



Cayuga-Onondaga BOCES Home School Handbook

Procedures Guideline

Revised August 2009

Cayuga-Onondaga Board of Cooperative Educational Services
1879 West Genesee Street Road
Auburn, New York 13021



Table of Contents

Page

Introduction

Resources	3
-----------------	---

Overview of Responsibilities

Parent	4
School District	4

Required Documents

Notice of Intention to Home School	5
Individual Home Instruction Plan (IHIP)	5
Quarterly Reports.....	6
Annual Assessments	6

Preparing the IHIP

Completing Cover Sheet and IHIP	9
Learning Standards for New York State.....	10
Overview of the New York State Elementary Curriculum.....	12
Grades 1-6 Subject Requirements	
Overview of the New York State Curriculum for Grades 7-8.....	15
Grades 7-8 Subject Requirements	
Overview of New York State High School Curriculum.....	18
Grades 9-12 Subject Requirements	
Examples	21

Evaluating Student Progress

Quarterly Reports.....	27
Annual Assessment.....	27
Standardized Testing.....	27
Test Results.....	28
Alternative Evaluation Methods	28
Examples.....	29

Guidelines on Home Instruction of Students of Compulsory Age &

Full-time College Study	37
-------------------------------	----

Appendices:

A. Forms for Parent Use

1. Notice of Intention for Home Instruction	43
2. Individualized Home Instruction Plan (IHIP) Cover Sheet	44
3. Grades 1-6.....	45
4. Grades 7-8.....	47
5. Grades 9-12.....	49

Table of Contents (continued)

Quarterly Report

6. Grades 1-6.....	51
7. Grades 7-8.....	53
8. Grades 9-12.....	55
B. Home Instruction Questions and Answers.....	57
C. Commissioner's Regulations.....	71
D. Special Education Services to Home Instructed Students.....	77

INTRODUCTION

The purpose of this guide is twofold:

1. to assist parents who choose to exercise their right to provide required instruction at home for their children in fulfilling their responsibilities as determined by Education Law section 3212 (2) and,
2. to assist school districts in determining instructional and procedural compliance as determined under Education Law sections 3204 (2) and 3210 (2) (d).

The procedures outlined in this handbook have been developed in cooperation with the component districts of the Cayuga-Onondaga BOCES. It is utilized as the standard for reviewing Individualized Home Instruction Plans (IHIPs) and determining instructional and procedural compliance as required by the law cited above.

Resources

Home Instruction in New York State

Information: www.emsc.nysed.gov/nonpub/homeinstruction.html

Contact: Nancy Murray
Office of Nonpublic Schools
Room 481 EBA
New York State Education Department
Albany, NY 12234
Phone: (518) 474-3879
E-mail: nmurray@mail.nysed.gov

State Education Department
Elementary, Middle, Secondary and Continuing Education
Information: www.emsc.nysed.gov
Education Requirement/Exams/Tests/Assessments
Core Subjects and Learning Standards
Core Curriculum/Resource Guides

OVERVIEW OF RESPONSIBILITIES

The Parent or Guardian is required to:

1. Submit to the home district superintendent a Letter of Intent to home school by July 1 each year, or within 14 days of commencing home instruction.
2. Submit a separate, written Individualized Home Instruction Plan (IHIP) for each child being instructed at home. A single set of documents may not be used for more than one child. A separate plan must be submitted for each child individually. IHIPs are due by August 15 or within four weeks of receiving a response to a letter of intent from the district, whichever is later.

If notified that the IHIP submitted is not acceptable, a revised IHIP correcting the deficiencies must be submitted within 15 days of notification, or by September 15, whichever is later.

3. Submit four Quarterly Reports on or before the dates specified on the IHIP.
4. Submit a separate Annual Assessment at the time the fourth quarterly report is submitted for each child being instructed at home. (It is recommended that the Annual Assessment Plan be submitted with the 3rd Quarterly Report.)

If notified that achievement levels do not meet state minimums, a remedial plan to correct deficiencies must be submitted with the IHIP for the next school year. (See "Annual Assessment" pg. 6)

5. Conduct all communication with the superintendent of the district in which they reside.

The School District will:

1. Respond to a Letter of Intent and provide appropriate information including a copy of the Commissioner's Regulation 100.10 and an IHIP form.
2. Refer each IHIP, to the superintendent, for compliance review; inform parents by August 31 or within ten business days of receipt, whichever is later, of compliance ruling.

Revised IHIPs must be reviewed and parents notified of their compliance within 15 days of receipt or by September 30, whichever is later.

3. Determine the qualifications of the annual assessment test administrator. If progress is substandard, notify parents of their probationary status for home instruction and that a remedial plan is required to be submitted with the IHIP for the next school year.
4. Grant permission to substitute a test not listed as an approved standardized achievement instrument in CR 100.10 for an annual assessment.
5. Provide technical assistance, when requested by the parent, in developing an IHIP; providing curriculum information, arranging for testing, etc.

REQUIRED DOCUMENTS

1. NOTICE OF INTENTION TO HOME SCHOOL

Required:

Notification to instruct any child of compulsory school attendance age at home. Children who have their sixth birthday on or before December 1 are considered to be of compulsory school age as of the preceding September.

For students who will have their 16th birthday during the year, (7/1 – 6/30) an IHIP must be prepared for the entire school year.

Due: July 1 or within 14 days of commencing home instruction *each year*.

Form: See Appendix A-1; a letter is also acceptable

Content:

Name, age, grade, date of birth, name of district school for each child
Name, address, and telephone number of parents or guardians
Name and address of person providing instruction
Dates on which home instruction will begin and end

2. INDIVIDUAL HOME INSTRUCTION PLAN (IHIP)

Required:

A separate plan for each child of compulsory school attendance age being instructed at home.

Note: An IHIP is required for children who reach their sixth birthday on or before December 1. IHIPs for children who will turn sixteen (7/1 – 6/30) during the year must be prepared for the entire school year.

Due: August 15 or within four weeks of receiving a response to a letter of intent from the school superintendent, whichever is later.

Form: See Appendix A2-5

Content:

- A. Name, age and grade level
- B. The dates, between July 1 and June 30, on which quarterly reports of progress will be submitted to the school district, spaced in even and logical time spans.

- C. The names of all individuals providing instruction
- D. A list of the syllabi, curriculum materials, textbooks, or a plan of instruction to be used in each required subject. A table of contents from an appropriate textbook, or, if available, a scope and sequence chart can be submitted if it describes the content that will be taught.

3. QUARTERLY REPORTS

Required:

A record of achievement and number of hours of instruction submitted four times a year for each child

Due: On or before the dates specified by the parent on the IHIP

Form: See Appendix A6-8

Content:

- A. The number of hours of instruction completed during the quarter (total for Grades 1-6 students; by subject for grades 7-12)
- B. A written description of the materials covered for each subject listed on the IHIP.
- C. A grade or written evaluation of the student's progress Note: An evaluation must assess the level of achievement obtained by the student. It cannot simply state that lessons were completed.
- D. If less than 80% of the instructional plan represented in the IHIP for the quarter has been achieved in any subject, a written explanation is required.

4. ANNUAL ASSESSMENT

Required:

A norm-referenced standardized achievement test, or approved alternative that documents the level of achievement for each student, must be administered each year.

Due: at a time the fourth quarterly report is submitted. It is highly recommended that the annual assessment plan be submitted with the third Quarterly Report as school districts typically administer their norm-referenced tests in March, April or May of the school year.

A. Standardized Testing

Selected by parents from the following:

- Iowa Test of Basic Skill
- California Achievement Test
- Stanford Achievement Test
- Comprehensive Test of Basic Skills
- Metropolitan Achievement Test
- State Education Department Test
- Personalized Achievement Summary System (PASS)

Permission to substitute a test not on the above list must be obtained from the State Education Department prior to administration.

Administration:

Selected by parents from the following

- at the public school, by its professional staff
- at a registered nonpublic school, by its professional staff, with the prior

consent of its school's chief school officer

- at a non-registered non-public school, by its professional staff, with the prior consent of both the home district superintendent and the chief school officer of the non-public school

- at parent's home, or any reasonable location, by a New York State certified teacher or other qualified person with the prior consent of the home district superintendent

Note: A parent who has been identified as the home school instructor may administer a standardized achievement test with the prior consent of the home district superintendent.

Scoring:

The test shall be scored by the person administering the test or by other qualified persons mutually agreeable to the parents and home district superintendent.

Costs:

The test shall be provided by the school district upon request of the parent. If the parent chooses to use a test that has not been ordered for use in the public schools of the district, the school district, upon request of the parent, would order the test. The parent would, however, pay for the cost of procuring it. When the test is administered at a location other than the public school, the cost of administration, including facilities, personnel, and transportation shall be borne by the parents.

Results:

A student's score shall be deemed adequate if the composite score is above the 33rd percentile on national norms, or reflects one academic year of growth compared to a test administered during or subsequent to the prior school year.

Note: A score below the 33rd percentile is considered inadequate and the program shall be placed on probation for a period of up to two years.

A remediation plan is required for home school programs placed on probation and is required to be submitted prior to submitting the IHIP for the next school year.

B. Alternative Evaluation

A written narrative prepared by a person who is mutually agreeable to the parents and Superintendent of Schools may be used for students in grades 1-3. Students in grades 4-8 may be assessed by the person listed in the paragraph above with a written narrative every other year.

Administration:

A qualified person such as a certified teacher or home instruction peer review panel may be chosen by the parent with the consent of the home district superintendent. A parent who has been identified as the home school instructor may also complete a narrative assessment with the prior consent of superintendent.

Results:

In a narrative assessment, the administrator(s) certify that the student has made either adequate or inadequate progress based on the student work that has been reviewed.

PREPARING THE IHIP

The *Individualized Home Instruction Plan* form (see Appendix A) serves as a guide in planning a home instruction program. It also helps the school district by documenting the specific content intended to be taught in the event that the student enrolls in district classes at some later date. For these reasons, the IHIP should be carefully prepared.

A separate IHIP must be prepared for each student, even if they are receiving the same instruction.

Completing the Cover Sheet

In addition to basic information about the student, the cover sheet includes a place to indicate how the school year will be divided up. Year round schooling or a more traditional school calendar year may be followed. However, all plans must end with the fourth quarter on June 30. The dates by which each of four Quarterly reports will be submitted should be recorded on the cover sheet.

Note: It is recommended that the third quarterly report should include plans for the annual assessment.

Completing the IHIP

For compliance purposes, the IHIP must include a list of the syllabi, curriculum materials, textbooks, or a plan of instruction to be used in each required subject. A table of contents from an appropriate text, or, if available, a scope and sequence chart can be submitted if they describe the content to be taught. For a listing of minimum requirements see Commissioner's Regulations 100.10, **Appendix C**.

Some examples of exemplary IHIPs are found at the end of this section. These examples are composites of actual IHIPs submitted by those who home school. The names are fictitious.

In New York State, both subject and instructional requirements change from elementary (1-6) to middle or junior high (grades 7-8) and again in high school (grades 9-12). The overviews and charts that follow outline the curriculum taught in public schools and registered non-public schools. They are provided as a quick reference for those who may find this information useful.

Learning Standards for New York State

Health, Physical Education, and Family and Consumer Sciences

Standard 1: Personal Health and Fitness

Students will have the necessary knowledge and skills to establish and maintain physical fitness, participate in physical activity, and maintain personal health.

Standard 2: A Safe and Healthy Environment

Students will acquire the knowledge and ability necessary to create and maintain a safe and healthy environment.

Standard 3: Resource Management

Students will understand and be able to manage their personal and community resources.

Mathematics, Science, and Technology

Standard 1: Analysis, Inquiry, and Design

Students will use mathematical analysis, scientific inquiry, and engineering design, as appropriate, to pose questions, seek answers, and develop solutions.

Standard 2: Information Systems

Students will access, generate, process, and Transfer information using appropriate technologies.

Standard 3: Mathematics

Students will understand mathematics and become mathematically confident by communicating and reasoning mathematically, by applying mathematics in real-world settings, and by solving problems through the integrated study of number systems, geometry, algebra, data analysis, probability, and trigonometry.

Standard 4: Science

Students will understand and apply scientific concepts, principles, and theories pertaining to the physical setting and living environment and recognize the historical development of ideas in science.

Standard 5: Technology

Students will apply technological knowledge and skills to design, construct, use, and evaluate products and systems to satisfy human and environmental needs.

Standard 6: Interconnectedness: Common Themes

Students will understand the relationships and common themes that connect mathematics, science, and technology and apply the themes to these and other areas of learning.

Standard 7: Interdisciplinary Problem Solving

Students will apply the knowledge and thinking skills of mathematics, science, and technology to address real-life problems and make informed decisions.

English Language Arts

Standard 1: Language for Information and Understanding

Students will listen, speak, read, and write for information and understanding. As listeners and readers, students will collect data, facts, and ideas; discover relationships, concepts, and generalizations; and use knowledge generated from oral, written, and electronically produced texts. As speakers and writers, they will use oral and written language that follows the accepted conventions of the English language to acquire, interpret, apply, and transmit information.

Standard 2: Language for Literary Response and Expression

Students will read and listen to oral, written, and electronically produced texts and performances from American and world literature; relate texts and performances to their own lives; and develop an understanding of the diverse social, historical, and cultural dimensions the texts and performances represent. As speakers and writers, students will use oral and written language that follows the accepted conventions of the English language for self-expression and artistic creation.

Standard 3: Language for Critical Analysis and Evaluation

Students will listen, speak, read, and write for critical analysis and evaluation. As listeners and readers, students will analyze experiences, ideas, information, and issues presented by others using a variety of established criteria. As speakers and writers, they will use oral and written language that follows the accepted conventions of the English language to present, from a variety of perspectives, their opinions and judgments on experiences, ideas, information and issues.

Standard 4: Language for Social Interaction

Students will listen, speak, read, and write for social interaction. Students will use oral and written language that follows the accepted conventions of the English language for effective social communication with a wide variety of people. As readers and listeners, they will use the social communications of others to enrich their understanding of people and their views.

