

# Public Schools of Brookline Policy Manual

*11 d. Home Instruction:* (Voted 9/24/91, #91-353; 12/17/91, #91-441; 11/29/18, #102; 1/17/19, #19-10)

## I. INTRODUCTORY PHILOSOPHY STATEMENT

The Brookline School Committee recognizes that parents/guardians are their children's first teachers. When children reach school age, parents/guardians continue to play a vital and crucial role in their children's formal education.

The School Committee recognizes that parent(s)/guardian(s) have the right, subject to applicable law, to educate their children at home. The Massachusetts General Laws require the School Committee to determine that a home-based education program satisfies the minimum standards established for public schools in the Commonwealth prior to approving such a program.

Brookline children aged 6-15 are subject to this policy. Parents/Guardians of a student aged 16 or older are encouraged (but not required) to submit home-based education program plans (as described below) until their student has completed her/his education, as such plans can be helpful for students who wish to obtain college credit as part of certain dual enrollment programs or participate in certain extracurricular activities.

## II. APPLICATION PROCEDURE

Parent(s)/guardian(s) intending to educate their children using a home-based education program must register their children with the Office of Student Affairs. Registration will require the presentation of a birth certificate, evidence of prior school achievement, if any, proof of residency (consistent with the requirements for residency set forth in Section J.).

Prior to a student commencing a home-based education program, the Superintendent, or her/his designee, must approve a home-based education program plan (a "Home Instruction Plan") for the student. If a student is continuing a home-based education program approved in another school district, the Home Instruction Plan for such program must be approved by the Superintendent, or her/his designee, once the student becomes a Brookline resident, and the parent(s)/guardian(s) should submit the Home Instruction Plan for such program together with the previous school district's approval upon registering the student with the Office of Student Affairs. Once a home-based education program is approved, a parent/guardian must submit a new Home Instruction Plan for approval each academic year of the home-based education program thereafter (prior to the anniversary of the commencement date of such home-based education program) in order for the student to continue the home-based education program.

Parents/Guardians may request approval of a Home Instruction Plan by submitting the Home Instruction Plan to the office of the Deputy Superintendent of Teaching and Learning together with any application form or documentation reasonably required by the Superintendent, or her/his designee. To ensure prompt approval of a Home Instruction Plan, parent(s)/guardian(s) are encouraged to submit a Home Instruction Plan as soon as possible, but, in any event, at least 14 days before the intended commencement date of the home-based education program or, in the case of the continuance of an established home-based education program, the commencement of the next

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academic year. The Superintendent, or her/his designee, shall use reasonable efforts to complete her/his review of any Home Instruction Plan that complies with this policy prior to the intended commencement date of the home-based education program.

In the event that a student participates in a home-based education program for which a Home Instruction Plan has not been approved by the Superintendent, or her/his designee, pursuant to this policy, may have grounds to initiate a truancy proceeding or a care and protection action which may include a home visit.

### **III. HOME INSTRUCTION PLAN REQUIREMENTS**

A Home Instruction Plan must demonstrate that the home-based education program will provide (a) an education that meets or exceeds the education provided in the Public Schools of Brookline with respect to thoroughness and efficiency, and (b) establishes the home-based education program's expectations for academic progress. Individual Home Instruction Plans must be submitted for each child in a family. A Home Instruction Plan must include the following information:

- 1.) The number of hours per day or per week to be spent in each subject area which, in total, must meet minimum state requirements which are, as of the date of this policy, 900 hours per school year for elementary school students (i.e., K-8 students) and 990 hours per year for secondary school students;
- 2.) The names of the student's parent(s)/guardian(s);
- 3.) An outline of the course content for each subject area covered by the Home Instruction Plan sufficient to determine the type of subjects to be taught and the grade level of the instruction for comparison purposes with the curriculum of the Public Schools of Brookline;
- 4.) A list of text books, materials, resources and/or academic programs to be used for instruction in each subject area; and
- 5.) Plans for periodic and regular assessment of the student's progress in each subject area to ensure educational progress and the attainment of minimum standards.

The development of a Home Instruction Plan is the sole responsibility of a student's parent(s)/guardian(s). Access to those educational materials in general use in the Public Schools of Brookline will be provided to assist in Home Instruction Plan development at a parent's/guardian's request.

### **IV. HOME INSTRUCTION PLAN REVIEW AND APPROVAL**

The Superintendent, or her/his designee, shall approve any Home Instruction Plan that complies with Section III. of this policy and applicable law. In the event that the Superintendent, or her/his designee, rejects a proposed Home Instruction Plan, the reasons for the decision shall be set forth in writing, and the Superintendent, or her/his designee, shall suggest Home Instruction Plan revisions as necessary to cause such Home Instruction Plan to obtain approval pursuant to this policy. Parents/Guardians have the right to an appeal hearing before the School Committee regarding a Home Instruction Plan rejection, which shall include the right to explain their proposed plan and present witnesses on their behalf. The School Committee shall review any request by

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Parents/Guardians that an appeal hearing be held in executive session for compliance with the Massachusetts Open Meeting Law.

### **V. STUDENT PROGRESS/ASSESSMENT**

Parent(s)/guardian(s) will provide evidence of academic progress to the office of the Deputy Superintendent of Teaching and Learning annually. The evidence of progress should be provided either at the end of an academic year or prior to the beginning of the next academic year (and may be included with the submission of the Home Instruction Plan for the next academic year). Families will decide how to show student academic progress.

The Public Schools of Brookline will maintain permanent student record folders for students participating in a home-based education program which will contain work samples, assessments, and other records provided by parent(s)/guardian(s).

### **VI. DISCONTINUANCE OF HOME INSTRUCTION**

Should parent(s)/guardian(s) wish to discontinue a home-based education program and return their child to the Public Schools of Brookline, the Superintendent, or her/his designee, will determine the grade level to which the student will be assigned.

### **VII. EXPECTATIONS AND ACCESS**

Parent(s)/guardian(s) are required to maintain routine compliance with Massachusetts regulations governing student health established by the Massachusetts Department of Public Health.

School day activities and academic programming that take place as part of the Public Schools of Brookline school day instructional program are not accessible to students participating in a home-based education program. Furthermore, families cannot request to attend school for a portion of a day, week or month while participating in a home-based education program. Access to extracurricular activities for a student participating in a home-based education program shall be permitted in the school to which the student would be assigned if the student were not participating in a home-based education program on a space available basis, and must be approved, in each instance, by the Superintendent, or her/his designee. Such approval may be contingent upon the satisfaction of additional requirements as determined by the Superintendent, or her/his designee.

A student participating in a home-based education program shall not sit for any district or school assessments and are not entitled to a high school diploma from Brookline High School according to The Education Reform Act of 1993.

Nothing in this policy shall limit the Public Schools of Brookline's obligation to provide a student participating in a home-based education program with special education services. If a student participating in home-based education program requires special education services, the student's parents/guardians should work directly with the Deputy Superintendent of Student Services.

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LEGAL REFS: M.G.L. 69:1D; 76:1, Care and Protection of Charles – MASS. Supreme Judicial Court 399 Mass. 324 (1987), Brunelle v. Lynn Public Schools - MASS. Supreme Judicial Court 433 Mass. 479 (1998), The Education Reform Act of 1993