



Homeschooling

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State Policies on Homeschooling

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For a variety of reasons, some parents choose to educate their children at home as an alternative to public schools. As of spring 2007, about 1.5 million, or 2.9% of all school-age children, were homeschooled, according to the U.S. Department of Education’s *Condition of Education, 2009*. The homeschooled population was 850,000 in 1999 and 1.1 million in 2003.

Although every state allows some form of homeschooling, most states do regulate it in some manner. This ECS StateNote identifies:

- Educational qualifications for homeschool instructors
- Testing or evaluation requirements for homeschooled students
- Examples of state policy language pertaining to assessing homeschooled students (Appendix A)
- Links to state department of education homeschool Web pages (Appendix B).

Part I: Summary of State Policies

Homeschool Instructor Qualifications

Set qualifications for all instructors	Set qualifications for specific instructors or circumstances ²	Do not set qualifications for instructors
GA, MI, MN, NM, NC, ND, OH, PA, SC, TN, WA, WV ¹ and DC	AL, CA, CO, FL, IA, VA	AK, AR, AZ, CT, DE, HI, ID, IL, IN, KS, KY, LA, MA, MD, ME, MS, MO, MT, NE, NV, NH, NJ, NY, OK, OR, RI, SD, TX, UT, VT, WI, WY
Total: 12 states and DC	Total: 6 states	Total: 32 states

Notes:

¹ Under one of the homeschooling options in West Virginia, local education officials determine whether individuals are qualified to offer instruction.

² In these states, qualifications for instructors — often parents — depend upon the type of homeschool that parents operate (e.g., religious or private) and whether a private tutor is hired for instructional purposes.

Student Testing and Evaluation Requirements

Twenty-two states and the District of Columbia require homeschooled children to be tested or evaluated in some manner. Of these states — or under certain circumstances — 14 set a threshold for test scores or require students to make “adequate progress.” Many of these states require parents to develop a remediation plan and/or prescribe an intervention if their children do not meet evaluation standards.

NOTE: States marked with bold and italics (14 states) set a threshold for test scores or require students to make “adequate progress.” See *Appendix A* for more details.

Require student testing or evaluation	Require student testing or evaluation under certain circumstances	Do not require student testing or evaluation
AR, CO , GA, HI , IA , ME, MN , NH , NY , NC, ND , OH , OR , PA, SD, TN , VT, WA and DC	FL , SC , VA , WV	AK, AL, AZ, CA, CT, DE, ID, IL, IN, KS, KY, LA, MA, MD, MI, MS, MO, MT, NE, NV, NJ, NM, OK, RI, TX, UT, WI, WY
Total: 18 states and DC	Total: 4 states	Total: 28 states

Part 2: State-by-State Homeschooling provisions

NOTE:

* States that set qualifications for instructors only under certain homeschooling options or if a private tutor is hired for instructional purposes.

** States that require students to be tested or evaluated only under certain homeschooling options.

STATE	State policies affecting homeschooling	Requires instructors to have high school diploma, GED or other qualifications	Requires standardized testing or evaluation of students
Alabama	Ala. Code § 16-28-1(2) (definition of church schools) § 16-28-3 (compulsory attendance and exemptions) § 16-28-5 (certified private tutor)	X *	
Alaska	Alaska Stat. § 14-30.010(b)(1)(C)(12) (compulsory attendance exemption)		
Arizona	Ariz. Rev. Stat. § 15-802 (homeschool)		
Arkansas	Ark. Code Ann. § 6-15-501-503 § 6-15-504 (testing requirements)		X
California	Cal. Educ. Code § 48222 (compulsory attendance exemption for private schools) Cal. Educ. Code § 48224 (certified private tutor)	X *	
Colorado	Colo. Rev. Stat. § 22-33-104.5 (homeschooling) § 22-33-104(2)(i) (compulsory attendance exemption and private tutor)	X *	X
Connecticut	Conn. Gen. Stat. § 10-184 (compulsory attendance)		

