



**Written Statement of the Coalition for Responsible Home Education
Before the Virgin Islands Committee on Education and Workforce
Development**

Hearing on

**Bill No. 31-0391, An Act repealing and reenacting with amendments title 17
Virgin Islands Code, chapter 9, section 84 relating to instruction of children at
home**

October 3, 2016, 10:00 am

Submitted by the CRHE Legislative Office

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Dear Chairman Forde, Honorable Members of the Committee:

My name is Kathryn Brightbill, I am a Founding Board Member and Legislative Policy Analyst at the Coalition for Responsible Home Education. On behalf of CRHE, I thank the Committee on Education and Workforce Development for inviting me to testify here today on Bill 31-0391, An Act repealing and reenacting with amendments title 17 Virgin Islands Code chapter 9, section 84 relating to instruction of children at home. CRHE is a non-partisan organization founded in 2013 by a group of homeschool alumni who came together because of our shared concern over the widespread lack of protection for homeschool children.

We have seen homeschooling be an extraordinarily positive experience for some children, but we have also seen homeschooled children's lives and futures hampered by educational neglect and abuse. We believe that sensible oversight provisions help ensure that homeschool children have the best possible homeschool experience and an open future, and for this reason I am pleased to submit this testimony in opposition to Bill 31-0391 as it is currently written, and in favor of amending the legislation to better support the needs of homeschooled children.

I. Overview of CRHE's Work

CRHE conducts original research and provides data analysis on homeschooling-related topics.¹ This includes original research on the homeschool math gap,² the Homeschooling's Invisible Children database of homeschool child abuse cases,³ and data analysis for other organizations.⁴ We also provide resources for homeschool parents,⁵ homeschool alumni,⁶ and for those concerned about homeschooled children they know.⁷ In addition, we offer assistance to individuals who contact us on a wide range of homeschooling-related topics, providing information and referrals to other agencies as needed. Finally, we work to raise awareness and engage in advocacy representing the interests of homeschooled children, including working with lawmakers and other policymakers to share our research and policy recommendations.

¹ Coalition for Responsible Home Education, "Homeschool Research," *available at* <http://www.responsiblehomeschooling.org/research/>

² Coalition for Responsible Home Education, "The Homeschool Math Gap: The Data" (2014), *available at* <http://www.responsiblehomeschooling.org/the-homeschool-math-gap/>

³ Coalition for Responsible Home Education, "Homeschooling's Invisible Children", *available at* <http://hsinvisiblechildren.org/>

⁴ Homeschool Alumni Reaching Out, "Announcing the Results from HARO's 2014 Survey of Homeschool Alumni" (2014), *available at* <http://hareachingout.wordpress.com/2014/12/02/announcing-the-results-from-haros-2014-survey-of-homeschool-alumni/>

⁵ Coalition for Responsible Home Education, "Resources for Homeschooling Parents," *available at* <http://www.responsiblehomeschooling.org/briefs/resources-for-homeschool-parents/>

⁶ Coalition for Responsible Home Education, "A Message for Homeschool Alumni," *available at* <http://www.responsiblehomeschooling.org/briefs/a-message-for-homeschool-alumni/>

⁷ Coalition for Responsible Home Education, "What If I Suspect Educational Neglect?," *available at* <http://www.responsiblehomeschooling.org/educational-neglect/>

II. The Case for Oversight

Beth graduated from homeschooling so woefully undereducated that she was fired from fast food job after fast food job, underqualified and lacking the skills for even that line of work.⁸ She ended up pregnant, homeless, and alone. Josh Powell reached age 16 without having experience in basic writing, geography, or mathematics.⁹ He begged his local high school to admit him, desperate to learn what was taught there, but his parents objected. Melinda Palmer and her siblings, all of whom were homeschooled, were “barely literate,” and by age 29 Melinda still hadn’t been able to obtain a GED.¹⁰ These are only a few of a growing number of stories outlining the devastation wrought by educational neglect in homeschool settings. “We did not wish to be homeschooled,” one alumnus wrote, musing on her own experiences.¹¹ “I wasn’t really taught anything after I was ten years old,” wrote another.¹² At CRHE, we are regularly contacted by relatives and neighbors desperate to help homeschooled children who are so educationally deprived that they cannot read or do basic math.

One of the most consistent findings in research on homeschool academics is a math gap that affects homeschooled children across every demographic.¹³ Homeschooled students’ math attainment lags behind their attainment in other areas across study after study. In fact, testing data from Alaska suggests that homeschooled students consistently lag behind their public schooled peers in math.¹⁴ Data from the College Board suggests that homeschooled students are less likely to pursue a college education than other students, and enrollment data from two different colleges indicate that homeschool graduates who do attend college may be less likely than other students to pursue studies in STEM fields.¹⁵ Anecdotal data from homeschool alumni backs up these findings; many homeschool graduates tell of parents who gave up teaching them math when the math got beyond their ability to teach.¹⁶ Given the increasing importance of

⁸ Suzanne Calulu, “The One That Got Away,” No Longer Quivering, August 1, 2013, *available at* <http://www.patheos.com/blogs/nolongerquivering/2013/08/the-one-that-got-away-josh-powell-and-the-ones-that-didnt/>

⁹ Susan Svrluga, “Student’s home-schooling highlights debate over Va. religious exemption law,” Washington Post, July 28, 2013, *available at* https://www.washingtonpost.com/local/students-home-schooling-highlights-debate-over-va-religious-exemption-law/2013/07/28/ee2dbb1a-efbc-11e2-bed3-b9b6fe264871_story.html

¹⁰ Kristin Rawls, Barely Literate? How Christian Fundamentalist Homeschooling Hurts Kids, Alternet, March 14, 2012, *available at* http://www.alternet.org/story/154541/barely_literate_how_christian_fundamentalist_homeschooling_hurts_kids?paging=off¤t_page=1#bookmark

¹¹ Sarah Henderson, “We Did Not Wish to Be Homeschooled,” CRHE, December 17, 2014, *available at* <http://www.responsiblehomeschooling.org/sarah-hendersons-view/>

