



School District Governance Association of New Hampshire

Model Policy approved Dec. 11, 2020

## Home Schooling

Policy Code(s): IHBG

Policy Text	Annotation
<p>New Hampshire's compulsory attendance law, RSA 193:1, applies to children who are 6 years old by September 30th of the current school year to 18 years old. Families and Participating Agencies are required to follow home education statute, RSA 193-A, and Ed 315 rules.</p>	<p>RSA 193 was amended in June 2022. In the References section, selected sections impacting school district policies are shown with highlights for the 2022 changes.</p>
<p><b>Notification</b></p> <p>A family may declare their intention to homeschool at any time, but within five days of initiating a home education program, in keeping with NH's truancy law, RSA 189:35-a.</p> <p>Participating Agencies are required to acknowledge receipt of notification within 14 days.</p>	
<p><b>Records</b></p> <p>Families are not required to provide their children's portfolio or year-end assessment to their Participating Agency, but the materials may be reviewed, if necessary, to determine placement and eligibility in curricular and co-curricular programs available through the local district. The materials remain property of the family.</p> <p>A family may request to participate in the local district's annual assessment test at no additional fee, if a spot is available and sufficient time of the request is provided.</p>	
<p><b>Equal Access</b></p> <p>Per RSA 193:1-c, local districts shall allow resident home educated students to participate in curricular and co-curricular activities, if space is available, without additional restrictions or requirements governing the general student population.</p>	<p>The school district is required to have a policy governing access to curricular and co-curricular activities for home schooled students, per the amendments to RSA 193:1-c in June 2022.</p>
<p><b>Re-enrollment and Graduation</b></p> <p>A family may seek to enroll their children in the local district schools and credits will be awarded toward graduation without discrimination and are subject to the same appeal process.</p> <p>Districts will not award certificates or diplomas to students who are home educated.</p>	

<b>References</b>	
RSA 193-A Home Education	
RSA 193:1 Duty of Parents, Compulsory Attendance by Pupil	
RSA 193:1-c Access to Public School Programs by Nonpublic, Public Chartered Schools or Home Educated Pupils	The local school board <b>shall</b> adopt a policy regulating participation in curricular courses and cocurricular programs, provided that such policy shall not be more restrictive for non-public, public chartered school, or home educated pupils than the policy governing the school district's resident pupils.
Ed 315 Procedures for the Operation of Home Education Programs	
RSA 189:35-a Truancy Defined	
193-A:11 Authority of School District Officials.	No superintendent, school board, school principal, or other school district official shall propose, adopt, or enforce any policy or procedure governing home educated pupils that is inconsistent with or more restrictive than the provisions of this chapter and any rules adopted pursuant to RSA 193-A:3. <b>Home educated students entering a public school shall be enrolled based upon age and address unless the receiving school requires academic progress for promotion of existing students, and shall not require student portfolios or test scores unless students within the school are stratified or placed by academic performance.</b>

RSA 193-A:6, II Educational Evaluation.

The parent shall provide for an annual educational evaluation in which is documented the child's demonstration of educational progress at a level commensurate with the child's age and ability. The child shall be deemed to have successfully completed [his] an annual evaluation upon meeting the requirements of any one of the following:

- (a) 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;
- (b) 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. **Composite results at or above the fortieth percentile on such tests shall be deemed reasonable academic proficiency;**
- (c) The child shall take a state student assessment test used by the resident district. **Composite results at or above the fortieth percentile on such state test shall be deemed reasonable academic proficiency;** or;
- (d) The child shall be evaluated using any other valid measurement tool mutually agreed upon by the parent and the commissioner of education, resident district superintendent, or nonpublic school principal; or
- (e) **A child with a disability as defined in RSA 186-C:2, I, shall be evaluated with the disability in mind and shall not be subject to more restrictive evaluation criteria in the home education setting than a child with a similar disability in a traditional school setting appropriate to such disability.**

<p>RSA 193-A:5 Notifications</p>	<p>I. Any parent commencing a home education program for a child, for a child who withdraws from a public school, or for a child who moves into a school district <b>and previously notified the resident district superintendent</b>, shall notify the commissioner of the department of education, resident district superintendent, or principal of a nonpublic school of such within 5 business days of commencing the program.</p> <p>II. Notification made by the parent pursuant to paragraph I shall include a list of the names, addresses, and birth dates of all children who are participating in the home education program.</p> <p>III. Written notice of termination of a home education program shall be filed by the parent with the commissioner of education and <del>in addition</del> the resident district superintendent or nonpublic school principal <b>notified under paragraph I</b> within 15 days of said termination. <b>Any parent who previously notified the resident district superintendent of a home education program who moves from said district shall notify the original resident district superintendent that the child has moved from the district.</b></p>
<p>RSA 91-A:2,II</p>	