

STUDENTS AND INSTRUCTION **5000**

INSTRUCTIONAL PROGRAM 5200

HOME INSTRUCTION 5209

Having concluded that the approval process under General Laws Chapter 76, Section 1 is constitutionally permissible, the Massachusetts Supreme Judicial Court set forth guidelines for parents and school officials to follow in considering home education plans.

The Narragansett Regional District School Committee recognizes that some parents may wish to educate their children at home. The School Committee has established the following guidelines for approval of home education plans.

They may be summarized as follows:

A. Procedures

1. Parents must obtain approval prior to removing the children from the public school and beginning the home education program.
2. The Superintendent or School Committee must direct the Principal to provide the parents with an opportunity to explain their proposed plan. Parents may present witnesses on their behalf at the discretion of the Principal.
3. In obtaining approval from the Superintendent or School Committee, 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 or School Committee 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 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.

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B. Approval Factors

The Massachusetts Supreme Judicial Court deciding the case Care and Protection of Charles, 399 Mass. 324 (1987) listed factors that may be considered by the Superintendent or School Committee in deciding whether or not to approve a home education proposal.

1. The proposed curriculum and the number of hours of instruction in each of the proposed subjects. General Laws Chapter 71, Section 1, 2 and 3 list the subjects of instruction that must be taught in the public schools. Section 1 allows the School Committee also to require such other subjects as it may deem expedient. In addition, the Superintendent or School Committee “may properly consider the length of the proposed home school year and the hours of instruction in each subject,” noting that State law requires public schools to operate for a minimum of 180 days.
2. The competency of the parents to teach the children. General Laws Chapter 71, Section 1 provides that teachers shall be “of competent ability and good morals.” The court noted that parents providing education at home need not be certified, nor must they have college or advanced academic degrees. However, “the Superintendent or School Committee may properly inquire as to the academic credentials or other qualifications of the parent or parents who will be instructing the children.”
3. The textbooks, workbooks and other instructional aids to be used by the children and the lesson plans and teaching manuals to be used by the parents. The Superintendent or School Committee need access to this material “to determine the type of subjects to be taught and the grade level of instruction for comparison purposes with the curriculum of the public schools,” but they “may not use this access to dictate the manner in which the subjects will be taught.”

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4. Periodic standardized testing consistent with the testing schedule of the Narragansett Regional School District of the children to ensure educational progress and the attainment of minimum standards. The Superintendent or School Committee may properly require such testing, and in consultation with the parents may decide where the testing will occur and the type of testing instrument to be used. The court noted that “where practical, a neutral party should administer the test, “and that the school authorities and parents may agree to other means of measuring the children’s progress, such as quarterly progress reports or dated work samples. In addition, it is suggested that on-site visits by public school representatives may be included, although “with appropriate testing procedures or progress reports, there may be no need for periodic on-site visits or observations of the learning environment by school authority personnel.”

Should the periodic standardized testing of the children or other evidence indicating the possibility of a child with special needs, the parents agree to allow more specific evaluations or testing to determine whether or not their child could be eligible for services under Chapter 766. Further, if the child is determined to have special needs the parents agree to allow the Narragansett Regional School District to provide such services.

5. The granting of home instruction to parents is for one year only and is subject to annual renewal.
6. Home educated students are not permitted to participate in field trips unrelated to activities and/or classes in which they are not involved.
7. Home educated students may not participate in Art, Music, Physical Education classes, etc., at the elementary level unless they are involved in a related activity or class.
8. Home educated students may participate in Art, Band, Drama, Music at the Middle School and High School level based on space availability.