

Checklist for Pulling a Student out of Public School During the School Year

THE FOLLOWING DOES NOT CONSTITUTE LEGAL ADVICE

This recommended course of action is based on past experiences of home educating parents in our area. You will need to contact an attorney for legal advice.

1. Consult with your spouse and be sure you are together on this. Pray for wisdom and for God to go before you each step of the way.
2. Tell the teacher and principal that you are going to be privately educating your child and go ahead and pull him out. (Do not tell them you are planning to home educate unless you already know that they would be supportive. Home educators deal with the office of the superintendent, not the school.)
3. Notify your superintendent by mail that you have decided to home educate. Tell him you will have your Notice of Intent form to him within 30 days as allowed by the law in 22.1-254-1(B). Send this (and all correspondence) by certified mail so that you get a signed card back as proof that they received your letter. Keep a copy of the letter.
4. Apply for admission to Home School Legal Defense Association (HSLDA). If your need is urgent, they will process you as quickly as they can. Call them for instructions.
We strongly recommend that you join HSLDA. We have not had anyone in our area end up in court for a long time. However, there are plenty of people who are hassled by the school systems. We have even had families come home to a note on their door left by the superintendent or visiting teacher, meaning they were paid a visit! It will be so much easier to deal with any problems if you have a lawyer who specializes in the home education rights of Virginians to do the difficult confrontational work for you.
5. Decide on curriculum and order it right away. Get Math and Language Arts right away. You can order the rest after you have more time to look and decide. If you know the teacher well and have a good relationship, and he/she knows you are going to home educate, ask if you may use the books your child is in for the rest of the year. Some counties will let you rent books, some will not. Do not do this if your relationship with the school is strained or if you do not know how the teacher/principal will respond to the idea that you are home educating! Check [Curriculum and Resources](#) for types of curricula and places to order them. If you are teaching a special needs child that has an IEP, follow that for the rest of the year, making adjustments as necessary.
6. Get your [Notice of Intent Form](#) filled out and mailed in as soon as possible. Send it by certified mail and keep a copy of the filled out form for your own files. Do not talk to school officials on the telephone. If they call you and want to get information from you by phone, tell them to request it in writing and you will be happy to respond. This is very important, so that you have everything down on paper in your files, and it will never come to their word against yours. Keep copies of everything! Once you receive the request in the mail, you can call HSLDA and have them tell you what to answer and what to ignore according to the law. Do not volunteer any information. IF you are a member

of HSLDA, ask the official for their name and telephone number and tell him that you will have your attorney contact him to respond to his questions.

7. If anyone representing the school system, Social Services, or the police shows up at your door: Ask if the official has a search warrant. If there is no search warrant, under most circumstances, you should not allow the official into your home !! If the official has a legitimate reason to believe that a child or other member of your household is in imminent danger, it may be best to allow the official in to prove that no danger is present. (If they are following up on a week-old report, that doesn't qualify.)

Call HSLDA immediately (preferably while the officer is on your porch). You can only do this if you are a member of HSLDA. If you cannot call before letting them in, call as soon as they are in your house! As with the phone call, tell them that you will answer their questions in writing, and have them mail their concerns to you.

Do not volunteer any information.

Call or [email](#) GRHE (342-6111) if you have other questions. We don't know all the answers, but may be able to steer you in the right direction. Join [HSLDA](#) to have legal advice available to you.