose either a standardized test approved by the Iowa Department of Education or a portfolio evaluation. If the parent, guardian or legal custodian chooses standardized testing and the student is dual enrolled, the school district will pay for the cost of the standardized test and the administration of the standardized test. If the student is not dual enrolled, the parent, guardian or legal custodian will reimburse the school district for the cost of the standardized test and the administration of the standardized test. If a parent, guardian or legal custodian of a student receiving competent private instruction chooses portfolio assessment as the means of annual assessment, the portfolio evaluator must be approved by the superintendent. Portfolio evaluators must hold a valid Iowa practitioner's license or teacher certificate appropriate to the ages and grade levels of the children whose portfolios are being assessed. No annual evaluation is required for students receiving competent private instruction from an appropriately licensed or certified Iowa practitioner.

Approved 5-9-05

Reviewed 1-14-08

Revised _____

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Upon the request of a parent, guardian or legal custodian of a student receiving competent private instruction or upon referral of a licensed practitioner who provides instruction or instructional supervision of a student under competent private instruction, the school district will refer a student who may require special education to the area education agency, Division of Special Education, for evaluation.

Students in competent private instruction must make adequate progress. Adequate progress includes scoring at the thirtieth percentile on a standardized test or a report by the portfolio evaluator indicating adequate progress. Students who fail to make adequate progress under competent private instruction provided by the student's parent, guardian or legal custodian will attend an accredited public or nonpublic school beginning the next school year. The parent, guardian or legal custodian of a student who fails to make adequate progress may apply to the director of the Department of Education for approval of continued competent private instruction under a remediation plan.

The remediation plan is for no more than one year. Before the beginning of the school year, the student may be re-tested and if the student achieves adequate progress the student may remain in competent private instruction.

NOTE: This policy reflects Iowa law on competent private instruction. The form in the accompanying exhibit is the Iowa Department of Education form.

Legal Reference: Iowa Code §§ 256.11; 279.10, .11; 299.1-.6, .11, .15, .24, 299A (2003).
281 I.A.C. 31.

Cross Reference: 501 Student Attendance
502 Student Rights and Responsibilities
504 Student Activities
507.1 Student Health and Immunization Certificates
604.8 Dual Enrollment
604.10 Home School Assistance Program

COMPETENT PRIVATE INSTRUCTION REPORT

Directions: Complete one form in duplicate (carbon or photostatic copy) for each child for whom the compulsory education law is being met in other than regular enrollment in a public school or accredited nonpublic school. NO REPORT IS NECESSARY if the child is not of compulsory attendance age (6-16 with birth date prior to September 15) or if the child is enrolled in a home school assistance program in a public or a state accredited nonpublic school. Reporter should retain a copy of this report for personal records.

Return to school district secretary by _____(school start date) or within 14 calendar days of removing the child from public or accredited nonpublic school.

A. MANDATORY INFORMATION. (This information is required by Iowa Code §299.4).

1. Name and birth date of child under private instruction. (Use one form for each child.)

_____ child's name _____ birth date

2. Name and address of person filing report:

_____ name
 _____ address
 _____ city/state/zip

circle one:
 parent guardian custodian

3. School year and resident school district:

_____ (e.g., 200_-0_) _____ resident school district

4. Number of days of instruction for the school year ____ (min. 148)

5. Name and address of person providing instruction to the child, and relationship to child.

_____ instructor _____ relationship to child
 _____ address _____ (parent, guardian, custodian
 _____ city/state/zip or licensed teacher)

6. Will instruction be provided or supervised by a person with a valid Iowa teacher's license/certificate appropriate for the age and grade level of the child?

_____ yes _____ no

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If yes, print folder number of teacher: _____
folder no.

Name of Iowa licensed teacher: _____

Note: if properly licensed teacher provides or supervises instruction in accordance with 281 I.A.C. 31 of the rules of the Iowa Department of Education, no annual assessment is required. Otherwise a baseline test the first year and annual assessments thereafter are required of all students over 7 years of age who are in private instruction.

- 7. List subjects covered in instruction and approximate amount of time spent on each. Use extra sheet if necessary.

Circle one: daily weekly monthly quarterly by semesters annually

- 8. Identify texts used including title and author or publisher and grade level series. Use extra sheet if necessary.

- 9. If the child is being placed under private instruction for the first time, or for all children for whom no evidence was provided in a previous school year, attach evidence of the child's immunizations as required by Iowa law. Evidence includes a doctor's statement, a copy of a public health record, or the name and address of last school attended, or any other formal evidence of the dates and types of inoculations.

_____ attached previously provided to:

(tell where, when and to whom evidence was provided)

Please attach lesson plans for the period of instruction for the academic school year as required by Iowa Code §299.4.

- B. OPTIONAL INFORMATION (Note: Although not required by law for reporting purposes under Iowa Code §299.4, failure to respond may result in loss of some privileges or available options to parents, guardians or custodians.)

- 10. a. Indicate whether or not you desire dual enrollment in the public school for the child under competent private instruction.

_____ yes _____ no

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b. Indicate whether dual enrollment is desired for:
academics _____ extra curricular activities _____ both _____

11. If the child is dual enrolled in the public school, please specify in which grade level you wish to include the child for the purposes of academic or extracurricular activities.

_____ grade level

12. If the child is dual enrolled, of which activities do you wish to be notified (e.g., field trips, vocal or instrumental music opportunities, physical education class, drama, art, music, science lab, driver's ed, track, volleyball, academic decathlon, mock trial, etc.)?

13. Is the child currently identified as a child requiring special education: _____ yes _____ no (If "yes," approval of the AEA Director of Special Education is required before the child can be placed under competent private instruction.)

