



Home Instruction Guide



a guide to
educating your
child at home

Note: Electronic Versions of this Guide
and all downloadable forms may be
found at: www.warsawcsd.org under
the District tab.





Home Instruction Guide

Table of Contents

Warsaw Central School Home Instruction Policy	p.1
Required Documents	p.2
Annual Assessment	p.3
Preparing the IHIP	p.5
Overview of the New York State Elementary Curriculum	p.6
Overview of the New York State Curriculum for Grades 7-8	p.9
Overview of the New York State Curriculum for Grades 9-12	p. 12
Part 100.10 Of Regulations of the Commissioner of Education	p.15
Home Instruction -Questions and Answers	p. 21
Appendix A1: Notice of Intention for Home Instruction	p.33
Appendix A2: Individualized Home Instruction Plan (IHIP)	p.34
Appendix A3: Individualized Home Instruction Plan – Grades 1-6	p.35
Appendix A4: Individualized Home Instruction Plan – Grades 7-8	p. 37
Appendix A5: Individualized Home Instruction Plan – Grades 9-12	p. 39
Appendix A6: Home School Quarterly Report – Grades 1-6	p. 41
Appendix A7: Home School Quarterly Report – Grades 7-8	p. 43
Appendix A8: Home School Quarterly Report – Grades 9-12	p. 45





Warsaw Central School District • 153 West Buffalo St • Warsaw, NY 14569 Ph. 585.786.8000 •
Fax 585.786.8008 • www.warsawcsd.org

Warsaw Central School - Home Instruction Policy

Board of Education Policy 8470 (adopted 2009)

Subject: Home Instruction (Home Schooling)

From time to time, parents will choose to instruct their children at home. The School District will attempt to cooperate with parents who wish to provide home schooling for their children realizing that the child who is educated at home should receive an education in a manner consistent with an educational plan and at least substantially equivalent to that given to students of like age and attainments in the local public schools. The required subjects should be taught in a competent, systematic, and sequential manner, specifically in relation to the required courses as enumerated in Commissioner's Regulation Section 100.10.

Provision of Services to Home-Instructed Students

They are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents, the school or the District.

a) Extracurricular Participation

They are *not* eligible to participate in interscholastic sports. Commissioner's Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic sports. Further, the District *does not* permit home-instructed students to participate in any extracurricular activities.

b) Textbooks and Materials

The District is not required to loan available textbooks and other materials (e.g., library materials, microscopes, computer software, movie projectors) to home-instructed students. However, the School District *shall provide* home-instructed students with such textbooks and materials.

c) The School District is *not required* to furnish health services.

d) The District *is not responsible* for providing remedial programs.

e) The District is *not permitted* to provide Occupational and Vocational Education programs (career and technical education) nor programs for the Gifted to home-instructed students.

f) Special Education Services

Solely for the purpose of Education Law Section 3602-c, home-instructed students with disabilities are deemed to be students enrolled in and attending a nonpublic school, which enables them to receive special education services, as well as to be included for computation of state aid for such education by the District.

The Committee on Special Education (CSE) will develop an Individualized Education Services Program (IESP) for the student. The IESP shall be developed in the same manner and with the same content as an IEP. The Board of Education will determine a location where special education services are to be provided to a home-instructed student. This location may, but is not required to be, in the student's home.

g) Use of School Facilities

Students instructed at home shall not be allowed to use school facilities, except as provided for community organizations in Policy #3280 -- Community Use of School Facilities.

Primary responsibility for determining compliance with Commissioner's Regulations addressing home instruction rests with the Superintendent of Schools of the school district in which a home-instructed student resides.

