

RELATIONS WITH “HOME SCHOOLS”

The Board of Education recognizes its responsibilities under section 3204 of the Education Law, commonly called the “compulsory attendance law,” to ensure that every child living in that district has an equal opportunity to receive an education.

The Superintendent of Schools will establish regulations based upon those of the Commissioner, to inform schools and parents of their respective rights and responsibilities regarding the education of children at home.

Home Schooled students may participate in school sponsored extra-curricular and/or co-curricular activities (with the exception of modified and interscholastic athletics) that are not open to the general public as long as they can provide either documentation of immunization to, or a medical exemption for immunization from, the same communicable diseases required for entry into the public schools and under the following conditions:

- The parent/guardian of the home schooled child shall make an official request in writing to the Superintendent of Schools to participate in the activity in a timely manner, prior to the commencement of the activity.
- The home schooled child must follow all rules, expectations, applicable laws, policies and regulations as all other students in the activity or other expectations as set forth by the club advisor or district officials. Home schooled students must attend meetings, attend planned functions and participate in fundraising on an equal basis of those students enrolled in the school district.
- Parents and home schooled students must sign the district code of conduct, or other district documents/agreements as deemed appropriate by the Superintendent of Schools or designee, and agree to follow all of the rules and expectations therein.
- The parent/guardian of the home schooled child shall be responsible for providing transportation to and from all meetings and events, unless transportation is being provided to all students to a particular event or meeting (ie, the entire club is going to a function or event).
- Parents will be responsible for completing any and all permission slips or other documents as deemed necessary by the club advisor or district official.
- All home-schooled children must be in good standing, as deemed by the Superintendent of Schools as per Education Law and District Regulations as affixed to this policy.

Ref: Education Law §§ 1709;2503(4);3202;3204(2)
8 NYCRR § 100.10
Public Health Law § 2164 (as amended by Chapter 35 of the Laws of 2019)

Cross-ref:

4321, Programs for Students with Disabilities, *et seq.*

5420, Student Health Services

Effective Date: March 3, 2020

RELATIONS WITH “HOME SCHOOLS” REGULATION

Parent’s Responsibilities

1. Notification

Parents or person in parental relation to a student of compulsory school attendance age, who are residents in this district, shall annually provide written notice to the Superintendent of Schools of their intention to educate their child at home by July 1st of each school year. If such instruction is to begin after the start of the school year, parents must provide such written notice within fourteen (14) days after beginning each instruction with the district.

2. Individualized Home Instruction Plan (IHIP)

Within ten (10) days of receipt of the above-mentioned notice, the district will send to the parents a copy of §100.10 of the Regulations of the Commissioner, and a form on which to submit an individualized home instruction plan (IHIP). One such IHIP must be submitted for each child of compulsory attendance age who is to be taught at home. The IHIP forms must be submitted to the district office within 4 weeks of receipt. If requested, the district will provide assistance in preparing the forms.

Each child’s IHIP will contain:

- a. the child’s name, age, and grade level;
- b. a list of the syllabi, curriculum materials, textbooks, or plan of instruction to be used in each of the required subjects listed below;
- c. the dates for submission to the school district of the parent’s quarterly reports; and
- d. the names of the individual(s) providing instruction.

3. Determination of compliance/noncompliance

The Superintendent of Schools shall review each IHIP, and notify the parents Within 10 business days of receipt as to whether the forms comply with the requirements listed in (2) above, or if there is any deficiency. The district will provide written notice of such deficiency(ies). Parents must submit a revised IHIP, correcting any deficiency(ies), within 15 days of such notice.

The Superintendent will then review the revised IHIP and notify the parents of its compliance or noncompliance with the above requirements within 15 days of receipt of the revised IHIP.

4. Appeals

If the IHIP is determined not to be in compliance, written notice of noncompliance (including the reasons for such determination) shall be sent to the parents. This notice will contain the date of the next regularly scheduled meeting of the Board, and inform parents that if they wish to contest the determination of non-compliance, they must notify the Board at least 3 business days prior to the meeting. At the board meeting, the parents have the right to present proof of compliance, and the Board shall make the final determination of compliance/noncompliance.

Parents have the right to appeal the final determination of the Board to the Commissioner of Education within 30 days of receipt of such determination.

If parents do not contest the determination of noncompliance by either the administration or the Board, or if the Commissioner of Education upholds the final school district determination of noncompliance, then the parents must immediately provide for the instruction of their children in a public school or elsewhere in compliance with Education Law §§3204 and 3210.

