

## Quick Reference Guide to Homeschooling in Virginia

Virginia's options for home education are simple in practice but incorporate a number of details that can be difficult to keep in mind, particularly with regard to some of the less-often used legal avenues. The Organization of Virginia Homeschoolers (VaHomeschoolers) has created this publication to clarify the roles of homeschooling families and school divisions regarding each educational avenue.

### Notice of Intent

- Due August 15, or whenever home instruction begins (if initiated after beginning of school year)
- May be in any format, including a letter drafted by the parent or a form provided by the school division
- Not required for families using the Approved Tutor Provision or the Religious Exemption
- Not required if the child is younger than 6 years old as of September 30 **and** the parent submits a letter stating the child is not yet ready for school attendance.
- Parents who choose home instruction after the school year begins may begin immediately upon providing notification, and have up to 30 days after such notification to provide additional documentation
- Parents are not required to wait for the superintendent's review of and response to home instruction paperwork before beginning homeschooling
- The law does not require parents to provide the child's social security number, name the person(s) instructing the child, or provide other information such as ethnicity

### Curriculum Description

- Curriculum description and other supporting documentation (such as high school diploma) should be submitted by August 15, or within 30 days of notification if homeschooling begins mid-year
- Required for parents filing under all four qualifying options of the Home Instruction Statute
- Not required for families using the Approved Tutor Provision or the Religious Exemption
- Only a description of the curriculum is required; scope and sequence, lesson plans, textbook tables of content and other detailed information are not required
- Submitted for informational purposes; not subject to the approval of the Superintendent, beyond ensuring that a curriculum description has been submitted

### Evidence of Progress

- Due August 1
- Not required for children who were under 6 years old as of September 30 of that academic school year
- Not required for families using the Approved Tutor Provision or the Religious Exemption
- For evidence of progress option i, any nationally normed standardized achievement test meets the legal requirement; or an equivalent score on the ACT, SAT, or PSAT may be submitted
- Only composite scores are required to be at or about the fourth stanine – subtest scores may be submitted; they are not required but should not be blacked out
- For evidence of progress option ii, parents may submit any one of the following: an evaluation by a teacher licensed in any state or by an individual with a Master's degree or higher in an academic discipline; or, parents may submit for the superintendent's review and consideration a report card, transcript or other documentation (such as a portfolio) indicating the child is achieving adequate academic progress

## Approved Tutor Provision

- Alternative compliance with the Compulsory Attendance Code; not part of the Home Instruction Statute
- Tutor may be the parent or another individual with a valid Virginia teaching license
- To maintain compliance, parent must file renewed teaching license when original document expires
- Notice of Intent, Curriculum Description and Evidence of Progress are not required

## Religious Exemption

- Exemption to the Compulsory Attendance Code; not part of the Home Instruction Statute
- Parents must submit documentation of religious objections to school attendance to school board
- Notice of Intent, Curriculum Description and Evidence of Progress are not required
- New documentation should be submitted as each child in the family comes of compulsory attendance age

## Other Topics Related to Homeschooling

### Partial Enrollment and Extracurricular Activities

- School boards have discretion over whether or not to allow non-public school students in their divisions to enroll on a part-time basis or participate in extracurricular activities.
- Students enrolled on a part-time basis are to be counted in the division's ADM as 0.25 for each course, for a maximum pro-rated ADM of 0.50 for two or more courses.

### Notification and Access

- Driver Education: School divisions in Planning District 8 (Northern Virginia) are required to allow homeschooled and private school students to participate in the Partners for Safe Teen Driving driver education program offered through the public schools. Expect to see this program available at the discretion of each local school board across the commonwealth beginning in 2018.
- GED: Homeschooled students age 16 or older are eligible to take the GED test.
- PSAT/AP Testing: Public school divisions are required to provide homeschooling families with notification about PSAT and AP testing opportunities and to make these tests available to homeschooled students.

### Transferring to Public School

- School divisions are required to make provisions to facilitate the transfer and appropriate grade placement of homeschooled students enrolling in public school. The exact form of transfer policies is subject to a degree of discretion, but homeschool academic work must be reviewed and considered in the transfer process.

### Immunization

- Parents of children being homeschooled under the Home Instruction Statute, Approved Tutor Provision or Religious Exemption are required to comply with the same immunization requirements that apply to public school and private school students, with the same provisions for religious or health exemptions. Upon the request of the superintendent, parents must provide documentation of immunization or exemption.

### References

Compulsory Attendance Code: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-254/>

Home Instruction Statute: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-254.1/>

Part-Time Enrollment: <https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:2/>

Driver Education: <https://law.lis.virginia.gov/vacode/22.1-205/>

GED Testing: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-254.2/>

PSAT/AP Testing: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-254.1/>

Transferring to Public School: <https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:4/>

Immunization: <https://law.lis.virginia.gov/vacode/title22.1/chapter14/section22.1-271.4/>

*This analysis is provided for informational purposes only by The Organization of Virginia Homeschoolers and should not be considered legal advice. For legal advice, please contact a licensed attorney.*

“Home Instruction in Virginia,” Virginia Department of Education, July 1, 2017.  
[http://www.doe.virginia.gov/families/private\\_home/index.shtml#home](http://www.doe.virginia.gov/families/private_home/index.shtml#home)

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