Education Law Sections 3204, 3205, 3210(2), 3212(2), 3240-42, 3602-c and 4402 8 New York Code of Rules and Regulations (NYCRR) Sections 100.10, 135.4(c)(7)(ii)(b)(2) and 200.2(a)



Required Documents

Document	Required	Due/ Form	Content
Notice of Intention to Home School	Notification to instruct any child of <i>compulsory school attendance age</i> at home. Children who turn six on or before December 1 must be in an instructional program as of the preceding September. (See Question No. 38 in the Home Instruction - Questions and Answers section)	Due: July 1 or within 14 days of commencing home instruction each year. Form: See Appendix A-1; a letter is also acceptable.	<ul style="list-style-type: none"> ▪ 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
Individual Home Instruction Plan (IHIP)	A separate plan for each child of <i>compulsory school attendance age</i> being instructed at home. NOTE: An IHIP is required for children who turn six on or before December 1; IHIPs for children who will turn sixteen 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	<ul style="list-style-type: none"> ▪ Name, age and grade level ▪ 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 ▪ The names of all individuals providing instruction ▪ 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.
Quarterly Reports	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	<ul style="list-style-type: none"> ▪ The number of hours of instruction completed during the quarter (total for grades 1-6 students; by subject for grades 7-12) ▪ A written description of the materials covered for each subject listed on the IHIP ▪ A grade or written evaluation of the student's progress <p>Note: An evaluation must assess the level of achievement obtained by the student. It cannot simply state that lessons were completed.</p> <ul style="list-style-type: none"> ▪ 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.
Annual Assessment	A norm-referenced standardized achievement test, or approved alternative that documents the level of achievement for each student, must be administered each year.	At the time the fourth quarterly report is submitted	<i>Please see next page for more information about annual assessments.</i>



Annual Assessment

A. Standardized Testing

Selected by parents from the following:

- Iowa Test of Basic Skills
- California Achievement Test
- Comprehensive Test of Basic Skills
- Metropolitan Achievement Test
- Stanford Achievement Test
- New York State Pupil or Regents Competency Exams

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 nonregistered nonpublic school, by its professional staff, *with the prior consent of both the home district superintendent and the chief school officer of the nonpublic 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. 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 Evaluations

A written narrative completed by a qualified person is permitted to be chosen by parents under the following conditions:

- a) Students in grades 1-3
- b) Students in grades 4-8 may be assessed by written narrative every other year only. (i.e. grades 4, 6, 8, or grades 3, 5, 7)

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 the superintendent.

Results

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



Preparing the IHIP

The *Individual 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: The third quarterly report should include plans for the annual assessment.

Completing the IHIP

For compliance purposes, the IHIP serves to establish the concept of “substantial equivalence.” It 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 the attached Commissioner’s Regulations 100.10.

In New York State, both subject and instructional requirements change from elementary (grades 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.



Overview of the New York State Elementary Curriculum

The following is a general overview of content most commonly found in the elementary curriculum. Its purpose is to describe some of the major concepts and skills addressed and are 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 Arts Curriculum integrates the skills of reading, writing, speaking and listening. 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 are developed by having children keep journals of their experiences, write stories, letters, and reports. Speaking skills are developed by giving short presentations and oral reports.

Mathematics

A major goal of mathematical education is to develop the ability to utilize math concepts and skills to solve everyday problems. The content areas of math are logic, number sense and numeration, operations on numbers, geometry, measurement, probability and statistics, algebra, and trigonometry. 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 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

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 as well.



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 the 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, obtaining and reporting information from a variety of sources, and interpreting written reports and 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 were recently amended to 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.

Visual Arts and Music

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.

Physical Education

Physical fitness and teamwork are emphasized in the physical education curriculum throughout the K-12 experience. Activities involving rhythms, 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 desk top publishing.



Grades 1-6

Subject Requirements	Instructional Requirements
(public/registered non-public schools)	(yearly total = 900 hours)
English/Language Arts <ul style="list-style-type: none">➤ Reading➤ Writing➤ Spelling➤ Speaking/Listening	180 minutes per week
Mathematics	180 minutes per week
Science <ul style="list-style-type: none">➤ Life Science➤ Physical Science	180 minutes per week
Social Studies (includes citizenship and patriotism) <ul style="list-style-type: none">➤ Geography➤ NYS History and Constitution➤ US History and Constitution➤ Local History➤ Economics	180 minutes per week
Health (includes HIV/AIDS, alcohol/drug/tobacco abuse, fire/highway/bicycle safety education, child abuse)	Regularly
Music	45 minutes per week
Visual Arts	45 minutes per week
Physical Education	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 (i.e. science/health), the IHIP must show content taught in each subject.



