

The Monticello Community School District recognizes that families with students of compulsory attendance age may select alternative forms of education outside the traditional school setting, including private instruction. The applicable legal requirements for private instruction, including, but not limited to those relating to reporting and evaluations for progress, shall be followed.

Except as otherwise exempted, in the event a child of compulsory attendance age as defined by law does not attend public school or an accredited nonpublic school, the child must receive private instruction. Private instruction means instruction using a plan and a course of study in a setting other than a public or organized accredited nonpublic school.

Private instruction can take the form of competent private instruction and independent private instruction. The Iowa Department of Education recognizes three options for delivery of this form of instruction: two options for delivery of competent private instruction and one option for independent private instruction.

Competent private instruction means either private instruction provided on a daily basis for at least one hundred forty-eight days during a school year, to be met by attendance for at least thirty-seven days each school quarter by or under supervision of a licensed practitioner, which results in the student making adequate progress, or private instruction provided by a parent, guardian or legal custodian.

Independent private instruction means private instruction that meets the following criteria: (i) is not accredited, (ii) enrolls not more than four unrelated students, (iii) does not charge tuition, fees, or other remuneration for instruction, (iv) provides private or religious-based instruction as its primary purpose, (v) provides enrolled students with instruction in mathematics, reading and language arts, science, and social studies, (vi) provides, upon written request from the superintendent of the school district in which the independent private instruction is provided, or from the director of the department of education, a report identifying the primary instructor, location, name of the authority responsible for the independent private instruction, and the names of the students enrolled, (vii) is not a nonpublic school and does not provide competent private instruction as defined herein, and (viii) is exempt from all state statutes and administrative rules applicable to a school, a school board, or a school district, except as otherwise provided by law.

A parent choosing competent private instruction for a student by or under the supervision of a licensed practitioner, competent private instruction for a student by a non-licensed individual or independent private instruction must meet the requirements outlined under Iowa law.

A parent choosing competent private instruction for a student by or under the supervision of a licensed practitioner shall notify the District prior to the first day of school on forms provided by the district. The forms are available in the central administration office. One copy of the completed forms will be kept by the district and another copy will be forwarded to the appropriate Area Education Agency.

A parent choosing competent private instruction for a non-licensed individual may notify the District prior to the first day of school on forms provided by the district. The forms are available in the central administration office. One copy of the completed forms will be kept by the district and another copy will be forwarded to the appropriate Area Education Agency.

A parent choosing independent privation instruction for a student may be asked to provide a report identifying the primary instructor, location, name of the authority responsible for the independent instruction, and the names of the students enrolled to the district.

The superintendent or superintendent's designee will determine whether the completed form is in compliance with the law.

The district shall report non-compliance 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 or independent private instruction are eligible to request open enrollment to another district. The receiving district shall 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 shall notify the resident district. The resident district shall then report the non-compliance to the county attorney of the county of residence of the parent, guardian, or custodian.

Students receiving competent private instruction by or under the supervision of a licensed practitioner must make adequate progress. Students receiving competent private instruction by or under the supervision of a licensed practitioner shall be monitored for progress by the supervising teacher. Students receiving competent private instruction by or under the supervision of a licensed practitioner may be assessed annually. The district will provide any optional assessments at no cost.

Students receiving competent private instruction by a non-licensed individual must make adequate progress. Students receiving competent private instruction by a non-licensed individual shall be evaluated annually by the parent, guardian or legal custodian to ensure adequate progress is being made. Students receiving competent private instruction from a non-licensed individual may be assessed annually. The district will provide any optional assessments at no cost.

Students receiving competent private instruction by or under the supervision of a licensed practitioner and students receiving competent private instruction from a non-licensed individual may dual enroll with the district. Students receiving individual private instruction may not dual enroll with the district.

Upon the request of a parent, guardian, or legal custodian of a student receiving competent private instruction or upon referral of a licensed practitioner who provides instruction or instructional supervision of a student under competent private instruction, the district shall refer a student who may require special education to the appropriate Area Education Agency, Division of Special Education, for evaluation.

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