The Arts

Standard 1: Creating, Performing, and Participating in the Arts

Students will actively engage in the processes that constitute creation and performance in the arts (dance, music, theatre, and visual arts) and participate in various roles in the arts.

Standard 2: Knowing and Using Arts Materials and Resources

Students will be knowledgeable about and make use of the materials and resources available for participation in the arts in various roles.

Standard 3: Responding to and Analyzing Works of Art

Students will respond critically to a variety of works in the arts, connecting the individual work to other works and to other aspects of human endeavor and thought.

Standard 4: Understanding the Cultural Contributions of the Arts

Students will develop an understanding of the personal and cultural forces that shape artistic communication and how the arts in turn shape the diverse cultures of past and present society.

Career Development and Occupational Studies

Standard 1: Career Development

Students will be knowledgeable about the world of work, explore career options, and relate personal skills, aptitudes, and abilities to future career decisions.

Standard 2: Integrated Learning

Students will demonstrate how academic knowledge and skills are applied in the workplace and other settings.

Standard 3a: Universal Foundation Skills

Students will demonstrate mastery of the foundation skills and competencies essential for success in the workplace.

Standard 3b: Career Majors

Students who choose a career major will acquire the career specific technical knowledge/skills necessary to progress toward gainful employment, career advancement, and success in postsecondary programs.

Languages Other Than English

Standard 1: Communication Skills

Students will be able to use a language other than English for communication.

Standard 2: Cultural Understanding

Students will develop cross-cultural skills and understandings.

Social Studies

Standard 1: History of the United States and New York

Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments, and turning points in the history of the United States and New York.

Standard 2: World History

Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments, and turning points in world history and examine the broad sweep of history from a variety of perspectives.

Standard 3: Geography

Students will use a variety of intellectual skills to demonstrate their understanding of the geography of the interdependent world in which we live—local, national, and global—including the distribution of people, places, and environments over the Earth's surface.

Standard 4: Economics

Students will use a variety of intellectual skills to demonstrate their understanding of how the United States and other societies develop economic systems and associated institutions to allocate scarce resources, how major decision making units function in the United States and other national economies, and how an economy solves the scarcity problem through market and nonmarket mechanisms.

Standard 5: Civics, Citizenship, and Government

Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental system of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the roles, rights, and responsibilities of citizenship, including avenues of participation.

Overview of the New York State Elementary Curriculum

The following is a general overview of content most commonly found in the elementary curriculum. Instruction is designed to enable students to attain the State's Learning Standards. Its purpose is to describe some of the major concepts and skills addressed and is by no means a comprehensive description of the curriculum. The best resource for curriculum information is the curriculum coordinator or elementary school principal in the home district.

English/Language Arts

The English/Language Art Curriculum integrates the skills of reading, writing, speaking and listening for purposes of acquiring language for information and understanding, literary response and expression, critical analysis and evaluation, and social interaction. Attention is to be given to comprehension, vocabulary, word study, spelling, grammar usage, and punctuation. Spelling is usually addressed within the context of writing or composition. At the elementary level much attention is focused on developing reading skills using both fiction and non-fiction materials. A variety of genres are utilized as resources. Listening skills are practiced through story time and other activities that require focused listening to obtain information. Writing skills may be developed by having children keep journals of their experiences, writing stories, letters, and reports. Speaking skills are developed by giving short presentations and oral reports.

Mathematical

A major goal of mathematical education is to develop the ability to utilize and communicate math concepts and skills to solve everyday problems. The content strands in math are number sense and operation, algebra, geometry, measurement, statistics and probability. During the elementary years, fundamental concepts in all these areas are introduced while the skills to apply them are gradually developed throughout the entire school experience. Having children create and solve their own problems, display numerical data in different ways, or play mental math games are examples of activities that develop specific math skills.

Science

Elementary science includes both life sciences and physical sciences. Health can easily be integrated as a part of life sciences. A major goal is for children to understand and experience the scientific process of inquiry where hypotheses are formulated and tested. Therefore science learning should be a hands-on experience. Observing, classifying, measuring, predicting, and interpreting data are all skills associated with the scientific process. Content at the elementary level generally includes the study of plants and animals, energy and matter, the environment, and body systems.

Social Studies (Including Geography and United States History)

Social Studies includes the study of history, geography, economics, and citizenship. In the primary grades instruction focuses on the interdependency of family and community. Concepts such as roles, services, needs and wants are introduced. Pedestrian, bicycle, and fire safety can be integrated here or in health.

As children progress to the intermediate grades, the concept of community is extended to states and countries. In New York State, fourth grade focuses on local history, fifth grade on western expansion in the U.S. and sixth grade on other continents and countries in the world. At each level the content addresses culture, government systems, economics, and major historical figures and events. Skills include map reading and making, getting and reporting information from a variety of sources, and interpreting written reports and documents. Students will understand the basic ideals of American democracy as explained in the Declaration of Independence, the Constitution and other important documents.

Health

In the primary grades health instruction emphasizes developing good health habits that include grooming, nutrition, and the prevention of disease and accidents. The Commissioner's Regulations include instruction specific to HIV/AIDS, alcohol/drug/tobacco abuse, and child abuse. HIV/AIDS instruction focuses on prevention, emphasizing the communicable nature of the disease and the drug abuse connection. Safety education is easily integrated into health instruction. In the upper elementary grades more time is spent in studying human growth and development and the function of various body systems. The importance of developing a healthy life style is emphasized at this level also. See Appendix C for a general outline of content recommended for grades K-12.

The Arts (Including Visual Arts, Music, Dance and Theatre)

Study in the arts provides children throughout the K-12 grades with experiences that enable them to develop skill in expressing ideas through an artistic medium. By performing and analyzing the work of others, children can understand that individual styles are created by using artistic elements in different ways. Students will develop an understanding of the personal and cultural forces that shape artistic communications and how the arts in turn shape the diverse culture of past and present society.

Physical Education

Physical fitness and teamwork are emphasized in the physical education curriculum throughout the K-12 experience. Activities involving rhythmic movement, dances, exercise and games for both individual and group participation are included.

Library/Media Skills

The ability to find and access information is an important skill for all learners. These skills are best learned within the context of instruction and should be incorporated into appropriate projects and assignments.

Computer skills are most effectively developed in this fashion also. Students can set up their own databases to organize their research, use simple word processing programs to write stories and reports, and print out their copies using desktop publishing programs.

Grades 1-6

Subject Requirements

Home School

English/Language Arts

-Reading

-Writing

-Spelling

-Speaking/listening

Mathematics

Science

-Life sciences

-Physical science

Social Studies

(includes citizenship and patriotism)

-Geography

-NYS history and constitution

-US History and constitution

-Local history

-Economics

Health – includes HIV/AIDS, alcohol/
drug/tobacco misuse, fire arson prevention &
safety, highway safety and traffic regulations,
including bicycle safety

Music

Visual Arts

Physical Education

Instructional Requirements

(yearly total = 900 hours)

180 minutes per week

180 minutes per week

180 minutes per week

180 minutes per week

Regularly

45 minutes per week

45 minutes per week

120 minutes per week

NOTES:

1) Library Skills should be taught within the context of subject areas.

2) Bilingual education or English as a second language should be provided where a need is indicated.

3) Although some subjects may be taught in integrated fashion (e.g. science/health), the IHIP must show content taught in each subject.

Overview of New York State Curriculum for Grades 7-8

The following is a general overview of content most commonly found in middle and junior high school curricula. Its purpose is to give an idea of some of the major concepts and skills addressed and is by no means a comprehensive description of the curriculum. The best resource for curriculum information is the curriculum coordinator or middle school/junior high principal in the home district.

English/Language Arts

Development of skills in reading, writing, listening and speaking continues. During these grades students should be easily reading young adult literature and be fairly independent in utilizing common reference materials. Student writing demonstrates an understanding of different types of genre as well as the effective use of writing mechanics. Essays, skits, short stories, reports, poems, novels, newspaper ads/articles and business correspondence are some examples of the kinds of writing to practice. Language Arts skills will be used in all academic areas and across disciplines.

Math

Skill development in the five content strands introduced at the elementary level continues. Basic computation skills are mastered as well as competency in using a calculator. The vocabulary associated with the various disciplines of math is used to describe problems and pose solutions. Activities continue to emphasize real world applications of math skills and concepts. Reading and problem solving skills are emphasized with the aim of helping students develop their ability to solve problems, think logically, and mathematically communicate.

Science

Laboratory experiences utilize the basic concepts and skills developed during the elementary years to understand and explain scientific phenomena. Content includes organisms and micro-organisms, human systems, earth, weather and climate, astronomy and aerospace, energy and motion, chemistry of matter, and science, technology and society. Instruction frequently involves projects that clarify the relationships between the various science, mathematics, and technology disciplines. It is a hands-on experience.

Social Studies

In New York State, junior high school social studies is a two-course sequence that traces the human experience in the United States from pre-Columbian times to the present. Major political, economic and social trends in United States history are tied to parallel trends and time frames in New York State history. It involves learning about the important roles and contributions of individuals and groups.

It should be noted that American history is the content focus in grades 4, 7, 8, and 11. Therefore, grades 7-8 are a vital link to high school courses since they build on and reinforce the skills, concepts and content introduced in the elementary grades.

Technology Education and Home and Career Skills

A 1985 revision of the Commissioners Regulations changed the practical arts requirement to technology education and home and career skills. It should be noted that all students take both courses. In middle schools they are often included in the sixth grade curriculum. These subjects are, defined as follows: [CR 100.4 (a)]

Technology education means a program of instruction designed to develop an understanding of systems in fields such as production, transportation, construction, communications, and agriculture by emphasizing applied activities through working with tools, machines, and devices used in the home and the workplace.

Home and career skills means a program of instruction primarily through applied activities designed to prepare students to meet their responsibilities and understand their opportunities as parents or other members of families, consumers, home managers and wage earners.

Appendix C includes recommended content outlines from the *New York Syllabus* for both these courses.

Health

See Elementary

Art, Music, PE

See Elementary

Grades 7-8

<u>Subject Requirements</u>	<u>Units</u>	<u>Instructional Requirements</u> (yearly total 990 hours)
Home School		
English/Language Arts - Reading - Writing - Spelling - Speaking/listening	2	180 minutes per week
Mathematics	2	180 minutes per week
Science (includes life and physical science)	2	180 minutes per week
Social Studies week (includes citizenship and patriotism) - geography - NYS history and constitution - US history and constitution - economics	2	180 minutes per
Health – includes HIV/AIDS, alcohol/ y drug/tobacco misuse, fire arson prevention & safety, highway safety and traffic regulations, including bicycle safety		Regularly
Music	1/2	90 minutes per week
Visual Arts	1/2	90 minutes per week
Technology		Regularly
Home and Careers		Regularly
Library & Information Skills		Regularly
Physical Education		Regularly

Unit Explanation

1 unit = 180 minutes per week (3 hours) for 1 year or 90 minutes per week for two years

1/2 unit = 90 minutes per week for 1 year or 45 minutes per week for two years

1/4 unit = 45 minutes per week for 1 year or 90 minutes per week for 1/2 year

NOTES:

- 1) Library Skills could be taught within the context of subject areas.
- 2) Bilingual education or English as a second language should be provided where a need is indicated.
- 3) Although some subjects may be taught in integrated fashion (e.g. science/health), the IHIP must show content taught in each subject.

Overview of New York State High School Curriculum

The following is a general overview of content most commonly found in the high school curriculum. Its purpose is to give an idea of some of the major concepts and skills addressed and is by no means a comprehensive description of the curriculum. The best resource for curriculum information is the curriculum coordinator or high school principal in the home district.

English/Language Arts

High school English refines the skills of reading, writing, speaking, and listening to a point where students will be functional for adult life. Adult literature of all genres is read and analyzed for style, substance, character development, and effective language use. Creative writing experiences continue while formal research reports, reviews, resume writing, and the like prepare students for the situations that they are likely to encounter as adults.

Mathematics

High school mathematics is a three course sequence that integrates the branches of mathematics including the traditional topics of algebra, geometry, and trigonometry, and the additional topics of logic, probability, statistics, and transformational geometry.

The core of the first course is a solid introduction to the principles and techniques of algebra. The relationship between the algebraic representation of a linear relation and its graphic counterpart is developed as well. Geometry is emphasized more in the second and third courses, including the study of transformations in the coordinate plane. Probability and statistics continue to build upon the foundation established in the elementary and middle/junior high grades. A course in calculus is desirable for students planning a career in math, engineering, technology or architecture.

Science

Students who are home schooled in grades 9 through 12 in New York State are required to complete two units of credit in science: Units of credit in science should deepen the understanding or broaden a student's application of life, physical and/or earth sciences beyond the level in the State science syllabi for grades seven, eight and nine in accordance with criteria established by the commissioner.

Study in areas such as earth science, living environment, chemistry, and physics are typical courses of study. Additionally, courses which combine or transcend traditional courses such as biochemistry, unified science, environmental science, space and oceanography are becoming commonplace.

Social Studies

In New York State, high school social studies is a four year, five course sequence. The first two years or courses emphasize other countries of the world and are designated as *Global History and Geography*. Content includes the history, culture, geography, economics, and politics of a country or region.

The third year course is U.S. History and Government which focuses on the study of history, geography, economics and citizenship in the United States.

The fourth year includes courses in economics and participation in government. The goal of the economics course is to enable students to function as informed and economically literate citizens in our society and the world. Participation in Government provides experiences in which students apply their knowledge of the principles and practices of government by participating in the process of public policy formation and action.

In all courses, the skills and concepts introduced in the elementary and middle school grades are extended and refined. Critical analysis and discussion are instructional strategies commonly employed with high school students.

