

4650 HOME SCHOOL POLICY

I. PHILOSOPHY

The Weber School District (hereinafter referred to as "WSD" and "District") recognizes and acknowledges the value of education in a variety of settings, including public school and home school. Under Utah's compulsory education laws, parents and legal guardians are required to enroll their children in school unless an exemption is granted for a student to receive a home school education. The law outlines specific exemptions that may be granted by the Weber School District Board (hereinafter referred to as "Board"), for a student who will attend a home school (Utah Code Ann. §53G-6-204).

II. POLICY

Weber School District complies with the state's compulsory education laws and requirements but honors the exemptions outlined in state law, including home-school exemptions. This policy sets forth the requirements and procedures for home-school exemptions from compulsory education, and allowances for dual enrollment between home-school and public school.

III. DEFINITIONS

A. "Child abuse" means a criminal felony or attempted felony offense of which an individual is convicted, or to which an individual pleads guilty or no contest, for conduct that constitutes any of the following:

1. Child abuse under Utah Code §76-5-109;
2. Aggravated child abuse under Utah Code §76-5-109.2;
3. Child abandonment under Utah Code §76-5-109.3;
4. Commission of domestic violence in the presence of a child under Utah Code §76-5-114;
5. Child abuse homicide under Utah Code §76-5-208;
6. Child kidnapping under Utah Code §76-5-301.1;
7. Human trafficking of a child under Utah Code §76-5-308.5;
8. An offense described in Title 76, Chapter 5, Part 4, Sexual Offenses, or in Title 76, Chapter 5b, Part 2, Sexual Exploitation, if the victim is under 18 years old;
9. Sexual exploitation of a minor under Utah Code §76-5b-201;
10. Aggravated sexual exploitation of a minor under Utah Code §76-5b-201.1; or
11. An offense in another state that, if committed in this state, would constitute an offense described in Utah Code §53G-6-204(2)(a)(i).

B. "Dual enrollment student" means a student who is enrolled simultaneously in:

1. A private school or home school; and

2. A public school.
- C. "Home school" means a school, a micro-school, other than a private school, comprised of one or more students officially excused from compulsory public school attendance under this policy and Utah Code §53G-6-204.
 - D. "Parent" includes a custodial parent of the minor; a legally appointed guardian of a minor; or any other person purporting to exercise any authority over the minor which could be exercised by a person described in Utah Code §53G-6-201(4)(a) or (b).
 - E. "Private school" means a school satisfying the following criteria:
 1. Maintained by a private individual or corporation;
 2. Maintained and operated not at public expense;
 3. Generally supported, in part at least, by tuition or fee charges;
 4. Operated as a substitute for, and giving the equivalent of, instruction required in public schools;
 5. Employing teachers able to provide the same quality of education as public school teachers;
 6. Established to operate indefinitely and independently, not dependent upon the age of the students available or upon individual family situations; AND
 7. Licensed as a business by the Utah Department of Commerce.
 - F. "Minor student" or "Student" means a person who is at least six years old, but younger than 18 years old, and is not emancipated according to Utah law.

V. HOME SCHOOL EXEMPTION FROM COMPULSORY EDUCATION

- A. The Board will excuse a student from attendance if the student's parent files a signed Home School Affidavit with the District, as described in Section VI below. If a parent has been convicted of child abuse or if a court of competent jurisdiction has made a substantiated finding of child abuse against the parent:
 1. the parent may not assume responsibility for the education of a minor student under Section V.B.1.; and
 2. the District may not accept the affidavit described in Section V.B.1 from the parent or otherwise exempt the minor student from attendance in relation to the parent's intent to homeschool the student.
 3. Nothing in Section V.B.2 affects the ability of another of a student's parent, who is not prohibited under Section V.B.2, to file an affidavit described above.
- B. The parent of a minor student who attends a home school is solely responsible for:
 1. The selection of instructional materials and textbooks;
 2. The time, place, and method of instruction; and

3.. The evaluation of the home school instruction.

C. The District may not:

1. Require a parent of a minor student who attends a home school to maintain records of instruction or attendance;
2. Require credentials for individuals providing home school instruction;
3. Inspect home school facilities; or
4. Require standardized or other testing of home school students.

VI. HOME SCHOOL AFFIDAVIT

A. As required by law, parents who wish to homeschool their minor student(s) are required to notify the District by properly completing, executing, and filing with Student Services, or designee, a signed Home School Affidavit. The Home School Affidavit shall contain the following information:

1. The parent's name, address, and telephone number;
2. The student name(s), birth date(s), and grade level(s);
3. Assurance that the parent assumes sole responsibility for the education of the minor student, except to the extent the minor student is dual enrolled under Section IX;
4. A statement that the student(s) will attend a home school;
5. A statement that the parent has not been convicted of child abuse or been the subject of a substantiated finding of child abuse by a court of competent jurisdiction in accordance with Utah Code § 53G-6-204.

