File: LBC

RELATIONS WITH HOME SCHOOLS

Several procedures that must be followed prior to the Superintendent approving a home study plan.

1. All of the requirements recommended by the Massachusetts Department of Education must be met.

2. Parent or guardian must provide information indicating his/her competency to teach.

3. Approval of the program must be obtained in advance prior to the removal of the children from school and to the commencement of the home schooling program.

4. Parent or guardian must be provided, by the Superintendent or the School Committee with an opportunity to explain this proposed plan and present witnesses on their behalf.

5. Parents must demonstrate that the home school proposal fulfills the requirements of M.G.L. 71:1, in that the instruction will equal in thoroughness and efficiency and in the progress made therein of that in the school district.

6. Parent or guardian must provide a curriculum outline indicating the length of the proposed home school year, a list of subjects to be taught and the hours of instruction in each subject.

7. The Superintendent or School Committee must have access to the textbooks, workbooks and other instructional aids to be used by the children and to the lesson plans and teaching manuals to be used by the parents. The Superintendent or School Committee will not use this access to dictate the manner in which the subjects will be taught.

8. Periodic standardized testing of the children will be required in order to ensure educational progress and attainment of minimum standards. Other means of evaluating the progress of the children may be substituted for the formal testing process.

9. If the student is to continue in the program for more than one school year, the study plan must be approved annually.

10. All requirements of the Department of Public Health regarding immunization have been completed.

Parents have the right to a hearing before the school authorities to allow them an opportunity to explain their plan and answer questions about it. They may be represented by counsel and will be provided reasonable notice of the time and place of such a hearing.

If a plan is approved, there will be a periodic evaluation and monitoring of the child's progress under guidelines and standards set by the School Committee to assess whether adequate educational progress has been made.

LEGAL REFS.: M.G.L. 7 1: 1; 71:2; 71:3; 71:4; 76: 1; 76:2; 76:3; 119
603 Code Mass. Regulations Section 27.01 (1980)
S.J.C. Care and Protection of Charles, 399 Mass. 324 (1987)

NOTE: For additional information please refer to the following: MASC Legal File, dated 3/5/87 and 3/27/87, School Committees and Home Education. Commonwealth of Massachusetts Department of Education Memorandum from Harold Raynolds, Jr., Commissioner of Education, dated 4/17/87, Supreme Judicial Court Decision on Home Education.