STATE	State policies affecting homeschooling	Requires instructors to have high school diploma, GED or other qualifications	Requires standardized testing or evaluation of students
	Circular Letter from the Education Commissioner, #C, 1994-95 Series, July 15, 1994 (Not available online; revised in 1990) (suggestions for homeschooling)		
Delaware	Del. Code Ann. tit. 14 § 2703 (compulsory attendance exemptions) 14 § 2703A (homeschooling definition)		
District of Columbia	D.C. Code Ann. § 38-202 (compulsory attendance) D.C. Mun. Regs. § 5200 (homeschooling)	X	X
Florida	Fla. Stat. Ann. § 1002.41 (homeschooling) § 1002.43 (certified private tutor) § 1003.01(13) (compulsory attendance)	X*	X**
Georgia	Ga. Code Ann. § 20-2-690(c) (homeschooling)	X	X
Hawaii	Haw. Rev. Stat. § 302A-1132(a)(5) (compulsory attendance and exemptions) HAR Title 8-12-18 (testing requirements) HAR Title 8-12-19 (instructor qualifications)		X
Idaho	Idaho Code § 33-202 (compulsory attendance and “comparable” education)		
Illinois	105 Ill. Comp. Stat. 5/26-1 (compulsory attendance)		
Indiana	Ind. Code § 20-33-2-4(2) (compulsory attendance)		
Iowa	Iowa Code § 299.1 (compulsory attendance) § 299.2 (compulsory attendance exemptions) § 299A (certified private tutor and testing requirements) § 281 IAC 31.2 – (certified private tutor requirements)	X*	X
Kansas	Kan. Stat. Ann. § 72-1111 (compulsory attendance)		
Kentucky	Ky. Rev. Stat. Ann. § 159.010 (compulsory attendance) § 159.030 (compulsory attendance exemptions)		
Louisiana	La. Rev. Stat. Ann. § 17:236 (definition of school) § 17:236.1 (homeschool approval and requirements)		
Maine	Me. Rev. Stat. Ann. tit. 20-A § 5001-A Sub. 3A (compulsory attendances exemptions) 20-A § 5001-A Sub. 3A(4) (homeschool and testing requirements)		X
Maryland	Md. Code Ann. Educ. § 7-301(a) (compulsory attendance) 13A 10.01.01 (homeschool)		
Massachusetts	Mass. Gen. Laws ch. 76, § 1 (compulsory attendance and exemptions)		

STATE	State policies affecting homeschooling	Requires instructors to have high school diploma, GED or other qualifications	Requires standardized testing or evaluation of students
Michigan	Mich. Comp. Laws § 380.1561(3) (compulsory attendance exemptions) § 388.552 (private, denominational and parochial schools)	X	
Minnesota	Minn. Stat. § 120A.22(10) (instructor qualifications) § 120A.22(11) (testing requirements)	X	X
Mississippi	Miss. Code. Ann. § 37-13-91 (compulsory attendance) § 37-13-91 (3)(c) (compulsory attendance exemptions for homeschool)		
Missouri	Mo. Rev. Stat. § 167.031 (compulsory attendance and exemptions; homeschool definition)		
Montana	Mont. Code Ann. § 20-5-102(2)(e) (compulsory attendance exemption) § 20-5-109 and 111 (homeschool)		
Nebraska	Neb. Rev. Stat. § 79-201 (compulsory attendance) § 79-1601 (private, denominational and parochial schools) 92 NAC 12 and 13 (school approval and accreditation exemptions)		
Nevada	Nev. Rev. Stat. § 392.070 (compulsory attendance exemptions) § 392.700 (homeschool)		
New Hampshire	N.H. Rev. Stat. Ann. § 193-A (homeschool) § 193:1 (compulsory attendance and exemptions)		X
New Jersey	N.J. Stat. Ann. § 18A.38-25 (compulsory attendance exemption)		
New Mexico	N.M. Stat. Ann. § 22-1-2 (compulsory attendance) § 22-1-2.1(c) (instructor qualifications)	X	
New York	N.Y. Educ. Law § 3204 (compulsory attendance) Check format for Admin. Code Title 8 §100.10 (homeschool)		X
North Carolina	N.C. Gen. Stat. § 39.115C-547-565 (nonpublic/homeschool requirements, including compulsory attendance, testing and instructor qualifications)	X	X
North Dakota	N.D. Cent. Code § 15.1-20-02 (compulsory attendance exemption)	X	X

