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State Homeschool Policies: A patchwork of provisions

Micah Ann Wixom

In the absence of federal homeschooling guidelines, states regulate homeschooling through a patchwork of provisions. Homeschooling policies vary widely from one state to the next and families' homeschooling experiences will likely be very different depending on where they live. For example, some states have little or no homeschooling regulation — like **Alaska, Idaho** and **Michigan** — while others have more robust oversight policies — **Washington, New York** and **Pennsylvania**, for example. Although homeschooling occurs largely outside of the public education system, as states provide more online education options and allow homeschooled students to participate, the lines between public education and homeschooling are blurring.

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KEY TAKEAWAYS

Just 13 states plus the District of Columbia require homeschool instructors to have qualifications, usually requiring a high school diploma.

Fewer than half of states require homeschooled students to be assessed.

An increasing number of homeschooled students are participating in online education through state online schools, virtual charter schools or other distance education programs.

There are many reasons why parents choose to homeschool — some may want to provide more rigorous academics or help a child with special needs, while others might have concerns about school environments or seek to provide their children with religious education. Some families choose to homeschool full-time, but others might homeschool their children for a short time or use part-time homeschooling as one of multiple educational tools.¹ In short, there are as many ways and reasons to homeschool as there are families who choose it.

It is difficult to determine the exact number of students being homeschooled across the country, in part because several states have few or no reporting requirements, and estimates vary widely. Regardless of the exact number, it is clearly a small but growing population. According to the most recent federal statistics, the number of students being homeschooled in the United States has increased from more than 1 million, or 2.2 percent of all students, in 2003 to nearly 1.8 million, or 3.4 percent of students, in 2012.²

Homeschooling is typically addressed through states' compulsory school attendance exemption policies, but states approach the issue very differently. Homeschooling is most often governed in state policy in one of the following ways: (1) explicitly allowed in statute or regulation, (2) allowed under the umbrella of private or church schools, (3) tacitly allowed under private school policies, (4) governed through local district or school oversight, or (5) some combination of the above. Additionally, in a small number of states homeschooling policies are, at least in part, shaped by case law.

Education Commission of the States staff reviewed state homeschooling policies for all 50 states plus the District of Columbia in the following seven areas:

- ◆ Notification of intent to homeschool.
- ◆ Instructor qualifications.
- ◆ Subjects required to be taught.
- ◆ Attendance.
- ◆ Assessment requirements.
- ◆ Participation in extracurricular activities and academics at local public schools.
- ◆ Online schools participation.

State requirements

Notification

Notification is a broad term that encompasses the relationship between homeschooling parents and their local school, local district, or the state. Nearly 40 states plus D.C. require parents to notify their local school district or the department of education if they are homeschooling their child; the vast majority requires yearly notification. Six states require one-time parental notification only when homeschooling commences.

In some states parents have to simply notify local or state authorities of their intent to homeschool a child. In other states there is more of a back-and-forth relationship, with parents required to provide information about curricular materials, attendance or assessment results, or even register with the local school or district. For example, homeschooling parents in **North Dakota** must provide yearly notification to their local school district, including copies of immunization records and notice of any public school activities or courses in which the student intends to participate.

RHODE ISLAND

To homeschool in Rhode Island, a parent must receive approval from the local town's school committee.

ARKANSAS

A parent may not homeschool in Arkansas if there is a registered sex offender living in the home.

COLORADO

Colorado requires homeschooling parents to provide yearly homeschooling notification to any school district, not necessarily the student's local school district.

NEW HAMPSHIRE

New Hampshire has a Home Education Advisory Council to oversee home education in the state.

Instructor qualifications

Just 13 states and D.C. require home instructors to have qualifications, almost always requiring a high school diploma or its equivalent. Of these, three states — **Minnesota**, **Virginia** and **Washington** — plus D.C. allow exemptions to instructor requirements. Most states require home instruction to be provided by a parent. A small number of states, including **Colorado** and **Montana**, allow a family member, not necessarily a parent, to provide home-based instruction.

Iowa and **Michigan** only require qualifications for a parent instructing a student under one of multiple compulsory attendance exemptions offered in the state. In **Ohio**, homeschooling parents who lack the required qualifications, including a high school diploma or its equivalent, must be supervised by someone with a college degree. **Washington's** instructor requirements are the most rigorous in the country, requiring homeschool instructors to have completed at least some college-level coursework, although the state allows for instructor requirement waivers.

A few states take up the issue of more than one family homeschooling together. For example, **North Carolina** allows no more than two families to home school together, while one of **Delaware's** three homeschooling options includes “multi-family home school,” defined as more than one family homeschooling together in multiple residences.

Subjects

More than half of states (29 plus D.C.) direct homeschool instructors to provide instruction in certain subjects. Requirements vary from state to state but typically include subjects like mathematics, English language arts, science and social studies. Some states, like **Montana**, have different subject requirements depending on the student’s grade level. A few states’ policies simply state that homeschooled students must be instructed in the subjects commonly taught or required in the states’ public schools.

Some states, but not all, require parents to provide evidence that these subjects are being taught. The verification takes different forms, but generally parents must maintain teaching records or a portfolio of the student’s work for review upon request of the state’s department of education or the local district. For example, homeschooling parents in **Louisiana** must provide an instructional plan or materials for review on a regular basis. Regardless of the state requirement, maintaining instructional records and a portfolio of student work is considered a homeschooling best practice.³

Attendance

Twenty-three states plus D.C. have attendance requirements for homeschooled students. Generally, states require students to receive instruction similar or equivalent to the amount of instruction time required in public schools. There is variation in the way states frame these requirements; states’ attendance requirements typically fall under one of three categories:

- ◆ School days per year (180 days of school per year in **West Virginia**).
- ◆ Hours of instruction per year (900 hours of instruction per year in **Ohio**).
- ◆ Combination of both (four hours a day for 175 days per year in **North Dakota**).

