

Davis School District Policy and Procedures

Subject: 5S-003 Compulsory Education Attendance Exemption for Home
School Instruction
Index: Student Services – *Enrollment and Registration*
Revised: ~~September 3, 2024~~ July 15, 2025

1. PURPOSE AND PHILOSOPHY

In a spirit of cooperation with parents who choose to establish a home school education for their school-age child or enroll their school-age child in a home-based ~~microschool or a micro-education entity~~, the Board of Education of Davis School District (Board) ~~establishes the following policy to comply with State law and facilitate the request for release of the school-age child from compulsory education attendance requirements~~ micro-school or micro-education entity, the Board of Education of Davis School District (Board) establishes the following policy to comply with State law and clarify the Board's role and limitations in relation to home schooling.

2. POLICY

~~2.1. The Board shall excuse a school-age minor from attendance, if the school-age child's parent files a signed affidavit with the District Students and Family Resources Department that:~~

~~2.1.1. the school-age child will attend a home school, a home-based microschool, or a micro-education entity; and~~

~~2.1.2. the parent assumes sole responsibility for the education of the school-age child except to the extent the school-age minor is dual enrolled in a public school as provided in Utah Code Ann. §53G-6-702.~~

2.2.2.1. Notification of Intent to Home School

When a parent withdraws an enrolled school-age child from a Davis School District (District) school for the purpose of home schooling or chooses not to enroll a school-age child in public school, the parent shall provide a **one-time initial notification** to the District Student and Family Resources Department (Department).

~~2.3. A signed affidavit filed in accordance with this policy shall remain in effect as long as:~~

~~2.3.1. The school-age child attends a home school, a home-based microschool, or a micro-education entity; and~~

~~2.1.1. The Davis School District (District) remains the school-age minor's district of residence as defined in Utah Code Ann. §53G-6-302.~~

2.2. Actions Upon Receiving a Notice of Intent to Home School

The Department shall maintain a record of the notification and provide the parent with a written acknowledgement of receipt of the notification within thirty (30) days.

2.4.2.3. Authority of the Parent

A parent of a school-age child who attends a home school shall be solely responsible for the selection of instructional materials and textbooks; the time, place, and method of instruction; and the evaluation of the home school instruction. Neither the Board nor the

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school of enrollment shall be held liable for the education or services of the home-schooled child.

~~2.5.2.4.~~ Support and Resources

~~2.5.1.2.4.1.~~ The Department will coordinate services, respond to questions, and provide information regarding compulsory education exemptions.

~~2.5.2.2.4.2.~~ Upon a parent's request, the District shall identify the knowledge, skills, and competencies a student is recommended to attain by grade level and subject to assist the parent in achieving college and career readiness through home schooling.

~~2.4.3.~~ Upon a parent's request, the District may provide the following items at costs established by the Board.

- [a] Textbooks, when available and needed. Replacement cost is to be charged for damaged books or books not returned to the school at the end of the school year. Parents may choose to purchase adopted textbooks from available suppliers.
- [b] Public school achievement tests as outlined in Utah Administrative Code R277-604 and District Policy *4I-005 Assessments of Student Achievement*.
- [c] District supported classes for parents.

~~2.3.3. District Enrollment Options~~ DISTRICT ENROLLMENT OPTIONS

Students exempted from compulsory public school education for instruction in a homeschool, a home-based microschool, or a micro-education entity, are eligible to participate in an activity, course, ~~co-curricular activity~~, or ~~extracurricular activity~~ program, consistent with District policy 5S-001 *Enrollment Options for Students* and 5S-200 *Minimum Standards of Eligibility for Extracurricular Participation*.

~~2.4.4. Re-Entry to District Schools~~ RE-ENTRY TO A DISTRICT SCHOOL

~~2.4.3.4.1.~~ ~~Students exempted from compulsory attendance requirements~~ When a student transfers from a home school, home-based microschool, or micro-education entity to who choose to re-enter a District school, the student will be admitted under the same entrance requirements as other students entering District schools.