Health

See Elementary

Art, Music, PE

See Elementary

Grades-9-12

<u>Subject Requirements</u>	<u>Units</u>	<u>Instructional Requirements</u> (yearly total 990 hours)
Home School		
English/Language Arts - Reading - Writing - Spelling - Speaking/listening	4	180 minutes per week
Mathematics	2	180 minutes per week
Science (Living Environment, Physical setting)	2	180 minutes per week
Social Studies (includes citizenship and patriotism) - Global History & geography - US history & government -Participation in Government -Economics -American History	4 1/2 1/2 1	180 minutes per week
Health - including HIV/AIDS, alcohol/drug/tobacco abuse, fire/ highway/bicycle safety education, child abuse	1/2	90 minutes per week
Music and /or Visual Arts	1	180 minutes per week
Physical Education	2	90 minutes per week
Electives	3	180 minutes per week

Unit Explanation

1 unit = 180 minutes per week (3 hours) for 1 year

1/2 unit = 90 minutes per week for 1 year

NOTES:

- 1) Library Skills could be taught within the context of subject areas.
- 2) Bilingual education or English as a second language should be provided where a need is indicated.
- 3) Although some subjects may be taught in integrated fashion (e.g. science/health), the IHIP must show content taught in each subject.

IHIP EXAMPLES

INDIVIDUALIZED HOME INSTRUCTION PLAN (IHIP)

Example: Grades 1-6

School Year 2005-2006

Student Antonio

Grade Level 4

Please describe the instructional plan for each required subject area. A syllabi, scope and sequence, or table of contents from a textbook may be used if they describe the content that will be taught. Additional sheets may be attached.

English/Language Arts: (include reading, writing, spelling)

Reading: Antonio will improve his reading speed and comprehension this year. We will be reading a variety of age appropriate novels, short stories and poems. (See attached list). We will use the readings to teach moral values and vocabulary as well.

Spelling: Antonio will use his knowledge of phonics to improve spelling accuracy and look up words in the dictionary.

Writing/speaking: Antonio will recognize and write good sentences. He will write personal letters, thank you notes, postcards and stories using correct punctuation, grammar, and good penmanship. He will also give oral reports on all the books he reads.

Arithmetic: Because this is a weak area for Antonio, we will be using third grade materials. The goals for Antonio are to master basic addition, subtraction, time telling, and money concepts while continuing to improve problem solving skills. Measurement, multiplication, division, and decimals will be introduced as appropriate.

Science: (include life sciences and physical sciences)

Through the study of insects, plants and the planet Earth, Antonio will learn the skills associated with scientific inquiry. Other hands-on projects will clarify scientific concepts and phenomena such as matter, water, air, weather, and energy. National Geographic Computer programs and magazines will be used as supplementary materials. Antonio will also participate in our church school science fair.

Social Studies: (include geography, NYS/US History and Constitution, patriotism and citizenship)

Antonio will have an in-depth understanding of the history and geography of the Northeastern United States with emphasis on the local region. He will research the lives and contributions of Native Americans, settlers and major historical figures of the region including their roles in the Revolutionary and Civil Wars.

Using maps and available primary documents, Antonio will complete a project that traces the development of our local community from its settlement to the present day.

Health: (Include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Antonio will demonstrate an awareness of the relationship of nutrition to good health by selecting healthy foods and snacks more often than unhealthy ones. He will practice preventative measures for common diseases such as colds, and know how to administer basic first aid. Traffic, bicycle, water and fire safety techniques will be habitually practiced. We will continue to emphasize social manners such as telephone manners, how to make a proper introduction, serving company first, and always being polite to others.

Music: Antonio is learning to read music in his piano lessons. He would like to learn to play the violin and we are looking into lessons for him. He sings at church three times a week. In our family we sing family devotions together nightly.

Visual Arts: Antonio will improve his use of color and shading in his artwork. We will look at a variety of works by famous artists to see how they used color and light. Geometric shapes will be used to create a design for a wall hanging. A variety of other crafts projects will be completed as well.

Physical Education: Antonio wants to improve his skill in fielding baseball. He will also be playing on a local soccer team and taking swimming lessons at the YMCA this winter. Antonio rides his horse every day and is responsible for his care.

A list of curriculum materials for all subjects is attached. We will also be using the public library and appropriate supplementary materials.

INDIVIDUALIZED HOME INSTRUCTION PLAN (IHIP)

Example: Grades 7-8

School Year 2005-2006

Student Linda

Grade Level 6/7

Please describe the instructional plan for each required subject area. A syllabi, scope and sequence, or table of contents from a textbook may be used if they describe the content that will be taught. Additional sheets may be attached.

English:

Reading: One goal for Linda is to slow down her reading to improve her reading comprehension and experiment with reading out loud (she comprehends better when reading out loud). Attached is a scope and sequence for this subject.

Spelling: Linda will master the skills listed on the attached scope and sequence.

Writing/speaking: Linda will improve her oral and written expression by outlining, researching and writing papers and reports using correct grammar. She will also begin to develop note-taking skills, diagram sentences and recognize all eight parts of speech.

Mathematics: Linda will increase her problem-solving skills, time (clock) skills, money skills. She also needs to develop skills to solve problems involving multiplication/division, decimals and fractions. (See attached table of contents from her textbook). I would also like to see Linda develop more self-confidence and a better attitude toward math.

Science: (include life sciences and physical science)

Using the text *The Physical World* and the workbook *Geology Rocks and Minerals*, Linda will learn how the earth was formed and to recognize selected rocks and minerals. Units on weather, forces and energy, and the composition of matter will involve appropriate hands on projects and field trips. Linda subscribes to a monthly science magazine which she will read and complete suggested experiments.

The human body will be studied during the second half of the year using appropriate library materials and the workbook *Systems of the Human Body*.

Social Studies: (include geography, NY State/US History, the Constitution, patriotism and citizenship)

The goals for Linda are to learn the geography, history, government, and economics of New York State. She will be able to make and interpret maps, charts, graphs, and time lines which she will use in preparing projects and research reports. We will also take some field trips to enhance her studies.

Health: (Include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

The goals for Linda are for her to be more aware and concerned about taking care of her body and to learn more about child abuse, HIV/AIDS, and substance abuse. We will continue to emphasize prevention measures for fire, bicycle and highway safety as well.

Practical Arts: (Includes Technology and Home and Careers)

Linda will learn to build a bird feeder and help her father install furnace runs on our furnace. She will also be learning how to do various repairs that we do around the home. Linda will be able to follow or alter cooking recipes that require the use of fractions. She will also become more aware of the different careers that people choose and how they prepare for them.

Music: The goals for Linda are to use music as one way in which to express her feelings and emotions. She will also be learning musical terms related to expression. Linda will be continuing weekly piano lessons and singing in the church choir.

Art: The goal for Linda is to develop a greater, enjoyment of various art mediums. We will be visiting museums and exhibitions to look at some of the old masters as well as the work of local artists. In addition, Linda will work on improving her drawing skills and complete some crafts projects.

Physical Education: Linda will develop her own fitness program including regular exercise and walking. She will also take ice skating lessons this year.

A list of curriculum materials for all subjects is attached. We will also be using the public library and other appropriate supplementary materials.

INDIVIDUALIZED HOME INSTRUCTION PLAN (IHIP)

Example: Grades 9-12

School Year 2005-2006

Student Kevin

Grade Level 10

Please describe the instructional plan for each required subject area. A syllabi, scope and sequence, or table of contents from a textbook may be used if they describe the content that will be taught. Additional sheets may be attached.

English/Language Arts: (include reading, writing, spelling)

My desire in English this year for Kevin is to help him understand the structure of language and comprehend the principals of traditional grammar, using *Winston Grammar*. He will study parts of speech, prepositional phrases, modification, and noun functions. Using *Writing Step by Step* and *The Family That Writes Together*, he will learn to use that knowledge and create his own written work.

Kevin will also read and report on a variety of fiction and non-fiction books, including some about American Wars (see attached list). Some of these reports will be given orally.

Mathematics: *Advanced Math* is the culmination in the process of acquiring the fundamental skills of algebra, geometry, and trigonometry. A concentrated study of geometry proofs is included. Kevin will create and solve problems that involve logarithmic equations, conic sections, matrices, and determinants.

Science: Kevin will complete several laboratory projects to demonstrate his understanding of the major concepts in botany, human anatomy and physiology, zoology, cellular and molecular biology. At least one project will require that he identify a problem and set up an experiment to find a solution.

Social Studies: (American History, participation in government, economics, patriotism and citizenship)

The goal is for Kevin to have an in-depth understanding of conflicts and wars in which the US was involved. He will come to discover the facts leading up to the conflicts, how the wars affected U.S. politics, industry and people. It is also important for him to learn the different character traits displayed by the men who fought in these wars. For example, bravery, courage, leadership....qualities that will enhance his own personal growth.

Health: completed last year

Art: *The Family That Writes Together* is a photo journaling course. Kevin will not only learn to journal our family history but also will learn creative and proper methods of storing family photos.

Physical Education: Kevin will continue to work on swimming and basketball skills through weekly practice and lessons.

Elective - Technology: Kevin will learn basic maintenance and components of small gas engines.

Elective - Environmental Studies: Kevin will learn outdoor survival techniques such as using a compass, identifying edible plants and trees, and responses to make in threatening situations.

A list of curriculum materials for all subjects is attached. We will also be using the public library and other appropriate supplementary materials

EVALUATING STUDENT PROGRESS

Measuring student progress is perhaps the most difficult part of the instructional process for all teachers. Many years of research have convinced those concerned with this area that a variety of strategies should be used to assess progress. Paper and pencil tests will always have a place in the assessment plan, but performance assessments in which students show that they can use the knowledge and skills they have gained are being included as well. There is an increasing emphasis on "authentic" tasks that require students to demonstrate their ability to handle real world situations.

To be accurate and meaningful, assessment must correlate with educational methods and curriculum. Therefore, assessing progress will be easier if the IHIP goals are specific, not only in regard to content, but to the kind of application skills that will be considered as evidence of achievement.

Quarterly Reports

The quarterly reports serve the dual purpose of documenting instructional time and assessing progress. The number of hours of instruction completed for the quarter are recorded on this form. In grades 7-12 instructional time is recorded for each subject (See Appendix A7-8).

The report requires that a description of what was taught during the quarter be recorded for each subject area along with a grade or written evaluation of progress. The description should state the specific concepts and skills, not broad topics, and should be limited to what was actually covered during the quarter. This is in contrast to the IHIP which requires a similar description for the entire year.

Teachers frequently have to adjust their plans, so it is probable that everything planned won't be completed every quarter. The form does require confirmation that at least 80% of planned material was covered during the quarter. In the event that circumstances such as severe illness prevented completion of 80% of planned work, a written explanation is required.

Choices for reporting progress include assigning a numerical or letter grade, and/or writing a statement that describes the level of achievement in each subject area. Since documenting progress is the purpose, a system that communicates effectively is advised. At some point in time others may need to use these evaluations to make a decision about admission or placement into another program.

Examples of exemplary quarterly reports are included at the end of this section. These examples are composites of actual reports submitted by home schoolers. The names are fictitious.

Annual Assessment

Each year, a comprehensive assessment is required to be filed with the fourth quarterly report by the date specified in the IHIP. In some cases (i.e. grades 1-8) there is a choice of two types of assessment: a commercially published, norm-referenced achievement test, or a written narrative.

Standardized Testing

Norm-referenced achievement tests can be selected from the following:

- Iowa Test of Basic Skills
- Personalized Achievement Summary System
- California Achievement Test (PASS)
- Stanford Achievement Test
- Comprehensive Test of Basic Skills
- Metropolitan Achievement Test
- State Education Department Test

Permission to substitute a test not on the above list must be obtained from the State Education Department prior to administration.

Standardized tests require that testing conditions and procedures be the same for all test-takers to insure that results are reliable. The test selected should reflect current norms. A test taken at another location must be administered by a certified teacher or other qualified person and requires the consent of the home district school superintendent. If the test cannot be scored by the test administrator, another qualified person must be found who is mutually agreeable to both parents and the superintendent.

The home district can arrange to include homeschool students in the irregular testing program. If a parent chooses to use a test that has not been ordered for use in the public school of the district, the school district, upon request of the parent, would order the test. The parent would, however, pay for the cost of procuring it. Parents who request the district to provide the test but have it administered elsewhere, are responsible for the cost of any testing facilities, transportation, and/or personnel involved.

With the consent of its chief school officer, testing can also be done by the professional staff at a registered nonpublic school. A *registered* school is authorized to give Regents Examinations. Testing by the professional staff of a non-registered nonpublic school requires both the consent of its chief school officer and that of the home school superintendent.

Test Results

Adequate growth is determined either by a composite score above the 33rd percentile on current national norms, or a score that reflects one academic year of growth as compared to a test administered during or subsequent to the prior school year.

When a student's score falls below the 33rd percentile the program for that student is placed on probation for a period of up to two school years. Probation requires that a plan of remediation to address the deficiencies revealed in the testing be submitted. When the student has progressed to the level specified in the remediation plan, the program is removed from probationary status. If there is reason to believe that a remediation plan is substantially ineffective, the superintendent may require one or more home visits, to determine specific problem areas and the methods for addressing them.

Alternative Evaluation Methods

A written narrative can be substituted for standardized testing in grades one through three. In grades four through eight, a written narrative may be submitted only every other year. With the consent of the home district superintendent, narrative evaluations can be prepared by a certified teacher, a home instruction peer group review panel, or other qualified person. Any costs involved are the responsibility of the parents.

The evaluator interviews the student and reviews a portfolio of their work. The portfolio should include a variety of work samples that demonstrate growth and achievement over the year in several areas. The written narrative that is submitted should describe the work that has been observed and certifies whether the student has made adequate or inadequate academic progress. In the event that progress is inadequate, the program is placed on probation as described above.

Examples of exemplary written narratives are included at the end of this section. The examples are composites of actual reports submitted by home schoolers. The names are fictitious.

Comprehensive assessment requires planning. It is advisable to make decisions about the annual assessment early in the year so that there is ample time to make arrangements. Arrangements for the annual assessment should be reported on the third quarterly report form. (See Appendix A 6-8)

ASSESSMENT EXAMPLES

EXAMPLES

HOME SCHOOL QUARTERLY REPORT

Example: Grades 1-6

Name: Marcia **Date:** 2/1/2006 **Quarter:** 1 2 3 4
(please circle)

Hours of Instruction: 225 **Days Absent:** 0 **Grade Level:** 3

Please describe the specific skills and concepts covered during this quarter and the level to which each was achieved.