Three states — **Maryland**, **North Carolina** and **Alabama** — do not specify the number of hours or days of instruction a student must receive, instead indicating that homeschooling must take place regularly during the school year. **Florida's** policies specifically exclude homeschooled students from school-day requirements.

IOWA

In Iowa, homeschooling is conducted under one of two types of private instruction: competent private instruction or independent private instruction. Requirements for reporting, assessments and instructor qualifications are different depending on the option used.

NEW YORK

Parents homeschooling in New York must submit a yearly Individualized Home Instruction Plan to the local district superintendent for approval and provide the superintendent with quarterly reports on a student’s progress.

VERMONT

Vermont only requires an assessment during the first two consecutive years of homeschooling unless there is evidence the student is not progressing academically.

Assessment requirements

Fewer than half of states require an assessment of homeschooled students' academic progress. Of the 20 states mandating an assessment, 12 require standardized testing. In the remaining eight states, parents may choose either a standardized test or an alternative assessment method.

Alternative assessment options generally include an evaluation or a review of the student's portfolio by a licensed teacher or administrator, or some other academic assessment decided on by the parent and a local or state official. Examples of some states' alternative methods include **Florida**, which allows students to be evaluated by a licensed psychologist in lieu of a standardized assessment, and **Virginia**, which allows homeschooled students to submit a report card or transcript from a distance learning program, a home education correspondence school or a postsecondary institution. States generally require an assessment during certain grades or every few years, but a few states require an annual assessment.

Local district or department officials use these assessments as an assurance that a student is engaged in a course of study and making appropriate academic progress. Most states requiring an assessment have established academic thresholds for homeschooled students and an intervention process of some kind for students failing to meet these thresholds. Generally, the state will require the parent or instructor to submit to instructional oversight or a probationary period.

Public school participation

More than half of states allow homeschooled students to participate in extracurricular or co-curricular activities during or after school, attend academic classes at a local public school part-time, or both. Most of these 26 states specify that a student may participate in extracurricular activities without reference to academic courses, but a small number of states — **Vermont** and **Nevada**, for example — make it clear that homeschooled students may take academic courses and participate in extracurricular activities. A few states clearly allow only one or the other.

New Mexico has state policies allowing students to participate in classes at a local public school while decisions about extracurricular activities are governed by local school boards, and **Florida** does the opposite. Still other states, like **New Jersey**, leave these decisions solely to local school districts.

Online schools

It appears that an increasing number of homeschooled students are participating in online education, either through a growing number of state online schools, virtual charter schools, or other distance education options. As more students seek out opportunities through state-sponsored programs, students are pulled under the canopy of state standards and the lines between home schools and public schools are becoming fuzzier.

It isn't always clear if states allow homeschooled students to enroll in state online schools and maintain their homeschool status because only a small number of states address this issue in policy. **Georgia** and **Minnesota** both have policies clearly stating that students enrolled in certain state online schools may not be considered homeschooled, while **Florida** allows students to enroll in the state online school and maintain their homeschool status.

MAINE

Maine requires yearly assessment of homeschooled students. Under one assessment option, local school districts may create an advisory board, made up of one district employee and two local homeschool instructors, to review homeschooled students' academic progress.

ALASKA

Alaska's state policies provide little oversight for homeschooling. However, there is a statewide network of correspondence schools for homeschooled students that are run by school districts and charter schools. It is estimated that a large portion of the state's homeschooled students are enrolled in a correspondence school. These correspondence schools are almost a kind of public education and homeschooling hybrid. Each student enrolled in one of the state's correspondence schools is assigned to a certified teacher who works with the student and the student's parent every year to develop an individualized learning plan. These learning plans include a course of study for the year, an assessment plan and a plan for the teacher to monitor the student throughout the school year, including quarterly reviews of the student's work and progress. Parents and the sponsoring schools or districts both receive annual student allotments from the state to cover instructional expenses.⁴

ENDNOTES

1. Coalition for Responsible Home Education, *Reasons Parents Homeschool* (Canton, MA: Coalition for Responsible Home Education, 2012), <http://www.responsiblehomeschooling.org/homeschooling-101/reasons-parents-homeschool/> (accessed July 9, 2015); Brian D. Ray, *Research Facts on Homeschooling* (Salem, OR: National Home Education Research Institute, 2015), <http://www.nheri.org/research/research-facts-on-homeschooling.html> (accessed July 9, 2015).
2. National Center for Education Statistics, *Homeschooling in the United States: 2003 Statistical Analysis Report* (Washington, D.C.: NCES, 2006), https://nces.ed.gov/pubs2006/homeschool/FigureDisplay.asp?FigurePath=images/figure_2.gif (accessed July 9, 2015); National Center for Education Statistics, *Digest of Education Statistics*, Table 206.107 (Washington, D.C.: NCES, 2006), https://nces.ed.gov/programs/digest/d13/tables/dt13_206.10.asp?current=yes (accessed July 9, 2015).
3. Coalition for Responsible Home Education, *Getting Started Homeschooling: A Guide* (Canton, MA: Coalition for Responsible Home Education, 2014), <http://www.responsiblehomeschooling.org/getting-started-homeschooling/> (accessed July 9, 2015).
4. Alaska Stat. Ann § 14.03.300, § 14.03.320 and § 14.17.430; Alaska Admin. Code tit. 4, § 33.421; Coalition for Responsible Home Education, *A History of Homeschooling in Alaska* (Canton, MA: Coalition for Responsible Home Education, 2015), <http://www.responsiblehomeschooling.org/histories-of-homeschooling/a-history-of-homeschooling-in-alaska/> (accessed July 7, 2015).

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