STATE	State policies affecting homeschooling	Requires instructors to have high school diploma, GED or other qualifications	Requires standardized testing or evaluation of students
	§ 15.1-23 (homeschool) § 15.1-23-03 (instructor qualifications) § 15.1-23-09 (testing requirements)		
Ohio	Ohio Rev. Code Ann. § 3321.04(A)(2) (compulsory attendance exemptions) Ohio Admin. Code § 3301-34-03(A)(9) (instructor qualifications) § 3301-34-04 (testing requirements) § 3301-34-05 (remediation)	X	X
Oklahoma	Okla. Stat. tit. 70, § 10-105(A) (compulsory attendance)		
Oregon	Or. Rev. Stat. § 339.030(1) (compulsory attendance exemptions) § 339.035 (testing requirements)		X
Pennsylvania	Pa. Stat. Ann. tit. 24, § 13-1327 (compulsory attendance) § 13-1327.1 (homeschool)	X	X
Rhode Island	R.I. Gen. Laws § 16-19-1 (compulsory attendance and exemptions) § 16-19-2 (home and private school approval)		
South Carolina	S.C. Code Ann. § 59-65-40 (compulsory attendance) § 59-65-40 (homeschool option, including instructor qualifications and testing requirements) § 59-65-45 (alternative homeschool option) § 59-65-47 (association for homeschools option)	X	X**
South Dakota	S.D. Codified Laws § 13-27-2 (compulsory attendance exemption) § 13-27-3 (alternative instruction and testing requirement)		X
Tennessee	Tenn. Code Ann. § 49-6-3005 (compulsory attendance exemptions) § 49-6-3050 (homeschool) 49-50-801 (church-related option)	X	X
Texas	Tex. Educ. Code Ann. § 25.086(a)(1) (compulsory attendance exemptions)		
Utah	Utah Code Ann. § 53A-11-102(2) (compulsory attendance and other requirements exemptions)		
Vermont	Vt. Stat. Ann. tit. 16 § 166b (homeschool) 16 § 1121 (compulsory attendance)		X

STATE	State policies affecting homeschooling	Requires instructors to have high school diploma, GED or other qualifications	Requires standardized testing or evaluation of students
Virginia	Va. Code Ann. § 22.1-254 (compulsory attendance and exemptions) § 22.1-254.1 (homeschool)	X*	X**
Washington	Wash. Rev. Code Ann. § 28A.200.010 (homeschool and testing requirements) § 28A.225.010 (compulsory attendance exemptions) § 28A.225.010(4) (instructor qualifications)	X	X
West Virginia	W.Va. Code § 18-8-1(c) (compulsory attendance exemptions) § 18-8-1(1) (homeschool approval option) § 18-8-1(2) (homeschool notice of intent option, including instructor qualifications and testing requirements)	X	X**
Wisconsin	Wis. Stat. § 115.001(3g) (homeschool definition) § 118.15(4) (compulsory attendance exemption) § 118.165(1) (private schools)		
Wyoming	Wyo. Stat. Ann. § 21-4-102(b) (compulsory attendance exemption and homeschool requirements)		
Totals		18 States and D.C.	22 States and D.C.

Appendix A

State policy language pertaining to assessing homeschooled students

The following 14 states set a threshold for test scores or require students to make “adequate progress.” Many of these states require parents to develop a remediation plan and/or prescribe an intervention if their children do not meet evaluation standards.

Colorado

Homeschooled students must be evaluated in grades 3, 5, 7, 9 and 11 and must show a composite score above the 13th percentile. Students scoring below this threshold must enroll in a public or independent or parochial school until the next testing period. The students can avoid this intervention if they meet the achievement target by being retested using an alternate version of the same test or a different nationally standardized exam.

Florida

Homeschooled students must be evaluated on an annual basis. If students do not demonstrate educational progress at a level commensurate with their ability, the parent has one year to provide remedial instruction. Continuation in a home education program is contingent upon the student demonstrating educational progress.

The annual evaluation must consist of one of the following options:

1. A certified teacher evaluates the student's educational progress upon review of a portfolio and discussion with the student.
2. Students take any nationally-normed achievement test.
3. Students take a state assessment test used by the local district.
4. Students are evaluated by an individual holding a valid, active license.
5. Students are evaluated with any other valid measurement tool as agreed upon by the local district superintendent.

NOTE: The testing/evaluation requirements apply only to certain homeschool options in Florida.

Hawaii

Homeschooled students must be tested in grades 3, 5, 8 and 10 with comparable exams used by the state department of education. One of the following methods must demonstrate satisfactory progress:

1. A test score that demonstrates grade-level achievement appropriate to the child's age
2. Progress equivalent to one grade level per year
3. A written evaluation by a certified teacher indicating that the student demonstrates appropriate grade-level achievement or significant annual advancement
4. A written evaluation by the parent with a description of the child's progress.

When standardized test scores are used, adequate progress will be considered to be in the upper two thirds of the score/stanines. If student progress is inadequate for two consecutive semesters, based on test scores or the certified teacher's evaluation, recommendations can be made to enroll the child in a public or private school.

