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District of Columbia REGISTER

HIGHLIGHTS

* D.C. COUNCIL ISSUES LAW 17-146, EVICTIONS WITH DIGNITY AMENDMENT ACT OF 2008
* D.C. COUNCIL SCHEDULES PUBLIC HEARING ON BILL 17-729, ABATEMENT OF NUISANCE PROPERTIES AND TENANT RECEIVERSHIP AMENDMENT ACT OF 2008
* D.C. PUBLIC CHARTER SCHOOL BOARD SCHEDULES PUBLIC HEARING ON APPLICATIONS TO ESTABLISH ELEVEN PUBLIC CHARTER SCHOOLS IN THE DISTRICT OF COLUMBIA
* DEPARTMENT OF HEALTH UPDATES PROCEDURES FOR REPORTING ADMINISTRATION OF ALL VACCINES
* STATE SUPERINTENDENT OF EDUCATION PROPOSES NEW RULES FOR HOME SCHOOLING DISTRICT OF COLUMBIA RESIDENTS

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D.C. Department of Human Resources and Metropolitan Police Department – Amend Title 6 DCMR (Government Personnel), Chapter 8 (Career Service), Sec.802.1; 803.2 to add New Items to the List of Prohibited Discriminatory Personnel Practices; 803.3 through 803.5; 813.2 on Probationary Period Requirements; 823: Term Appointment; 838.6 through 838.8 ..... 005286 - 005289

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OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)(11)) (2007 Supp) (SEOE Act);, and Article II, Sections 1 and 4 of An Act To provide for compulsory school attendance, and for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code §§ 38-202 and 38-205) (2001), hereby gives notice of proposed regulations adding a new Chapter 52 of Title 5 of the *District of Columbia Municipal Regulations* (DCMR), entitled "District of Columbia Home Schooling." The purpose of the new chapter is to establish procedural rules for home schooling for District of Columbia residents from age 5 until a child reaches the age of 18 years.

A new Chapter 52 is added to Title 5 of the DCMR to read as follows:

CHAPTER 52 DISTRICT OF COLUMBIA HOME SCHOOLING

Sections

5200 General Provisions
5201 Home Schooling Administration
5202 Written Notification
5203 Annual Verification and Discontinuation
5204 Home Schooling Program
5205 Educational Materials
5206 Review of Educational Materials
5207 Parent or Legal Guardian Qualifications
5208 Monitoring, Deficiencies, and Compliance
5209 Voluntary Participation in Standardized Testing
5210 Enrollment in District of Columbia Public Schools
5299 Definitions

5200 GENERAL PROVISIONS

5200.1 The provisions of this chapter are issued pursuant to Section 3(b)(11) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176, D.C. Official Code § 38-2601. *et seq.*) (2007 Supp.) (SEOE Act), and Article II, sections 1 and 4 of an Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code §§ 38-202 and 38-205) (2001).

5200.2 Student records, documents, correspondence, and other materials received in accordance with the provisions of this chapter shall be reviewed pursuant to the

Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; the Code of Federal Regulations (CFR) 34 CFR Part 99, and any other applicable District or federal confidentiality statutes.

5200.3 The purpose of this chapter is to establish procedures for home schooling in accordance with the District of Columbia's school attendance and reporting laws and the SEOE Act, to ensure that a child participating in a home schooling program receives thorough, regular education that will enable them to function as productive members of society in the 21st century.

5201 HOME SCHOOLING ADMINISTRATION

5201 The Office of the State Superintendent of Education (OSSE) shall administer and implement the District of Columbia's Home Schooling regulations set forth in this chapter.

5202 WRITTEN NOTIFICATION

5202.1 A parent or legal guardian who chooses to provide home schooling in the District of Columbia shall initially provide written notification on an official form developed by the OSSE which:

(a) Indicates consent to the requirements in this chapter; and

(b) Shall be submitted to the OSSE at least 15 days, not including Saturdays, Sundays, or District holidays, prior to the first date of home instruction.

5203 ANNUAL VERIFICATION AND DISCONTINUATION

5203.1 For each year in which a home schooling program continues, the parent or legal guardian shall file a Home Schooling Notification Form identifying each child being home schooled, no later than August 15th of each year,

5203.2 A parent or legal guardian shall immediately notify the OSSE in writing of any discontinuation of home schooling for any reason 15 days, not including Saturdays, Sundays, or District holidays, or District holidays, prior to discontinuation of home schooling.

