

## Your Question:

You requested information on state requirements for homeschooling foster youth who are withdrawn from the public school system.

## Our Response:

Below is information on state practices regarding the homeschooling of youth in foster care. In addition, information is provided on the general regulatory practices and health and safety provisions.

### Homeschool and Youth in Foster Care

Education Commission of the States identified two states with provisions addressing the homeschooling of youth in foster care. Both state policies related to prohibitions or allowances for foster youth to be homeschooled.

**Connecticut** [does not allow](#) for the homeschooling of children in the department of children and families' custody. This includes children who are placed in homes but remain in the custody of the state.

In **West Virginia**, [state requirements](#) permit home schooling for youth in the foster care system if it is recommended by an Individualized Education Plan, the Multidisciplinary Treatment Team has agreed to the plan and there is appropriate documentation that homeschooling is in the child's best interest.

### Regulation of Homeschooling

Some states provide little-to-no regulation on homeschooling, while other states provide more rigorous oversight. Generally, most states take a relatively hands-off approach to providing oversight to homeschooled students. Below are a few examples of how various states approach homeschooling.

**Delaware:** [State law allows three kinds of homeschools](#): (1) multi-family homeschool (more than one family homeschooling together in multiple residences); (2) single-family homeschool; (3) single-family homeschool coordinated with a school district (using a curriculum approved by the local superintendent).

**Iowa:** The state allows [two methods for homeschooling](#): (1) competent private instruction, which includes options for instruction under the supervision of a licensed practitioner or a non-licensed person; and (2) independent private instruction, which is non-accredited, private or religious instruction that does not provide competent private instruction.

**South Carolina:** The state allows parents to homeschool under [one of three types of programs](#): (1) prior to homeschooling, parents must apply to and be approved by the district's board of trustees, students must participate in annual statewide testing, and the district may withdraw homeschool approval if deficiencies are found in the student's instruction; (2) homeschooling allowed under the auspices of the South Carolina Association of Independent Home School Boards; and (3) homeschooling allowed under the auspices of a homeschool association with 50+ members.

### Homeschooling Health and Safety Requirements

Existing Education Commission of the States resources did not specifically look at states' health and safety requirements for homeschool students, so we do not have a 50-state overview of this specific topic. However, here are a few state examples.

- **Arkansas:** Parents may not homeschool a child if there is a registered sex offender living in the home.
- **Florida:** Parents have multiple options for the required annual evaluation. Two options include assessment by a certified teacher or an evaluation from a licensed psychologist.
- **Montana:** Instruction must occur “in a building that complies with applicable local health and safety regulations,” although it isn’t clear if or what kind of inspections are required. Parents must maintain immunization records.
- **Nebraska:** Parents must maintain immunization records, although there is an exemption available for religious beliefs.
- **New York:** If instruction is provided at a location other than the parents’ primary residence, it must be in a building that is not in violation of the local building code.
- **Utah:** School districts are specifically prohibited from inspecting homeschool facilities.

In addition, **Colorado** provides [resources](#) for parents starting homeschool programs in compliance with [state requirements](#). The state does not include any resources or information on the health and safety practices of the homeschooled youth. However, in compliance with state COVID-19 practices, the state does say that, “when a home school considers participating in larger gatherings, it is reasonable to interpret these types of activities as falling under any state or local health order related to public gatherings.”

### **Additional Resources**

- [Support for Students in Foster Care](#): An ECS overview of state policy approaches that address barriers for students in foster care. It includes legislative examples from more than 10 states.
- [State Information Request - Accountability and Homeschooling](#): A 2016 ECS document provides additional information about states’ homeschooling accountability provisions.
- [State Homeschool Policies: A patchwork of provisions](#): A 2015 report on state homeschooling provisions on key issues, including notification requirements, instructor qualifications, attendance, required subjects, assessment, extracurricular access, and online schooling.
- The [Coalition for Responsible Home Education](#) provides various resources about homeschooling.