~~2.4.4.4.2.~~ The student will be placed in the grade level, classes, or courses that the student's parent, in consultation with the school administrator and the District Director of Admissions, determines are appropriate based on the parent's assessment of the student's academic performance.

~~2.4.5.4.3.~~ Within thirty (30) days of the student's placement in a public school grade level, class, or course, either the student's teacher or the student's parent may request a conference to consider changing the student's placement, in accordance with procedures outlined in Utah Code Ann. §53G-6-703(3).

~~2.4.6.4.4.~~ This section does not apply to a student who is dual enrolled in a District school and a home school pursuant to Utah Code Ann. §53G-6-702.

~~2.5.5. Credit Evaluation~~ CREDIT EVALUATION

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Credit requests for home instruction will be evaluated under the provisions provided in District policy 4I-006 Credit Evaluation Standards and Guidelines.

DEFINITIONS

“Home-based microschool” means an individual or association of individuals that: registers as a business entity in accordance with state and local laws; and for compensation, provides kindergarten through grade 12 education services to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property. Does not include a daycare.

“Micro-education entity” means a person or association of persons that: registers as a business entity in accordance with state and local laws; and for compensation, provides kindergarten through grade 12 education services to 100 students or fewer. Does not include a daycare; a home-based microschool; a private school; or a school within the public education system.

“Home Instruction or Home School” means that a person having control of a minor between six (6) and eighteen (18) years of age accepts the responsibility for providing the education of such minor at home in accordance with law instead of having minor attend a public or regularly established private school.

REFERENCES

~~Utah Code Ann. §53G-6-302 – Child's school district of residence – Determination – Responsibility for providing services.~~

Utah Code Ann. §53G-6-204 – School-age children exempt from school attendance.

Utah Code Ann. §53G-6-212 – Home-based microschool and micro-education entity waivers and exemptions.

Utah Code Ann. §53G-6-702 – Dual Enrollment.

Utah Code Ann. §53G-6-703 – Private school and home school students' participation in extracurricular activities in a public school.

Utah Code Ann. §53G-6-706 – Placement of a student of a home school, micro-education entity, or home-based microschool student who transfers to a public school.

Utah Administrative Code R277-438 – Dual Enrollment.

Utah Administrative Code R277-604 – Private School, Home School, ~~Electronic High School~~ Scholarship, and Bureau of Indian Education (BIE) Student Participation in Public School Achievement Tests.

FORMS

~~Affidavit Compulsory Education Exemption~~

RELATED POLICIES

4I-005 Assessments of Student Achievement

4I-006 Credit Evaluation Standards and Guidelines

5S-001 Enrollment Options for Students

5S-200 Minimum Standards of Eligibility for Extracurricular Participation

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DOCUMENT HISTORY

Adopted: January 11, 1991

Revised: May 18, 1999 – To allow for participation as members in competitive activities.

Revised: July 14, 2009 – Added section 2.2.1[b] need to issue certificate of exemption within 30 days of request. Removed instruction requirements and appeals process. Updated language under participation in extracurricular activities to match language in District policy 5S-400.

Revised: September 1, 2009 – No change to content, renumbered from 4I-102 to 5S-003 with reorganization of Policy Table of Contents.

Revised: June 18, 2014 – Updated language to comply with changes in the law. Modifies procedures for excusing from public school attendance a school-age minor who attends a home school; eliminates instructional requirements for a school-age minor who attends a home school.

Revised: July 16, 2019 (by consent) - Five-year review. Non-substantive changes.

Revised: September 3, 2024 - Comply with SB13 adding a home-based microschool or a micro-education entity. SB56 application does not need to be notarized.

Revised: July 15, 2025 - Comply with HB209 amends provisions related to home school affidavits. Removes liability from local board after students unenroll.