English/Language Arts

Grade

Reading: Marcia's reading fluency and comprehension continue to show steady improvement. She is also beginning to read for enjoyment.

Excellent

Spelling: Despite the increased difficulty, Marcia continues to be an excellent speller.

Excellent

Writing/speaking: Marcia is putting forth an excellent effort in a very demanding subject and is grasping the grammar concepts assigned. The transition to cursive handwriting has been difficult, but much improvement has been seen.

Excellent

Arithmetic:

Excellent

Marcia continues to make excellent progress and has been able to exceed the goals set for this quarter. She has continued her work in addition/subtraction with borrowing and carrying, place value, beginning multiplication, and metrics.

Science: (include life sciences and physical science)

Excellent

Marcia has done well in learning about the human body's respiratory and digestive systems, plants and animals, how to build a healthy body, healthy eating and good health habits.

Social Studies: (include geography, NY State/US History and Constitution, patriotism, and citizenship)

Excellent

This quarter Marcia studied the geography of Egypt, Sinai and Palestine and the life of nomadic people.

HOME SCHOOL QUARTERLY REPORT (Con't)
Example: Grades 1-6

Health

See science

Music:

Good

Our change in curriculum materials has proved to be a good choice. In addition to music theory, Marcia has learned many American folk songs and become familiar with several classical music selections.

Art:

Good

Marcia enjoys art very much. She has been coloring, cutting, pasting and learning basic drawing techniques. She has also worked with clay and paints.

Physical Education:

Good

Marcia has been following a daily exercise routine which includes riding a stationary bicycle, the trampoline and Nordic Track. Outdoor activities included sledding.

HOME SCHOOL QUARTERLY REPORT

Example: Grades 7-8

Name: Mark Date: 10/29/2006 Quarter: 1 2 3 4
(please circle)

Hours of Instruction: 270 Days Absent: 5 Grade Level: 6/7

Please describe the specific skills and concepts covered during this quarter and the level to which each was achieved.

English: Grade

Reading: Mark completed all the reading and reading comprehension assignments planned for this quarter. He is an avid reader both for school assignments and pleasure. We are working on improving his reading comprehension. He does very well when questions refer directly to text, but has difficulty when conclusions must be drawn or information is only implied. B+

Spelling: Mark completed all his first quarter lessons and continues to excel in this subject. As the words have become more difficult, he still does well on spelling tests and this is a real source of pride for him. A

Writing/speaking: Mark completed all his daily assignments for this quarter. We are working on good penmanship (appropriate formation, sizing and spacing of letters) and content. This has been a good opportunity to work on correcting his habit of using either run-on sentences or fragments. He has made a great deal of improvement in neatness in cursive writing. He must work harder on report content. C+

Mathematics: D
Mark completed the first quarter assignments in math. He is reviewing concepts from fifth grade that he did not master (division with a two-digit divisor, fractions and two-step story problems). We have spent this quarter working to acquire these skills. It is impossible for us to go to the next grade/level math until these skills have been learned. He continues to do better with math computation than with story problems. We will begin with sixth grade math next quarter.

Science: C+
Mark studied rudimentary botany this quarter. He used books from the library and several gardening books in our family library to study plant germination and growth. He also researched and reported on exotic birds. The culmination of his efforts resulted in permission to buy a cockatiel with money he had earned working for a local farmer. He is recording the bird's behavior as it adapts to its new environment.

HOME SCHOOL QUARTERLY REPORT (Con't)
EXAMPLE: Grades 7-8

Social Studies: (include geography, NY State/US History and Constitution, patriotism, and citizenship)

B

+

Mark completed study of the Aztec, Mayan and Inca civilizations this quarter, reading several books about each that he found in the library. He especially enjoyed making an Aztec warrior shield out of cardboard which he designed after studying books on Aztec art. He painted and glued feathers on the shield. We also prepared an Aztec meal and discovered it is similar to Mexican cooking. A tape "Music of the Andes" which is a form of Inca Indian music has become Mark's favorite.

Mark has a subscription to *National Geographic* and reads each issue thoroughly.

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire, traffic/highway/bicycle safety education, child abuse)

This quarter we focused on nutrition. Mark learned to read the new food labels and began calculating the nutritional values of favorite foods. He researched and gave an oral report on diseases that are linked to poor nutrition.

Practical Arts: (include technology and home and careers)

A

Mark designed a system to insure that family pets had access to water and food while we were away on a trip. It worked so well that our neighbors used it when they went away for the weekend. Mark has planned and prepared several main dishes as well as desserts for the family. Following recipes has been an excellent opportunity to work with fractions and see how math is used in our every day lives.

Music:

See Social Studies. More focused study planned for the third and fourth quarters.

Art:

See Social Studies. More focused study planned for third and fourth quarters.

Physical Education:

S

Mark takes swimming and basketball at the YMCA. He also participates in gymnastics at a local gymnastics center and plays soccer each week. He enjoys these classes very much and has made really good progress in swimming.

HOME SCHOOL QUARTERLY REPORT
Example: Grades 9-12

Name: Patricia **Date:** 4/25/2006 **Quarter:** 1 2 3 4
(please circle)

Hours of Instruction: 275 **Days Absent:** 1 **Grade Level:** 10

Please describe the specific skills and concepts covered during this quarter and the level to which each was achieved.

English: Grade
A
Reading: Patricia has concentrated her reading on American novelists this quarter, reading and reporting on both their works and lives.

Writing/speaking: Patricia wrote a short story which simulated the style of Edgar Allan Poe. She also had a letter to the editor published in the local paper. Her letter addressed an article published by the paper which included misleading information. Several reports were written in connection with her studies in social studies and science as well. Patricia gave a presentation to her local youth fellowship group on a conference she recently attended as their delegate.

Mathematics: B
Patricia completed a unit on statistics and probability this quarter. It was during this time that she discovered a news story that had reported the results of a survey in such a way as to distort their meaning. This has given her more confidence and interest in her math studies. We continue to work on geometry and algebra.

Biology: A
This quarter has focused on the genetic aspects of plant and animal reproduction. Patricia researched and wrote reports on the emerging importance of DNA in modern society and the ethical issues surrounding genetic engineering. She also is conducting her own research by trying to cross breed two varieties of African violets.

Social Studies: B
Patricia has studied Eastern Europe this quarter. In addition to her text, she has read several contemporary accounts of the break-up of the USSR. She has created a relief map showing the natural resources of each country and related it to current economic conditions. She also developed a "tour guide" of the major historic sites and their significance. She follows news reports of the daily strife occurring in the region.

Health:
Requirement completed last year
Music: N/A
Requirement completed last year

HOME SCHOOL QUARTERLY REPORT (Con't)
EXAMPLE: Grades 9-12

Art:

Patricia has been taking painting lessons at the local museum each week. Her instructor reports that she has a good sense of proportion. She has completed one very nice still life which we framed and hung in our living room.

S

Physical Education:

Patricia bowls every week with a group of teens. She has also participated in various walk-a-thons. She hikes or cross country skis whenever she has an opportunity to do so.

S

EXAMPLE: NARRATIVE ASSESSMENT

Elementary: Grade 1

This report is being written in order to document the progress of Mary, a seven year old home school student.

I recently visited Mary and her mother, her home school instructor, and was shown a complete portfolio of Mary's work. This contained samples of her work that showed this year's growth in all subject areas, with a variety of hands-on activities provided by her instructor.

The language arts program used provides practice in all skill areas required by the New York State curriculum. It includes a phonics workbook and readers for the student, along with comprehension worksheets. Mary completed daily written language exercises in grammar and spelling; she also wrote often in her journal to develop penmanship and many other reading and writing skills.

Mary is an avid reader who reads on a second to third grade level with much enthusiasm and expression. She is able to answer oral comprehension questions after reading and often answers written questions, using the cloze format, to test comprehension.

Mary also does well in mathematics. She has learned many difficult concepts this year and has applied what she has learned through practical experiences.

Social Studies is another area that interests Mary. She and her home school instructor made a time line and some murals to demonstrate what they had studied. They made many things together that were both age-appropriate and fun. Educational field trips also provided Mary with increased motivation and background experiences for future learning.

Mary's home school instructor evaluated her progress daily with documentation indicated on all materials (date and subject). It's obvious that a great deal of time and preparation goes into providing for this quality home schooling experience.

Mary's portfolio documents the growth she's made for the 2005-2006 school year. It is evident that she has had a productive year in first grade and is well prepared for grade two.

Signed _____

Date _____

EXAMPLE: NARRATIVE ASSESSMENT
Elementary: Grade 4

After having reviewed David's work for the 2005-2006, school year, I have come to the following conclusions regarding his progress.

In the subject area of mathematics he has made the following progress: he has become proficient in multiplication facts, is able to do long division, learned the skill of working with graphs and is able to work with large numbers. These are a few of the areas he has done well in. David had difficulty working with word problems, which I feel has a direct relationship to his struggle with comprehending what he has read. He also exhibited difficulty with fractions, decimals, and time and distance problems.

In the subject area of reading he has made the following progress: is able to identify the main idea of paragraphs and stories, is able to recount a story in time sequence and is able to tackle a book containing chapters. David has shown a weakness in interpreting information within the story and is unable to comprehend the finer details of a story. Reading has been a struggle for him this year.

In the area of science David seems to grasp the facts given to him. It is especially easier for him to use manipulatives when studying a concept. He does find it difficult to read information by himself and comprehend what he has read. Talking through it with him and the use of manipulatives has helped.

In history and geography David has come to a better understanding of Indians and New York State History. In relation to this we have studied the corresponding geographical locations.

David needs improvement in language and study skills. He understands punctuation and capitalization rules. When it comes to applying these rules he has some difficulty. He has difficulty expressing himself on paper.

David has shown an interest in using his artistic ability this year. He has done some fine drawings and can express himself in this way.

He has shown great improvement in his attitude towards learning. He has been more willing as the year progressed to tackle the things that may have been difficult for him.

Because of his struggle, especially in reading, I have chosen to repeat the fourth grade year with David. I feel that with maturity he is going to be able to grasp the material without so much of a struggle. It will give him a real sense of accomplishment and encourage him to move into the fifth grade with a better self concept.

Signed _____

Date _____

College Study

In September 2004, the New York State Board of Regents adopted amendments to section 3.47 of the *Rules of the Board of Regents* relating to the requirements for conferral of a college degree and to section 100.10 of the *Regulations of the Commissioner of Education* relating to the home instruction of students of compulsory school age who wish to attend college on a full-time basis. These amendments also necessitated revisions to section 8.2 of Regents Rules concerning access to Regents examinations and to section 100.7 of Commissioner's Regulations relating to the course distribution requirements for earning a high school equivalency diploma through college study. The full texts of the amendments, effective on September 30, 2004, are attached.

The purpose of these guidelines is to help colleges and universities in New York State and school administrators of local school districts administer these provisions effectively and respond to the needs of both prospective and enrolled students. The guidelines are also designed to assist parents and students in understanding and complying with the requirements. *It is important to communicate this information to prospective and enrolled students.* This memorandum will also be posted on the web at www.emsc.nysed.gov.

The adoption of these amendments represents the culmination of many months of discussion and comment from various constituencies—parents who instruct their children at home, college admissions personnel, and school district superintendents, among others. As amended, the rules accommodate constituent concerns while maintaining appropriate standards to ensure that degree candidates at colleges and universities in New York State demonstrate satisfactory preliminary education needed to obtain a college degree. The changes provide additional flexibility for a student beyond compulsory school age to demonstrate preliminary education for earning a college degree through a variety of alternatives.

HIGHLIGHTS

The amendments adopted by the Regents:

- Establish preliminary education requirements that must be met in order for a student to obtain a college degree, for candidates who are of compulsory school age* and for candidates who are beyond compulsory school age. Students beyond compulsory school age are afforded six alternative means to demonstrate preliminary education for a college degree.
- Require students of compulsory school age who have yet to complete a four-year high school program and who seek to enroll in full-time college study to submit to the college verification from the school district of residence that the student will be meeting the compulsory education requirements through full-time college study. This verification must be in the form of an approved Individualized Home Instruction Plan (IHIP) that includes such full-time college study.
- Permit school district residents, including home instructed students, to take five specific Regents examinations or approved alternative examinations for the purpose of meeting the preliminary education requirement for earning a college degree, applicable to students beyond compulsory school age.
- Repeal the requirement that a student present satisfactory evidence of a preliminary education of at least a four-year high school course or its equivalent before beginning college degree study. This requirement was in conflict with the Commissioner's Regulation that permitted a student to earn a high school equivalency diploma through completing 24 semester hours as a recognized candidate for a college degree.

* In New York State, section 3205 of the Education Law requires a child's attendance in full-time day instruction from the age of six to the end of the school year in which the child turns sixteen, or seventeen for school districts that select this age.

DISCUSSION OF CHANGES

A discussion of the changes in each amended section follows:

I. Section 3.47(a) of the Rules of the Board of Regents.

Subdivision (a) of section 3.47 of the Rules of the Board of Regents, as amended, establishes general requirements that a candidate must meet to earn a college degree, including preliminary education requirements that must be met before a degree may be awarded.

A. A Student Is Not Required to Demonstrate Completion of a Four-Year High School Course or its Equivalent Before Beginning College Degree Study.

Section 3.47(a) is amended to repeal the requirement that a student present satisfactory evidence of a preliminary education of at least a four-year high school course or its equivalent before beginning college degree study. As stated above, this requirement was in conflict with the regulation that permitted a student to earn a high school equivalency diploma through completing 24 semester hours as a recognized candidate for a college degree. However, section 52.2(d) of Commissioner's Regulations still requires a college to have admission requirements for its registered programs that take into account the capacity of the student to undertake the program of study and the capacity of the institution to provide the instructional and other support the student needs to complete the program. It should be noted that the repeal of this requirement does not affect the eligibility requirements for State student financial aid, which are discussed below.

