RELATIONS WITH "HOME SCHOOLS"

General Information

Under §3204 of the Education Law, commonly called the "compulsory attendance law", the Board of Education has certain obligations to assure every child living in that district an equal opportunity to receive an education. The Superintendent of Schools generally acts as agent for the Board in carrying out these specific obligations. One of the obligations is to ensure that every child between the ages of six and sixteen is provided with an education which is "substantially equivalent" to that of the public schools where the child resides. Furthermore, the child must receive an education from a "competent instructor. The law provides that children receiving such an education may be educated in the public schools, nonpublic schools, or at home.

As noted above, it is legally permissible for parents to teach their children at home. Parents must recognize the responsibility of public school officials to assure such children a substantially equivalent education by a competent instructor, and their own responsibility to provide such an education when they consider instructing their children at home.

The Superintendent will establish guidelines, based upon the Regulations of the Commissioner, to inform schools and parents of their respective rights and responsibilities regarding this issue.

Parents/Guardians who wish to educate their children at home must submit to the district an individual home instruction plan (IHIP), outlining the educational goals to be met and the course materials and syllabi to be used each year for the child's learning process. The district may accept or deny an IHIP. Parents/Guardians must submit quarterly reports which will provide the district with the necessary information to make determinations of substantial equivalency and competency of instruction on an ongoing basis.

Parents/Guardians may appeal to the Board a determination by the Superintendent of Schools or designee that an IHIP is not in compliance with the Regulations of the Commissioner of Education. Parents/Guardians shall have the right to appeal the final determination of the Board to the Commissioner of Education within 30 days of receipt of such determination.

Special Education

A student with an IHIP, who is a resident of the school district and has a disability, or is suspected of having a disability, is eligible to receive services from the school district, in accordance with law, regulation and district policy (4321 et. seq.). A parent/guardian must request special education services in writing to the Board by June 1st, unless the child is first identified or moves into the district after June 1st. In that case, the parent/guardian must request the services within 30 days of being identified or of moving into the district.

Special education services will be provided on an equitable basis compared to programs and services provided to other students with disabilities attending public or nonpublic schools within the district. The Board will determine the location where services will be available to home schooled students.

Participation in Extracurricular Activities

Students instructed at home by their parents are not permitted to participate in interscholastic or intramural sports nor any other district activities or use district facilities, other than as permitted under district policy 1500, Public Use of School Facilities.