¹² Cynthia Jeub, “I wasn’t really taught anything after I was ten years old,” CRHE, December 16, 2014, *available at* <http://www.responsiblehomeschooling.org/cynthia-jeubs-view/>

¹³ “The Homeschool Math Gap: The Data,” CRHE, Sept. 4, 2014, *available at* <http://www.responsiblehomeschooling.org/the-homeschool-math-gap/>

¹⁴ “The Alaska Data and Homeschool Academics,” CRHE, April 8, 2014, *available at* <http://www.responsiblehomeschooling.org/the-alaska-data/>

¹⁵ “The Homeschool Math Gap: The Data,” *ibid.*

¹⁶ “The Homeschool Math Gap: The Stories,” CRHE, Oct. 6, 2014, *available at* <http://www.responsiblehomeschooling.org/the-homeschool-math-gap-personal-stories/>

mathematics and the prominence of STEM fields in our economy today, this data should be concerning to anyone interested in the welfare and future success of homeschooled children.

Educational neglect is not the only problem we encounter in our advocacy for homeschooled children. There is also child abuse. While homeschooling does not make parents abusive, it does provide abusive parents with the ability to isolate their children and escalate their abuse. A 17-year-old homeschooled student in Kansas City was found chained in his parents' basement.¹⁷ Two homeschooled children in Palmdale, California, were locked in their rooms each day and had their hands bound with zip-ties.¹⁸ Calista Springer, also homeschooled, was chained to her bed in her parents' Michigan home, where she died in a house fire, unable to escape.¹⁹ Confinement and isolation are themes we see in abuse that occurs in homeschool settings. Other themes include food deprivation and controlling, cult-like families. Homeschooling is also implicated in cases of missing children and child trafficking, along with identification abuse and medical neglect. When at-risk children are homeschooled, removed from daily contact with mandatory reporters, they become more vulnerable to abuse.

In a 2014 study of child torture, University of Wisconsin pediatrician Barbara Knox found that nearly 50% of the child torture victims she studied were homeschooled.²⁰ As Knox explained, "the lack of regulation for this population makes it easier to disenroll children from public school to further isolate them and escalate abuse to the point of reaching torture." The stories recorded in our child abuse database, Homeschooling's Invisible Children (HIC), point to a sadly familiar pattern: abusive parents removing their children from school in order to prevent a teacher from reporting the child's abuse. In scores of cases, homeschooled children have died of abuse suffered at their parents' hands---abuse that is often long-term, prolonged, and horrific.²¹ Even less severe cases of abuse can have serious, long-term consequences. Homeschooled children with parents who are narcissistic or verbally abusive may have no escape from the toxic atmosphere of their homes.²² Young adults who attended school some years and were homeschooled others report that the abuse worsened when they were homeschooled, because their parents no longer had to worry about hiding their abuse.

¹⁷ "Child of David and Pamela Martin," HIC database, available at <http://hsinvisiblechildren.org/2013/09/21/child-of-david-and-pamela-martin/>

¹⁸ "2 Children of Ingrid Brewer," HIC database, available at <http://hsinvisiblechildren.org/2013/07/16/2-children-of-ingrid-brewer/>

¹⁹ "Calista Springer," HIC database, available at <http://hsinvisiblechildren.org/2013/05/05/calista-springer/>

²⁰ Jessica Huseman, "Small Group Goes to Great Lengths to Block Homeschool Regulation," Pro Publica, August 27, 2015, available at <https://www.propublica.org/article/small-group-goes-great-lengths-to-block-homeschooling-regulation>

²¹ "Child Abuse and Neglect Fatalities," HIC database, available at <http://hsinvisiblechildren.org/fatalities/>

²² "Verbal and Emotional Abuse," CRHE, available at <http://www.responsiblehomeschooling.org/policy-issues/abuse-and-neglect/abuse-in-homeschooling-environments/#emotional>

III. Oversight as a Positive Good

Many homeschooling parents appreciate the guidelines, benchmarks, and accountability regular oversight of homeschooling provides them. “I believe the accountability in the home education statutes of Florida made me a better home educator,” wrote one of these parents.²³ “I want a professional looking at what I’ve done,” explained another.²⁴ Some homeschool parents find that knowing someone is overseeing the education they are providing their children makes neighbors and others more accepting of their decision to homeschool.²⁵ Others report that having oversight of homeschooling helped their children get into college.²⁶ In a 2009 study, a researcher surveyed public school principals in Illinois, a state with a low level of homeschool oversight, and public school principals in Iowa, a state that at the time had a high level of homeschool oversight, asking each what they thought of homeschoolers in their district.²⁷ He found that the principals in Iowa had more positive views of homeschoolers, suggesting that oversight of homeschooling may foster more positive relationships between homeschooling parents and local school administrators.

In many cases where educational neglect is present, parents may mean well but simply lack organization or commitment to follow through absent accountability from the school district. “If we had been required to submit a plan, my parents would have made us follow it,” explained a homeschool graduate from Texas, a state with some of the laxest requirements in the country.²⁸ Another formerly homeschooled student explained that, “if my parents were required to show some sort of portfolio, they would have needed to make sure that there were books,” but that, “because there was no one to show the work to, and there was no measurement of failure as homeschoolers, my parents were not motivated enough on their own to provide a good education.”²⁹ Clear requirements and a regular assessment mechanism can provide parents like these with the motivation and accountability they need to stay on track and homeschool effectively.

In addition to ensuring that homeschooled students receive a quality education, oversight has the potential to improve homeschool graduates’ access to their educational records and boost the credibility of their diplomas. In most cases, homeschooled students’ high school transcripts and diplomas are created by their parents. When a parent is disorganized, these documents may never materialize. As a 23-year-old formerly homeschooled student who never received a diploma explained, “the burden of

²³ LaDonna Sasscer, “We Home Educators Should Welcome Accountability,” CRHE, Dec. 16, 2003, *available at* <http://www.responsiblehomeschooling.org/ladonna-sasscers-view/>

²⁴ Amanda Smith, “I Want a Professional Looking at What I’ve Done,” CRHE, Dec. 16, 2013, *available at* <http://www.responsiblehomeschooling.org/amanda-smiths-perspective/>

²⁵ “Texas Case Explores Home Schooling Regulations,” HuffPost Live, Nov. 3, 2015.

