

**POLICY OF THE RENSSELAER CITY SCHOOL DISTRICT  
RELATED TO PARENTAL HOME INSTRUCTION  
OF COMPULSORY SCHOOL AGED STUDENTS**

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

Once an IHIP is found in compliance, the District is responsible for monitoring the student's program. The parent(s) must file with the District quarterly reports and an annual assessment with the fourth quarter report. A district's obligation to review and monitor children educated under an IHIP is outlined below.

**REVIEW OF A HOME INSTRUCTION PLAN FOR COMPLIANCE**

1. Within 10 business days of notice of a parent's intent to instruct a child of compulsory school age at home, the District must send the parent a copy of the Regulations of the Commissioner of Education governing IHIPs (Section 100.10) and an individualized home instruction application form.
2. Within 4 weeks of receipt of the IHIP information and packet, the Parent must complete the IHIP application and submit it to the District.
3. Within 10 business days of receipt of the IHIP, the Superintendent will issue a written determination of finding the plan in compliance with the Regulations of the Commissioner, or identifying that it is deficient and notifying the parent(s) of this decision in writing. If there are deficiencies, the Superintendent will provide written notice of the specific deficiencies in the proposed IHIP.
4. If the IHIP is found deficient, the parent(s) must resubmit a revised plan in 15 days addressing those deficiencies.
5. Within 15 days of receipt of the revised IHIP, the Superintendent must review it for compliance and will either find that the revised IHIP meets the requirements set forth in Part 100.10 or they will reject the revised plan and provide written notice of continuing deficiencies. If the plan is not found to be out of compliance, the Superintendent must also notify the parent(s) at least 10 days prior to the next board meeting that they may challenge the finding(s) of deficiency by notifying the board at least 3 business days before the meeting. If the Parent(s) elect to

appeal to the Board, they must be permitted to present proof of compliance and the Board of Education will make a determination regarding compliance. *If the parent(s) do not appeal, the student must return to school or the parent(s) must arrange for the student to attend another public or equivalent education program. (i.e. a private or parochial school)*

6. If the Board of Education does not find the IHIP is compliant with the Regulations of the Commissioner, the District must notify the parent(s) in writing of the right to appeal to the Commissioner of Education within 30 days of the date of the determination.
7. Unless the IHIP is found compliant or an appeal is pending, the student must return to the public schools or receive instruction elsewhere.
8. If the student does not return to the public schools, the parent(s) must notify the district within 10 days of where the student is enrolled.

### **MONITORING THE IHIP**

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

- iii. New York State certified teacher or other qualified person, with the Superintendent's consent after reviewing the qualification or certification of the proposed evaluator at the Parent's home or any other reasonable location (i.e. a library, community center).
- The test must be scored by the person administering the test or other persons mutually agreeable to the Parent and the Superintendent.
- The test must be provided by the school district upon request of the parent, with the cost of the testing facilities, transportation or personnel for testing conducted at a location other than the public school assumed by the parent.
- If the annual assessment score is below 33 % on national norms, or reflect less than one year of growth as compared to the score earned the prior school year, the home instruction program is placed on probation.
- Alternative evaluation is permissible, provided that the Superintendent consents to the evaluator selected by the parent. The evaluator must provide a written narrative of the student's progress after conducting an interview with the student, and reviewing a portfolio of the student's work. The evaluator must certify whether the student made (or failed to make) adequate academic progress. The evaluator must be a New York State certified teacher, a home instruction peer group review panel or another person who is mutually agreeable to the parent and the superintendent. With regard to the narrative assessment, the Board requires that the person conducting the review and generating the narrative report must be someone other than the child's primary instructor, to ensure that an independent review of the work is obtained. Note that for grades 4-8, alternative format evaluation may not be used more frequently than every other year. If the student fails to make adequate academic progress, the home instruction program is placed on probation.
- If there is a dispute between the parents and the Superintendent with respect to the evaluation method, tool or the administration of the assessment, the Parent may appeal to the Board of Education. If the Parent disagrees with the determination of the Board of Education, the parent may appeal to the Commissioner of Education within 30 days of receipt of the Board's decision.

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

1. If the student does not demonstrate adequate academic progress, the IHIP may be placed on probation for up to two school years. The parent must submit a plan of remediation to address the student's lack of progress and take steps to remedy the situation. The Remediation Plan shall be reviewed by the District. If the Remediation Plan does not address all of the deficiencies, the Parents may be required to make changes before the plan is accepted.
2. If a student makes progress consistent with the Remediation Plan at the end of any semester, the IHIP must be removed from Probation. However, if the student fails to attain 75% of the objectives in the Remediation Plan by the end of any given semester, or if after 2 years the student has not attained 100% of the objectives in

- the Remediation Plan, the Superintendent must notify the parents that the terms of the plan have not been met, and that the Board of Education will review the non-compliance.
3. If during the period of probation, the Superintendent has reasonable grounds to believe the home instruction plan is in substantial noncompliance with the Regulations, the Superintendent may require one or more home visits. Visits must be scheduled on three days notice to the parents. The purpose of the visit is to ascertain areas of noncompliance and to determine methods of remediation of the deficiencies. Home visits may be conducted by the Superintendent or his/her designee. The Superintendent may include members of a home instruction peer review team in a home visit.

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

Cross-Ref: RCSD Policy 5100 – Student Attendance

Adopted: February 24, 2004

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