



## Legislative Update

Tuesday, September 4, 2007

### **Inaccurate Definition Leads to Problems**

"Curriculum description" was the topic of discussion in a recent conference call meeting with the Virginia Department of Education. Although our goal was to solve the problem where the problem began, the DOE would not agree.

### **What has changed?**

The law has not changed; however, there is now some question about what to include for a "description of curriculum." The confusion is based on a revision in the DOE ["Home Instruction in Virginia"](#) handbook published on the DOE website in the fall of 2006.

The problem is not related to the 2006 statutory change from "baccalaureate degree" to "high school diploma," but to an inaccurate definition of "curriculum description" in the DOE handbook. The handbook gives the following incorrect example of a "curriculum description":

"U.S. History: 1877 to the Present

- This course will provide the student with an understanding of the history of the United States from the end of Reconstruction to the present.
- The student will learn about major political, economic, and social events impacting the country during this time period and examine the political, economic and social challenges its citizens faced.
- The student will review and understand events and life in this country.
- The student will review and understand maps of this country.
- The student will use maps, pictures, and tables to learn about this country's physical features.
- The student will learn about this country's natural resources, transportation and industrial development.
- The student will review and understand how life changed after the Civil War.
- The student will review and understand how the United States became involved in military conflicts with other countries during this period and the challenges the country faced during and after these wars.
- The student will review and understand other issues that impacted this country during this time period."

The published example above is actually a "course description" or syllabus. A course description includes the details of the content of each subject. The law requires parents to submit a "description of curriculum," not a course description.

### **What exactly does the law say?**

The law requires a homeschooling parent who complies with §22.1-254.1 and files a Notice of Intent (whether in letter format or by using a form) to submit a curriculum description. Exception: Parents using option 3, an approved correspondence course, are not required to provide a description of curriculum because the curriculum has already been approved by the DOE.

*§22.1-254.1 (B). Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the division superintendent in August of his intention to so instruct the child and provide a description of the curriculum to be followed for the coming year and evidence of having met one of the criteria for providing home instruction as required by subsection A. Effective July 1, 2000, parents electing to provide home instruction shall provide such annual notice no later than August 15.*

A description of curriculum is not limited to language arts and mathematics unless that is all you will be teaching. (Exception: option 4(a) requires only a description of language arts and mathematics indicating they include the SOLs.)

### **What's the problem?**

While the DOE handbook includes a disclaimer that this example is simply a guideline, or one example, some local superintendents are considering it the standard. Since publication of the incorrect handbook example, some districts have asked for additional curriculum details. Some districts are even holding the Notices of Intent that have been submitted until additional curriculum details are provided by the parents. **This level of detail has never before been required.** It is not based on a law change; it is based on an incorrect definition of "curriculum description" that first appeared in the revised 2006 handbook.

### **What is a curriculum description?**

A curriculum description includes a list of the courses or subjects included in a plan of study. According to Merriam-Webster's online dictionary, a curriculum is described as "the courses offered by an educational institution; a set of courses constituting an area of specialization." The Cambridge Advanced Learner's Dictionary defines curriculum as "the group of subjects studied in a school, college, etc."

Homeschool law does not require parents to teach particular courses or include particular course content other than for parents who comply with option 4(a). For this option, parents must include the SOLs in their mathematics and language arts curriculum.

It is unnecessary for parents to prepare such a document for superintendents to review since the superintendent has no authority to judge the content of a course. Again, option 4(a) is the only exception- parents complying with option 4(a) must include the SOLs for language arts and mathematics.

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### **Conference Call with DOE**

In a recent conference call meeting, HEAV, HSLDA, and VaHomeschoolers asked the DOE to address the problem now. We requested the DOE change the section in their handbook that includes the incorrect example of a "description of curriculum."

We asked them to remove the incorrect example. Although they never disagreed that this was an incorrect example, regrettably, the DOE refused to make the change, stating it would create confusion. We indicated there was already confusion. We then asked them to include another example-a list of subjects to be taught.

They said they could not control what local school boards do, that it was their role only to provide guidance.

The DOE offered to do three things:

1. Send an e-mail to the localities we are having difficulty with and remind them of the DOE disclaimer;
2. Review copies of local district letters to assess the magnitude of the problem;

3. Move the disclaimer above the section that describes the "description of curriculum."

Another option we discussed was for homeschoolers to propose a change to the homeschool statute during the 2008 General Assembly. However, that change would not go into effect until next year. To us, correcting the inaccurate example in the handbook seemed to be the simplest solution; the DOE would not agree.

**Help us solve this problem!**

In order to solve this problem, HEAV needs to know the school districts that are requesting more detail than the law requires. **If you have been asked to supply a "course description" instead of a "curriculum description," or you have been asked to provide more curriculum information, please fax a copy of the school district's letter to the HEAV office at 804-278-9202, or mail a photocopy to Yvonne Bunn/HEAV, P.O. Box 6745, Richmond VA 23230.** You may blackout your name and address, if you prefer.

You may also call Charles Finley at the Department of Education about your concerns at 804-225-2403

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**Virginia Beach Changes Its Requirements**

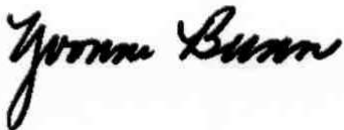
As a result of HEAV and HSLDA meeting with Virginia Beach City Public School officials, homeschoolers in Virginia Beach can now send in a "description of curriculum" more consistent with the requirements of the homeschool law. Parents can submit a list of subjects to be taught with a textbook title (or materials/methods in lieu of a textbook title). This is a reversal of their earlier policy stating they would no longer accept a list of subjects and books as a description of curriculum.

**Additional Clarifications!**

Some school divisions refer to the Notice of Intent as an "application." They may respond to your NOI by sending you an "approval" letter. This is incorrect. You are **notifying** the superintendent you will be homeschooling based on your compliance with the homeschool statute. You are simply notifying them of your "intent" to homeschool as the law requires--not asking for their permission--and their letter in return should more appropriately be their acknowledgment (not approval) of that notice.

Also, some divisions are requiring grade level, age, and/or birth date for each student. This information is not required under the homeschool statute. Birth date is a sensitive issue that can possibly lead to tracking. According to Scott Woodruff of HSLDA, a parent may satisfy this request by indicating the child's age as of the NOI filing date.

**We appreciate your support of HEAV as we work with you for better homeschooling in Virginia.**



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