



STATE OF WEST VIRGINIA  
OFFICE OF THE GOVERNOR  
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EARL RAY TOMBLIN  
GOVERNOR

April 1, 2015

**VIA HAND DELIVERY**

The Honorable Natalie E. Tennant  
Secretary of State  
Building 1, Suite 157-K  
State Capitol  
Charleston, West Virginia 25305-0770

Re: Enrolled Committee Substitute for House Bill No. 2793

Dear Secretary Tennant:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I disapprove the Enrolled Committee Substitute for House Bill No. 2793 for the following reasons.

The bill eliminates several requirements associated with the provision of home instruction to children that are necessary and appropriate. First, the bill eliminates the requirement of two weeks' notice to remove a child from public school for the purpose of commencing home instruction. This is important to ensure there are no underlying issues associated with truancy or other attendance problems. Second, the bill removes the requirement that a plan of instruction be submitted annually. This requirement helps ensure that a home schooled child will receive adequate instruction each year to develop at a rate comparable to his or her peers, beyond an annual assessment to take place after the school year. Third, the bill eliminates the prohibition on permitting a child's parent or legal guardian to administer a nationally normed standardized achievement test for purposes of the annual assessment. This prohibition protects a parent or legal guardian from any appearance of impropriety or conflict of interest in such a testing situation. Finally, the bill eliminates the provision requiring a parent or legal guardian to pay the cost of an academic assessment that takes place outside of a public school. This leaves § 18-8-1 of the West Virginia Code unclear as to who or what entity is responsible for paying the costs of the annual assessment.

OFFICE OF THE GOVERNOR

For the foregoing reasons, I disapprove the Enrolled Committee Substitute for House Bill No. 2793.

Sincerely,

A handwritten signature in black ink that reads "Earl Ray Tomblin". The signature is written in a cursive, flowing style.

Earl Ray Tomblin  
Governor

cc: The Hon. Tim Armstead  
Speaker of the House of Delegates

The Hon. William P. Cole III  
President of the Senate