Iowa

A homeschooled student must be evaluated annually using a nationally recognized standardized test or other assessment tool developed or recognized by the state department of education.

Adequate progress means an assessment score at or above the 30th percentile in each subject area, and must indicate either that the student has made six months' progress from the previous evaluation or that the student is at or above grade level for the child's age.

Students who do not make adequate progress must attend an accredited public or nonpublic school at the beginning of the next school year. However, students can remain in homeschooling if they retake a different form of the same evaluation, or another evaluation and show adequate progress, or if approval is granted to continue under a remediation plan.

Minnesota

Homeschooled students must be assessed annually using a nationally norm-referenced standardized examination, agreed upon by the local superintendent and parents. If assessment results indicate that the child's performance is at or below the 30th percentile or one grade level below the performance level for children of the same age, the student must be evaluated for learning problems.

New Hampshire

Parents must provide annual evaluations to ensure their homeschooled child's educational progress is at a level commensurate with the student's age and ability. Evaluation options include the following:

1. A certified teacher evaluates the student's educational progress upon review of a portfolio and discussion with the parent or child.
2. Students take any national achievement test and must score at or above the 40th percentile to be deemed academically proficient.
3. Students take a state assessment used by the resident district and must score at or above the 40th percentile to be deemed academically proficient.
4. Students are evaluated using any other valid measurement tool agreed upon by the parent and state or local education officials.

New York

Homeschooled students must be assessed annually and receive a score at or above the 33rd percentile or have a score that reflects one academic year of growth. If test scores are inadequate, the program will be placed on probation for up to two years and parents must submit a remediation plan.

Alternatively, a certified teacher can prepare a written narrative to evaluate a student's progress in grades 1-3 and 4-8. This alternative only can be used every other school year in the upper grades. The evaluator must certify that the student has made adequate progress, or the homeschool program will be placed on probation and the parents must develop a remedial plan.

The student must attain at least 75% of the objectives specified in the remediation plan — developed under either option — at the end of any given semester, or 100% of the objectives at the end of the two-year probation period.

North Dakota

Homeschooled students must take a standardized test in grades 4, 6, 8 and 10. If the student receives a score below the 50th percentile, the parent must be monitored for at least one year and until the child receives an adequate test score. A student scoring less than the 30th percentile must be assessed for potential learning problems. The parents must prepare a remediation plan to address academic deficiencies if the child is not found to have learning problems. The plan must remain in effect until the student achieves scores at or above the 30th percentile or demonstrates one year of academic progress.

Ohio

Parents of homeschooled children have three options for evaluating their child's academic progress:

1. Administer a nationally-normed standardized test. Students with a composite score at or above the 25th percentile will be deemed to be proficient.

2. Submit a written narrative indicating that a portfolio of work has been reviewed and that the academic progress for the year is in accordance with the child's abilities.
3. Consult with the local superintendent to agree upon an alternative academic assessment of the child's proficiency.

If academic assessments indicate the student is not demonstrating reasonable proficiency, parents must submit a remediation plan. Remediation may be eliminated if the student demonstrates reasonable proficiency.

Oregon

Testing is required for students in grades 3, 5, 8 and 10 and students must score at the 15th percentile based on national norms. If lower, the child must be given an additional exam within one year. If the student scores continue to lag, the local superintendent may: allow the child to continue to be taught by a parent, legal guardian or private teacher; or place the child under the supervision of a person holding a teaching license.

South Carolina

Students must score at the promotion standard for one year prescribed for public school students by the state board of education. Otherwise, district officials must decide whether or not the student should receive placement in the public school, special education services or homeschooling with an instructional support system.

NOTE: The testing/evaluation requirements apply only to certain homeschool options in South Carolina.

Tennessee

Homeschooled students in grades 9-12 must take an annual standardized test or the state's Sanders Model of value-added assessment, whichever is in use in the local district. If the child fails, for two consecutive years, to meet or surpass the average level of achievement in the exams, the child must enroll in a district, private or church-related school.

Homeschooled students in grades 5, 7 and 9 must take the standardized tests required of public school students. The test for grade 9, however, cannot be the high school proficiency test. If students fall six to nine months behind their appropriate grade level, the parent must consult with a licensed teacher to design a remedial course. If students fall more than one year behind, and if the child is not learning disabled, local school officials may require the parents to enroll the child in a public, private or church-related school.

Virginia

A homeschooled student must attain a composite score at or above the 23rd percentile on a nationally-normed standardized test or another approved evaluation that indicates the child is achieving an adequate level of educational growth and progress.

