

## **DECLARATION OF INTENT Don't Declare Under Age Eight**

Some parents are told by school district personnel that if they wanted to withdraw their 6 or 7 year old from public school, they must file a Declaration of Intent to Provide Home-Based Instruction. This is not the case. We discovered that this information was being given to districts by staff at the Office of Superintendent of Public Instruction. We contact OSPI and made the case why a parent *does not* file a declaration of intent until the compulsory attendance age of eight; even if that child has been enrolled in public school.

Here are four points to make the case why we do not declare under age 8:

### ***RCW 28A.225.015 Attendance Mandatory - Six or seven year olds - Unexcused absences - Petition***

**1.** This RCW or law was not intended to alter the mandatory attendance law (below), that requires all students to attend public school, private school or be declared homeschooling by their 8<sup>th</sup> birthday. Its purpose is to put into place an action a parent must take if they determine they no longer want their 6 or 7 year old to attend public school. They must “formally remove” the child. In other words, a procedure is now in place if unexcused absences occur, i.e. inform the parent, request a conference, etc. Its purpose is to prevent truancy.

**"RCW 28A.225.010 Attendance mandatory -- Age -- Exceptions.** (1) All parents in this state of any child *eight years of age* and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program.

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;"

**2.** Not every parent who formally removes their 6 or 7 year old from public school has any intention of homeschooling. They may decide to put them in private school. If a parent must file a Declaration of Intent, what proof is required of a parent who plans to enroll them in private school?

**3.** If a parent is required to file a Declaration of Intent, as required by the Home-Based Instruction law, RCW 28A.200 - Home-Based Instruction, for 6 or 7 year olds, then as a homeschooler that parent would also be required to meet the other requirements of the homeschool law. For example, the parent would have to qualify to homeschool. Depending on how they do that, there could be a cost involved. The parent would be required to cover the eleven basic subject areas with their 6 or 7 year old, a homeschool parent would be required to meet the annual testing obligation. Neither public schools nor private schools test six year olds!

Lastly:

### **4. RCW 28A.225.015 Attendance Mandatory - Six or seven year olds - Unexcused absences - Petition**

*Section four **does not require** a six or seven year old child to enroll in a public school or private school or to receive home-based instruction. **This section only applies to six or seven year old children whose parents enroll them full time in public school and do not formally remove them from enrollment as provided in subsection (1) of this section.***

After presenting these points to OSPI staff, we received agreement that the compulsory attendance age of 8 is the age when we declare, not before.