5204 HOME SCHOOLING PROGRAM

5204.1 The home schooling program for each student shall:

(a) Provide thorough, regular instruction of sufficient duration to implement the home school program; and

(b) Provide instruction that includes, but need not be limited to,

language arts, mathematics, science, social studies, art, music, health, and physical education.

5204.2 Nothing in this chapter shall be interpreted to require that home schooling should include programs or methods used by the District's public schools. Nor shall any home schooling program be required to adhere to specific curricular frameworks or any other program of instruction adopted by the District's public schools.

5205 EDUCATIONAL MATERIALS

5205.1 A parent or legal guardian who chooses to administer a home schooling program shall maintain a portfolio of home schooling materials for each child which includes evidence of the child's current work, such as examples of the child's writings, worksheets, workbooks, creative materials, assessments, or any other materials that demonstrate that the child is engaged in thorough, regular educational activities in a range of subjects.

5205.2 The portfolio shall be maintained for at least one year and made available for review by the OSSE upon written request.

5206 REVIEW OF EDUCATIONAL MATERIALS

5206.1 The OSSE may, at its discretion, request to review the portfolio of home schooling materials described in Section 5205, provided that the following requirements are met:

(a) The review is held at a time and place mutually agreeable to the representative of the OSSE and the parent or legal guardian;

(b) There are not more than two (2) reviews conducted during a school year; and

(c) The purpose of the review is to ensure that the child is receiving thorough, regular home schooling instruction, consistent with this chapter.

5207 PARENT OR LEGAL GUARDIAN QUALIFICATIONS

5207.1 Parents or legal guardians who wish to be their children's instructors shall have a high school diploma or its equivalent.

5207.2 A parent or legal guardian who wishes to provide home schooling instruction and does not have a high school diploma or its equivalent may petition the OSSE for a waiver of section 5207.1. Such petition shall provide evidence of the petitioner's ability to provide thorough, regular home schooling.

5208 MONITORING, DEFICIENCIES, AND COMPLIANCE

5208.1 If upon review of the home instruction portfolio, the OSSE determines that a student is not receiving thorough, regular home schooling consistent with this chapter, the OSSE shall provide within 30 days of the review, not including Saturdays, Sundays, or District holidays, a written notification of deficiencies to the parent or legal guardian.

5208.2 A parent or legal guardian shall respond to the written notification of deficiencies no later than 30 days, not including Saturdays, Sundays, or District holidays, after the date of the written notification of deficiencies and provide OSSE with evidence that each deficiency has been or is being corrected.

5208.3 OSSE shall notify the parent or legal guardian of its acceptance of the plan to correct deficiencies or the need for further modifications consistent with this chapter within five days, not including Saturdays, Sundays, or District holidays, after the date of receipt of the corrective action plan.

5208.4 In the event the plan fails to correct deficiencies to conform to the requirements of this chapter, the OSSE shall issue a letter of non-compliance which shall state the basis for its determination of non-compliance. The letter of non-compliance shall constitute OSSE's final action.

5208.5 Upon receipt of the OSSE letter of non-compliance, the parent or legal guardian shall immediately enroll the home schooled child in a public or non public school in compliance with District of Columbia law.

5209 VOLUNTARY PARTICIAPATION IN STANDARDIZED TESTING

5209.1 A child receiving home schooling may participate in the regularly scheduled standardized testing programs that are administered in the public school the child is eligible to attend.

5210 ENROLLMENT IN A DISTRICT OF COLUMBIA PUBLIC SCHOOL

5210.1 Upon application of a child to enroll in a District of Columbia public school from a home schooling program, placement of the child and any credits to be awarded toward high school graduation shall be determined by evaluation. The evaluation may include administration of standardized tests, other examinations, and interviews with the child.

5299 DEFINITIONS

5299.1 For the purposes of this chapter, the term:

"Home Schooling" means an education program conducted, in compliance with this chapter, by the Parent or Legal Guardian;

"OSSE" means the Office of the State Superintendent of Education, including any authorized OSSE designee.

"Parent or Legal Guardian" means a person having legal custody of a child or children; and

"Public School" means a District of Columbia public school, including public charter schools.

Persons wishing to comment on these proposed rules should submit their comments in writing to Deborah A. Gist, State Superintendent of Education, 441 4th Street, NW, Room 350N, Washington, D.C., 20001, Attn: Ms. Stephanie Thomas, Private/Home School Specialist, Policy and Research Analysis. All comments must be received by the Office of the State Superintendent of Education not later than thirty (30) days after publication of this notice in the DC Register. Copies of this proposed rulemaking and related information may be obtained by writing to the above address, or by calling the Office of the State Superintendent of Education at (202) 727-6436.