²⁶ Jackie Cordon, “I Always Felt Very Fortunate with Iowa’s Homeschooling Laws,” CRHE, Dec. 16, 2013, *available at* <http://www.responsiblehomeschooling.org/jackie-cordons-story/>

²⁷ Stephen L. Endress, “An Analysis of Illinois’ Practice of Non-Purposeful Homeschooling: Policy Recommendations for Illinois Lawmakers” (Ph.D. diss., Illinois State University, 2011).

²⁸ “I Was Homeschooled in Texas,” Lana Hope, April 25, 2013, *available at* <http://www.wideopenground.com/i-was-homeschooled-in-texas-and-why-we-needed-a-little-accountability/>

²⁹ “We Did Not Wish to Be Homeschooled,” *ibid.*

it was placed on me, but no matter how hard I worked on it, the wording was never good enough [for my father].” In some cases, abusive or manipulative parents may withhold educational documents in order to control or sabotage their children. “My parents believed that women should not get a higher education and should stay at home until we married,” a 26-year-old formerly homeschooled student explained, describing why she never received a diploma. In states where oversight is present, homeschooling parents are required to keep regular records, forestalling disorganization, and homeschool alumni can in some cases turn to the school district or state department of education for documentation kept on file there.³⁰

Oversight of homeschooling can also increase the credibility of a student’s education. In Pennsylvania, homeschool diplomas may be signed by the student’s twelfth grade evaluator, a way of verifying that the student has fulfilled the state’s requirements and completed a home education program as laid out in state law.³¹ This signature adds to the authenticity of the document and helps ensure that employers and institutions of higher education, including those in other states or colleges, will accept it as proof of high school completion. In other states, employers or institutions of higher education wanting to verify a student’s homeschool diploma may contact the student’s local school district or state department of education for confirmation that the student completed a homeschool program as required by law. This credibility is especially important for students homeschooled in a territory such as the Virgin Islands, who may seek employment or higher education abroad.

Oversight of homeschooling also benefits school districts. In U.S. states with low levels of homeschool oversight, truancy officers can find it difficult to enforce compulsory attendance laws because chronically truant families begin claiming that they homeschool when they learn that doing so will allow end their legal problems without requiring any extra effort on their parts. “You’ll have a parent who is clearly neglectful and we can’t get resolution, and they’ll say, ‘I’ve decided to homeschool my child’ and there’s nothing I can do about it,” reported Jerry Jansma, an attendance officer in Kalamazoo County, Michigan.³² A state’s attorney in Illinois told reporters that in some cases parents pull chronically truant children out to homeschool as soon as truancy proceedings begin. “It’s what I call an end around,” he said. “These are parents who have no intention of home-schooling their child.”³³ A school district in South Dakota reported that it sees around 10 cases each year where parents file requests to homeschool only

³⁰ “Transcripts and Diplomas,” CRHE, *available at* <http://www.responsiblehomeschooling.org/policy-issues/abuse-and-neglect/transcripts-and-diplomas/>

³¹ “Home Education Diploma Definitions,” Pennsylvania Department of Education, *available at* <http://www.education.pa.gov/Documents/K-12/Home%20Education%20and%20Private%20Tutoring/Home%20Education%20Diploma%20and%20Definitions.pdf>

³² “Truant Officer on Michigan’s Homeschool Policy,” MLive, March 26, 2012, *available at* http://www.mlive.com/news/kalamazoo/index.ssf/2012/03/a_truant_officers_take_on_mich.html

³³ “Home-school mom charged with allowing truancy,” The Southern Illinoisan, April 29, 2005, *available at* http://thesouthern.com/news/home-school-mom-charged-with-allowing-truancy/article_6f60775c-2b4a-51d4-b621-59fa361bb2ab.html

when faced with prosecution for chronic truancy.³⁴ Attendance officers in other states tell similar stories.³⁵ The Virgin Islands cannot afford to have a homeschool policy so lax that neglectful parents can use it to escape prosecution for chronic truancy.

IV. Recommendations for the Committee

- (1) As currently written, Bill No. 31-0391 does not require parents to provide instruction in any specific subjects. As a result, a parent could fulfill the requirements of the bill as written while failing to teach key subjects like math. This is extremely concerning. We recommend that text be added requiring homeschooling parents to provide instruction commensurate with their children's ability in a wide list of subjects, without dictating what books or which curricular methods must be used.
- (2) We appreciate the annual notice process laid out in the current text of Bill No. 31-0391, but would like to see a background check process added. Parents who have been convicted of violent crimes or crimes against children, or who are on the sex offender registry or have previously had a child removed from the home due to abuse, should be prevented from homeschooling, given the added risk it would create for the children.
- (3) The portfolio review outlined in Bill No. 31-039 does not give the Commissioner the authority to require that homeschooled students meet any academic benchmark. It should be supplemented with an assessment process that evaluates whether students are making academic progress commensurate with their ability and invokes a remediation process when they are not while also giving parents options and flexibility. We have modeled the assessment process in our recommended amendments (Appendix A) on the assessment process laid out in Florida's homeschool statute, which was authored by a homeschooling parent.
- (4) While the portfolio contents requirements laid out in Bill No. 31-0391 are adequate, the process described there removes the child from the evaluation entirely. It is important to ensure that homeschooled children have contact with a mandatory reporter at least once each year and that they have the ability to comment on the education they are receiving. The bill text should be revised to meet this need.

