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# HSLDA<sup>®</sup>

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September 14, 2016

VIA ELECTRONIC MAIL (HILED@LICKINGVALLEY.K12.OH.US)

Mr. David Hile  
Superintendent  
Licking Valley Local Schools  
1379 Licking Valley Road, N.E.  
Newark, OH 43055

Re: [REDACTED] *Family Homeschool*

Dear Mr. Hile:

By way of introduction, the Home School Legal Defense Association (HSLDA) is a national organization whose mission is to protect the fundamental constitutional right of parents to direct the education and upbringing of their children. With over 80,000 member families, we are the world's largest homeschool advocacy organization. The [REDACTED] family is a member of our association.

Mrs. [REDACTED] recently contacted me regarding her communication with you regarding her son's assessment for this past year. I understand that you informed Mrs. [REDACTED] in a letter that her son's standardized test score was too low and that you wanted to see the subtest scores. In a phone conversation, Mrs. [REDACTED] reminded you that she had sent the information required by Ohio law, but that she would also submit a written narrative by a licensed teacher. It is my understanding that once she provided the written narrative, you issued the excuse letter.

Homeschool notification is governed by Section 3301-34 *et seq* of the Ohio Administrative Code. This regulation is specific and exclusive; local school districts do not have authority to modify the provisions of this regulation.

As you may know, Ohio Administrative Code § 3301-34-04(B)(1)(b) states test "[r]esults should demonstrate reasonable proficiency . . . Any child that has a *composite* score at or above the twenty-fifth percentile shall be deemed to be performing at a level

H O M E S C H O O L L E G A L D E F E N S E A S S O C I A T I O N

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of reasonable proficiency” (emphasis added). Mrs. [REDACTED] provided you with the results of her son’s composite score, which was the 30<sup>th</sup> percentile. That information is all that was required by law.

In light of requirements of Ohio law, it is in appropriate to demand anything beyond a composite score for the assessment. Please revise your communication policy with homeschool families accordingly. Thank you for your kind attention to this matter. Should you have questions or desire any additional information, please contact me.

Very truly yours,

A handwritten signature in black ink that reads "Michael P. Donnelly". The signature is written in a cursive style with a long horizontal flourish at the end.

Michael P. Donnelly, Esq.

MPD/rjb

cc: Mr. and Mrs. [REDACTED]  
Attorney Thomas Kidd