5. Required courses

Instruction in the following subjects shall be required:

- a. For grades one through six: arithmetic, reading, spelling, writing, the English language, geography, United States history, science, health education, music, visual arts, physical education, bilingual education and/or English as a second language where the need is indicated.
- b. [For the purposes of this and the following subdivisions, a unit means 6480 minutes of instruction per school year.]
For grades seven and eight: English (2 units); history and geography (2 units); science (2 units); mathematics (2 units); physical education (on a regular basis); health education (on a regular basis); art (1/2 unit); music (1/2 unit); practical arts (on a regular basis) and library skills (on a regular basis). The units required are cumulative requirements for both grades seven and eight.
- c. The following courses shall be taught at least once during the first eighth grades: United States history, New York State history, and the Constitutions of the United States and New York State.
- d. For grades nine through twelve: English (4 units); social studies (4 units, which includes 1 unit of American history, 1/2 unit in participation in government, and 1/2 unit economics); mathematics (2 units); science (2 units); art and/or music (1 unit); health education (1/2 unit); physical education (2 units); and 3 units of electives. The units required are cumulative requirements for grades nine through twelve.
- e. All other subjects mandated by the Education Law to be covered during grades K-12.

6. Attendance requirements

Each child shall attend upon instruction as follows:

- a. The substantial equivalent of 180 days of instruction shall be provided each year.
- b. The cumulative hours of instruction for grades 1-6 shall be 900 hours per year.
The cumulative hours of instruction for grades 7-12 shall be 990 hours per year.
- c. Absences shall be permitted on the same basis as provided in the Regulations of the Commissioner of Education and the Education Law.
- d. Records of school attendance shall be maintained by the parent and shall be made available to the school district upon request.
- e. Instruction provided at a site other than the primary residence of the parents shall be provided in a building which has not been determined to be in violation of the local building code.

7. Quarterly Reports

On or before the dates specified in the IHIP, parents must furnish the district with a quarterly report for each child receiving instruction at home. Such report shall contain the following information:

- a. the number of hours of instruction during each quarter;
- b. a description of material covered in each subject listed in the IHIP;
- c. either a grade for the child in each subject or a written narrative evaluating the child's progress; and
- d. in the event that less than 80% of the amount of the course materials as set forth in the IHIP has been covered in any subject for that quarter, a written explanation.

8. Annual assessment

Parents must submit an annual assessment at the time of filing their fourth quarterly report. Such annual assessment shall include the results of a commercially published norm-referenced achievement test which meets the requirements outlined in §100.10(h) of the Regulations of the Commissioner. Such test will be provided by the school district upon request. An alternative form of evaluation may be permitted if it means the requirements outlined in §100.10(h) of the Regulations of the Commissioner.

The test will be administered at the public school, by its professional staff, or at a registered nonpublic school, by its professional staff, provided that the consent of the chief school officer of such nonpublic school is obtained. The test may be administered at a nonregistered nonpublic school by its professional staff, with the prior consent of both the public school Superintendent and the chief school officer of the nonpublic school.

If the test is to be administered at the parents' home or any other reasonable location, by a New York State certified teacher or another qualified person, the Superintendent must consent to having such person administer the test. The cost of any testing facilities, transportation, and/or personnel for testing conducted at a location other than the public school shall be borne by the parents.

The test shall be scored by the persons administering the test or by other persons who are mutually agreeable to the parents and the Superintendent. A student's score shall be deemed adequate to the parents and the Superintendent. A student's score shall be deemed adequate if he/she has a composite score above the 33rd percentile on national norms or if his/her score reflects one academic year of growth as compared to a test administered during or subsequent to the prior school year. If a score on the test is determined to be inadequate, the home instruction program shall be placed on probation.

Probation

If a child's annual assessment fails to comply with the above requirements, the home instruction program shall be placed on probation for a period of up to 2 years. The parent(s) must submit a plan of remediation which addresses the deficiencies in the child's achievement. The plan will be reviewed by the Superintendent, who may require the parent(s) to make changes prior to acceptance.

The program will be removed from probation only if, after the end of any semester of the probationary period, the child has progressed to the level specified in the remediation plan. If the child does not attain at least three quarters (75%) of the objectives specified in the remediation plan at the end of any given semester, or if after 2 years of probation 100% of such objectives have not been satisfied, the program will be deemed not in compliance. The Superintendent shall then serve written notice of noncompliance as specified in (3) above.

10. Home Visits by the Superintendent

If during the period of probation the Superintendent has reasonable grounds to believe that the home instruction program is in substantial non compliance with this policy and/or regulation, the Superintendent may require one or more home visits. Such visit(s) shall be made only after 3 days' written notice. The purpose of such visit(s) will be to ascertain the areas of noncompliance and to determine methods of remediating any deficiency(ies). The home visits shall be conducted by the Superintendent or his/her designee: the Superintendent may include members of a home instruction peer review panel as part of a "home visit team."

Effective date: May 17, 1994