

DECLARATION OF INTENT  
LET'S BE CLEAR

Clarification on the topics below are from the Office of the Attorney General of Washington State, May 7, 2007.

**Additional Information on the D of I:** A parent is not obligated and it's not recommended that parents provide any additional information that is not required in statute. Home-Based Instruction parents have a duty to "File annually a signed declaration of intent that he or she is planning to cause his or her child to receive home-based instruction. The statement shall include the name and age of the child, shall specify whether a certificated person will be supervising the instruction, and shall be written in a format prescribed by the superintendent of public instruction." RCW 28A.200.010(4).

*"There is no requirement that the parent use a form published by the school district which is in a different format." \* Also, "Parents do not have a duty to submit the information in any other format or to include any additional information on the declaration of intent."\** The Office of the Superintendent of Public Instruction (OSPI) provides the "format" or general arrangement of the D of I. The law provides the specific items that must appear on the form. If your district's D of I is not in the prescribed format or requests/ requires additional information outside the statute, a copy of the D of I meeting the above requirements is provided on our website for your use.

**Age vs. Birth Date:** *"RCW 28A.200.010(1)(a) does not authorize OSPI or a school district to require parents to provide additional information not specifically listed in statute."\** If your school district requests/ requires different or additional information other than the age of the child(ren) you are declaring, you are not obligated to provide that information. A copy of the D of I meeting the "age" requirement is provided on our website for your use.

**Declaring at an Alternate Site:** We are hearing of more and more school districts who are requesting/ requiring parents to submit their Declarations of Intent at an alternate location other than the superintendent's office. For example, some districts tell parents to submit their declaration at their public school alternative learning program. *"Under RCW 28A.200, the parent's*

*duty to file a declaration of intent is **completed** by filing the form with the superintendent of the public school district within which the parent resides... ”\* Also, “It is **always** acceptable for the parent to file the declaration at the superintendent’s office, but the superintendent may specify **additional** locations where the declaration will be accepted.”\* A superintendent may specify an “additional” location where we may file our D of I, not an alternate location.*

There is no obligation for a parent to physically deliver an intent form to the district. Mailing it in is an option. There is no obligation on the part of the school district to provide you proof that you’ve declared. For example, provide you a stamped copy of the declaration. Such proof isn’t necessary; however, it’s always a good idea to make and keep of copy of your annual intent. Districts are not obligated to automatically mail you an intent each year. It’s the parent’s obligation to request the form, complete it and file it with the superintendent by September 15<sup>th</sup> each year.

WHO  
Advocacy Committee