

## **PARENTAL HOME INSTRUCTION OF COMPULSORY SCHOOL AGED STUDENTS**

In accordance with the Commissioner's Regulations at Part 100.10, and pursuant to New York Education Law, the Board of Education of the Sharon Springs Central School recognizes that parents may elect to home school their children. If the child is of compulsory school age the parents must notify the District of their intent by July 1<sup>st</sup> of the approaching school year, or within 14 days of a decision to home instruct after the start of the school year. Within four weeks thereafter, the parents must complete and submit an individualized home instruction plan (IHIP) to the District. The process for review for compliance with Part 100.10 is outlined below.

Once an IHIP is found in compliance, the District is responsible for monitoring the student's program. The parents must file quarterly reports and submit an annual assessment with the fourth quarter report with the District. The District's obligation to review and monitor the education of children receiving home instruction through an IHIP is outlined below.

### **COMPLIANCE OF A HOME INSTRUCTION PLAN**

1. Within 10 business days of notice of the parents' intent to instruct a child of compulsory school age at home, the District must send the parents a copy of the Regulations of the Commissioner of Education governing IHIPs (Section 100.10) and an individualized home instruction application form.
2. Within 4 weeks of receipt of the IHIP information and packet, the Parents must complete the IHIP application and submit it to the District.  
*\*Upon the parents' request, the District Superintendent will assist the parents in completing the IHIP form.*
3. Within 10 business days of receipt of the IHIP, the Superintendent will issue a written determination either notifying the parents that the IHIP complies with the Regulations of the Commissioner, or identifying that it is deficient. If the IHIP is found deficient, the Superintendent will notify the parents as to the specific deficiencies.
4. If the IHIP is found deficient, the parents must resubmit a revised plan in 15 days addressing those deficiencies, or return the student to school.
5. Within 15 days of receipt of the revised IHIP, the Superintendent must review it for compliance and will either find that the IHIP meets the requirements set forth in Part 100.10 or reject the plan and provide written notice of its

continuing deficiencies to the parents. If the plan is rejected as deficient, the Superintendent must also notify the parents at least 10 days prior to the next board meeting that they may challenge the finding of deficiency by notifying the board at least 3 business days before the meeting. If the Parents elect to appeal to the Board, they must be permitted to present proof of compliance and the Board of Education will review the Superintendent's determination. *If the parents do not appeal a finding of noncompliance after being given the opportunity to submit a revised plan, the student must return to school or the parents must arrange for the student to attend another public or equivalent education program. (i.e. a private or parochial school).*

6. If the Board of Education also concludes that the IHIP fails to meet the requirements set forth at 100.10 of the Regulations of the Commissioner, the Board must issue written notice of its findings and provide the parents notice of their right to appeal the Board's determination to the Commissioner of Education within 30 days.
7. Unless the IHIP is found compliant or an appeal is pending, the student must return to the public schools or receive instruction elsewhere.
8. If the student does not return to the public school, the parents must notify the district within 10 days of where the student is enrolled.

#### MONITORING THE IHIP

1. Parents must submit **quarterly reports** to the District for each child on an IHIP on the dates specified in the plan. Each report must contain the following information:
  - The total number of hours of instruction received during the quarter;
  - A description of the material covered in each subject listed on the IHIP;
  - Either a grade for the child in each subject, or a narrative evaluating the child's progress and;
  - If less than 80 % of the course material set out in the IHIP was covered in any subject the report must include a written explanation.
2. An **annual assessment** report must be submitted with the fourth quarter report. The annual assessment must include one of one of the following:
  - A commercially produced norm-referenced achievement test. Parents may select one of the following:
    - i. The IOWA Test of Basic Skills
    - ii. The California Achievement Test
    - iii. The Stanford Achievement Test
    - iv. The Comprehensive Test of Basic Skills
    - v. The Metropolitan Achievement Test
    - vi. A test from the State Education Department or another test approved by the State Education Department

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- The test must be administered by one of the following:
    - i. Professional staff qualified to administer the examination at a public school;
    - ii. Professional staff qualified to administer the examination at a registered non-public school (with the consent of the chief school officer of the non-public school);
    - iii. New York State certified teacher or other qualified person, with the Superintendent's consent, after reviewing the qualification or certification of the proposed evaluator. Testing may be administered in the Parents' home or any other reasonable location (i.e. a library, community center).
  - The test must be scored by the person administering the test or by other persons mutually agreeable to the Parents and the Superintendent.
  - The test shall be provided by the school district upon request of the parents, with the cost of the testing facilities, transportation or personnel for testing conducted at a location other than the public school assumed by the parents.
  - If the student's annual assessment score is below 33% on national norms, or reflects less than one year of growth as compared to the score earned the prior school year, the home instruction program shall be placed on probation.
3. Alternative evaluation is permissible. The evaluator must provide a written narrative of the student's progress after conducting an interview with the student, and reviewing a portfolio of the student's work. The evaluator must certify whether the student made (or failed to make) adequate academic progress. The evaluator may be a New York State certified teacher, a home instruction peer group review panel or may be another person who is mutually agreeable to the parents and the Superintendent. Parents must request the consent of the Superintendent if they would like to use another person who is not a New York State certified teacher or a home instruction peer review group to conduct the narrative evaluation. Note that for grades 4-8, alternative format evaluation may not be used more frequently than every other year. If the student fails to make adequate academic progress, the home instruction program is placed on probation.
- If there is a dispute between the parents and the Superintendent with respect to the evaluation method, the form or test, the location or the administration of the assessment, including who is qualified to conduct the annual or narrative assessment, the Parents may appeal to the Board of Education. If the Parents disagree with the determination of the Board of Education, they may appeal to the Commissioner of Education within 30 days of receipt of the Board's decision.

### **PROBATIONARY REVIEW OF THE IHIP**

1. If the student does not demonstrate adequate academic progress, the IHIP may be placed on probation for up to two school years. The parents must submit a plan of remediation to address the student's lack of progress and take steps to remedy the situation. The Remediation Plan shall be reviewed by the District. If the Remediation Plan does not address all of the deficiencies, the Parents may be required to make changes before the plan is accepted.
2. If a student makes progress consistent with the Remediation Plan at the end of any semester, the IHIP must be removed from Probation. However, if the student fails to attain 75% of the objectives in the Remediation Plan by the end of any given semester, or if after 2 years the student has not attained 100% of the objectives in the Remediation Plan, the Superintendent must notify the parents that the terms of the plan have not been met, and that the Board of Education will review the non-compliance.
3. If during the period of probation, the Superintendent has reasonable grounds to believe the home instruction plan is in substantial noncompliance with the Regulations, the Superintendent may require one or more home visits. Visits must be scheduled on three days notice to the parents. The purpose of the visit is to ascertain areas of noncompliance and to determine methods of remediation of the deficiencies. Home visits may be conducted by the Superintendent or his/her designee. The Superintendent may include members of a home instruction peer review team in a home visit.

Authority: New York Education Law 3204, 3205 (2)(c)(ii), 3210(2)(d) and 3212(2)(d)  
Commissioner's Regulations Sec. 100.10