

## **I-41 (IHBG) Home Schooling**

When a parent/guardian of a student who has attained the age of seven years and is below the age of 16 wants to establish a home-based educational program for his/her child, the following procedures shall be followed in accordance with law:

1. The parent/guardian must submit on an annual basis written notification of establishment of the home-based program to the district's director of student services. The initial written notification shall be submitted at least 14 days before the program is established.
2. The parent/guardian must certify in writing the name, age, place of residence and number of hours of attendance of each of his/her children enrolled in the program.
3. The superintendent shall give the parent 14 days written notice to produce records required by law if there is probable cause to believe the program is not in compliance with the law.
4. Each student in a home-based program shall be evaluated when the student is in the third, fifth, seventh, ninth and 11th grades. The student's academic progress shall be evaluated either by giving a nationally standardized achievement test or by submitting an evaluation of the student conducted by a qualified person as defined in state law.

The student's test or evaluation results shall be submitted to the district or to an independent or parochial school in Colorado. If the test or evaluation results are submitted to an independent or parochial school, the name of the school shall be provided to the district.

5. If the student's composite score on the test is above the 13th percentile, the student shall continue to be eligible for the home-based educational program and exempt from compulsory attendance. If the score is at or below the 13th percentile, the parent/guardian shall be given the opportunity to have the student re-tested using an alternate version of the same test or a different nationally standardized test selected by the parent/guardian from a list supplied by the State Board of Education.
6. If the evaluation conducted by a qualified person indicates that the student is making sufficient academic progress according to ability, the student shall continue to be exempt from compulsory attendance.
7. If the composite score on a retest continues to be at or below the 13th percentile or if the evaluation conducted by a qualified person indicates that the student is not making sufficient academic progress, the district shall take steps to require the parent/guardian to enroll the student in a public, independent or parochial school.

## **Extracurricular and interscholastic activities**

Students participating in home-based educational programs have the same rights as district students to participate in district extracurricular and interscholastic activities. Such participation is subject to the same rules of any interscholastic organization or association of which the district is a member, applicable law and the district's eligibility requirements.

If a student withdraws from the school district more than 15 days after the start of the school year and enters a home-based educational program, the school district shall remain the child's district of attendance for purposes of extracurricular and interscholastic activities. If the child was eligible to participate in extracurricular or interscholastic activities when he or she withdrew from the public school, the child remains eligible to participate at that school for the remainder of the academic year.

### **Habitually truant students**

Any student who has been declared habitually truant at any time during the last six months of attending public school before the proposed enrollment in a home-based educational program may not be enrolled unless the parent/guardian first submits a written description of the curricula to be used along with the written notification required in paragraph #1 above.

### **Re-entering district schools**

A student from a home-based program may re-enter the district's schools at any time. With the consent of the student's parent/guardian, the district shall place the student at the grade level deemed most appropriate by the district. All students from home-based programs must demonstrate proficiency in the district's academic standards at their appropriate placement level. The district may test the student to determine placement.

The district shall accept the transcripts from a home-based educational program. In order to determine whether the courses and grades earned are consistent with district requirements and the district's academic standards, the district shall require submission of the student's work or other proof of academic performance for each course for which credit toward graduation is sought. In addition, the district may administer testing to the student to verify the accuracy of the student's transcripts. The district may reject any transcripts that cannot be verified through such testing. See policy [IKF](#).

LEGAL REFS.: C.R.S. [22-7-409](#) (1.2)(d)(I)(B)(III) (*home school students not required to take state assessments*)

C.R.S. [22-32-116.5](#) (*extracurricular and interscholastic activities*)

C.R.S. [22-33-104.5](#) (*home-based education law*)

C.R.S. [22-33-104.5](#) (3)(f) (*scores on nationally standardized tests or evaluations are not considered when measuring school performance and determining accreditation*)

Weld County School District Re-3(J), Keenesburg, Colorado 80643

I-41 (IHBG)

C.R.S. [22-33-107](#) (compulsory attendance law)

CROSS REFS.: [JGA](#), Assignment of New Students to Classes and Grade Levels

[JHB](#), Truancy

[JJJ](#), Extracurricular Activity Eligibility

*NOTE 1: The parent/guardian of a student who wants to establish a home-based education program may choose any public school district in the state to be the student's district of residence by notifying the district as set forth in paragraphs 1 and 2 of this policy. C.R.S. [22-33-104.5](#) (3)(e) and C.R.S. [22-33-104.5](#) (6)(a)(II)(A). However, if a student withdraws from public school more than 15 days after the start of the school year, the district from which the student withdraws remains the district of attendance for the purposes of extracurricular and interscholastic activities. C.R.S. [22-33-104.5](#) (6)(a)(II)(B).*

*NOTE 2: State law does not require a district to permit home-schooled students to attend only part of the educational program. However, if the district decides to permit part-time enrollment, and the student is enrolled for at least 90 hours of teacher-pupil instruction/contact time during the semester, the district may count the student and receive part-time state funding. C.R.S. [22-33-104.5](#) (6); 1 CCR [301-39](#), 2254-R-5.13. The district could consider including in its home school policy that enrollment will be denied unless the student is enrolled for at least 90 hours per semester. If the district does not wish to maintain a minimum hours requirement, the district should make part time enrollment subject to district availability of space and resources.*

*NOTE 3: State law prohibits a district from requiring a home-schooled student to enroll in a district course or complete any district credits as an eligibility requirement or condition of participating in any extracurricular activity at a district school unless "the extracurricular activity is an extension of the course, such as a performing arts group." C.R.S. [22-32-116.5](#) (4)(c), [22-33-104.5](#) (6)(b)(I).*

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