

Home Education Advisory Council Annual Report 2021-22

Co-Chairs Amanda Weeden and Jen Pereira

The Home Education Advisory Council (HEAC) first met in November this past Fall after many council appointments were finalized. Then the council met in December, February, April, and June.

The members of the council have seen increased growth in homeschooling, small homeschool groups and co-ops within their organizations. Homeschool organizations in NH provide the grassroots support to parents choosing to home educate their children. The Department of Education representative has reported that many questions received from the public pertain to finding resources. The council's homeschool representatives provide direction in finding these resources and bring the questions and concerns of home educating families to the Home Education Advisory Council.

With the new educational options available in New Hampshire, there has been confusion in the community as people attempt to understand and differentiate between these options for fulfilling compulsory attendance. Parents ask how they can take advantage of the choices and properly move from one to another. The new Education Freedom Account (EFA) Program is an additional option in NH for fulfilling compulsory attendance, separate and distinct from home education under RSA 193-A. Several other concerns brought up at our initial meetings were some late receipt of home education acknowledgement letters from SAUs, requests for homeschool portfolios as parents went to enroll their children in public school, districts conveying inaccurate information about the home education law to parents, and some parents being told they needed to sign special education waivers when withdrawing from public school in order to home educate. There were also some early complaints about issues with the Class Wallet system used by the NH Children's Scholarship Fund. As the year progressed, we have not heard continuing complaints.

The council welcomed many new members who represent the increased variety of NH home educator associations as well as new representatives of the NH Department Education and of the NH School Administrators Association. We took a moment to recognize the important contributions and support of home education of a long-time council member we unexpectedly lost this year, Representative Barbara Shaw. We worked to orient members to the purposes and business of the council as found in the home education rules Ed 315.09; please see the end of this report.

As the new membership of the council came together, we worked to make recommendations for clarifying concerns and solving issues. We recommended sending letters of intent to homeschool by certified mail and pointed out the possibility of sending them digitally to create a legal record to accommodate for USPS slowed service and other delays. Homeschool representatives brought up a concern within the homeschool community and asked public school representatives whether a NH teacher would call DCYF or the police within a few days of a child being absent from class if the SAU/teacher was not notified that the student started homeschooling. Heather, the representative of the NH School Administrators Association, and Mike, the representative of the NH Association of School Principals, clarified the process by which the SAU notifies teachers of a student switching to homeschooling and re-assured us that there are procedures in place to first reach out to supervisors and school administrators to determine next steps as opposed to the possible but not standard practice in

NH of a teacher unilaterally deciding to call DCYF or police about a missing student. We discussed how a parent of a home education student completing their home education program at the high school level before reaching 18 may submit a letter of certification of completion to the NH Department of Education. Questions have been brought up regarding home educator access to online applications for scholarships as well as access to information about the curricular and co-curricular offerings in their resident public school district. HEAC members are researching how greater access may be extended to home educated students.

A participating agency's concern that they were being asked to sign off for a home educated student under the age of 18 to take the HiSET exam (as an alternative to the GED) was brought to the council. The parent is the party responsible for directing the home educated child's program and is the one who signs off to authorize youth employment and self-certify completion of a home education program in NH. In answer to this concern, the council stated the following:

The HEAC council recommends waiving the requirement for the participating agency to sign off to allow 16- and 17-year-old home educated students to take the HiSET (High School Equivalency Test) and asks that any rule making pertaining to the HiSET exam take this request into consideration. The parent is the party responsible for directing the home educated child's program and is the one who signs off to authorize youth employment and self-certify completion of a home education program in NH. The parent should also be the party responsible for signing off to allow their child to take the HiSET exam.

NH Representative Erica Layon came to the council to inform HEAC members of the progress of her sponsored bill HB 1663 relative to home education. This bill has now passed and will:

- Require that schools **shall** (not may) adopt a policy regulating participation in school programs for nonpublic, public chartered, and home educated students RSA 193:1-c
- Change the definition of Home Education to "Home education shall be provided, **coordinated, or directed** by a parent for his or her own child" RSA 193-A:4
- Revise language for notification when ending a home education program or when moving from one school district to another RSA 193-A:5
- State that the portfolio "at all times remains the property of the parent" RSA 193-A:6
- Require that a child with a disability shall be evaluated with the disability in mind RSA 193-A:6
- Remove the requirement for home education students to have composite results at or above the fortieth percentile when choosing to take state or national student achievement tests to demonstrate reasonable academic proficiency RSA 193-A:6

