

**Hamilton-Wenham Regional School District
Wenham, Massachusetts**

Policy

HOME SCHOOLING

The Hamilton-Wenham Regional School District Committee recognizes the right of parents/ guardians to educate their children outside of a school setting as provided by General Laws Chapter 76, Section 1. The law requires, however, that a child being educated outside of school must also be instructed in a manner approved, in advance, by the Superintendent or designee or the School Committee. The School Committee also acknowledges that home school plans may vary from family to family. The Hamilton-Wenham Regional School District (HWRSD) will work cooperatively with home schooling parents to ensure a quality program.

The School Committee seeks to implement a process that is fair, equitable, and legal. Requests for a home education plan shall be submitted to the Director of Curriculum who will review the plan and recommend approval to the Superintendent. We acknowledge that parents have the right to propose a home education alternative and the School Committee or Superintendent has the right, under Section 1 of Chapter 76 of the Massachusetts General Laws to approve or disapprove the plan. Approval must be obtained in advance of implementation of the plan. The HWRSD does not approve home education programs for anything less than a full-time instructional program*.

A. Procedure:

1. Parents must obtain approval from the Superintendent of Schools prior to beginning a home education program.
2. The Superintendent must provide the parents with an opportunity to explain their proposed plan and present witnesses on their behalf.
3. In obtaining approval from the Superintendent, the parents must demonstrate that the home education proposal meets the requirements of General Laws Chapter 76, Section 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."
4. If the home education plan is rejected, the Superintendent must detail the reasons for the decision, and allow the parents to revise their proposal to remedy its inadequacies. If they begin the home education program without the necessary approval, the School Committee or the Superintendent may initiate a truancy proceeding or a care and protection petition.

B. Approval Factors:

The following information must be provided to accompany a letter requesting approval for a home education program. In evaluating each proposed home education plan, the following factors will be considered:

1. The qualifications of the person(s) instructing the child may include their academic preparation, life experience or other qualities that may enhance the quality of instruction. Teacher certification is not required.
2. The teaching of subjects required by state law (English Language Arts, History and Social Sciences, Mathematics, Science and Technology, Health and Physical Education, Arts, and World Languages). Massachusetts General laws, Chapter 71, Sections 1, 2, and 3 and related regulations: M.G.L. Chapter 69, Section 1D.

** For purposes of understanding a home schooled child is not enrolled in the public schools.*

3. The number of hours and days devoted to teaching. The Commonwealth of Massachusetts requires 180 days (900 hours of direct instructional time for grades 1-8, and 990 hours of direct instructional time for grades 9-12).
4. The adequacy of the texts, materials, methods and programs being used.
5. The availability of reliable methods of evaluating the child's educational growth (e.g., standardized testing, portfolio work, progress reports, logs, journals or other methods) as agreed to in the Home Education Plan.
6. Plans for periodic progress reports to be provided to the Principal of the school district in which the child resides for review.
7. Agreement to have the child participate in such periodic assessment and testing as the school system may deem appropriate to ensure educational progress and the attainment of minimum standards.

Should a Home Education Plan not be approved and discussion to resolve concerns does not leads to a resolution, then:

1. Parents have the right to a hearing before the Superintendent or his/her designee to allow them an opportunity to explain their plan and answer questions about it. Parents may be represented by counsel and shall be provided reasonable notice of the time and place of such hearing.
2. Parents have the right to a hearing before the School Committee to appeal the decision of the Superintendent or his/her designee. The parents may be represented by counsel and shall be provided reasonable notice of the time and place of such hearing.
3. If the School Committee does not approve the plan, the parents will be provided with a written statement of the reasons for the denial of their request. This statement will be provided to the parents within ten (10) days of the denial of the request.
4. If the Superintendent or the School Committee on appeal approves the plan, there will be periodic evaluations of the child's progress under the guidelines and standards established by the Superintendent to measure whether adequate progress is being made.

C. Review of Home Education Program

The Superintendent of Schools or his/her designee shall periodically review each home education program for compliance with the approved plan. Should a home education program be found to be not in compliance, approval may be withdrawn. Failure of a home educator to abide in good faith by the procedures outlines may result in the School Committee taking action under Massachusetts General Law, Chapter 76, sections 2 and/or 4, upon the recommendation of the Superintendent. CHINS proceedings pursuant to Massachusetts General Law Chapter 119, section 21, will not be invoked for any child in an approved home education program.

Home schooled Hamilton and Wenham students are eligible to participate in interscholastic athletics if the following conditions are met:

1. Student meets try-out criteria for team eligibility.
2. The Home Education Plan for the home educated student has been approved by the Superintendent or his/her designee.
3. The Principal has determined appropriate high school grade level placement (9-12) for the home educated student in conjunction with chronological age and educational plan.
4. The student resides in the Hamilton-Wenham Regional School District and is living with his/her parents or legal guardians in the family residence.

5. The Principal is satisfied that the student meets the standards for athletic participation required for all other students as defined in the current MIAA Handbook. This includes, but is not limited to, those rules governing transfers, academic eligibility, age requirements and the number of consecutive sessions of athletic eligibility beyond grade eight.
6. MIAA requirements relative to academic eligibility must be certified by the Principal at the same time that all other student athletes are to be certified as academically eligible.
7. If the Principal determines that all eligibility standards detailed above have been met, the Principal may declare the student eligible to participate in interscholastic competition. The rights, privileges, and responsibilities associated with all other student athletes attending MIAA member schools will apply to home educated students who have satisfied the requirements above.

D. Diploma

A home schooled student is not eligible to receive a Hamilton-Wenham Regional High School diploma issued by the HWRSD.

E. Policy Review and Revisions

Review and revision of these policies and procedures shall occur as needed, but at least every two years.

Legal References:

M.G.L., Chapter 69, Section 1D
M.G.L., Chapter 71, Sections, 1, 2, 3, and 4
M.G.L. Chapter 76, Sections 1 and 2
M.G.L. Chapter 119, Sections 1 through 39
Code of Massachusetts Regulations, Title 603, Chapter 27
Care and Protection of Charles, 399 Mass. 324 (1987)
Brunnelle v. Lynn Public Schools, 428 Mass. 512 (1998)

First Reading: February 10, 2005

Second Reading & Adoption: March 17, 2005

Approved: March 17, 2005

Vote: 8-0-0

Chairman, HWRSD School Committee Catherine A. Harrison (Official Signature on file in Supt's Office)

Amended: 12/16/99
Approved: 12/5/96
Prior Approval: 12/5/85