_____ signature of AEA special education director or designee

14. If the answer to question 6 is no, please indicate the desired method of assessment:
_____ Standardized testing _____ Portfolio evaluation

A baseline test is required the first year of home schooling regardless of which type of assessment is chosen if the child is under the annual assessment requirement.

15. Please indicate which test you desire to use for Baseline (B) or Annual Assessment (AA) purposes:

- B AA
- _____ California Achievement Test (CAT)
- _____ Metropolitan Achievement Test (MAT)
- _____ Comprehensive Tests of Basic Skills (CTBS)
- _____ Stanford Achievement Test
- _____ Iowa Tests of Basic Skills (ITBS) grades K-9 only
- _____ Stanford Achievement Test (Abbrev.)
- _____ Iowa Tests of Educational Development (ITED) grades 9-12 only

Grade level of test desired _____

_____ Fall Norms _____ Winter norms _____ Spring norms

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16. If your answer to question 14 is portfolio evaluation, please provide name of portfolio evaluator, if known, and folder number.

_____ portfolio evaluator _____ folder number

_____ Please provide me with a list of trained portfolio evaluators.

17. Do you wish to have the school district or Area Education Agency notify you of the dates it will be conducting testing sessions, so your child can take a baseline or annual assessment test at the same time?

_____ Yes _____ No

18. If you answered yes to questions 10 or 17, please provide the name, address, and telephone number of the person who desires to be notified.

_____ name _____ address
_____ telephone number _____ city/state/zip

It is the responsibility of the test administrator to submit the results of the child's baseline test, and if standardized testing form of assessment is chosen, the annual standardized test results to the parent, guardian, or custodian of the child; to the district of residence; and to the Iowa Department of Education annually by June 30. If portfolio assessment is chosen, the responsibility of the portfolio evaluator is to provide a narrative report assessing the child's progress to the child's parent, guardian, or legal custodian; to the district of residence; and to the Iowa Department of Education by June 30 annually. All reports to the Department should be sent to: Iowa Department of Education, Attn: Student Assessment Results, Grimes State Office Bldg., Des Moines, IA 50319-0146.

INDIVIDUALIZED INSTRUCTION

The board's primary responsibility in the management of the school district is the operation and delivery of the regular education program. Generally, students attending the school district will receive the regular education program offered by the district. Only in exceptional circumstances will the board approve students receiving individualized instruction at the expense of the school district.

Recommendations from the superintendent for individualized instruction will state the need for the instruction, the objectives and goals sought for the instruction, the employee requirements for the instruction, the implementation procedures for the instruction and the evaluation procedures and processes that will be used to assess the value of the instruction.

It is the responsibility of the superintendent to develop administrative regulations for individualized instruction.

Legal Reference: Iowa Code §§ 256.11; 279.8, .10, .11; 280.3, .14; 299.1-.6, .11, .15, .24; 299A (2003).

Cross Reference: 501.12 Pregnant Students
604.1 Competent Private Instruction

Approved 5-9-05 Reviewed 1-14-08 Revised _____

PROGRAM FOR TALENTED AND GIFTED STUDENTS

The board recognizes some students require programming beyond the regular education program. The board will identify students with special abilities and provide education programming.

It is the responsibility of the superintendent to develop a talented and gifted program which provides for identifying students, for program evaluation, and for training of employees.

NOTE: This is a mandatory policy and reflects the educational standards.

Legal Reference: Iowa Code §§ 257.42-.49 (2003).
281 I.A.C. 12.5(12); 59.

Cross Reference: 505 Student Scholastic Achievement
604.7 Instruction at a Post-Secondary Educational Institution

Approved 5-9-05 Reviewed 1-14-08 Revised _____

PROGRAM FOR AT-RISK STUDENTS

The board recognizes some students require additional assistance in order to graduate from the regular education program. The board will provide a plan to encourage and provide an opportunity for at-risk students to achieve their potential and obtain their high school diploma.

It is the responsibility of the superintendent to develop a plan for students at-risk which provides for identifying students, for program evaluation, and for the training of employees.

NOTE: This is a mandatory policy and reflects the educational standards.

Legal Reference: Iowa Code §§ 257.38-.41; 280.19, .19A (2003).
281 I.A.C. 12.5(13); 33; 61; 65.

Cross Reference: 505 Student Scholastic Achievement
607.1 Student Guidance and Counseling Program

Approved 5-9-05 Reviewed 1-14-08 Revised _____

RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the superintendent. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations.

In notifying the superintendent, the parents will abide by the following:

- The notice is in writing;
- The objection is based on religious beliefs;
- The objection will state which activities or studies violate their religious beliefs;
- The objection will state why these activities or studies violate their religious beliefs; and
- The objection will state a proposed alternate activity or study.

The superintendent will have discretion to make this determination. The factors the superintendent will consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available superintendent-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Students who are allowed to be excluded from a program or activity which violates their religious beliefs are required to do an alternate supervised activity or study.

NOTE: This policy reflects Iowa law regarding parents removing their children from parts of the education program.

Legal Reference: U.S. Const. amend. I.
Lee v. Weisman, 112 S.Ct. 2649 (1992).
Lemon v. Kurtzman, 403 U.S. 602 (1971).
Graham v. Central Community School District of Decatur County, 608 F.Supp. 531 (S.D. Iowa 1985).
Iowa Code §§ 256.11(6); 279.8 (2003).

Cross Reference: 603 Instructional Curriculum
606.4 School Ceremonies and Observances

Approved 5-9-05 Reviewed 1-14-08 Revised _____