³⁴ "Homeschooling Used as Truancy Loophole," UPI, Dec. 27, 2005, *available at* http://www.upi.com/Top_News/2005/12/28/Home-schooling-used-as-truancy-loophole/UPI-81851135746163/

³⁵ "Homeschool Uproar: Child Abuse Concerns Involved," Folsom Telegraph, March 26, 2008, *available at* <http://www.folsomtelegraph.com/article/homeschool-uproar-child-abuse-concerns-involved>; "Truancy Problems Lead to Homeschooling," Channel 6 News WLNS, May 6, 2005, *available at* <http://web.archive.org/web/20050507021311/http://www.wlns.com/Global/story.asp?S=3303389>; "Parents Use Homeschooling to Avoid Truancy Charges," KOTA TV, April 30, 2013, *available at* <http://www.ibsys.com/rapid-city/2013/04/30/parents-use-homeschooling-to-avoid-truancy-charges/>

- (5) Bill No. 31-0391 does little to ensure that homeschool graduates have access to educational records. The bill should be amended to require both homeschooling parents and the Commissioner to retain a copy of each child's annual assessment. These records, which should be protected by the same privacy laws that protect public school students' records, can be made available to homeschool graduates upon request.
- (6) A provision should be added to Bill No. 31-0391 to allow homeschooled students who complete twelfth grade in compliance with the requirements of the territory's homeschool law to have their diplomas signed by the Commissioner.
- (7) Homeschooled students should be permitted to enroll in individual public school classes, extracurriculars, and athletic activities. Homeschooled students benefit from having access to a wide array of options and activities. Florida's provisions, which have been used as the model for "Tim Tebow bills" in a number of states, are attached as Appendix B.

V. Conclusion

The Coalition for Responsible Home Education (CRHE) commends the Virgin Islands for holding today's hearing and for taking the time to consider, carefully, what is best for the territory's homeschooled children. Today, the Virgin Islands is at a crossroads. In the United States, homeschool laws vary by state but often provide broad parental liberties coupled with little to no protections for the rights of children and youth. As a result, some homeschooled American children receive stellar educations while others do not learn basic reading, writing, or mathematics skills and are at a greater risk of experiencing abuse and neglect, gender discrimination, and struggles with obtaining gainful employment. In many states there is little or no recourse for children in neglectful or abusive homeschooling environments. Countless children suffer the consequences. The Virgin Islands has a choice to make. Is it going to make an investment in the emotional well-being and financial future of its children? Or is it going to sacrifice children's interests in the name of parental liberties?

1 **Appendix A: CRHE Recommended Draft Legislation Changes**

2 Recommended additions underlined in green, recommended deletions ~~struck-through in red~~.

3

4 **SECTION 1.** Title 17 Virgin Islands Code, chapter 9, section 84 is repealed and
5 reenacted with amendments to read as follows:

6

7 “§ 84. Home instruction

8 (a) As used in this section “parent” means a child’s biological parents or “a person in
9 parental relation” as defined in section 86.

10 (b) As used in this section “home instruction program” means the sequentially
11 progressive instruction of a student directed by his or her parent.

12 ~~(b c)~~ Children may be taught at home in a home instruction program as provided in this
13 section.

14 ~~(e d)~~ Except as provided in this section, a ~~A~~ parent retains full control over a home
15 instruction of a child, including the teaching and testing methods, the selection of curriculum, the
16 instructors, and the location of instruction.

17 ~~(d e)~~ Neither the Commissioner, the Department of Education, nor a school district
18 may adopt regulations pertaining to home instruction, unless provided in this section.

19 ~~(e f)~~ A parent of a child of compulsory school attendance age shall submit by either
20 mail, fax or hand delivery to the Commissioner a notice of the intent to provide home instruction
21 each year by September 1. If home instruction begins after the school year commences, notice
22 must be filed not later than ten days after home instruction begins.

23 ~~(f g)~~ The notice must include the following information:

- 24 (1) the parent's
25 (A) name;
26 (B) physical and mailing address;
27 (C) phone numbers; and
28 (D) email addresses;
29 (2) the full name and age of the child;
30 (3) the subjects to be taught during the school year; and
31 (4) the preferred method of communication between parent and the

32 Department of Education.

33 (5) the names of all adults residing in the household with the child.

34 (g h) The Commissioner shall confirm receipt of the notice or supplemental notice by
35 the method of communication indicated in the notice not later than 30 calendar days after receipt
36 of the notice. Notice is presumed if the Commissioner fails to confirm receipt of the notice
37 within the specified time.

38 (h i) A notice is deficient if it does not contain all of the information listed in
39 subsection (g).

40 (f j) If the notice is deficient, the Commissioner shall state the nature of the deficiency
41 in the confirmation of receipt and advise the parent that the parent has 10 days from the date of
42 the confirmation of receipt to submit a corrected notice. If the deficiency is not addressed within
43 the specified time and deficiency is an item listed in subsection (f), the Commissioner may
44 commence enforcement of the compulsory attendance requirements under sections 86(d) or
45 88(a). Section 89 of this title and 5 VIC §§ 2501 through 2555 are not applicable to a proceeding
46 under this subsection.

47 (k) A parent is ineligible to operate a home instruction program if the parent, or any
48 other person residing in the home, is convicted of abduction, trafficking of persons, murder,
49 attempted murder, abuse of the elderly, child abuse, assault, battery, is on the US Virgin Islands
50 Sexual Offender Registry, or has previously had a child removed from the home due to abuse.
51 Upon receipt of a notice of intent to homeschool, the Commissioner shall ensure that each adult
52 residing in the home undergoes a background check, and shall submit the names of all adults and
53 all children residing in the home to the local agency responsible for child welfare, which shall
54 notify the Commissioner if the parent is ineligible to homeschool under this section.

55 (l) If a parent operating a home instruction program, or any other adult or child in the
56 home, was the subject of a verified report of suspected abuse or neglect in the 5 years before the
57 home instruction program was initiated, the agency responsible for child welfare shall conduct
58 regular monitoring of the family for at least 2 years. If the parent or any other adult or child in
59 the home was not the subject of a verified report of suspected abuse or neglect in the last 5 years,
60 the submission of a notice of intent to homeschool is insufficient to initiate an investigation.

