

COMPETENT PRIVATE INSTRUCTION

In the event a child of compulsory attendance age, over age six and under age sixteen, does not attend public school or an accredited nonpublic school the child must receive competent private instruction.

The parent or guardian of a student choosing Competent Private Instruction has two options: Under Option 1 the parent or guardian of a student enrolled SHALL submit a FORM A to the district by September 1 or the year of enrollment. The parent or guardian SHALL also submit evidence of immunizations under Iowa Code §139A.8. Under Option 2 the parent or guardian of a student MAY but is not required to submit a FORM A to the district by September 1 of the year of enrollment. The parent or guardian MAY submit evidence of immunizations under Iowa Code § 139A.8. Form A is required for dual enrollment and an annual assessment is also required.

The forms are available in the central administration office. One copy of the completed forms will be kept by the school district and another copy will be forwarded to the area education agency.

The superintendent/designee will determine whether the completed form is in compliance with the law. Specifically, the superintendent/designee will determine whether the individual providing the instruction is either the student's parent, guardian, legal custodian or an Iowa licensed practitioner; whether the licensed practitioner's license is appropriate for the age and grade level of the student; that the student is being instructed a minimum of one hundred and forty-eight days per year; that immunization evidence is provided for students placed under competent private instruction for the first time and that the report is timely filed.

The school district will report noncompliance with the reporting, immunization, attendance, instructor qualifications, and assessment requirements of the compulsory attendance law to the county attorney of the county of residence of the student's parent, guardian, or custodian.

Students receiving competent private instruction are eligible to request open enrollment to another school district. Prior to the request for open enrollment, the student will request dual enrollment in the resident district. The receiving district will not bill the resident district unless the receiving district complies with the reporting requirements. If the parent, guardian or custodian fails to comply with the compulsory attendance requirements, the receiving district will notify the resident district. The resident district will then report the noncompliance to the county attorney of the county of residence of the parent, guardian or custodian.

If a parent, guardian or custodian chooses Option 1 under competent private instruction, students SHALL be monitored for progress by the supervising teacher. The district shall provide optional assessments at no cost

and without requiring dual enrollment. If Option 2 is chosen, students MAY but are not required to be assessed annually and report annual evaluations to the district by June 30th of the year of instruction. The district shall provide optional assessments at no cost and without requiring dual enrollment. If the student is dual enrolled with the district for academics (including special education) or extracurricular activities (including athletics), Form A and annual assessment results MUST be filed with the district.

The parent, guardian or legal custodian of a student who fails to make adequate progress may apply to the director of the Department of Education for approval of continued competent private instruction under a remediation plan.

The remediation plan is for no more than one year. Before the beginning of the school year, the student may be re-tested and if the student achieves adequate progress the student may remain in competent private instruction.

Legal Reference: Iowa Code §§ 256.11; 279.10, .11; 299.1-.6; .11, .15, .24, 299A
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