

## DUDLEY-CHARLTON REGIONAL SCHOOL DISTRICT

### POLICY

### IHBG

#### Requests for Home Instruction

The Massachusetts General Law Chapter 76, Section 1 requires the school committee to determine that a homeschooling program meets with the minimum standards established for public schools in the Commonwealth prior to approving such a program.

Prior to removing the child from public school:

When a parent of a student below the age of 16 wants to establish a home-based educational program for his/her child, the following procedures shall be followed in accordance with the law:

- The parent/guardian must submit written notification of establishment of the home-based program to the appropriate administrator 14 days before the program is established, and resubmit notification on an annual basis as long as the child or children are being educated in a home-based environment.
- The parent/guardian must certify in writing, on a form provided by the district, the name, age, place of residence, and number of hours (900 for elementary; 990 for middle school and high school) of attendance of each child in the program.
- The superintendent shall give the notice to produce records required by MGL Ch. 76:1 if there is a probable cause to believe the program is not in compliance with the law. Factors to be considered by the superintendent and/or school committee in deciding whether or not to approve a home education proposal will include:

1. The proposed curriculum and the number of hours of instruction in each of the proposed subjects
2. The competency of the parents to teach the children
3. The textbooks, workbooks and other instruction aids to be used by the children and the lesson plans and teaching manuals to be used by the parents
4. Periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards.

Guidelines for approval of the home instruction plans

Having concluded that the approval process under MGL Ch.119:24 is constitutionally permissible, the court set forth guidelines for parents and school officials to follow in considering home education plans or yearly resubmission of home education plans. They may be summarized as follows:

- Parents must obtain approval prior to removing the children from the public school and beginning the home education program.
- The superintendent and/or school committee must provide the parents with an opportunity to explain their proposed plan and present witnesses on their behalf. A hearing during a school committee meeting is sufficient to meet this requirement.
- In obtaining approval from the superintendent or school committee, the parents must demonstrate that the home education proposal meets the requirements of General Laws Ch.76:1, in that the instruction will equal “in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town.”

- If the home education plan is rejected, the superintendent or school committee must detail the reasons for the decision, and allow the parents 14 days to revise their proposal to remedy its inadequacies.
- If they begin the home education program without the necessary approval, the school committee may initiate a truancy proceeding or a care and protection petition, in which it would have to show that the instruction in the home does not meet the statutory standard for thoroughness, efficiency, and educational progress.

Parents/guardians in charge of home instruction should make provisions for regular testing or use of other indicators of student progress such as standardized achievement tests. As an alternative to home testing and at the request of those in charge of the home instruction, the district will make provisions for the inclusion of home-taught children in the annual, and or, periodic achievement test administration.

If deficiencies in a home education situation are not corrected or the proper annual application or summary is not completed by the parents/guardians, an appropriate referral will be made.

A student being educated in a home-based program within the district may have access to public school activities or either a curricular or extra-curricular nature upon approval of the superintendent.

Adopted November 14, 1984  
Amended April 10, 2002  
Amended December 12, 2012

LEGAL REFS.: MGL Ch. 71:1; MGL 76, Ch. 1: 1; MGL Ch. 119:24; Care and Protection of Charles