61 (m) The home instruction program shall include but not be limited to the following
62 subjects:

63 (1) Primary level education: Reading, language arts, mathematics, science, social
64 studies, and electives

65 (2) Secondary level education: English, mathematics, science, Virgin Islands
66 culture & history, physical education, foreign language & digital literacy.

67 ~~(n) Not more than once per school year;~~ The Commissioner may request a portfolio
68 of work of each home instruction student. The Commissioner may require the child to be present
69 when the portfolio is made available for inspection. The portfolio must consist of no fewer than

70 10 samples of work which have been completed within the current school year and must be
71 submitted to the Commissioner not later than 30 days after the date the Commissioner requests
72 the portfolio. If the parent does not provide the portfolio within the 30 days, a second notice must
73 be sent by certified mail providing a minimum of 10 business days to comply. If the portfolio is
74 not provided to the Commissioner within the time specified in the second notice, the
75 Commissioner may initiate enforcement of the compulsory attendance law under section 82 of
76 this title. Notwithstanding the ruling of a court or other administrative body, a parent is not
77 hindered from filing a notice of home instruction at a later date.

78 (o) The parent shall provide for an annual educational evaluation in which is
79 documented the student's demonstration of educational progress at a level commensurate with
80 her or his ability. The parent shall select the method of evaluation and shall submit a copy of the
81 evaluation annually to the Commissioner. Both the parent and the Commissioner shall retain
82 copies of this evaluation as part of the student's permanent academic record. The annual
83 educational evaluation shall consist of one of the following:

84 1. A teacher selected by the parent shall compose a written evaluation of the
85 student's academic progress upon review of a portfolio of the student's work similar to
86 that outlined in subsection (n) of this paragraph and discussion with the student. Such
87 teacher shall be unrelated to the child and hold a valid United States Virgin Islands
88 certificate to teach academic subjects at the elementary or secondary level;

89 2. The student shall take any nationally normed student achievement test
90 administered by a certified teacher unrelated to the child;

91 3. The student shall take the Virgin Islands Summative Assessment Test(s),
92 administered by a certified teacher unrelated to the child, at a location designated by the
93 Department of Education;

94 4. The student shall be evaluated with any other valid measurement tool as
95 mutually agreed upon by the Commissioner and the student's parent. This evaluation
96 method must include the child being seen by either a certified teacher unrelated to the
97 child or by a medical professional unrelated to the child.

98 (p) The Commissioner shall review and accept the results of the annual educational
99 evaluation of the student in a home instruction program. If the parent does not submit the annual
100 evaluation by July 31, the Commissioner shall provide written notice that enforcement of the
101 compulsory attendance law under section 82 of this title will be initiated if the evaluation is not
102 submitted to the Commissioner's office within 15 days of receipt of the written notice.

103 Continuation in a home instruction program shall be contingent upon the parent submitting the
104 annual evaluation within 15 days of receipt of the written notice. If the student does not
105 demonstrate academic progress commensurate with her or his ability as measured by one of the
106 evaluation methods in paragraph (o), the Commissioner shall notify the parent, in writing, that
107 such progress has not been achieved. The parent shall have 1 year from the date of receipt of the
108 written notification to provide remedial instruction to the student. At the end of the 1-year
109 probationary period, the student shall be reevaluated as specified in paragraph (o) of this section.

110 Continuation in a home instruction program shall be contingent upon the student demonstrating
111 educational progress commensurate with her or his ability at the end of the probationary period.

112 (j q) If a child who has received home instruction enrolls in public school, the
113 Commissioner may determine by testing the grade level in which the child should be enrolled.

114 The testing must be conducted not later than 30 days after enrollment and at no cost to the parent
115 or student.

116 (k r) If the child scores at or above the average Virgin Islands public school test score
117 for the grade level in which the parent is requesting the child be placed, then the child will
118 receive credit for the courses taken through home instruction and must be enrolled in that grade
119 level.

120 (l s) If the child scores below the average Virgin Islands public school test score for
121 any subject, the Commissioner may review the student's prior work, textbooks, or other evidence
122 of achievement in that subject area and determine which classes completed in that subject that
123 child will receive credit for and the grade level in which the child must be enrolled.

124 (m t) Upon the parent's satisfactory submission of a student's grade 12 evaluation, the
125 Commissioner shall issue the student a signed home education diploma indicating that the
126 student has completed a course of study that complied with all the requirements of this section. A
127 ~~high school diploma awarded upon completion of a home instruction course of study that has~~
128 ~~complied with the all requirements of this section~~ This diploma must be accepted by the
129 agencies, departments and institutions of the Virgin Islands, and a student who has been earned a
130 diploma through home instruction is exempt from further compliance with the compulsory
131 school attendance laws.

132 (n u) The Commissioner may extend the deadlines established in this section when the
133 parents are off island, or when a natural or other disaster prevents the normal operation of the
134 government or disrupts the usual mode of transportation or communication.

135 (o v) Personally identifiable information, including directory information, is subject to
136 the confidentially requirements of section 98 and may be released only to the parents of the

137 student, the student who has attained the age of 18, or to a student enrolled in an institution of
138 postsecondary education.

139 (p w) Compliance with this section satisfies the requirements of sections 82, 93 and 96.

Appendix B: Florida Extracurricular Activities and Dual Enrollment Provisions

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1006/Sections/1006.15.html

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(1) This section may be cited as the “Craig Dickinson Act.”

(2) Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term “extracurricular” means any school-authorized or education-related activity occurring during or outside the regular instructional school day.

(3)(a) As used in this section and s. 1006.20, the term “eligible to participate” includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student’s parents, if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student’s participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating

under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. [1002.31](#), or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. [1002.41](#).

2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. [1002.41](#).

3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.