If the student does not demonstrate adequate progress, the home instruction program may be placed on probation for one year. Parents must submit evidence of their ability to provide an adequate education and a remediation plan. Home instruction may continue for one year if the plan is accepted. Otherwise, parents must make other arrangements for the child's education.

NOTE: The testing/evaluation requirements apply only to certain homeschool options in Virginia.

West Virginia

Homeschooled students must take a nationally-normed standardized test on an annual basis. Acceptable progress results when a child scores at the 50th percentile or higher, or if there is improvement from the previous year's scores. Parents must develop a remedial program if their child does not demonstrate acceptable progress. If students do not make adequate progress for a second consecutive year, the parent or instructor must submit evidence that appropriate instruction is being provided.

NOTE: The testing/evaluation requirements apply only to certain homeschool options in West Virginia.

Appendix B

State Department of Education Homeschool Pages

Most — but not all — state departments of education include a homeschool section on their Web sites, which provide links to statutes and regulations, frequently asked questions (FAQs) and other useful information. The list does not include state homeschool associations.

Arkansas

http://www.arkansased.org/schools/schools_home.html

Colorado

<http://www.cde.state.co.us/choice/homeschool.htm>

District of Columbia

<http://www.osse.dc.gov/seo/cwp/view,a,1222,q,561620,seoNav,%7C31195%7C.asp>

Hawaii

<http://doe.k12.hi.us/myschool/homeschool/>

Georgia

<http://public.doe.k12.ga.us/askdoe.aspx?PageReq=ASKHome>

Illinois

<http://www.isbe.net/HomeSchool/default.htm>

Indiana

<http://www.doe.in.gov/sservices/homeschool.html>

Iowa

http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=301:competent-private-instruction-home-schooling&catid=180:options-for-educational-choice&Itemid=1335

Kansas

<http://www.ksde.org/Default.aspx?tabid=1684>

Kentucky

<http://www.education.ky.gov/KDE/About+Schools+and+Districts/Home+Schooling+in+Kentucky/>

Maine

<http://www.maine.gov/education/hs/>

Maryland

<http://www.marylandpublicschools.org/MSDE/nonpublicschools/nphomeinst/>

Michigan

http://www.michigan.gov/mde/0,1607,7-140-6530_6564_35175---,00.html

Minnesota

http://education.state.mn.us/MDE/Academic_Excellence/School_Choice/Nonpublic_School_Choice/Home_Schooling/index.html

Missouri

<http://dese.mo.gov/schoollaw/HomeSch/>

Montana

<http://opi.mt.gov/pdf/Measurement/HomeSchoolPacket.pdf>

Nebraska

<http://ess.nde.state.ne.us/OrgServices/ExemptSchools/Default.htm>

Nevada

http://nde.doe.nv.gov/SD_Homeschooling.htm

New Hampshire

<http://www.ed.state.nh.us/education/doe/organization/curriculum/HomeEducation.htm>

New Jersey

http://www.state.nj.us/education/genfo/overview/faq_homeschool.htm

New Mexico

<http://www.ped.state.nm.us/HomeSchools/index.html>

North Carolina

<http://www.ncdnpe.org/index.asp>

North Dakota

<http://www.dpi.state.nd.us/approve/home/index.shtm>

Ohio

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=698&ContentID=5223>

Oklahoma

<http://www.sde.state.ok.us/Schools/HomeSchool/default.html>

Oregon

<http://www.ode.state.or.us/search/page/?id=2049>

Pennsylvania

http://www.pde.state.pa.us/home_education/site/default.asp

Rhode Island

http://www.ride.ri.gov/instruction/home_school.aspx

South Carolina

<http://ed.sc.gov/agency/Accountability/Federal-and-State-Accountability/Accreditation/HomeSchooling.html>

South Dakota

<http://doe.sd.gov/oatq/accreditation/altinstruction.asp>

Tennessee

<http://tennessee.gov/education/homeschool/>

Texas

<http://ritter.tea.state.tx.us/home.school/index.html>

Utah

<http://www.schools.utah.gov/curr/main/homeschool.htm>

Vermont

http://education.vermont.gov/new/html/pgm_homestudy.html

Virginia

<http://www.doe.virginia.gov/VDOE/Parents/index.html#homeinstruction>

Washington

<http://www.k12.wa.us/PrivateEd/HomeBasedEd/default.aspx>

Wisconsin

<http://dpi.wi.gov/sms/homeb.html>

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