B. A signed affidavit shall remain in effect as long as the minor student attends a home school and remains a resident of the District.

C. Parents who wish to homeschool their minor student but also enroll the student in one or more District activities, subjects, courses, or classes under the dual enrollment program outlined in Section IX below must indicate on the Affidavit the specific courses or activities for which enrollment is sought. The Affidavit must state names of activities or courses rather than days of the week or times of day.

VII. ISSUANCE OF EXEMPTION CERTIFICATES

A. For a Homeschool Exemption under Section V.B., the following procedures apply.

1. Within 30 days after receipt of the signed affidavit described in Section VI and on or before August 1st of each year thereafter, the Board shall approve the exemption, unless:
 - i. the student enrolls in a school within the District;
 - ii. the student's parent notifies the District that the student no longer attends a home school; or

- iii. the student's parent notifies the District that the student's school district of residence has changed.
2. A student may be withdrawn from school as soon as the completed affidavit is submitted to the District in accordance with Section VI.

VIII. DISTRICT SERVICES

- A. The District will appropriately cooperate and assist parents who teach their children at home to help them succeed.
- B. The District recognizes that parents are ultimately responsible for their children's educational program. To help parents with their home school efforts, the District may, at its discretion, offer the following services upon request:
 1. textbooks and other materials similar to what other students receive. There may be fees required for some of these textbooks and materials.
 2. school assessments administered to students enrolled in the District;
 3. special education services provided at the school
 4. participation in field trips, after-school activities, or other programs offered during the school day.

IX. DISTRICT PARTICIPATION

A. Dual Enrollment

1. Students who are enrolled in regularly established private schools or home schools may also enroll in WSD schools for dual enrollment purposes as provided in Utah Code § 53G-6-702 and Utah Administrative Code R277-438.
2. Dual enrollment students may participate in a course, co-curricular activity, or program at the student's resident school if the student:
 - i. takes courses comparable to resident school courses or earns credit under options outlined in Utah Administrative Code R277-700-6; or
 - ii. demonstrates competency to the satisfaction of the Board in the subject matter taught in the courses required by the Board of a student for participation in the course, co-curricular activity, or program.
3. Dual enrollment is based on courses or activities rather than days of the week or times of day. A student enrolled in a dual enrollment program is considered a student of the District for purposes of state funding to the extent of the student's participation in the District school's programs. A student attending activities or a portion of the school day under the dual enrollment program shall be subject to the same behavior and discipline rights and requirements of a full-time student and shall be subject to administrative scheduling and teacher discretion of the District school.

B. Extracurricular Activities

1. Students exempt from compulsory education requirements may be eligible for participation in extracurricular public school activities. Such participation is governed and more fully described by Utah Code § 53G-6-703, Utah Administrative Code R277-494, Weber School District Policy 4500 - [Extracurricular Activities](#), and District administrative directives.

C. Fees

1. Students exempt from compulsory education requirements who also participate in extracurricular activities or dual enrollment in the District are responsible for school fees in the same manner as full-time District students as set forth in Weber School District Policy [4200 - School Fee & Fee Waiver](#) may be waived in accordance with applicable law.

X. TRANSFER TO PUBLIC SCHOOLS

- A. Students who have attended a home school pursuant to Section VII above may enroll in the District's schools consistent with Weber School District Policy [4160 - Residency and Enrollment](#) and subject to all eligibility requirements imposed by District policy and state and federal laws and regulations.

1. When a home school student transfers from a home school to a school within the District, the District will place the student in the grade level, classes, or courses that the student's parent, in consultation with the school administrator, determine are appropriate based on the parent's assessment of the student's academic performance (Utah Code § 53G-6-706).
2. Within 30 days of a home school student's placement in a school grade level, class, or course, either the student's teacher or the student's parent or guardian may request a conference to consider changing the student's placement.
3. If the student's teacher and the student's parent or guardian agree on a placement change, the school will place the student in the agreed-upon grade level, class, or course.
4. If the student's teacher and the student's parents do not agree on a placement change, the school will evaluate the student's subject mastery in accordance with the parent's choice between the following options:
 - i. allowing the school to administer, to the student, assessments that are regularly administered to students and used to measure students' subject matter mastery and determine placement; or
 - ii. having a private entity or individual administer assessments of subject matter mastery to the student at the parent's expense.
5. After an evaluation of a student's subject matter mastery under this section, the school may change a student's placement in a grade level, class, or course.
6. This section does not apply to a student who is dual enrolled under Utah Code § 53G-6-702 and Section IX.A. of this policy.

- B. Refer to WSD Policy [4370- Graduation Requirements](#) for transfer credits.