

HOME EDUCATION INSTRUCTION

Right to Home Education:

The Board acknowledges the right of parents (and guardians) to pursue home education for their children, including any “child with a disability” as defined under RSA 186-C:2, I and I-a, within the parameters of RSA 193-A and its implementing regulations.

Home education is an alternative to compulsory attendance at a public or private school (see RSA 193:1) and is an individualized form of instruction in accordance with Chapter 279:2, laws of 1990. Instruction shall be deemed “home education” if it consists of instruction in science, mathematics, language, government, history, health, reading, writing, spelling, the history of the constitutions of New Hampshire and the United States, and an exposure to and appreciation of art and music. See RSA 193A:4. Home education shall be provided, coordinated, or directed by a parent for his or her own child.

This Policy is intended to help Merrimack School District (“the District”) personnel and home education families within the District understand their respective responsibilities. Nothing in this Policy, however, should be understood to infringe upon a parent’s rights under the applicable laws and regulations.

Notification Procedures:

A. Selection of Participating Agency

A parent seeking to provide a home education program to their child(ren) is required to select one of the following as a “participating agency” for that program:

1. The Commissioner of the New Hampshire Department of Education,
2. The Superintendent of the Merrimack School District, or
3. The Principal of a non-public school.

The selection of the participating agency will determine the extent to which the District has responsibilities relative to the home education program.

B. Notification to Participating Agency

Within five (5) business days of commencement of a home education program, the parent is required to provide notice to their chosen participating agency, a notice which shall include the names, addresses and birth dates of all children who are

participating in the home education program. The parent shall also provide contact information and update the notification information as necessary.

Upon request, the selected participating agency shall work with the parent in helping them meet the essential requirements of a home education program as set out in RSA 193-A:4, I.

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A parent may select a new participating agency at any time. If a parent selects a new participating agency, the parent shall notify the new participating agency in the same manner as outlined above.

If the parent has selected the Superintendent of the District as the participating agency, the Superintendent shall acknowledge receipt of notification within fourteen (14) days in accordance with the contact information provided by the parent, along with a request for any information required by RSA 193-A:5, II (i.e., the names, addresses, and birth dates of all children who are participating in the home education program) that was not included in the original notice.

Conventional attendance policies of the District and New Hampshire law apply to all students within the District until the Commissioner of Education, the Superintendent of the District, or the principal of a non-public school acknowledge the establishment of a home education program. Likewise, these laws and policies immediately apply upon the termination of any home education program so acknowledged.

C. Notification to the Merrimack School District

Regardless of the parent's selection of participating agency, if the child is currently enrolled in a public school within the District, the parent shall also notify the District's Superintendent of the child's withdrawal on or before the date that home education shall begin, following the notification procedures of this Policy.

D. Annual Notification and Termination ~~Required~~ Requirement

Once established, the home education program remains in effect unless terminated pursuant to Ed 315.06. The parent is not required to provide annual notification of continuation of a home education program.

Written notice of termination of a home education program must be filed by the parent with the Commissioner of the Department of Education and the participating agency within 15 days of said termination. See Ed 315.06. If the Merrimack School District is the participating agency, the Superintendent will acknowledge receipt of the notification within fourteen (14) days.

E. Notification Required Upon Moving

Any parent who previously notified the Superintendent of a home education program who moves outside of the District shall notify the Superintendent that the child has moved from the District and shall provide notification to the new school district under the same procedures outlined in this Policy and New Hampshire law.

HOME EDUCATION INSTRUCTION (continued)

Parental Record-Keeping:

Per RSA 193-A:6, I, a parent must maintain a portfolio of records and materials relative to their home education program. The portfolio shall consist of a log which designates by title the reading materials used, and also samples of writings, worksheets, workbooks, or creative materials used or developed by the child. Such portfolio, *which at all times remains the property of the parent*, shall be preserved for 2 years from the date of the end of the instruction.

Access to the portfolio shall be at the parent's discretion, except as provided for in RSA 193-A:6.

Annual Evaluation Procedures:

Per RSA 193-A:6, II, a parent must provide for an annual evaluation documenting their child's demonstration of educational progress at a level commensurate with the child's age, ability, and/or disability.

