



State Law Covering Homeschooling

Compulsory Attendance: Annotated Laws of Massachusetts Chapter 76, 1, (Lawyers' Co-op. 1978).

Ages: 6 to 16 years of age

Days: number of days required by board of education, i.e., 180 days. Mass. Ann. Laws ch. 71, 1, 4 (Law. Co-op. 1978); Mass. Regs. Code tit. 603,-27.01 (1986).

Subjects: orthography, reading, writing, English language and grammar, geography, arithmetic, drawing, music, history and constitution of United States, duties of citizenship, health (including CPR), physical education, and good behavior. Mass. Ann. Laws ch. 71, I (Law. Co-op. 1978).

Home School Statutes: None.

Alternative Statutes Allowing for Home Schools: Mass. Ann. Laws ch. 76, I (Law. Co-op. 1978). A "child who is otherwise being instructed in a manner *approved in advance* by the superintendent or the school committee".

- a) Approval standards say "school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town, but shall not withhold such approval on account of religious teaching." Mass. Ann. Laws ch. 76, I.
- b) A Supreme Judicial Court of Massachusetts case, *Care and Protection of Charles*, 399 Mass. 324, 333-34, 504 N.E.2d 592, 598-99 (1987), ruled that parents have a right to educate their children at home, but it must be reconciled with the state interest in the education of its citizenry. According to *Care and Protection of Charles*, the school committee must give parents an opportunity to explain their home school plan and present witnesses on their behalf. The school has the right to inquire in four areas:
 - 1) The school committee may examine the competency of the parents to teach their children, but may not require certification, advanced degrees or college degrees.
 - 2) The school committee must have access to textbooks and lesson plans, but "only to determine the types of subjects to be taught and the grade level of the instruction for comparison purposes with the curriculum of the public schools." The school committee or superintendent may "not dictate the manner in which the subjects will be taught." 504 N.E.2d at 602.

- 3) Also, information on the number of hours and days (180) of instruction may be requested.
- 4) The school committee may require periodic standardized testing; the school authorities may decide where and with what test testing will be done, "in consultation with the parents." Other means of evaluating the progress of the children, such as progress reports or home visits, may be substituted for the formal testing process, but only "subject to the approval of the parents." 504 N.E.2d at 601-02.

If a homeschool is rejected after seeking approval, the burden of proof shifts to the school authorities to show that the proposed homeschool instruction fails to equal "in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town." 399 Mass. at 338, 504 N.E.2d at 601. Home education is a "right protected by the Fourteenth Amendment." (598). The object of the statute is "that all children shall be educated, not that they shall be educated in any particular way." (600).

Teacher Qualifications: None

Standardized Tests: Optional. A neutral party should administer a test decided on by school authorities, at a place determined in consultation with the parents. (See 4 above).



IMPORTANT

**Until your homeschooling request has been approved,
the student MUST remain in school.**

In accordance with the Laws of Massachusetts, Chapter 76, Section 1, the Somerville Public Schools has established the following procedure relative to homeschooling.

1. The parent(s) or legal guardian(s) must file a request of intent to take advantage of homeschooling, by completing the application in the homeschooling packet. This application should be emailed to Dr. Jessica Boston Davis at jbostondavis@k12.somerville.ma.us or mailed to Central Office, 8 Bonair Street, Somerville, MA 02145.
2. Once the application has been received by the Curriculum Department, a meeting may be scheduled with the Assistant Superintendent to discuss the educational plan and other related issues as they pertain to the competency of the individuals who will be serving as instructors, the curriculum to be utilized, the number of hours and days of instruction, and the proposed evaluation of the student's progress.
3. The application will be forwarded to the Somerville School Committee and/or Superintendent for approval.
4. Once approved, the parent(s)/guardian(s) will receive a letter of approval for homeschooling from the Assistant Superintendent.
5. This procedure must be followed whether submitting an initial request for homeschooling or the request is to continue homeschooling for an addition year(s).



Until your homeschooling request has been approved, the student MUST remain in school.

Student's Name: _____

Grade as of September: _____ Age: _____ Sex: M _____ F _____

Name of School Student Would Be Attending: _____

Parent(s)/Guardian(s) Name: _____

Address: _____

Phone Number: Home: _____ Work: _____

Email: _____

Person Providing Instruction: _____

Qualifications: _____

Subject Areas to Be Covered: _____

Curriculum to Be Utilized: (Please include textbook titles and lesson plans. If additional space is needed, please provide the information on a separate sheet of paper. _____

Number of Days and Hours of Instruction: _____

Method of Evaluation of Progress: _____

Parent/Guardian Signature

Date _____

Approval of School Department

Date _____