4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(d) An individual charter school student pursuant to s. [1002.33](#) is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could attend in any interscholastic extracurricular activity of that

school, unless such activity is provided by the student's charter school, if the following conditions are met:

1. The charter school student must meet the requirements of the charter school education program as determined by the charter school governing board.

2. During the period of participation at a school, the charter school student must demonstrate educational progress as required in paragraph (b).

3. The charter school student must meet the same residency requirements as other students in the school at which he or she participates.

4. The charter school student must meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. The charter school student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A charter school student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

6. A student who transfers from a charter school program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.

7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a charter school student until the student has successfully completed one grading period in a charter school pursuant to subparagraph 2. to become eligible to participate as a charter school student.

(e) A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. [1002.31](#) if the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a).

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School.

3. Meets the same residency requirements as other students in the school at which he or she participates.

4. Meets the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before the beginning date of the season for the activity in which he or she wishes to participate.

A Florida Virtual School student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

(f) A student who transfers from the Florida Virtual School full-time program to a traditional public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period if the student has a successful evaluation from the previous school year pursuant to paragraph (a).

(g) A public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a Florida Virtual School student until the student successfully completes one grading period in the Florida Virtual School pursuant to paragraph (a).

(h)1. A school district or charter school may not delay eligibility or otherwise prevent a student participating in controlled open enrollment, or a choice program, from being immediately eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

- a. Dependent children of active duty military personnel whose move resulted from military orders.
- b. Children who have been relocated due to a foster care placement in a different school zone.
- c. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- d. Authorized for good cause in district or charter school policy.

(4) The student standards for participation in interscholastic extracurricular activities must be applied beginning with the student's first semester of the 9th grade. Each student must meet such other requirements for participation as may be established by the district school board; however, a district school board may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students. Except as set forth in paragraph (3)(c), evaluation processes or requirements that are placed on home education student participants may not go beyond those that apply under s. [1002.41](#) to home education students generally.

(5) Any organization or entity that regulates or governs interscholastic extracurricular activities of public schools:

- (a) Shall permit home education associations to join as member schools.
- (b) Shall not discriminate against any eligible student based on an educational choice of public, private, or home education.

(6) Public schools are prohibited from membership in any organization or entity which regulates or governs interscholastic extracurricular activities and discriminates against eligible students in public, private, or home education.

(7) Any insurance provided by district school boards for participants in extracurricular activities shall cover the participating home education student. If there is an additional premium for such coverage, the participating home education student shall pay the premium.

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with each district school board, shall facilitate a program in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA.

2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board. At a minimum, such guidelines shall provide:

a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.

b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance which apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(b) The parents of a private school student participating in a public school sport under this subsection are responsible for transporting their child to and from the public school at which the student participates. The private school the student attends, the public school at which the student participates in a sport, the district school board, and the FHSAA are exempt from civil liability arising from any injury that occurs to the student during such transportation.

(c) For each academic year, a private school student may only participate at the public school in which the student is first registered under sub-subparagraph (a)2.a. or makes himself or herself a candidate for an athletic team by engaging in a practice.

(d) The athletic director of each participating FHSAA member public school shall maintain the student records necessary for eligibility, compliance, and participation in the program.

(e) Any non-FHSAA member private school that has a student who wishes to participate in this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records, available upon request of the FHSAA.

(f) A student must apply to participate in this program through the FHSAA program application process.

(g) Only students who are enrolled in non-FHSAA member private schools consisting of 125 students or fewer are eligible to participate in the program in any given academic year.

(9)(a) A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

(b) A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

1. Dependent children of active duty military personnel whose move resulted from military orders.
 2. Children who have been relocated due to a foster care placement in a different school zone.
 3. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
 4. Authorized for good cause in district or charter school policy.
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http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1007/Sections/1007.271.html

1007.271 Dual enrollment programs.—

(1) The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. A student who is enrolled in postsecondary instruction that is not creditable toward a high school diploma may not be classified as a dual enrollment student.

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or in a Florida private school that is in compliance with s. [1002.42\(2\)](#) and provides a secondary curriculum pursuant to s. [1003.4282](#). Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. [1007.263](#). Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. [1011.61\(4\)](#). A student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Applied academics for adult education

instruction, developmental education, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(3) Student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a 3.0 unweighted high school grade point average and the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. Student eligibility requirements for continued enrollment in college credit dual enrollment courses must include the maintenance of a 3.0 unweighted high school grade point average and the minimum postsecondary grade point average established by the postsecondary institution. Regardless of meeting student eligibility requirements for continued enrollment, a student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered. Student eligibility requirements for initial and continued enrollment in career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. Exceptions to the required grade point averages may be granted on an individual student basis if the educational entities agree and the terms of the agreement are contained within the dual enrollment articulation agreement established pursuant to subsection (21). Florida College System institution boards of trustees may establish additional initial student eligibility requirements, which shall be included in the dual enrollment articulation agreement, to ensure student readiness for postsecondary instruction. Additional requirements included in the agreement may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses.

(4) District school boards may not refuse to enter into a dual enrollment articulation agreement with a local Florida College System institution if that Florida College System institution has the capacity to offer dual enrollment courses.

(5)(a) Each faculty member providing instruction in college credit dual enrollment courses must:

1. Meet the qualifications required by the entity accrediting the postsecondary institution offering the course. The qualifications apply to all faculty members regardless of the location of instruction. The postsecondary institution offering the course must require compliance with these qualifications.

2. Provide the institution offering the dual enrollment course a copy of his or her postsecondary transcript.

3. Provide a copy of the current syllabus for each course taught to the discipline chair or department chair of the postsecondary institution before the start of each term. The content of each syllabus must meet the same standards required for all college-level courses offered by that postsecondary institution.

4. Adhere to the professional rules, guidelines, and expectations stated in the postsecondary institution's faculty or adjunct faculty handbook. Any exceptions must be included in the dual enrollment articulation agreement.

5. Adhere to the rules, guidelines, and expectations stated in the postsecondary institution's student handbook which apply to faculty members. Any exceptions must be noted in the dual enrollment articulation agreement.

