

# Board Policy

Code No. 604.1E2

## **COMPETENT PRIVATE INSTRUCTION** **Iowa's Compulsory Attendance Law, H.F. 455**

### **Applicability of Compulsory Attendance Law**

Children between the ages of 6 and 16 are compelled to receive education, and each child's parent, guardian, or legal custodian (hereafter referred to as "parent") is the person held responsible in the law for compelling the child's education. A child who will be six years old by September 15 is required to be educated in that year and ensuing school years; a child whose sixth birthday falls after September 15 is not subject to the law until the following school year. Similarly, if a student turns 16 prior to September 15, s(he) is no longer of compulsory attendance age and may drop out or seek alternative forms of education without risk to his or her parent. If a student turns 16 after September 15, s(he) is compelled to attend during that school year.

### **Attendance Requirements**

A parent of a child of compulsory attendance age, not otherwise exempted, is required to fulfill the attendance requirements of the law. Competent private instruction must be for at least 148 days per school year (defined as July 1 through June 30), to be met by attendance for at least thirty-seven days each school quarter.

### **Competent Private Instruction**

Competent private instruction may be provided in any one of the following ways:

- Directly by a state licensed teacher in a nonaccredited nonpublic school;
- Directly by a state licensed teacher in a tutorial or home school setting, including the possibility that the parent is properly licensed;
- Indirectly by a licensed teacher "assisting and supervising" a parent who provides the instruction;
- Directly or indirectly by a licensed teacher employed by a public school or accredited private school; or
- Directly by a parent of the child being instructed, regardless of licensure, formal training or level of education.

### **Reports as to Competent Private Instruction**

A parent who chooses to fulfill the compulsory education requirements of the child in a setting other than a public or accredited private school is required to complete a report by the first day of public school. The report, in duplicate, must include the following data:

- The name and age of all children of compulsory attendance age;
- The period of time during which the child has been (past school year) or will be (current school year) under competent private instruction; an outline of the course of study which is limited to subjects covered, lesson plans, and time spent on the area of study;
- The texts to be used;
- The name and address of the instructor; and
- Evidence of immunization, but only for the first time a child is placed under competent private instruction (form listing immunizations included with this correspondence.)

### **Annual Assessment**

If competent private instruction is provided by a properly (Iowa) licensed teacher, no annual testing or assessment of the student's progress is required.

If competent private instruction is provided by a nonlicensed parent or by a parent who holds a teaching certificate or license from another state or holds an Iowa license without the endorsements or approvals for the age and grade levels of the child(ren) being taught, then the child's progress must be assessed annually. The parent of a child of compulsory attendance age who is not instructed or supervised by a licensed Iowa teacher shall have the student's progress assessed annually either by a "nationally recognized standardized achievement test" chosen by the parent from a list of tests or assessment tools approved by the Department of Education, or by submitting all of the following to an evaluator who is a qualified, licensed Iowa practitioner:

- Lesson plans or any other written record of the subjects taught to the child;
- A portfolio of the child's work including homework assignments, workbooks, worksheets, etc.; and
- Results of any assessment tests taken by the child other than a nationally recognized standardized test approved by the Department of Education.

A parent is required to report the results of the assessment to the Bettendorf Community School District and to the State Department of Education by June 30 of each year of private instruction.

### **Dual Enrollment**

A parent choosing competent private instruction may seek dual enrollment with the Bettendorf Community School District. If a parent asks for dual enrollment, the school district will enroll and count the student for purposes of state aid. Because the count is taken on October 1, and because reports of competent private instruction are to be provided by a parent to the resident school district by no later than the first day of school, any parent desiring dual enrollment should specify that request prior to the third Friday in September. There are three main advantages of dual enrollment:

- The district may count the dual enrolled student on official count day;
- If the parent chooses standardized testing method of assessment, there is no charge for the testing; and
- A child under dual enrollment may participate in any and all academic activities and extracurricular activities for which s(he) is eligible. The law states that "the child shall be permitted to participate in any academic activities in the school district and shall also be permitted to participate on the same basis as public school children in any extracurricular activities available to children in the child's grade or group." A dually enrolled student must meet the same eligibility requirements as other students in the school district for extracurricular participation.

### **Special Education**

Special education issues are very complex covering a wide range of state and federal regulations. Please contact either the Assistant Superintendent or the Mississippi Bend Area Education Agency (359-1371) if you have questions about special services for a child while under competent private instruction.

### **Competent Private Instruction Report**

This administrative rule summarizes many of the key issues involved in providing competent private instruction in a setting other than a public or accredited private school. Further information may be obtained by contacting the Superintendent or designee, Bettendorf Community School District, P.O. Box 1150, Bettendorf, IA 52722, (359-3681).

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