B. A Candidate for a Degree Must Complete a Registered College Program.

Section 3.47(a)(1) provides that no earned degree shall be conferred unless the candidate has completed a program of study at an institution authorized to confer that degree and the program of study has been registered (approved) by the State Education Department. These requirements were contained in the original language of the rule but have been rearranged and restated for clarity. (The Department maintains a list of approved programs, the Inventory of Registered Programs, by institution. The Inventory is available on the SED web site at www.highered.nysed.gov/ocue.)

C. A Candidate for a Degree Must Meet Preliminary Education Requirements Before Being Awarded A College Degree.

Substantive changes are contained in *section 3.47(a)(2)* establishing preliminary education requirements that a candidate must meet before he or she may be awarded an earned degree. Note: these preliminary education requirements are not requirements for awarding a college credit-bearing certificate.

The requirements are different for students of compulsory school age and students beyond compulsory school age. Students beyond compulsory school age may show preliminary education through six alternatives. The alternatives for students of compulsory school age are more limited. Students of compulsory school age must be enrolled in a four-year high school program unless they have already completed such program. Therefore, they must show completion of a high school education or its substantial equivalent, as certified by the Superintendent of Schools or comparable chief school administrator, before being awarding a college degree.

1. Preliminary Education Requirements for Students of Compulsory School Age.

Section 3.47(a)(2)(i) provides *two alternatives* for students of compulsory school age seeking to demonstrate acceptable preliminary education before they may be awarded a college degree:

(i) Holding a high school diploma; or

(ii) Having completed the substantial equivalent of a four-year high school course, as certified by the Superintendent of Schools or comparable chief school administrator.

2. Preliminary Education Requirements for Students Beyond Compulsory School Age.

Section 3.47(a)(2)(ii) provides *six alternatives* for students beyond the age of compulsory attendance seeking to demonstrate acceptable preliminary education before they may be awarded a college degree:

(i) Holding a high school diploma; or

(ii) Having completed the substantial equivalent of a four-year high school course, as certified by the Superintendent of Schools or comparable chief school administrator; or

(iii) Holding a High School Equivalency Diploma; or

(iv) Completing 24 semester hours or the equivalent as a recognized candidate for a college-level degree or certificate at a degree-granting institution, as defined in the regulation (6 semester hours or the equivalent in English Language Arts including writing, speaking and reading (literature), 3 semester hours or the equivalent in Mathematics, 3 semester hours or the equivalent in Natural Sciences, 3 semester hours or the equivalent in Social Sciences, 3 semester hours or the equivalent in Humanities, and 6 semester hours or the equivalent in any other courses within the registered degree or certificate program); or

(v) Having previously earned and been granted a degree from a degree-granting institution, as defined in the regulation; or

(vi) Having passed and completed all requirements for the following five Regents examinations or approved alternative assessments for these examinations: the Regents Comprehensive Examination in English, the Regents examination in mathematics, the Regents examination in United States history and government, a Regents examination in science, and the Regents examination in global history and geography.

Additional information about some of these alternatives is provided below.

High school diploma

Graduates of non-public high schools

Only public high schools and registered non-public schools are permitted by New York State Education Law to issue high school diplomas. Therefore, students who have completed their secondary education at a non-public school that has elected not to register with the State Education Department must choose one of the options for complying with section 3.47, e.g., earning a high school equivalency diploma or completing 24 semester hour credits in the specified disciplines.

Graduates of a high school located in another state or a high school program of correspondence study

When a student has graduated from high school in another state, to be acceptable for purposes of section 3.47, the high school or its program of study must be recognized, authorized, or approved by the state educational entity having jurisdiction. When a student has completed a high school program through correspondence study, the correspondence school must be recognized, authorized, or approved by the state educational entity where the correspondence school is located. Additional validation of the high school program in the form of regional accreditation adds to the acceptability of such credentials. (The regional accrediting agencies include: the Middle States Association of Colleges and Schools; the New England Association of Colleges and Schools; the North Central Association of Schools and Colleges; the Northwest Association of Schools, Colleges and Universities; the Southern Association of Colleges and Schools; and the Western Association of Schools and Colleges.)

Letter of substantial equivalency from the superintendent of schools

A student may meet the preliminary education requirement in section 3.47 through completing a home instruction program, pursuant to the requirements of section 100.10 of the Regulations of the Commissioner of Education, provided that the superintendent of schools certifies in writing that such program is substantially equivalent to a four-year high school program. If the superintendent determines substantial equivalence, a letter to that effect from the superintendent to the home instructed student is the appropriate documentation that the college should maintain in the student's file to demonstrate compliance with the preliminary education requirement for earning a college degree. For students of compulsory school age, the superintendent, upon request of the student, is required to perform the evaluation for the substantial equivalency determination. In the case of students beyond compulsory school age who ask for the evaluation for the substantial equivalency determination, the State Education Department strongly encourages the superintendent to perform this evaluation.

High School Equivalency Diploma by Completion of 24 Semester Credits

It is strongly recommended that, for each student electing this alternative, colleges develop and maintain a checklist of the required 24-credit course distribution to ensure that all such courses have been completed. This exercise will help guard against potential disallowances during an audit of the Tuition Assistance Program (TAP) by the New York State Office of the State Comptroller.

Institutions that operate on a quarter credit system must convert to semester credits by multiplying the quarter credits by two-thirds (a quarter credit is equal to two-thirds of a semester credit). Thus, for example, a student would need to earn 4.5 quarter credits to satisfy a 3-semester credit requirement.

The use of College Level Examination Programs (CLEP) to satisfy any of the required 24 credit hours will be determined by the institution of higher education and clearly stated in its academic policies. For the high school equivalency diploma, the State Education Department also must approve the distribution of CLEP credits in the required subject areas.

Possession of a Previous College Degree

Students seeking to earn a degree who have already earned a degree from a regionally accredited college or university or any institution in New York State authorized by the Board of Regents to confer degrees can use the prior degree to satisfy section 3.47. An official transcript or copy of the student's diploma will be acceptable documentation of the student's prior degree.

For a student who has completed a degree at a college or university in another country, the New York institution the student attends must assure that the study was at the postsecondary level and that the foreign institution is recognized by the country's Ministry of Education or equivalent.

II. Section 3.47(b) of the Rules of the Board of Regents.

Subdivision (b) of section 3.47 establishes a *preliminary requirement for enrollment*, applicable to students of compulsory school age who seek to meet compulsory educational requirements through full-time college study. Prior to enrolling, such student must submit to the degree-granting institution a valid and in-effect Individualized Home Instruction Plan (IHIP) verifying that the compulsory education requirements will be met through full-time college study. This requirement does not apply to students of compulsory school age who are in attendance at college part-time or during the summer if the student is taking fewer than 12 semester hours or its equivalent in the summer semester. An explanation of the related IHIP requirements is provided below.

III. Section 100.10 of the Regulations of the Commissioner of Education.

Section 100.10(d) specifies the content of Individualized Home Instruction Plans (IHIPs). IHIPs are plans that are approved by school districts under which students receive home instruction. The change in this section is designed to coordinate with *section 3.47(b)* of the Regents Rules (discussed above), which specifies that students of compulsory school age who have yet to complete a four-year high school program and who seek to enroll in full-time college study must submit to the college verification from the school district of residence that the student will be meeting the compulsory education requirements through full-time college study. This verification must be in the form of an approved IHIP that includes such full-time study. In this situation, the IHIP must identify the degree-granting institution and the subjects to be covered by that study.

IV. Section 8.2 of the Rules of the Board of Regents.

The change to Regents Rule *section 8.2* pertains to access to Regents examinations. It was changed to accommodate the alternative in Regents Rule section 3.47(a)(2) that students beyond compulsory school age may demonstrate preliminary education for earning a college degree through having passed and completed all requirements for five specified Regents examinations or approved alternative assessments for these examinations (discussed above). The change in section 8.2 requires principals of public schools administering Regents examinations to open admission to the Regents examinations to any school district resident who seeks to take such examinations for the purpose of meeting the preliminary education requirement for earning a degree pursuant to Regents Rule *section 3.47(a)(2)*.

V. Section 100.7 of the Regulations of the Commissioner of Education.

Section 100.7(a)(2) pertains to requirements for earning a high school equivalency diploma in New York State. One way to earn the diploma is by successfully completing 24 semester

hours or the equivalent in specified subjects as a recognized candidate for a college-level degree or certificate at an approved institution. The regulation is changed to coordinate with the alternative in Regents Rule section 3.47(a)(2) that students beyond compulsory school age may demonstrate preliminary education for earning a college degree through having completed 24 semester hours or the equivalent in specified subjects (discussed above). This alternative is available to students who do not wish to obtain a high school equivalency diploma, although they meet the requirements for one through the completion of college coursework. The change simply specifies the same subjects for both the high school equivalency diploma and the preliminary education requirement for earning a college degree. *Beginning with applications for the high school equivalency diploma on or after September 30, 2004*, the 24 semester hours must be distributed as follows: 6 semester hours or the equivalent in English Language Arts including writing, speaking and reading (literature); 3 semester hours or the equivalent in Mathematics; 3 semester hours or the equivalent in the Natural Sciences; 3 semester hours or the equivalent in the Social Sciences; 3 semester hours or the equivalent in the Humanities; and 6 semester hours or the equivalent in any other courses within the registered degree or certificate program.

FINANCIAL AID ELIGIBILITY

New York State Education Law section 661(4)(c) specifies that to be eligible for State student financial aid, a student "must have a certificate of graduation from a school providing secondary education; or the recognized equivalent of such certificate; or have achieved a passing score, as determined by the United States secretary of education, on a federally approved examination which demonstrates that the student can benefit from the education being offered." It is important to note that the above-referenced statutory requirements defining financial aid eligibility are different from the requirements in *Regents Rule 3.47* for earning a college degree. In October 2002, the State Education Department issued CEO memorandum #6, a "Summary of Recent Interagency Discussion and Agreement on Issues Related to State Student Financial Assistance." (A copy can be found on the Department's web site at: www.highered.nysed.gov/ocue.) The guidance in the October 2002 memorandum is applicable for financial aid eligibility purposes.

* * * * *

APPENDIX A

FORMS FOR PARENT
USE

Notice of Intention for Home Instruction

Date: _____

Child's Name: _____

Grade: _____ Age: _____ Date of Birth: _____

Name and Address of Parents or Guardians:

Telephone Number: () _____

Name and Address of Person Providing Instruction (If Applicable)

Period for which home instruction is intended:

Begin: _____

End: _____

Individualized Home Instruction Plan (IHIP)

Cover Sheet

For School Year Beginning _____ Date _____
Ending _____

Student: _____ Date of Birth: _____

Address: _____

School District _____ Grade Level _____

Quarterly Reports will be submitted as follows:

1st Quarter _____ / _____ / _____

2nd Quarter _____ / _____ / _____

3rd Quarter _____ / _____ / _____ (annual assessment arrangements included)

4th Quarter _____ / _____ / _____

Parent

Home School Instructor (if not parent)

Individualized Home Instruction Plan (IHIP) Grades 1-6

School Year 20_____ - 20_____

Student_____ Grade_____

Please describe the instructional plan for each required subject area. A syllabi, scope and sequence, or table of contents from a textbook may be used if they describe the content that will be taught. Additional sheets may be attached.

English/Language Arts: (include reading, writing, spelling)

Arithmetic:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US History and Constitution, patriotism and citizenship)

Individualized Home Instruction Plan (con't) Grades 1-6

Student _____

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Music:

Visual Arts:

Physical Education:

Library Skills: (can be taught within the context of subject areas)

Note: 1) Bilingual education or English as a second language should be provided where a need is indicated.

2) Although some subjects may be taught in integrated fashion (e.g. science/health) the IHIP must show content taught for each.

Individualized Home Instruction Plan (IHIP)

Grades 7-8

School Year 20_____ - 20_____

Student_____ Grade_____

Please describe the instructional plan for each required subject area. A syllabi, scope and sequence, or table of contents from a textbook may be used if they describe the content that will be taught. Additional sheets may be attached.

English:

Mathematics:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US History and Constitution, patriotism and citizenship)

Individualized Home Instruction Plan (con't) Grades 7-8

Student _____

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Practical Arts: (includes technology and home and careers)

Music:

Visual Arts:

Physical Education:

Library Skills: (can be taught within the context of subject areas)

Note: 1) Bilingual education or English as a second language should be provided where a need is indicated.

2) Although some subjects may be taught in integrated fashion (e.g. science/health) the IHIP must show content taught for each.

Individualized Home Instruction Plan (IHIP)

Grades 9-12

School Year 20_____ - 20_____

Student_____ Grade_____

Please describe the instructional plan for each required subject area. A syllabi, scope and sequence, or table of contents from a textbook may be used if they describe the content that will be taught. Additional sheets may be attached.

English:

Mathematics:

Science:

Social Studies: (American History, participation in government, or economics, patriotism and citizenship)

Individualized Home Instruction Plan (con't) Grades 9-12

Student _____

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Music:

Visual Arts:

Physical Education:

Electives:

Note: 1) Bilingual education or English as a second language should be provided where a need is indicated.

2) Although some subjects may be taught in integrated fashion (e.g. science/health) the IHIP must show content taught for each.

QUARTERLY REPORT FORMS

Home School Quarterly Report

Grades 1-6

Quarter 1 2 3 4
(Please Check One)

Student _____

Date _____

Hours of Instruction _____

Grade Level _____

Please describe the specific skills and concepts covered during this quarter and the level to which each was achieved.

Grade/Evaluation

English/Language Arts: (include reading, writing, spelling)

Arithmetic:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US History and Constitution, patriotism and citizenship)

Home School Quarterly Report (con't)

Grades 1-6

Student _____

Grade/Evaluation

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Music:

Art:

Physical Education:

Library Skills:

Plan for Annual Assessment (to be submitted no later than third quarter)

Home School Quarterly Report

Grades 7-8

Quarter 1 2 3 4
 (Please Check One)

Student _____

Date _____

Hours of Instruction _____

Grade Level _____

Please describe the specific skills and concepts covered during this quarter and the level to which each was achieved.