(b) Each president, or designee, of a postsecondary institution offering a college credit dual enrollment course must:

1. Provide a copy of the institution's current faculty or adjunct faculty handbook to all faculty members teaching a dual enrollment course.

2. Provide to all faculty members teaching a dual enrollment course a copy of the institution's current student handbook, which may include, but is not limited to, information on registration policies, the student code of conduct, grading policies, and critical dates.

3. Designate an individual or individuals to observe all faculty members teaching a dual enrollment course, regardless of the location of instruction.

4. Use the same criteria to evaluate faculty members teaching a dual enrollment course as the criteria used to evaluate all other faculty members.

5. Provide course plans and objectives to all faculty members teaching a dual enrollment course.

(6) The following curriculum standards apply to college credit dual enrollment:

(a) Dual enrollment courses taught on the high school campus must meet the same competencies required for courses taught on the postsecondary institution campus. To ensure equivalent rigor with courses taught on the postsecondary institution campus, the postsecondary institution offering the course is responsible for providing in a timely manner a comprehensive, cumulative end-of-course assessment or a series of assessments of all expected learning outcomes to the faculty member teaching the course. Completed, scored assessments must be returned to the postsecondary institution and held for 1 year.

(b) Instructional materials used in dual enrollment courses must be the same as or comparable to those used in courses offered by the postsecondary institution with the same course prefix and number. The postsecondary institution must advise the school district of instructional materials requirements as soon as that information becomes available but no later than one term before a course is offered.

(c) Course requirements, such as tests, papers, or other assignments, for dual enrollment students must be at the same level of rigor or depth as those for all nondual enrollment postsecondary students. All faculty members teaching dual enrollment courses must observe the procedures and deadlines of the postsecondary institution for the submission of grades. A postsecondary institution must advise each faculty member teaching a dual enrollment course of the institution's grading guidelines before the faculty member begins teaching the course.

(d) Dual enrollment courses taught on a high school campus may not be combined with any noncollege credit high school course.

(7) Career dual enrollment shall be provided as a curricular option for secondary students to pursue in order to earn industry certifications adopted pursuant to s. 1008.44, which count as credits toward the high school diploma. Career dual enrollment shall be available for secondary students seeking a degree and industry certification through a career education program or course.

(8) Each district school board shall inform all secondary students and their parents of dual enrollment as an educational option and mechanism for acceleration. Students and their parents shall be informed of student eligibility requirements, the option for taking dual enrollment courses beyond the regular school year, and the minimum academic credits required for graduation. District school boards shall annually assess the demand for dual enrollment and provide that information to each partnering postsecondary institution. Alternative grade calculation, weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited.

(9) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of s. 1003.4282 and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and not on seat time traditionally allocated to such courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of s. 1003.4282.

(10) Early admission is a form of dual enrollment through which eligible secondary students enroll in a postsecondary institution on a full-time basis in courses that are creditable toward the high school diploma and the associate or baccalaureate degree. A student must enroll in a minimum of 12 college credit hours per semester or the equivalent to participate in the early admission program; however, a student may not be required to enroll in more than 15 college credit hours per semester or the equivalent. Students enrolled pursuant to this subsection are exempt from the payment of registration, tuition, and laboratory fees.

(11) Career early admission is a form of career dual enrollment through which eligible secondary students enroll full time in a career center or a Florida College System institution in postsecondary programs leading to industry certifications, as listed in the CAPE Postsecondary Industry Certification Funding List pursuant to s. 1008.44, which are creditable toward the high school diploma and the certificate or associate degree. Participation in the career early admission program is limited to students who have completed a minimum of 4 semesters of full-time secondary enrollment, including

studies undertaken in the ninth grade. Students enrolled pursuant to this section are exempt from the payment of registration, tuition, and laboratory fees.

(12) The State Board of Education shall adopt rules for any dual enrollment programs involving requirements for high school graduation.

(13)(a) The dual enrollment program for a home education student, including, but not limited to, students with disabilities, consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.
2. Be responsible for his or her own instructional materials and transportation unless provided for in the articulation agreement.
3. Sign a home education articulation agreement pursuant to paragraph (b).

(b) Each postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a home education articulation agreement with each home education student seeking enrollment in a dual enrollment course and the student's parent. By August 1 of each year, the eligible postsecondary institution shall complete and submit the home education articulation agreement to the Department of Education. The home education articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution.
2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students.
3. The student's responsibilities for providing his or her own instructional materials and transportation.
4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).

(14) The Department of Education shall approve any course for inclusion in the dual enrollment program that is contained within the statewide course numbering system. However, developmental education and physical education and other courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, may not be so approved but must be evaluated individually for potential inclusion in the dual enrollment program. This subsection may not be construed to mean that an independent postsecondary institution eligible for inclusion in a dual enrollment or early admission program pursuant to s. 1011.62 must participate in the statewide course numbering system developed pursuant to s. 1007.24 to participate in a dual enrollment program.

(15) The Department of Education shall develop a statement on transfer guarantees to inform students and their parents, prior to enrollment in a dual enrollment course, of the potential for the dual enrollment course to articulate as an elective or a general education course into a postsecondary education certificate or degree program. The statement shall be provided to each district school superintendent, who shall include the statement in the information provided to all secondary students and their parents as required pursuant to this subsection. The statement may also include additional information, including, but not limited to, dual enrollment options, guarantees, privileges, and responsibilities.

(16) Students who meet the eligibility requirements of this section and who choose to participate in dual enrollment programs are exempt from the payment of registration, tuition, and laboratory fees.

(17) Instructional materials assigned for use within dual enrollment courses shall be made available to dual enrollment students from Florida public high schools free of charge. This subsection does not prohibit a Florida College System institution from providing instructional materials at no cost to a home education student or student from a private school. Instructional materials purchased by a district school board or Florida College System institution board of trustees on behalf of dual enrollment students shall be the property of the board against which the purchase is charged.

