

Home Education Advisory Council 2015-2016 Annual Report with Addendum

At the inception of New Hampshire home education law in the early 1990s there were a few small local home education support groups and three large statewide groups: the New Hampshire Homeschooling Coalition which I represent, the Christian Home Educators of New Hampshire, and Catholics United for Home Education. Representatives for the small local groups came together into leadership of the large groups in order to give voice to the homeschooling community when the law was being drafted, and to carry information back and forth from those grass roots groups to meetings with institutional education stakeholders. The committee made up of those stakeholder groups which were responsible for the great compromise of the first NH home education law became the Home Education Advisory Council.

Since that time the number of home educated pupils in the state has increased dramatically. As a side note, the Department has stopped reporting the number of homeschool enrollments. The last number we have from 2013 is 5,914; up from 160 in 1985. The number of home education support groups has grown accordingly. Furthermore, technology has changed the way people communicate. It has become apparent that information which once flowed easily between the home education community and the HEAC has been stilted by the plethora of local groups which are not plugged into the Council. In order to better represent NH home educators, and to improve communication, HEAC has started a discussion about diversifying the home educator seats on the Council.

Home education law has changed quite a lot in the past ten years. The elimination of evaluation reporting combined with the removal of due process hearings within the Department of Education has created a situation in which suspected cases of home-educational neglect are difficult to identify or track. Council members hear from concerned family members, public school staff, and parents involved with DCYF, yet we are really in the dark about how many alleged home-educational neglect reports are made to the Department of Children, Youth, and Families, or how they are being handled. Requests to DCYF by the Council for statistical data are left unanswered. It has been suggested that the empty Department of Education seat on the Council be filled by a Department of Health and Human Services staff member so that we can establish a dialogue about home education and work out solutions to cross-departmental policy issues.

We are still working to fill some other seats on the Council. The Nonpublic Schools Advisory Council seat remains unfilled, and while we were able to recently fill two seats another two have just come up empty. Unfilled seats result in sporadic meeting attendance and canceled meetings. For this reason the Council has decided to run a trial of meeting every other month during the next school year in order to see if a commitment of fewer meetings will increase membership and attendance.

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EQUAL ACCESS

There remains ongoing confusion between parents and school districts about application of the equal access law, RSA 193:1-c Access to Public School Programs. In one instance, a homeschooled student wanted to sign up for a CTE class for next year, and went through the appropriate process of contacting the school district early in order for the district to arrange funding and contracting, but the school district told the family they would have to wait until May and sign up then only if there is room left after all of the district's enrolled students sign up. While this is clearly in violation of the statute, the parent did not want intervention because they were afraid to jeopardize their prior good relationship with the district.

In another case a family was informed by their school district that homeschooled students can only attend curricular classes if they don't incur an extra cost. When the family contacted a CTE to find out about the enrollment process they were sent to their local superintendent who told them the district will not pay if the student is not matriculated. A bit of research made it clear that the school district's policies had not been updated to reflect the current laws.

In a third case, a parent sought a scholarship for a home educated elementary student to attend a co-curricular program for which monies had been donated to the school district by the community Rotary Club. The school district refused to give a scholarship to the student because "only enrolled students were eligible for scholarship funds".

Carl Ladd of the NH School Administrators' Association offered to put a discussion of equal access on the agenda of one of his statewide meetings. And while HEAC member Representative Cordelli had a bill passed last year adding charter school students to the equal access law, Barrett Christina of the NH School Boards Association brought to our attention an issue with the language of that law where a strict reading would exclude students who live in a district without a middle or high school from participating in opportunities at the schools their fellow district students attend. This issue impacts nonpublic and charter school students as well as home educated students, and will require a legislative remedy.

SPECIAL EDUCATION ACCESS

It is interesting to note that in one of the previously mentioned equal access cases, the parent thought the reason the child was being excluded was because they had previously attended the public school and the district was aware of the child's special needs but did not want to accommodate them on a part time or co-curricular basis. This perception leads into another issue which has become apparent through contact with multiple families; namely that school districts are frequently unwilling to provide accommodations for home educated students with special needs who are exercising their right to participate in curricular and co-curricular programs under the law. Moreover, many parents of home educated students are seeking special education evaluation and therapy for which they are ineligible under

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special education law. I am only mentioning this because it comes up on a regular basis and appears to be a real need.

Because home educated students may enter their local public schools in the future with remedial problems that could have been avoided if those special education services were made available to them, it may behoove school districts to provide those services even though it is not currently required by law.

COMPULSORY ATTENDANCE/DUAL ENROLLMENT BLUR

Which leads into another issue we have been dealing with: Last year I spoke to you about a fundamental misunderstanding about what home education is; however I believe the real issue is that many families who contact HEAC members appear to be less interested in traditional home education than they are in a la carte education. There continues to be a lot of unresolved tension between VLACS enrollment policies and homeschool policy; some parents want their children to take all their courses part time through VLACS but still consider themselves homeschooling even though the parent is not providing the education. Others want to take multiple courses at the local public school, a few at VLACS, and instruct one or two at home. I have heard from quite a few parents who want their children to attend and graduate from the local public school, but who want to homeschool for only a class or a semester and get credit for that work. Often they are trying to make these arrangements to take advantage of educational opportunities that would not otherwise fit into their public school schedule. These are families looking for flexibility in education, not really interested in home education, but who want multiple dual enrollment options to meet the goals and needs of individual students. This is not really a home education issue, yet it falls in our lap because the word “provide” is not defined in home ed law. And it becomes a home education issue when regulations begin to restrict home educators because of those families who may be seen as abusing the system in an effort to do what is right for their children. So I ask: to whom can we refer students and parents for help in putting together eclectic education solutions that meet their needs and still satisfy school administrators and compulsory school attendance requirements?

RESOLVED BUSINESS

- Form A12E, the annual report of homeschool enrollments by school districts, has been revised.

- The home education page of the DOE website was changed to reflect the graduation statement and sample certification letter created by the Council in 2014.

Respectfully submitted,
Amy Gall, Chair

Home Education Advisory Council 2015-2016 Annual Report with Addendum

ADDENDUM

New Hampshire Board of Education members asked what suggestions can be made to resolve these issues. The Council is not seeking further regulation or restriction on home education, but merely clarification as well as information that can be used to assess how the state of home education in New Hampshire has changed, if at all, since RSA 193-A was changed.

1. The Department can resume publishing homeschool fall enrollments on the reporting page of its website. Although those numbers will not reflect all home education pupils each year, they will give us an understanding of how many new enrollments are being processed.
2. In order to determine how many cases of educational neglect are being reported now in comparison to before changes in RSA 193-A, and to better understand how DCYF handles allegations of educational neglect, a DCYF staff member could be appointed to the empty DOE seat on the HEAC.
3. The equal access problem will require a legislative remedy to allow all private, charter, and home education students part time access to the same curricular and co-curricular opportunities that their public school peers enjoy.
4. Because there must be a cutoff point in enrollment and attendance at which students go from part time to full time status, public schools, including charter schools, can create policies which cap participation in curricular programs at a level that makes it clear for part time equal access students when they have crossed that line and are no longer providing home education.
5. The Department could create a Dual Enrollment website page, including contact information, to inform people about this education option and how to comply with it. However, until definitions of the words “attending” and “provided” are clarified I believe most parents will continue to use the home education law instead of obtaining dual enrollment approval because it is simply an easier option even when they are not providing home education. Can these definitions be addressed in the next go-around of rules making?
6. School districts can be encouraged to provide special education therapies to home educated students under the Optional Services law.