English:

Grade/Evaluation No. Hours

Mathematics:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US History and Constitution, patriotism and citizenship)

Home School Quarterly Report (con't)

Grades 7-8

Student _____

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Grade/Evaluation No. Hours

--	--

Music:

--	--

Art:

--	--

Physical Education:

--	--

Library Skills:

--	--

Plan for Annual Assessment (to be submitted no later than third quarter - either Test Name or Narrative)

Home School Quarterly Report

Grades 9-12

Quarter 1 2 3 4
 (Please Check One)

Student _____

Date _____

Hours of Instruction _____

Grade Level _____

Please describe the specific skills and concepts covered during this quarter and the level to which each was achieved.

English:

Grade/Evaluation No. Hours

Mathematics:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US History and Constitution, patriotism and citizenship)

Home School Quarterly Report (con't)

Grades 9-12

Student _____

Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)

Grade/Evaluation No. Hours

--	--

Music and/or Art:

--	--

Physical Education:

--	--

Library Skills:

--	--

Plan for Annual Assessment (to be submitted no later than third quarter - Include State Approved Test Name)

APPENDIX B

QUESTIONS & ANSWERS

QUESTIONS AND ANSWERS ON HOME INSTRUCTION

Topics:

General (1-34)

Individualized Home Instruction Plan (35-54)

Evaluation (55-66)

Commencement of Home Instruction During the School Year (67-69)

Students with Special Educational Needs (70-84)

College Entrance & Suggested Strategies (85)

For additional information, please contact the office of the superintendent of the public school district

Home Instruction Questions and Answers

Important (2/25/05): In September 2004, the New York State Board of Regents adopted an amendment to section 100.10 of Commissioner's regulations relating to the home instruction of students of compulsory school age who wish to attend college on a full-time basis.

The amendment:

- requires students of compulsory school age who have yet to complete a four-year high school program and who seek to enroll in full-time college study to submit to the college verification from the school district of residence that the student will be meeting the compulsory education requirements through full-time college study. This verification must be in the form of an approved Individualized Home Instruction Plan (IHIP) that includes the full-time college study.
- permits school district residents, including home instructed students, to take five specific Regents examinations or approved alternative examinations for the purpose of meeting the preliminary education requirement for earning a college degree, applicable to students beyond compulsory school age.
- repeals the requirement that a student present satisfactory evidence of a preliminary education of at least a four-year high school course or its equivalent before beginning college degree study. This requirement was in conflict with the Commissioner's Regulation that permitted a student to earn a high school equivalency diploma through completing 24 semester hours as a recognized candidate for a college degree.
- **The information provided below does not reflect the amendment, and, therefore, is not necessarily accurate. We are developing revised guidance to be posted here soon. In the meantime, detailed information is available at <http://www.emsc.nysed.gov/deputy/Documents/homeinstruct.htm>.**

For additional information, please contact the office of the superintendent of the public school district in which you reside.

General

1. May a district require parents to register their child in the public school if they plan to provide home instruction?

No. Parents are not required to register their child in the public school if they plan to provide home instruction. However, the parent, if requested, must demonstrate that the child resides within the school district and is of compulsory age.

2. Are parents required to meet with school officials?

No. School officials may request a meeting with parents to discuss the process of home schooling, but they may not deny parents the right to home instruct if the parents decline such a meeting.

3. Must a district respond to a letter of intent?

Yes. The district is obligated to reply within 10 business days of receiving the notice of intent by sending to the parents a copy of C.R. 100.10 and a form on which to submit an IHIP.

4. May parents engage a tutor to provide home instruction?

Yes. Parents may engage the services of a tutor to provide instruction for all or a portion of the home instruction program.

5. May groups of parents provide home instruction collectively by engaging the services of a tutor to provide group instruction to their children?

Parents providing home instruction to their children may arrange to have their children instructed in a group situation for particular subjects but not for a majority of the home instruction program. Where groups of parents organize to provide group instruction by a tutor for a majority of the instructional program, they are operating a nonpublic school and are no longer providing home instruction. Substantial equivalency of a nonpublic school program is not determined pursuant to Section 100.10 of the Regulations of the Commissioner.

6. Must parents file a health inspection report or fire inspection report?

No. This is not required in the case of home instruction.

7. Must home instruction take place on days and during the times of day when school is in session?

Instruction at home is usually given within the general time-frame of the normal school day, but greater flexibility in scheduling is possible. For example, parents may choose to provide instruction on weekends or in the evening. The total amount of instructional time per week should be generally comparable to that of the public school.

8. May a district require parents or tutors to produce credentials for home instruction?

No. State law does not require any specific credentials for the person(s) providing home instruction.

9. What is a Home Instruction Worksheet?

The Worksheet is provided as a model to assist districts in maintaining and keeping records on home instruction. Although the worksheet is an internal district document completed by school officials, it may be filled out in consultation with the parents, if appropriate. Some of the information on the Worksheet will be derived from the quarterly reports and the annual evaluation.

10. Must the Home Instruction Worksheet be filled out by parents?

No. The Worksheet is for internal district use.

11. May students instructed at home by their parents take part in non-credit-bearing organized school activities such as clubs, sports, and intramurals?

Commissioner's Regulation 135.4(c)(7) directs that a participant in interscholastic sports must be enrolled in the public school; however, children educated other than at the public school may participate in intramural and other school-sponsored club activities. It is recommended that each board of education establish a policy to this effect.

12. May a student instructed at home participate in the school band and/or receive music lessons?

If the district considers these activities to be extra-curricular, such a student may participate in the band and/or receive music lessons. It is recommended that the board of education establish a policy regarding participation in these activities.

13. May students instructed at home be allowed to use school facilities such as the library, career information center and gymnasium?

Yes. Students may be allowed to use such school facilities provided that there is mutual agreement on the part of all involved parties.

14. Must students instructed at home meet immunization requirements for in-school students?

The provisions of Public Health Law Section 2164 which require parents to submit proof of immunization prior to admission of their children to a school do not apply to students being educated at home. If the Commissioner of Health notifies school officials of the outbreak of a disease for which immunization is required, however, parents of children on home instruction who seek to participate in testing or other activities on the premises of a public or nonpublic school must produce proof of immunization or the children must be denied access to the school building.

15. May parents or students on home instruction borrow instructional items from the public school such as library books, microscopes and movie projectors?

Yes. Although a public school is not obligated by law to lend such items, it may allow parents or students to borrow available materials.

16. Is a student instructed at home entitled to benefit from the loan programs (textbooks, library materials and computer software) available to students enrolled in nonpublic schools?

A student instructed at home is not enrolled in a nonpublic school and, therefore, the district

is not obligated to loan those items which a district is required to provide, by statute, to children attending nonpublic schools. Although not required, a school district may offer such loans to the extent available.

17. Is the school district required to furnish health services to students on home instruction?

No. The district is not required to furnish health services.

18. Is the district responsible for providing remedial programs for students instructed at home?

No. The district is not responsible for providing remedial programs for these students.

19. May a student instructed at home participate in the instructional program of the school district?

The legislature has not authorized part-time attendance and, therefore, a student instructed at home may not participate in the instructional program of the school district except for dual enrollment opportunities the district may make available under Section 3602-c of the Education Law and for special education programs and services the district is required to make available.

20. May a district provide dual enrollment services under Section 3602-c to students instructed at home?

Pursuant to Education Law §3602-c, instruction in the areas of occupational and vocational education, gifted education, and education of students with disabilities may be furnished to students enrolled in nonpublic schools. With that exception, which is not applicable to home-instructed students, boards of education are not authorized to instruct pupils on a part-time basis (Appeal of Pope, 40 Ed Dept Rep 473, Decision No. 14,530; Appeal of Sutton, 39 Ed Dept Rep 625, Decision No. 14,332; Matter of Maysark, supra)).

21. Does a school district obtain State aid for students instructed at home by their parents?

School districts cannot claim State aid for students instructed at home.

22. How should school officials deal with the grade placement of a student who has been instructed at home and subsequently enters the public school?

As with any other transfer, the principal of the school determines the appropriate grade placement of the student.

23. Does a home-instructed student earn high school credits for completing the course work specified in the IHIP?

Credit is given only by schools. It is recommended that when a home-instructed student transfers from a high school program into a school that the principal of the school award credit on the basis of assessment or evidence that the student has successfully completed the course work.

24. May a student instructed at home be awarded a local or Regents diploma?

No. A high school diploma may only be awarded only to a student enrolled in a registered secondary school who has completed all program requirements set by the Regents, the school or the district.

25. Is a K-8 school district responsible for a high school student on home instruction?

Yes. The district of residence retains responsibility for the student's education but is encouraged to consult with the receiving high school on the adequacy of the IHIP, quarterly reports and the annual assessment.

26. Is a student instructed at home eligible to participate in summer school programs operated by the public school district?

Yes. Summer school programs are open to all residents of the district.

27. May a superintendent apply for a variance under Commissioner's Regulation 100.2(n) to enable a parent to implement a program designed to provide excellence in education?

Yes. A superintendent may apply for a variance for a home instruction program.

28. Under what circumstances is a home instruction program placed on probation?

As described below, the circumstances depend upon the option selected by the parents for complying with the annual assessment requirement of subdivision (h) of Section 100.10 of the Regulations of the Commissioner.

a. If parents submit test scores for an achievement test, the program will be placed on probation only if the composite score of the student is below the thirty-third percentile on national norms or the score fails to reflect one academic year of growth when compared to a prior test. The student's score on individual test subscores should not be considered in determining whether the program should be placed on probation.

b. If parents submit a written narrative, the program will be placed on probation only if the evaluator certifies that the student has not made adequate academic progress.

29. Under what circumstances may a school district require home visits?

A school district may require home visits, upon three days' written notice to the parents, only when the home instruction program is on probation. Under any other circumstances, a school official may request a home visit but a parent would not be required to consent to the request.

30. If parents provide instruction at home to more than one child and the program for one child is placed on probation, must the programs for other children in the family be placed on probation?

No. Each child's achievement is evaluated separately. A situation may arise where one child's program is on probation, and yet one or more other children in the same family are making adequate progress so that their programs would not be placed on probation.

31. How should a district maintain records on students instructed at home?

It is recommended that the district complete a Worksheet for each student to place in the student's file along with the current IHIP, quarterly reports and annual evaluation information. A notation on the student's permanent record card should indicate the period during which the student is on home instruction.

32. How long should a district retain records on a home-instructed student?

There is no legal obligation specified in this matter. To the extent that records are kept, it is recommended that an annual Worksheet for each student be kept until six years after the student would have graduated from high school.

33. Should parents maintain records on students instructed at home?

Parents are required to keep attendance records for each student, but there is no legal obligation for them to maintain any other records. It is recommended that parents keep evidence of their programs and their children's achievement and correspondence with the school district.

34. If a student instructed at home is unable to read adequately or find employment following completion of educational requirements as defined within the compulsory education laws, can the school district be held liable?

No. As a matter of public policy, the highest court in New York State has declined to recognize a cause of action for educational malpractice. Where the board of education and superintendent of schools make good faith efforts to implement the requirements of Section 100.10 of the Regulations, there should not be a basis for liability under current law.

Individualized Home Instruction Plan (IHIP)

35. Are parents required to submit more than a list of textbooks in the IHIP to comply with the requirements of subdivision (d) of Section 100.10?

The IHIP must include for each of the required courses either a list of syllabi, curriculum materials and textbooks to be used or a plan of instruction to be followed. A different alternative may be used for different subjects. While a list of textbooks may be submitted, it is reasonable for the district to require more than the name, publisher, copyright date and author's name if the district is not familiar with the textbook's content. If the district requests additional information beyond the list of textbooks, the parents may, at their option, submit either a written scope and sequence describing the text or a copy of the text for the district's review (which copy shall be promptly returned to the parents). The purpose of such review is not to compare the text with those employed by the district, but rather: 1) to insure that the parent is providing the mandated subjects for the grade level in question, and 2) to provide the district with more complete information to assist its review of quarterly reports and annual assessments.

36. When the IHIP is submitted by the parents, does the school district have the responsibility to make a subjective judgment of the substantial equivalency of the home instruction program?

No. The purpose of these regulations is to provide a basis for objective determinations of substantial equivalence. IHIP submissions are to be evaluated to determine compliance with subdivisions (d) and (e) of Section 100.10. Quarterly reports are to be evaluated to determine compliance with subdivision (g). Annual assessments must comply with the requirements of

subdivision (h). A home instruction program that adheres to the standards of the regulations at each stage of the process should be deemed to be substantially equivalent.

37. Must the parents indicate on the IHIP what will be taught and the total time of instruction?

The IHIP must include a list of the syllabi, curriculum materials, or plan of instruction to be used in each of the subjects required for that grade level. The total number of hours of instruction per quarter must be documented on the quarterly report. It is recommended that, in the secondary grades, hours per subject be included in each quarterly report.

38. When must a student begin to receive instruction?

A change in Education Law 3205, which became effective on July 26, 1993, clarifies the age at which a student is subject to compulsory education. The law now requires children who turn six on or before December 1 to receive instruction from the start of the school year in September of that year. Children who turn six after December 1 must begin to receive instruction no later than the first day of school the following September.

39. Must the IHIP for a six-year-old indicate that the instruction is on the first grade level?

No. As with any age, instruction should be geared to the level appropriate to the student's needs and previous level of achievement.

40. Are students instructed at home required to take a second language?

No. They are not required to take a second language, but they may choose to study a second language.

41. Is physical education required?

Yes. Every student must have a physical education program. Activities may differ but outcomes should be similar to those established for students in the public school.

42. Must the topics proposed for study in each subject correspond to the material covered in the public school curriculum?

While the subjects required by Law and Regulation must be taught, the course content may differ.

43. If a student reaches the maximum age for compulsory attendance during the school year, must the IHIP for that student cover the full year?

Yes. Students who turn 16 (or 17 in New York City) between July 1 and June 30 are of compulsory attendance age during the entire school year.

