

## HOMESCHOOLED STUDENTS

The Board of Education (the Board) shall ensure that children instructed at home are taught by a competent instructor and receive an education substantially equivalent to that offered in the Bethlehem Central School District (the District) schools.

### Notice of Intention to Instruct at Home

Parents/guardians who wish to educate their children at home must annually provide written notice to the superintendent, by July 1st of each school year, of their intention to educate their children at home for the coming school year. Parents/guardians who wish to commence home instruction after the start of the school year, or who establish residence in the District after the start of the school year, must provide written notice to the superintendent of their intention to educate their children at home within fourteen days following the commencement of the home instruction. For the purposes of this Policy, the school year begins July 1st and ends June 30th.

### Procedures for the Development and Review of an Individualized Home Instructional Plan (IHIP)

- A. Within ten business days of receipt of a notice of intention to instruct at home, the District shall send to the parents/guardians a copy of Section 100.10 of the Commissioner's Regulations and a form on which to submit an individualized home instruction plan (IHIP) for each child who is to be taught at home.
- B. Within four weeks of receipt of such materials, or by August 15th, whichever is later, the parents/guardians must submit the completed IHIP form to the District. The District will provide assistance in preparation of the form, if requested by the parents/guardians.
- C. Within ten business days of receipt of the IHIP, or by August 31st, whichever is later, the District will either notify the parents/guardians that the IHIP complies with the applicable requirements of Section 100.10 of the Commissioner's Regulations, or will give the parents/guardians written notice of any deficiency in the IHIP.
- D. Within fifteen days of receipt of a notice of deficiency in the IHIP, or by September 15th, whichever is later, the parents/guardians will submit a revised IHIP that corrects any such deficiencies.
- E. Within fifteen days of receipt of the revised IHIP, or by September 30th, whichever is later, the superintendent will review the revised IHIP and will notify the parents/guardians that the revised IHIP complies with the applicable requirements of Section 100.10 of the Commissioner's Regulations.
  1. If the revised IHIP is not determined to be in compliance with the applicable requirements of Section 100.10 of the Commissioner's Regulations, then the superintendent will notify the parents/guardians in writing and state the reasons for such determination. Such notice will also contain the date of the next regularly scheduled meeting of the Board, held at least ten days after the date of the mailing of such notice, and will advise that if the parents/guardians desire to contest the determination of noncompliance, then the parents/guardians must notify the Board at least three business days prior to such meeting. At the Board meeting, the parents/guardians have the right to present proof of compliance, and the Board will make the final determination of compliance or noncompliance.
  2. Within thirty days after receipt of such determination, the parents/guardians have the right to appeal any final determination of noncompliance to the commissioner of Education.

## IHIP

### A. Content

Each child's IHIP shall contain:

1. Child's name, age, and grade level.
2. A list of the syllabi, curriculum materials, textbooks, or plans of instruction to be used in each of the required subjects listed in Section 100.10(e) of the Commissioner's Regulations.
3. The date for submission to the District of the parents' or guardians' quarterly reports. These reports will be spaced in even and logical periods.
4. The names of the individuals providing instruction.
5. A statement (if applicable) that the child will be meeting the compulsory educational requirements of Education Law §3205 through attendance as a full-time student at a degree-granting institution (defined as at least twelve semester hours per semester or its equivalent), the name of the degree-granting institution, and the subjects to be covered.

### B. Attendance Requirements

Each child will receive instruction, pursuant to his/her IHIP, as follows:

1. The substantial equivalent of 180 days of instruction must be provided each school year.
2. The cumulative hours of instruction for grades one through six are 900 hours per school year. The cumulative hours of instruction for grades seven through twelve are 990 hours per school year.
3. Absences are permitted on the same basis as provided in the applicable policy of the District for its own students.
4. Records of attendance must be maintained by the parents or guardians and will be made available to the District upon request.

### C. Quarterly Reports

On or before the dates specified in the IHIP, a quarterly report for each child will be furnished by the parents or guardians to the District. The quarterly report will contain the following:

1. The number of hours of instruction during the quarter.
2. A description of the material covered in each subject listed in the IHIP.
3. Either a grade for the child in each subject or a written narrative evaluating the child's progress.
4. In the event that less than 80 percent of the amount of the course material in any subject for that quarter has been covered, a written explanation describing the reasons why.

### D. Annual Assessment

At the time of the filing of the fourth quarter report, as specified in the IHIP, the parents or guardians must also file an annual assessment, in accordance with Section 100.10 of the Commissioner's Regulations.

The annual assessment must include either:

1. The results of a commercially published norm-referenced achievement test that meets the requirements of Section 100.10(h)(1) of the Commissioner's Regulations. If this option is selected, parents/guardians may not administer or score the achievement test.
2. An alternative form of evaluation that meets the requirements of Section 100.10(h)(2) of the Commissioner's Regulations, but only as set forth below:

- a. The alternative form of evaluation (written narrative) for grades one through three may be used each school year.
- b. The alternative form of evaluation (written narrative) for grades four through eight may be used only every other school year.
- c. The alternative form of evaluation (written narrative) may not be used for grades nine through twelve.
- d. The written narrative must be prepared by a New York State-certified teacher, home instruction peer group review panel, or other person chosen by the parents or guardians with the consent of the superintendent.

If a dispute arises between the parents or guardians and the superintendent, including disputes over the administration of commercially published norm-referenced achievement tests or the use of alternative evaluation methods, the parents or guardians may appeal to the Board. If the parents or guardians disagree with the determination of the Board, then the parents or guardians may appeal to the commissioner of Education within thirty days of receipt of the Board's final determination.

### **Special Education**

A student with an approved IHIP, who is a resident of the District and has a disability, or is suspected of having a disability, is eligible to receive services from the District, in accordance with law, regulation, and District policy. Parents or guardians must request special education services in writing to the Board by June 1st of each school year, unless the child is first identified as a classified student with a disability or moves into the District after June 1st. In that case, the parents or guardians must request the services within thirty days after the student is identified as a classified student with a disability or of moving into the District.

The Committee on Special Education (CSE) shall develop an individualized education services plan (IESP) for each eligible homeschooled student with a disability. The CSE shall determine the location where special education and/or related services will be available to each homeschooled student, pursuant to his/her IESP.

### **Participation in Extracurricular Activities**

Students instructed at home by their parents/guardians are not entitled to participate in interscholastic sports, intramural sports, and/or any other extracurricular activities.

### **Instructional Materials**

The Board authorizes the superintendent to loan instructional materials, if available, to students receiving home instruction. The superintendent or his/her designee shall determine the availability of resources and develop appropriate procedures.

Ref:

- Education Law §§3204(2); 3210(2)(d); 3602-c(2-c)
- 8 NYCRR §100.10
- *Appeal of Ponte*, 41 EDR 174 (2001)
- *Matter of Abookire*, 33 EDR 473 (1994)
- State Education Department Memorandum, "New Requirements for the Provision of Special Education Services to Home-Instructed ("Homeschooled") Students, July 2008

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