A. District Assistance with Evaluations:

If a parent selects the District's Superintendent as the participating agency, the District must provide evaluation services upon request of the parent. If the District is not selected as the participating agency, the District may choose to aid in an evaluation, but it is not required to do so. See Ed 315.08(b).

Parents seeking to use the District's evaluation services should contact the Superintendent's office as soon as practicable; however, this notification must occur prior to the end of the public-school year. Following such a request, the Assistant Superintendent shall work collaboratively with the parent to coordinate the provision of evaluation services.

B. Evaluation Methods

Per RSA 193-A:6, II, a child shall be deemed to have successfully completed an annual evaluation upon meeting the requirements of any one of the following:

1. A certified teacher or a teacher currently teaching in a nonpublic school who is selected by the parent shall evaluate the child's educational progress upon review of the portfolio and discussion with the parent or child;
2. The child shall take any national student achievement test, administered by a person who meets the qualifications established by the provider or publisher of the test;
3. The child shall take a state student assessment test used by the resident district; or
4. The child shall be evaluated using any other valid measurement tool *mutually agreed upon* by the parent and the participating agency. A non-exclusive list of examples may be found in Ed 315.08(f).

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C. State or Local Assessment Provided by the District

If a parent selects the evaluation method of a state or local assessment provided by the District, they must notify the Superintendent in writing as soon as practicable to provide the District adequate time to prepare and obtain the testing materials. See Ed 315.07 (c). The District will not charge a fee for providing or administering tests under this section, regardless of whether the District was selected as the participating agency. See Ed 315.04(e).

D. Portfolio Reviews

If the District's Superintendent is the selected participating agency, the parent may request the District to perform a portfolio review, for which the District may charge a fee. Any requests for portfolio review should be directed to the Assistant Superintendent, who will work collaboratively with the parent on lining up the review. Portfolio reviews will be conducted in accordance with Ed 315.08 (d) and (e).

E. Allowable Uses for Evaluations

Parents shall maintain a copy of their evaluations: however, they need only provide the evaluation results and/or the child's portfolio to the District to the extent necessary to demonstrate the child's academic proficiency in order to participate in public school programs, and co-curricular activities which are defined as school district-sponsored and directed athletics, fine arts, and academic activities. The District may also request the child's portfolio and evaluations as part of a special education referral and/or eligibility determination in the event the child re-enrolls in the District; however, the parent shall not be required to share these records.

Annual evaluations shall not be used as a basis for termination of a home education program. However, they do provide a basis for a constructive relationship between the parent and the evaluator, both working together in the best interest of the child.

Re-enrollment into the School District:

Parents deciding to re-enroll their children into a school within the District following a period of home education may make arrangements through the Assistant Superintendent for an evaluation to determine appropriate placement in the school's program. Parents should be aware that when re-enrolling a student, there might be discrepancies between the home schooling level of achievement and the scope and sequence of the District's curriculum. Placements will be consistent with the School Board policy governing student placements and are subject to the same appeal process. See Board Policy JG.

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Graduation/Diplomas:

The Merrimack School District will not award certificates or diplomas to home educated students. Students must enter the regular school program and complete all necessary graduation requirements of the Merrimack School District and the state to be eligible for a certificate or diploma.

Participation in School Curricular and Co-curricular Activities:

Home educated children residing within the district shall have access to curricular courses and cocurricular programs offered by the District to the same extent available to children enrolled within the District's public schools and shall be subject to the same participation policy and eligibility conditions as apply to public school students.

The District's Reporting and Record Keeping Obligations

On October 1 of each year, the Superintendent shall prepare a report to notify the Commissioner of the number of children for whom home education programs were established for whom the Superintendent was selected as a participating agency since the previous report.

The District will maintain record of a student's enrollment and withdrawal from the school in the same manner as it would for a student transferring to another district. The district shall also maintain a record of its status as the participating agency for as long as it holds that status. While the parents keep any portfolios and evaluations conducted outside the District, the District will maintain record of any involvement it has in assessments as it would for any other student.

Legal References:

RSA 193-A, Home Education

RSA 193:1, Duty of Parent; Compulsory Attendance by Pupil

RSA 193:1-c, Access to Public School Programs by Nonpublic or Home Educated Pupils

NH Code of Administrative Rules, Section Ed 315, Procedures for the Operation of Home Education Programs

Appendix IHBG-R

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