44. Is a district required to review the IHIP submitted for a student beyond compulsory attendance age?

No.

45. Can a district require parents to provide more information on the IHIP than the Regulations of the Commissioner require?

No. A district may require only that information set forth in subdivision (d) of Section 100.10 of the Regulations of the Commissioner.

46. May a superintendent find a program of home instruction deficient, if he/she concludes that the student needs socialization or interaction with other children?

No. This is not a basis for finding a program of home instruction deficient.

47. Must home instruction for a student of limited English proficiency include instruction in the English language?

Yes. Home instruction for such a student must include instruction in the English language.

48. Are parents instructing their children at home required to teach courses which involve education about substance abuse, AIDS, human sexuality and family planning?

Parents are required to provide health education at all grade levels. Section 804 of the Education Law requires that such health education include instruction to discourage the misuse and abuse of alcohol, tobacco and other drugs. Section 135.3(b) of the Regulations of the Commissioner of Education requires that the elementary and secondary health education curriculum include age appropriate instruction concerning the nature, methods of transmission and methods of prevention of the acquired immune deficiency syndrome (AIDS). Parents must address the topic of AIDS as a part of the required health instruction at least once in grades K-6, once in grades 7-8 and once in grades 9-12. Parents may include instruction on human sexuality and family planning as part of their children's health education, but are not required to do so.

49. Must a district notify parents that the IHIP is in compliance with C.R. 100.10?

Yes. The district is obligated to notify parents that the IHIP is in compliance. It is strongly recommended that such notification be in writing.

50. Must a board of education approve the IHIP?

No. The superintendent of schools is responsible for reviewing the IHIP and notifying the parents of its status.

51. When is the board of education involved in the process?

If the superintendent of schools determines that a revised IHIP is not in compliance and the parents contest that determination, the parents may meet with the board to present evidence of compliance. The board then makes its determination of compliance or noncompliance.

52. If the board finds that an IHIP is not in compliance, do the parents have the right to appeal?

Yes. The parents may appeal a determination of noncompliance by the board to the Commissioner of Education within 30 days of receiving notice of the determination.

53. Must the parents of a student instructed at home file an IHIP with the district if the student is enrolled in a correspondence school?

Yes. The obligation to file an IHIP does not depend on the source of material used but rather on the location of the student's instruction. The board of education is responsible for ensuring that any student of compulsory age living within the district is receiving an adequate program of instruction. The parents and the district must comply with C.R. 100.10 even if the supplier of the curriculum materials considers the student to be enrolled in its school or program.

54. Does the State Education Department approve programs of home instruction provided by correspondence schools?

No. The State Education Department does not perform this function. Correspondence school materials for home instruction must be reviewed by the superintendent of schools.

Evaluation

55. When should parents inform the school district of their choice of a standardized test or alternative evaluation method?

No date is specified in the regulation but it is recommended that parents provide this information by the end of the third quarterly reporting period.

56. When is it necessary for parents to obtain the consent of the school district if they are using a norm-referenced achievement test for the annual assessment?

a. If the parents are having the student tested at a registered nonpublic school, the consent of the public school district is not required.

b. If the parents are having the student tested at the public school, the testing should be done at the time of the school's own testing program, unless a mutually agreeable alternative is reached. The district should give the parents several weeks' notice of the dates for this testing.

c. If the parents are having the student tested at another location, the school district is required to review, and (if in agreement) consent to the parents' selection of the test administrator.

57. Are students instructed at home required to take any State tests such as the PEP tests or RCTs?

No. These tests may be used to meet annual assessment requirements, but home-instructed students are not required to take them.

58. Which State tests suffice for an annual assessment?

Any State tests designed to evaluate individual student achievement are acceptable. State tests designed to evaluate a school's program (Program Evaluation Tests) are not appropriate for this purpose.

59. If parents instructing their children at home choose to use PEP tests or RCTs as a part of their annual evaluation, should the school district include their scores with the scores of the public school students?

No.

60. Can parents of a fourth-grader opt for an alternative form of evaluation?

Yes. Alternative forms of evaluation may be used every other year for pupils in grades 4 through 8. Thus, grade 4 could be the first year in this pattern.

61. Must the district administer tests during the school year to home-instructed students?

No. The district is not obligated to administer any tests unless the student is referred to the Committee on Special Education for evaluation.

62. May a student instructed at home take Regents examinations?

Yes. If a request is made, school officials are encouraged to admit a student receiving home instruction to Regents examinations. If a Regents examination has a lab requirement, the student may be admitted to the examination if there is evidence that the student has met the lab requirement. The IHIP, quarterly reports and/or verification from the student's teacher can provide such evidence.

Regents examinations may only be administered at the public school or registered nonpublic school because they are secure examinations. The test results can be helpful to the student and also to public school officials.

63. If parents want to use one of the standardized tests listed in the home instruction regulation but not used by the school district, who orders and who pays for it?

If the parent chooses to use a test that has not been ordered for use in the public schools of the district, the school district, upon request of the parent, would order the test. The parent would, however, pay for the cost of procuring it.

64. May a parent administer a standardized test or prepare the written narrative of assessment?

Yes. With the consent of the superintendent, a parent may perform these actions.

65. What is a home instruction peer review panel and what is its function under the regulations?

A home instruction peer review panel is an advisory group of home instructing parents who prepare a written narrative of a student's achievement. Members of such a panel may be chosen by the parent with the consent of the superintendent.

66. What action should be taken by the district if parents do not submit any evaluation?

If phone calls or letters do not elicit the information, the district should notify parents by registered mail that the evaluation is due and set a reasonable date for its submission. If the information is not forthcoming, the district is without evidence that instruction has been taking

place. In that case, the district would be obligated to report the case to the central registry as a case of suspected educational neglect.

Commencement of Home Instruction during the School Year

67. May a district refuse to consider a parent's request for home instruction if it occurs during the school year?

No. The district must respond to a letter of intent and to the submission of an IHIP at any time during the school year.

68. If home instruction begins during the normal school year, which timelines apply?

The regulation specifies that parents who decide to begin home instruction or parents who move into the district after the start of the school year must file a letter of intent within 14 days of beginning home instruction within the district.

From that point on, the usual timelines apply:

- Within 10 business days of receiving the letter, the district must furnish the parent with a copy of C.R. 100.10 and an IHIP form for each child.
- Within 4 weeks of receiving it, the parent must submit the completed IHIP to the district.
- Within 10 business days of receiving the IHIP, the district must notify the parent whether it complies with the requirements of the regulation or give written notice of any deficiency.
- Within 15 days of receiving a notice of deficiency, the parent must submit a revised IHIP which corrects the deficiencies.
- Within 15 days of receiving the revised IHIP, the district must notify the parent as to whether it complies with the regulation.

69. If home instruction begins during the school year, when should parents schedule quarterly reports to the district?

The number of reports should be proportional to the period of home instruction. For example, if instruction begins at about the end the first reporting period in the public school, the parent would schedule three reports during the remainder of the year.

Students with Special Educational Needs

70. May the parents of a student with a disability choose to provide home instruction for the student?

Yes. Commissioner's Regulation 100.10 can be applied to any student of compulsory attendance age without regard to a possible or identified handicapping condition.

71. Is the district required to provide services to a student with a disability who has been identified by the Committee on Special Education?

The district is required to make appropriate services available to any identified student in accordance with the approved Individualized Education Program (IEP).

72. Are there any restrictions on the availability of services to be provided by the district?

The district has the obligation to offer all the services contained in the student's IEP.

73. Is the district required to provide transportation in order for the student to receive services?

Transportation must be offered to the extent necessary to enable the student to benefit from the instruction. The need for special transportation must be addressed in the student's IEP.

74. Where are the services delivered?

Generally, services would be delivered at the public school. However, the district and the parents may agree to have services delivered at an off-site as well (i.e. library, youth center, etc.)

75. May services be delivered at the student's home?

There is no prohibition against providing the services in the student's home. If the district and parent agree that this is the most convenient and appropriate location, services may be provided to the student in the home.

76. When are the services delivered?

The parent and district officials should discuss arrangements so that a block of time can be arranged for services which minimizes disruption.

77. May a parent elect to have the student receive some but not all of the services specified in the IEP?

Yes. Given the nature of home instruction, a parent may assume the responsibility for providing some of the needed services and may choose to have any other(s) specified in the IEP provided by the district.

78. Does a parent have the right to refuse the delivery of any services by the public school district?

Yes. If the parent refuses services for a student known to have a disability, the parent should address the needs of the child in the IHIP.

79. To what extent must the IHIP include the services specified in the IEP?

The IHIP should include the equivalent services listed in the IEP. As home instruction is, by its very nature, individualized and flexible, parents may provide for the needs of their children in different ways than those contained in the IEP

80. Must the Committee on Special Education review and/or approve the IHIP for a student with a disability?

No. The superintendent of schools of the district is responsible for determining whether an IHIP is in compliance with the regulation and may call upon other persons to assist in the review. However, the superintendent has the responsibility to review and notify the parents whether the IHIP complies with the regulation.

81. Is a parent required to submit an IEP along with an IHIP?

No. A parent is not expected or required to construct or submit an IEP.

82. How should the achievement of a student with a disability who is instructed at home be measured?

Alternative evaluation measures provided in the student's IEP may be used. If the student does not have an IEP, one of the two alternatives provided in the regulation, a standardized test or a narrative evaluation, must be used.

83. Is the district responsible for providing a reasonable amount of instructional materials for home instruction?

A school district may provide textbooks and other materials to students instructed at home but it is not obligated to do so. However, if a student with a disability receives special education in accordance with an approved IEP, the district must provide the student with any specialized instructional materials necessary to enable the child to benefit from special education.

84. How does the district claim aid for providing services to a student with a disability who is instructed at home?

The district may claim aid for providing any of the services described in the IEP by filing for excess cost aid on State aid forms.

College Entrance

85. If home-instructed students cannot be awarded local or Regents high school diplomas, how can they gain entrance to colleges?

First, please note that seeking admission to college is entirely a choice that students make, and successfully gaining admission to college is entirely the responsibility of home-instructed students and their parents. It is not the responsibility of the State Education Department or the local public school district to secure college admission for home-instructed students.

Secondly, colleges set their own admissions requirements. These requirements vary from college to college. The burden, therefore, is on home-instructed students (and their parents) to seek and acquire information on the admissions requirements of the colleges of their choice. The burden is also on home-instructed students (and their parents) to convince colleges to accept them. Because of this, home-instructed students (and their parents) may wish to seek information regarding the admissions requirements of the colleges of their choice well in advance of the actual application for admission.

Third, listed below are some suggested strategies for home-instructed students (and their parents) to consider using to help them gain entrance to colleges. Consideration can be given to using a combination of these strategies. Please note that there is no guarantee that following any or all of the strategies listed below will ensure a home-instructed student's admission to any college. Again, if home-instructing students choose to pursue admission to college, they (and their parents) are fully responsible for this.

Suggested Strategies

1. A portfolio of the student's work, demonstrating its breadth and depth, might be developed over time. This portfolio can be shared with college admissions personnel to demonstrate the student's capabilities.
2. If a home-instructed student has taken Regents exams at the public school of residence, he/she can request the public school district to produce, on school letterhead, a list of the exams taken, the date on which they were taken, and the score the student earned. This list of Regents exam scores can be shared with college admissions personnel.
3. Home-instructed students can take the Scholastic Aptitude Test (SAT) and/or other standardized tests used for college admissions purposes. Scores on these tests can be shared with college admissions personnel. Home-instructed students should contact their public school district about arrangements for taking the Scholastic Aptitude Test and/or achievement examinations offered by the College Board or the American College Testing Service.
4. If the student is beyond the age of compulsory education, and has completed a program of home instruction in compliance with Section 100.10 of the Regulations of the Commissioner of Education, he/she can request that the superintendent of schools of the public school district of residence attest to this, in writing, on district letterhead. This can be shared with college admissions personnel. Please note, however, that the superintendent of schools may, but is under no obligation to, attest to this.
5. Home-instructed students can take the GED exam, when they have reached eligibility to do so. Students passing the GED exam can share their General Equivalency Diplomas with college admissions personnel

APPENDIX C

COMMISSIONER'S REGULATIONS

100.10

Home Instruction in New York State

PART 100.10 OF REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 3204, 3210, 3212 and 3234 of the Education Law

§100.10 Home instruction.

(a) Purpose of section. The purpose of this section is to establish procedures to assist school authorities in fulfilling their responsibility under Education Law, sections 3204(2) and 3210(2)(d), and in meeting their responsibility of determining the competency of the instructor and substantial equivalence of instruction being provided at home to students of compulsory school attendance age, and to assist parents who exercise their right to provide required instruction at home to such students in fulfilling their responsibilities under Education Law, section 3212(2).

(b) Notice of intention to instruct at home.

(1) Except as otherwise provided in paragraphs (2) and (3) of this subdivision, parents or other persons in parental relation to a student of compulsory school attendance age shall annually provide written notice to the superintendent of schools of their school district of residence of their intention to educate their child at home by July 1st of each school year. The school year begins July 1st and ends June 30th for all purposes within this section. In the case of the City School District of the City of New York, the school district of residence for students who, if enrolled in the public schools, would attend elementary school, intermediate school or junior high school in a community school district, shall be deemed to be the community school district in which the parents reside.

(2) Parents who determine to commence home instruction after the start of the school year, or who establish residence in the school district after the start of the school year, shall provide written notice of their intention to educate their child at home within 14 days following the commencement of home instruction within the school district.

(3) For the 1988-89 school year only, the written notice of intention to instruct at home required in paragraph (1) of this subdivision shall be due on August 1, 1988.

(c) Procedures for development and review of an individualized home instruction plan (IHIP).

(1) Within 10 business days of the receipt of the notice of intention to instruct at home, the school district shall send to the parents a copy of this section 100.10 of the Regulations of the Commissioner of Education and a form on which to submit an individualized home instruction plan (IHIP) for each child of compulsory attendance age who is to be taught at home.