Overview of the New York State Curriculum for Grades 7-8

The following is a general overview of content most commonly found in the middle and junior 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 of curriculum information is the curriculum coordinator or middle school 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 language structures. Essays, skits, short stories, reports, newspaper ads/articles and business correspondence are some examples of the kinds of writing that are practiced.

Mathematics

Skill development in the seven content areas introduced at the elementary level continue. 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.

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 among the various science disciplines and mathematics.

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. Connections are made to Canada and Mexico where relevant.

It should be noted that American history is the content focus in grades 4, 8, 9, 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 Careers Skills

A 1985 revision of the Commissioner's 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 State Syllabus for both of these courses.

Health

See Elementary

Art, Music, Physical Education

See Elementary



Grades 7-8

Subject Requirements	Units	Instructional Requirements
(public/registered non-public schools)		(yearly total = 990 hours)
English/Language Arts <ul style="list-style-type: none"> ➤ Reading ➤ Writing ➤ Spelling ➤ Speaking/Listening 	2	180 minutes per week
Mathematics	2	180 minutes per week
Science <ul style="list-style-type: none"> ➤ Life Science ➤ Physical Science 	2	180 minutes per week
Social Studies (includes citizenship and patriotism) <ul style="list-style-type: none"> ➤ Geography ➤ NYS History and Constitution ➤ US History and Constitution ➤ Local History ➤ Economics 	2	180 minutes per week
Health (includes HIV/AIDS, alcohol/drug/tobacco abuse, fire/highway/bicycle safety education, child abuse)	$\frac{1}{2}$	90 minutes per week
Music	$\frac{1}{2}$	90 minutes per week
Visual Arts	$\frac{1}{2}$	90 minutes per week
Technology	1	180 minutes per week
Home and Careers	$\frac{1}{4}$	45 minutes per week
Library Skills	$\frac{1}{4}$	45 minutes per week
Physical Education		120 minutes per week

Unit Explanation

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

$\frac{1}{2}$ unit = 90 minutes per week for one year or 45 minutes per week for two years

$\frac{1}{4}$ unit = 45 minutes per week for one year or 90 minutes per week for a half year.

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 (i.e. science/health), the IHIP must show content taught in each subject.



Overview of the New York State Curriculum for Grades 9-12

The following is a general overview of content most commonly found in 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 of 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 in which they are likely to use those skills 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

High school students in New York State take a minimum of two courses in science. In-depth study is offered in the traditional disciplines of earth science, biology, chemistry and physics. 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 Studies. Content includes the history, culture, geography, economics and politics of a country or region. The third year course is U.S. History and Government. 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 grades are extended and refined. Critical analysis and discussion are instructional strategies commonly employed with high school students.

Health

See Elementary

Art, Music, Physical Education

See Elementary



Grades 9-12

Subject Requirements	Units	Instructional Requirements
(public/registered non-public schools)		(yearly total = 990 hours)
English/Language Arts <ul style="list-style-type: none"> ➤ Reading ➤ Writing ➤ Spelling ➤ Speaking/Listening 	4	180 minutes per week
Mathematics	2	180 minutes per week
Science <ul style="list-style-type: none"> ➤ Life Science ➤ Physical Science 	2	180 minutes per week
Social Studies (includes citizenship and patriotism) <ul style="list-style-type: none"> ➤ Global Studies ➤ American History ➤ Participation in Government ➤ Economics 	[4] 2 1 ½ ½	180 minutes per week
Health (includes HIV/AIDS, alcohol/drug/tobacco abuse, fire/highway/bicycle safety education, child abuse)	½	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 one year

½ unit = 90 minutes per week for one year

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 (i.e. science/health), the IHIP must show content taught in each subject.



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.

April 14, 2005



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.

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 Mayshark, 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.



