

**.03 Noncompliance with Requirements.**

**A. Failure to Consent.** If a parent or guardian does not agree to the requirements of Regulation .01B, C, and D, above, a child shall be enrolled promptly in a public school or nonpublic school as defined in COMAR 13A.09.09.02.B(4) (a).

**B. Deficiencies in the Program.** If a local superintendent determines on the review of the home instruction program or inspection of the portfolio that a child is not receiving a regular, thorough instruction program in conformity with Regulation .01C and D, the local superintendent shall notify the parent or guardian in writing of any deficiencies in the program. The following apply:

- (1) Within 30 days of receipt of notification of any deficiencies, the parent or guardian shall provide evidence to the local superintendent that the deficiency has been or is being corrected.
- (2) If a local superintendent determines there is not a satisfactory plan to correct a deficiency or if a deficiency is not corrected, a child shall be enrolled promptly in a public school or a nonpublic school as defined in COMAR 13A.09.09.02B (4) (a).

**.04 Placement in Public School.**

Upon application of a child for admission to a public school from a home instruction program, the local superintendent shall determine by an evaluation the placement of the child and any credits to be awarded toward high school graduation. The evaluation may include administration of standardized tests and examinations and interviews with the child.

**.05 Home Instruction Under Supervision of Nonpublic School.**

A parent or guardian may provide instruction for a child at home without compliance with the requirements of this regulation, other than the requirements of Regulations .01B(2) and .04, if that instruction is offered through correspondence courses and is under the supervision of a:

- A.** School or institution offering an educational program operated by a bona fide church organization, and the supervision includes at a minimum all of the following components:
- (1) Pre-enrollment conferences with parents or guardians.
  - (2) Textbooks, lesson materials, and other instructional materials or equipment designed to be used independently by the pupil at a site other than the school.
  - (3) Annual visits by supervisory personnel to the site where the pupil is receiving instruction, and
  - (4) Conferences with parents or guardians at appropriate intervals during the period of enrollment; or
- B.** Nonpublic school with a certificate of approval from the State Board of Education, and the supervision includes at a minimum all of the following components:
- (1) Textbooks, lesson materials, and other instructional materials or equipment designed to be used independently by the pupil at a site other than a school, and
  - (2) Assignment of a school-based teacher to assist the home teacher in using the correspondence courses and to assist the pupil by issuing progress reports, marking papers, and grading tests.

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