The council discussed the equal application of requirements and rights to everyone notifying to home educate under RSA 193-A. A question was raised concerning whether the parent of a student participating in the Prenda Community Learning Pods Program who had sent a home education

notification for their child under RSA 193-A must maintain a portfolio and provide for an annual educational evaluation. Prenda Community Learning Pods are complete educational programs that include student evaluations, so must parents do more than required by Prenda? The council made the following recommendation to the department for clarification:

All parents who send a home education notification for a child according to RSA 193-A should comply with the requirements of 193-A as their chosen pathway to fulfill compulsory attendance including the following.

1. "The parent shall maintain a portfolio of records and materials relative to the home education program." RSA 193-A:6 (I)
2. "The parent shall provide for an annual educational evaluation. . . ." RSA 193-A:6 (II)

Last year, the council had recommended that parents of Prenda Community Learning Pods NOT be required to notify as home education students but instead be designated as an alternate method of satisfying compulsory attendance law.

There is continuing discussion about what educational models fit the definition of home education under RSA 193-A. Granite State Home Educators (GSHE) has reached out to VLACs about the process of home educators moving from part-time to full-time VLACs status. GSHE clarified that home educated students need to send notification of ending their home education programs when they become full time with VLACs. Home education representatives have discussed concerns about "home educated" students taking a full course load of VLACs courses without being considered full-time with VLACs.

In response to the concerns about what educational programs fit the definition of home education under RSA 193-A, the council made the following recommendation.

Whereas NH Home Education Law 193-A guarantees the following freedoms to home education families in New Hampshire:

1. Parents can choose their child's curriculum which does not need to be aligned with state standards;
2. Parents have multiple choices for annual assessment which need not be standardized testing and does not need to be NH State assessments;
3. Parents are not required to submit *any* testing or assessment data to any department or agency of the state;
4. Parents have multiple choices for homeschool notification "participating" agencies including a NH nonpublic school;

therefore, the council recommends that any educational program -- whether a NH charter school, a program created by federal contract or money, or other program of the State of NH -- which does not allow for these freedoms should not fall under RSA 193-A home education law. Rather, such programs should fall under another option to fulfill NH RSA 193-1 Compulsory Attendance Law.

The council wishes to work with the NH Department of Education on website recommendations to clearly distinguish the educational options in NH – public, private, EFA, and home education.

Establishment of HEAC

RSA 193-A, enacted in 1990, established home education as an alternative to compulsory attendance at school.

The general court recognizes, in the enactment of RSA 193-A as inserted by section 3 of this act, that it is the primary right and obligation of a parent to choose the appropriate educational alternative for a child under his care and supervision, as provided by law. One such alternative allows a parent to elect to educate a child at home as an alternative to attendance at a public or private school, in accordance with RSA 193-A. The general court further recognizes that home education is more individualized than instruction normally provided in the classroom setting.

The statute also created the home education advisory council (HEAC). Its membership consists of six persons nominated by New Hampshire home educator associations, two persons nominated by the New Hampshire department of education, one person nominated by each of the following associations: the NH School Administrators Association, the New Hampshire School Boards Association, the New Hampshire School Principals Association, the Nonpublic School Advisory Council, and three members of the New Hampshire Legislature: a Senator, and two members of the House of Representatives. The chair of the council is elected from among the home educator members. A list of the members of the council is attached. The Council was modeled, in part, after the Nonpublic School Advisory Council to provide a forum for the exchange of ideas and concerns of educators/administrators and homeschooling parents.

The duties of the Council, as prescribed in ED 315.09, are as follows:

(a) The home education advisory council shall carry out those duties assigned to it by the commissioner. The council shall work with home educators and representatives of private and public education to encourage an understanding of home education.

(b) Assigned areas of responsibility for the council shall include the following:

(1) Developing and maintaining effective communications between home educators and those public, and nonpublic schools and state and local agencies involved in home education;

(2) Recommending to the commissioner and state board of education desired changes in rules pertaining to home education;

(3) Establishing a grievance committee to hear grievances referred to it by the commissioner; and

(4) Providing an annual report to the state board on its activities.