

Title of Regulation:

Regulation No.: 43-246

**INSTRUCTION AT A PLACE
OTHER THAN SCHOOL**

Effective Date: 05/89

Constitutional and Statutory Provisions:

Section(s):

59-5-60.

General powers of [State] Board.

59-65-40.

Instruction at place other than school.

Code of Laws of South Carolina, 1976.

State Board Regulation:

Instruction at Place Other Than School.

A parent or guardian denied permission by a district board of trustees to begin or continue a program of home instruction may appeal that decision to the State Board of Education, pursuant to Section 59-65-40 of the Code of Laws of South Carolina, 1976. When permission to operate a home instruction program is denied by a district board of trustees, the district board must notify the parent or guardian in writing of his/her right to appeal to the State Board of Education. The notice of appeal must be submitted, in writing, to the State Superintendent within ten days of receipt of the written denial by the district board of trustees, and the parent or guardian must notify the district superintendent of the appeal. The district superintendent shall send a copy of the record of the meeting held by the district board of trustees to consider the home instruction application to the State Superintendent of Education.

The record will be referred to the State Board of Education or its designee. The parties will be notified of the date on which the State Board of Education will review the record. The parties may submit a written brief at least five (5) working days before the date set for review. The State Board of Education may invite the parties to make an oral presentation. The Chair of the State Board of Education will notify the parties in writing of the final decision of the board.