(18) School districts and Florida College System institutions must weigh dual enrollment courses the same as advanced placement, International Baccalaureate, and Advanced International Certificate of Education courses when grade point averages are calculated. Alternative grade calculation systems, alternative grade weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited.

(19) The Commissioner of Education may approve dual enrollment agreements for limited course offerings that have statewide appeal. Such programs shall be limited to a single site with multiple county participation.

(20) A postsecondary institution shall assign letter grades to each student enrolled in a dual enrollment course. The letter grade assigned by the postsecondary institution shall be posted to the student's high school transcript by the school district.

(21) Each district school superintendent and each public postsecondary institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and postsecondary institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the postsecondary institution to the Department of Education on or before August 1. The agreement must include, but is not limited to:

(a) A ratification or modification of all existing articulation agreements.

- (b) A description of the process by which students and their parents are informed about opportunities for student participation in the dual enrollment program.
 - (c) A delineation of courses and programs available to students eligible to participate in dual enrollment.
 - (d) A description of the process by which students and their parents exercise options to participate in the dual enrollment program.
 - (e) A list of any additional initial student eligibility requirements for participation in the dual enrollment program.
 - (f) A delineation of the high school credit earned for the passage of each dual enrollment course.
 - (g) A description of the process for informing students and their parents of college-level course expectations.
 - (h) The policies and procedures, if any, for determining exceptions to the required grade point averages on an individual student basis.
 - (i) The registration policies for dual enrollment courses as determined by the postsecondary institution.
 - (j) Exceptions, if any, to the professional rules, guidelines, and expectations stated in the faculty or adjunct faculty handbook for the postsecondary institution.
 - (k) Exceptions, if any, to the rules, guidelines, and expectations stated in the student handbook of the postsecondary institution which apply to faculty members.
 - (l) The responsibilities of the school district regarding the determination of student eligibility before participating in the dual enrollment program and the monitoring of student performance while participating in the dual enrollment program.
 - (m) The responsibilities of the postsecondary institution regarding the transmission of student grades in dual enrollment courses to the school district.
 - (n) A funding provision that delineates costs incurred by each entity.
1. School districts shall pay public postsecondary institutions the standard tuition rate per credit hour from funds provided in the Florida Education Finance Program when dual enrollment course instruction takes place on the postsecondary institution's campus and the course is taken during the fall or spring term. When dual enrollment is provided on the high school site by postsecondary institution faculty, the school district shall reimburse the costs associated with the postsecondary institution's proportion of salary and benefits to provide the instruction. When dual enrollment course instruction is provided on the high school site by school district faculty, the school district is not responsible for payment to the postsecondary institution. A postsecondary institution may enter into an agreement with the school district to authorize teachers to teach dual enrollment courses at the high school site or the postsecondary institution. A school district may not deny a student access to dual

enrollment unless the student is ineligible to participate in the program subject to provisions specifically outlined in this section.

2. Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution shall receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student during the summer term.

(o) Any institutional responsibilities for student transportation, if provided.

(22) The Department of Education shall develop an electronic submission system for dual enrollment articulation agreements and shall review, for compliance, each dual enrollment articulation agreement submitted pursuant to subsections (13), (21), and (24). The Commissioner of Education shall notify the district school superintendent and the Florida College System institution president if the dual enrollment articulation agreement does not comply with statutory requirements and shall submit any dual enrollment articulation agreement with unresolved issues of noncompliance to the State Board of Education.

(23) District school boards and Florida College System institutions may enter into additional dual enrollment articulation agreements with state universities for the purposes of this section. School districts may also enter into dual enrollment articulation agreements with eligible independent colleges and universities pursuant to s. 1011.62(1)(i). By August 1 of each year, the district school board and the Florida College System institution shall complete and submit the dual enrollment articulation agreement with the state university or an eligible independent college or university, as applicable, to the Department of Education.

(24)(a) The dual enrollment program for a private school student consists of the enrollment of an eligible private school student in a postsecondary course creditable toward an associate degree, a career certificate, or a baccalaureate degree. In addition, a private school in which a student, including, but not limited to, students with disabilities, is enrolled must award credit toward high school completion for the postsecondary course under the dual enrollment program. To participate in the dual enrollment program, an eligible private school student must:

1. Provide proof of enrollment in a private school pursuant to subsection (2).
2. Be responsible for his or her own instructional materials and transportation unless provided for in the articulation agreement.
3. Sign a private school articulation agreement pursuant to paragraph (b).

(b) Each postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a private school articulation agreement with each eligible private school in its geographic service area seeking to offer dual enrollment courses to its students, including, but not limited to, students with disabilities. By August 1 of each year, the eligible postsecondary institution shall complete and submit the private school articulation agreement to the Department of Education. The private school articulation agreement must include, at a minimum:

1. A delineation of courses and programs available to the private school student. The postsecondary institution may add, revise, or delete courses and programs at any time.

2. The initial and continued eligibility requirements for private school student participation, not to exceed those required of other dual enrollment students.

3. The student's responsibilities for providing his or her own instructional materials and transportation.

4. A provision clarifying that the private school will award appropriate credit toward high school completion for the postsecondary course under the dual enrollment program.

5. A provision expressing that costs associated with tuition and fees, including registration, and laboratory fees, will not be passed along to the student.

6. A provision stating whether the private school will compensate the postsecondary institution for the standard tuition rate per credit hour for each dual enrollment course taken by its students.

(25) For students with disabilities, a postsecondary institution eligible to participate in dual enrollment pursuant to s. 1011.62(1)(i) shall include in its dual enrollment articulation agreement, services and resources that are available to students with disabilities who register in a dual enrollment course at the eligible institution and provide information regarding such services and resources to the Florida Center for Students with Unique Abilities. The Department of Education shall provide to the center the Internet website link to dual enrollment articulation agreements specific to students with disabilities. The center shall include in the information that it is responsible for disseminating to students with disabilities and their parents pursuant to s. 1004.6495, dual enrollment articulation agreements and opportunities for meaningful campus experience through dual enrollment.
