

HOME-SCHOOLED STUDENTS

The Rye City School District shall ensure that children instructed at home are taught by a competent instructor and receive an education substantially equivalent to that offered in the District's schools. The Superintendent of Schools is responsible for carrying out the regulations of the Commissioner of Education regarding home instruction.

A parent/guardian of a child providing his/her education through home schooling shall comply with all state laws and regulations of the commissioner of education. Parents/Guardians who wish to educate their children at home must submit to the District an individual home instruction plan (IHIP), outlining the educational goals to be met and the course materials and syllabi to be used each year for the child's learning process. Upon receiving a notice of intent to home-school a student, the District will send to the Parents/Guardians a copy of the Commissioner's Regulations Section 100.10 and a form on which to submit an IHIP. The District may accept or deny an *IHIP*. Within 15 days of receipt of a notice of a deficiency in the IHIP, or by September 15th, whichever is later, the parents shall submit a revised IHIP which corrects any such deficiencies. Parents/Guardians must submit quarterly reports which will provide the District with the necessary information to make determinations of substantial equivalency and competency of instruction on an ongoing basis.

Parents/Guardians may appeal to the Board a determination by the Superintendent of Schools or designee that an IHIP is not in compliance with the Regulations of the Commissioner of Education. Parents/Guardians shall have the right to appeal the final determination of the Board to the Commissioner of Education within thirty (30) days of receipt of such determination.

Provision Of Services To Home Schooled Students

- Home schooled students are not awarded a high school diploma by the District;
- Home schooled students are not provided with loaned textbooks, computer software or library books unless the Superintendent or his/her designee determines the availability of resources and develops appropriate procedures.
- Home schooled students may not attend the public schools on a part-time basis, participate in the instructional program of the District, or receive dual enrollment services, except as required by law;
- The District shall offer to students with disabilities the special education services and/or programs contained in the child's individualized education program but shall not provide such services in the student's home.
- Summer school programs are open to all students who reside in the District.
- Home schooled students may be eligible to participate in extra-curricular and/or intramural activities (see below) as long as they comply with the following:
 - Provide proof of residency
 - Provide immunization records or a record of legal exception
 - Provide proof of a current physical examination if involved in a physical activity
 - Commit to abide by the District Code of Conduct
 - Maintain academic eligibility, based on quarterly reports

If limited space exists in an activity, enrollment priority would go to children attending the school.

Annual Assessment

At the time of filing the fourth quarterly report as specified in the IHIP, the parent shall also file an annual assessment. The annual assessment shall include the results of a commercially published norm referenced achievement test or an alternative form of evaluation, both of which must meet the requirements of the Commissioner's Regulations.

Special Education

A student with an IHIP, who is a resident of the school district and has a disability, or is suspected of having a disability, is eligible to receive services from the school district, in accordance with law, regulation and district policy (4321 et. Seq.). A parent/guardian must request special education services in writing to the Board by June 1st, unless the child is first identified or moves into the district after June 1st. In that case, the parent/guardian must request the services within 30 days of being identified or of moving into the district.

Special education services will be provided on an equitable basis compared to programs and services provided to other students with disabilities attending public or nonpublic schools within the District. The Board will determine the location (not in the student's home) where services will be available to home schooled students.

Participation in Extracurricular Activities

Students instructed at home by their parents are not entitled to participate in interscholastic sports as directed by the Commissioner of Education. However, the Board may permit such students to participate in intramural sports and other school-sponsored extracurricular activities. Specifically, the District will permit home-schooled students to:

- Participate in non-credit-bearing organized school activities such as clubs and sports (other than interscholastic sports);
- Participate in band and/or receive music lessons only if these activities are considered to be extra-curricular (not credit-bearing or graded or required for class);
- Use school facilities such as the library, college and career room and gymnasium if there is mutual agreement on the part of all involved parties.

Cross-reference: Board Policy 4321, programs for Students with Disabilities, et. Seq.

*References: Education Law §§ 3204(2); 3210(2)(d); 3602-c (2-c)
8 NYCRR §100.10*

Appeal of Ponte, 41 EDR 174 (2001)

Matter of Abookire, 33 EDR 473 (1994)

State Education Department Memorandum, "New Requirements for the Provision of Special Education Services to Home-Instructed ("Home-Schooled") Students, July 2008

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