(2) Within four weeks of the receipt of such materials, or by August 15th, or for the 1988-89 school year by September 15, 1988, whichever is later, the parent shall submit the completed IHIP form to the school district. The district shall provide assistance in preparation of the forms, if requested by the parents.

(3) Within 10 business days of receipt of the IHIP, or by August 31st, or for the 1988-89 school year by September 30, 1988, whichever is later, the school district shall either notify the parents that the IHIP complies with the requirements of subdivisions (d) and (e) of this section or shall give the parents written notice of any deficiency in the IHIP.

(4) Within 15 days of receipt of a notice of a deficiency in the IHIP, or by September 15th, or for the 1988-89 school year by October 15, 1988, whichever is later, the parents shall submit a revised IHIP which corrects any such deficiencies.

(5) The superintendent of schools shall review the revised IHIP and shall notify the parents as to whether the revised IHIP complies with subdivisions (d) and (e) of this section within 15 days of receipt of the revised IHIP or by September 30th, or for the 1988-89 school year by October 31, 1988, whichever is later. If the revised IHIP is determined not to be in compliance with subdivisions (d) and (e) of this section, then the parents shall be notified in writing of the reasons for such determination. Such notice shall also contain the date of the next regularly scheduled meeting of the board of education that will be held at least 10 days after the date of mailing of the notice, and shall indicate that if the parents wish to contest the determination of noncompliance, the parents must so notify the board of education at least three business days prior to such meeting. At such board meeting, the parents shall have the right to present proof of compliance, and the board of education shall make a final determination of compliance or noncompliance.

(6) The parents shall have the right to appeal any such final school district determination of noncompliance to the Commissioner of Education within 30 days after receipt of such determination.

(7) When administrative review of a school district determination of noncompliance is completed, the parents shall immediately provide for the instruction of their children at a public school or elsewhere in compliance with Education Law, sections 3204 and 3210. For purposes of this subdivision, such administrative review shall be deemed to be completed when one of the following events has occurred:

(i) the parents have failed to contest a determination of noncompliance by appealing to the board of education;

(ii) the parents have failed to appeal a final school district determination of noncompliance to the Commissioner of Education; or

(iii) the parents have received a decision of the Commissioner of Education which upholds a final school district determination of noncompliance.

(8) Within 10 days after administrative review of the determination of noncompliance is completed, the parents shall furnish the superintendent of schools with written notice of the arrangements they have made to provide their children with the required instruction, except that such notice shall not be required if the parents enroll their children in a public school.

(d) Content of individualized home instruction plan (IHIP).

Each child's IHIP shall contain:

(1) the child's name, age and grade level;

(2) a list of the syllabi, curriculum materials, textbooks or plan of instruction to be used in each of the required subjects listed in subdivision (e) of this section;

(3) the dates for submission to the school district of the parents' quarterly reports as required in subdivision (g) of this section. These reports shall be spaced in even and logical periods;

(4) the names of the individuals providing instruction; and

(5) a statement that the child will be meeting the compulsory educational requirements of Education Law, section 3205 through full-time study at a degree-granting institution, meaning enrollment for at least 12 semester hours in a semester or its equivalent, if that is the case. In this situation, the IHIP shall identify the degree-granting institution and the subjects to be covered by that study.

(e) Required courses.

(1) For purposes of this subdivision, a unit means 6,480 minutes of instruction per school year.

(2) Instruction in the following subjects shall be required:

(i) For grades one through six: arithmetic, reading, spelling, writing, the English language, geography, United States history, science, health education, music, visual arts, physical education, bilingual education and/or English as a second language where the need is indicated.

(ii) For grades seven and eight: English (two units); history and geography (two units); science (two units); mathematics (two units); physical education (on a regular basis); health education (on a regular basis); art (one-half unit); music (one-half unit); practical arts (on a regular basis); and library skills (on a regular basis). The units required herein are cumulative requirements for both grades seven and eight.

(iii) The following courses shall be taught at least once during the first eight grades: United States history, New York State history, and the Constitutions of the United States and New York State.

(iv) For grades 9 through 12: English (four units); social studies (four units), which includes one unit of American history, one-half unit in participation in government, and one-half unit of economics; mathematics (two units); science (two units); art and/or music (one unit); health education (one-half unit); physical education (two units); and three units of electives. The units required herein are cumulative requirements for grades 9 through 12.

(v) Education Law, sections 801, 804, 806 and 808, also require the following subjects to be covered during grades kindergarten through 12:

(a) patriotism and citizenship;

(b) health education regarding alcohol, drug and tobacco misuse;

(c) highway safety and traffic regulations, including bicycle safety; and

(d) fire and arson prevention and safety.

(f) Attendance requirements. Each child shall attend upon instruction as follows:

(1) The substantial equivalent of 180 days of instruction shall be provided each school year.

(2) The cumulative hours of instruction for grades 1 through 6 shall be 900 hours per year. The cumulative hours of instruction for grades 7 through 12 shall be 990 hours per year.

(3) Absences shall be permitted on the same basis as provided in the policy of the school district for its own students.

(4) Records of attendance shall be maintained by the parent and shall be made available to the school district upon request.

(5) Instruction provided at a site other than the primary residence of the parents shall be provided in a building which has not been determined to be in violation of the local building code.

(g) Quarterly reports. On or before the dates specified by the parent in the IHIP, a quarterly report for each child shall be furnished by the parent to the school district. The quarterly report shall contain the following:

(1) the number of hours of instruction during said 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; and

(4) a written explanation in the event that less than 80 percent of the amount of the course materials as set forth in the IHIP planned for that quarter has been covered in any subject.

(h). Annual assessment. At the time of filing the fourth quarterly report as specified in the IHIP, the parent shall also file an annual assessment in accordance with this subdivision. The annual assessment shall include the results of a commercially published norm referenced achievement test which meets the requirements of paragraph (1) of this subdivision, or an alternative form of evaluation which meets the requirements of paragraph (2) of this subdivision.

(1) Commercially published norm-referenced achievement tests.

(i) The test shall be selected by the parent from one of the following: the Iowa Test of Basic Skills, the California Achievement Test, the Stanford Achievement Test, the Comprehensive Test of Basic Skills, the Metropolitan Achievement Test, a State Education Department test, or another test approved by the State Education Department.

(ii) The test shall be administered in accordance with one of the following options, to be selected by the parents:

(a) at the public school, by its professional staff;

(b) at a registered nonpublic school, by its professional staff, provided that the consent of the chief school officer of the nonpublic school is obtained;

(c) at a non-registered nonpublic school, by its professional staff, provided that the consent of the superintendent of schools of the school district and of the chief school officer of the nonpublic school is obtained; or

(d) at the parents' home or at any other reasonable location, by a New York State-certified teacher or by another qualified person, provided that the superintendent has consented to having said certified teacher or other person administer the test.

(iii) The test shall be scored by the persons administering the test or by other persons who are mutually agreeable to the parents and the superintendent of schools.

(iv) The test shall be provided by the school district upon request by the parent, provided that the cost of any testing facilities, transportation, and/or personnel for testing conducted at a location other than the public school shall be borne by the parent.

(v) If a score on a test is determined to be inadequate, the program shall be placed on probation pursuant to subdivision (i) of this section. A student's score shall be deemed adequate if:

(a) the student has a composite score above the 33rd percentile on national norms; or

(b) the student's score reflects one academic year of growth as compared to a test administered during or subsequent to the prior school year.

(2) Alternative evaluation methods. An alternative form of evaluation shall be permitted to be chosen by the parent only as follows:

(i) for grades one through three, a written narrative prepared by a person specified in subparagraph (iii) of this paragraph;

(ii) for grades four through eight, a written narrative prepared by a person specified in subparagraph (iii) of this paragraph. This alternative form of evaluation may be used no more often than every other school year for these grades;

(iii) for the purposes of this paragraph, the person who prepares the written narrative shall be a New York State-certified teacher, a home instruction peer group review panel, or other person, who has interviewed the child and reviewed a portfolio of the child's work. Such person shall certify either that the child has made adequate academic progress or that the child has failed to make adequate progress. In the event that such child has failed to make adequate progress, the home instruction program shall be placed on probation pursuant to subdivision (i) of this section. The certified teacher, peer review panel or other person shall be chosen by the parent with the consent of the superintendent. Any resulting cost shall be borne by the parent.

(3) If a dispute arises between the parents and the superintendent of schools, including disputes over the administration of the commercially published norm-referenced achievement test or the use of alternative evaluation methods, the parents may appeal to the board of education. If the parents disagree with the determination of the board of education, the parents may appeal to the Commissioner of Education within 30 days of receipt of the board's final determination.

(i) Probation.

(1) If a child's annual assessment fails to comply with the requirements of subdivision (h) of this section, the home instruction program shall be placed on probation for a period of up to two school years. The parent shall be required to submit a plan of remediation which addresses the deficiencies in the child's achievement, and seeks to remedy said deficiencies. The plan shall be reviewed by the school district. The school district may require the parents to make changes in the plan prior to acceptance.

(2) If after the end of any semester of the probationary period, the child progresses to the level specified in the remediation plan, then the home instruction program shall be removed from probation. If the child does not attain at least 75 percent of the objectives specified in the remediation plan at the end of any given semester within the period of probation, or if after two years on probation 100 percent of the objectives of the remediation plan have not been satisfied, the superintendent of schools shall provide the parents with the notice specified in paragraph (c)(5) of this section and the board of education shall review the determination of

noncompliance in accordance with such paragraph, except that consent of the parents to such review shall not be required.

(3) If, during the period of probation, the superintendent of schools has reasonable grounds to believe that the program of home instruction is in substantial noncompliance with these regulations, the superintendent may require one or more home visits. Such home visit(s) shall be made only after three days' written notice. The purpose of such visit(s) shall be to ascertain areas of noncompliance with these regulations and to determine methods of remediating any such deficiencies. The home visit(s) shall be conducted by the superintendent or by the superintendent's designee. The superintendent may include members of a home instruction peer review panel in the home visit team.

APPENDIX D

SPECIAL EDUCATION SERVICES TO HOME INSTRUCTED STUDENTS



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES
STATEWIDE COORDINATOR FOR SPECIAL EDUCATION
Room 1624 One Commerce Plaza • Albany, NY 12234
www.nysed.gov

Telephone (518) 402-3353 Fax: (518) 473-5769

July 2008

To: District Superintendents of Schools
Superintendents of Public Schools
Directors of Special Education
Chairpersons, Committee on Special Education
Parents, Individuals and Organizations Interested in the Education of Students with Disabilities
Commissioner's Advisory Panel for Special Education Services
Commissioner's Advisory Panel for Nonpublic Schools

From: James P. DeLorenzo *James P. DeLorenzo*

Subject: New Requirements for the Provision of Special Education Services to Home-Instructed ("Home-Schooled") Students

This memorandum is to inform you that, pursuant to Chapter 217 of the Laws of 2008, which was signed by the Governor on July 7, 2008, students with disabilities who are in home instruction programs pursuant to section 100.10 of the Regulations of the Commissioner of Education are eligible to receive special education services from their school district. The new law resulted from proposed legislation advanced by the State Education Department.

Section 3602-c of the Education Law has been amended to add a new subdivision 2-c to deem home-schooled students with disabilities and students suspected of having a disability to be nonpublic school students solely for the purpose of receiving special education services during the regular school year.

To be eligible for special education services, a home-schooled student must be entitled to attend the public schools without payment of tuition pursuant to Education Law §3202(1). In addition, such student would be required to have an individualized home instruction plan (IHIP) that the superintendent of schools of the school district in which the home school is located has determined to be in compliance with section 100.10 of the Regulations of the Commissioner of Education. Where the student is educated at home, the school district of location is the same as the student's school district of residence.



School districts should notify all parents of students with disabilities who are in home instruction programs pursuant to section 100.10 of the Regulations of the Commissioner of Education that:

- For home-schooled students who are students with disabilities, the Committee on Special Education (CSE) would develop an individualized education services program (IESP) for the student. The IESP would be developed in the same manner and have the same contents as an individualized education program (IEP). An IESP is developed in consideration of the parents' decision to home school their child.
- In order to receive services in the 2008-09 school year, **a parent must submit a written request for such services to the board of education of the school district of location no later than August 6, 2008 of this year** (which is 30 days after this new law takes effect). For a student who is first identified as a student with a disability after the first day of June 2008 and prior to the first day of April of 2009, a parent must submit the written request for services within 30 days after the student is first identified. A request may also be submitted within 30 days of a change in the student's school district of residence.
- In subsequent years, the parent must request special education services in writing to the board of education of the school district of location by June 1 preceding the school year for which the request for services is made. However, for a student who is first identified as a student with a disability after the first day of June preceding the school year for which the request is made and prior to the first day of April of such current school year, the parent must submit the written request for services within 30 days after the student was first identified. A request may also be submitted within 30 days of a change in the student's school district of residence.
- Special education services must be provided to home-schooled students on an equitable basis as compared to special education programs and services provided to other students with disabilities attending public or nonpublic schools within the district.
- Parents of home-schooled students who disagree with the IESP recommendation of the CSE would be entitled to due process pursuant to Education Law section 4404 just as parents of nonpublic students are.
- A board of education determines the location where special education services will be available to home-schooled students, which could include the site of the home school.

Please share this memorandum with appropriate staff, including Directors of Special Education, CSE Chairpersons, Directors of Pupil Personnel Service, and

Principals as well as Parent Teacher Associations. If you have any questions about this information, please contact the Office of Vocational and Educational Services for Individuals with Disabilities (VESID), Special Education Policy Unit, at 518-473-2878 or your Regional Associate at one of the following VESID Special Education Quality Assurance Regional Offices:

Central NY Regional Office	(315) 428-3287
Eastern Regional Office	(518) 486-6366
Hudson Valley Regional Office	(914) 245-0010
Long Island Regional Office	(631) 884-8530
New York City Regional Office	(718) 722-4544
Western Regional Office	(585) 344-2002 ext. 420
Nondistrict Office	(518) 473-1185

**Please note: If you would like to receive notification of our publications via e-mail, register at www.vesid.nysed.gov/specialed/publications/register.*