Warsaw Central School District
153 West Buffalo Street
Warsaw, NY 14569
Ph 585.786.8000/ Fax 585.786.8008

A-1

Notice of Intention for Home Instruction

Date: _____

Child's Name		
Grade	Age	Date of Birth

Parents or Guardians

Name			
Address	City	State	Zip
Telephone Number			

Person Providing Instruction (If applicable):

Name			
Address	City	State	Zip
Telephone Number			

Period for which home instruction is intended:

Begin		End	
-------	--	-----	--





Warsaw Central School District
153 West Buffalo Street
Warsaw, NY 14569
Ph 585.786.8000/ Fax 585.786.8008

A-2

Individualized Home Instruction Plan (IHIP) Cover Sheet

Date: _____

For school year beginning: _____

ending: _____

Student		Date of Birth	
Address	City	State	Zip
School District		Grade Level	

Quarterly Reports will be submitted as follows:

1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
____ / ____ / ____	____ / ____ / ____	____ / ____ / ____	____ / ____ / ____
		(annual assessment arrangement included)	(annual assessment included)

Parent

Home School Instructor
(if not parent)





Individualized Home Instruction Plan

GRADES 1 - 6

School Year 20____ - 20____

Student	Grade Level

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, speaking/listening)

Mathematics:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US history and constitution, patriotism, and citizenship)



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.)

Notes:

- 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 (i.e. science/health), the IHIP must show content taught in each subject.



Individualized Home Instruction Plan

GRADES 7-8

School Year 20____ - 20____

Student	Grade Level

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, speaking/listening)

Mathematics:

Science: (include life sciences and physical science)

Social Studies: (include geography, NY State/US history and constitution, patriotism, and citizenship)



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

Practical Arts: (include technology and home and careers)

Music:

Visual Arts:

Physical Education:

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

Notes:

- 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 (i.e. science/health), the IHIP must show content taught in each subject.



Individualized Home Instruction Plan
GRADES 9-12

School Year 20____ - 20____

Student	Grade Level

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:

Mathematics:

Science:

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



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

Music:

Visual Arts:

Physical Education:

Electives:

Notes:

- 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 (i.e. science/health), the IHIP must show content taught in each subject.



Home School Quarterly Report

GRADES 1-6

Student		Date
Quarter	Hours of Instruction	Grade Level
<div style="display: flex; justify-content: space-around;"> 1 2 3 4 </div> <p>(please circle)</p>		

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

	No. of Hours	Grade / Evaluation
English/Language Arts: (include reading, writing, spelling, speaking/listening)		
Mathematics:		
Science: (include life sciences and physical science)		
Social Studies: (include geography, NY State/US history and constitution, patriotism, and citizenship)		
	No. of	Grade /



	Hours	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)

Test Name _____ or Narrative _____



Home School Quarterly Report

GRADES 7-8

Student		Date
Quarter	Hours of Instruction	Grade Level
<div style="display: flex; justify-content: space-around;"> 1 2 3 4 </div> <p>(please circle)</p>		

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

	No. of Hours	Grade / Evaluation
English/Language Arts: (include reading, writing, spelling, speaking/listening)		
Mathematics:		
Science: (include life sciences and physical science)		
Social Studies: (include geography, NY State/US history and constitution, patriotism, and citizenship)		



	No. of Hours	Grade / Evaluation
Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)		
Practical Arts: (include technology and home and careers)		
Music:		
Art:		
Physical Education		
Library Skills		

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

Test Name _____ or Narrative _____



Home School Quarterly Report

GRADES 9-12

Student		Date
Quarter	Hours of Instruction	Grade Level
1 2 3 4 (please circle)		

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

	No. of Hours	Grade / Evaluation
English/Language Arts: Include reading, writing, spelling, speaking/listening)		
Mathematics:		
Science: (include life sciences and physical science)		
Social Studies: (include American History, participation in government, or economics, patriotism, and citizenship)		



	No. of Hours	Grade / Evaluation
Health: (include HIV/AIDS, alcohol/drug/tobacco abuse, arson prevention, fire/traffic/highway/bicycle safety education, child abuse)		
Music or Art:		
Physical Education :		
Library Skills:		
Electives:		

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

Test Name _____ or Narrative _____

