

Notice Number 2020-81Rule Number Ed 315

1. Agency Name &amp; Address:

**State Board of Education  
c/o Department of Education  
101 Pleasant Street  
Concord, NH 03301**

2. RSA Authority: RSA 193-A:3

3. Federal Authority: \_\_\_\_\_

4. Type of Action:

Adoption \_\_\_\_\_

Amendment \_\_\_\_\_

Repeal \_\_\_\_\_

Readoption \_\_\_\_\_

Readoption w/amendment   x  5. Short Title: **Home Education**

6. (a) Summary of what the rule says and of any proposed amendments:

**Ed 315 regarding home education is being readopted with amendment. The rules have been amended for purposes of clarity and consistency with RSA 193-A, including but not limited to the following amendments:**

- Rules point to the statute for definitions and only include terms that are not defined in statute;
- Ed 315.04 titled “Participating Agencies: Duties and Authority” has been expanded and renumbered from the existing Ed 315.05 to a comprehensive list of the requirements of participating agencies;
- Ed 315.05 titled “Notification Requirements” has been amended and renumbered from provisions in the existing Ed 315.04 on notification to include only the statutory requirements of a notification;
- Ed 315.06 titled “Notification-Termination of a Home Education Program” has been amended and renumbered from provisions in the existing Ed 315.04 to remove “transfer” language, as a program is only established via notification requirements. Transfer is not a statutory requirement; and
- Ed 315.08 titled “Annual Evaluation” has been amended and renumbered from provisions in the existing Ed 315.07 to include only the sections of the statute that necessitate clarification.

6. (b) Brief description of the groups affected:

**School districts, the Department, home educated students, and parents of students are affected by these rules.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	State or Federal Statute or Federal Regulation Implemented
Ed 315.01	RSA 193:1, I(e)
Ed 315.02	RSA 193-A:1; RSA 193-A:3
Ed 315.03	RSA 193:1, I(b)
Ed 315.04	RSA 193-A:1, I; RSA 193-A:3; RSA 193-A:4, I

Ed 315.05	RSA 193-A:5
Ed 315.06	RSA 193-A:5
Ed 315.07	RSA 193-A:6
Ed 315.08	RSA 193-A:6
Ed 315.09-Ed 315.13	RSA 193-A:10
Ed 315.14-Ed 315.15	RSA 193-A:10, 11
Ed 315.16	RSA 193:1, I(f)(2)

## 7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**Title: **Administrative Rules  
Coordinator**Address: **Department of Education  
101 Pleasant Street  
Concord, NH 03301**Phone #: **(603) 271-2718**Fax#: **(603) 271-1953**E-mail: **Amanda.phelps@doe.nh.gov**TTY/TDD Access: Relay NH 1-800-735-2964  
or dial 711 (in NH)8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **October 15, 2020** Fax E-mail Other format (specify):

## 9. Public hearing scheduled for:

Date and Time: **October 8, 2020 at 10:00 a.m.**

Place:

**In-Person: 101 Pleasant Street, Concord, NH 03301 Room 100f****Members of the public wishing to testify on the bill must complete the following steps:**

- 1. Email [amanda.phelps@doe.nh.gov](mailto:amanda.phelps@doe.nh.gov) ;**
- 2. In the subject line type the following “WISHING TO TESTIFY IN PERSON ON Ed 315”; and**
- 3. In the body of the email type the following: Your name, the organization you may be representing, your town of residence, and your phone number.**

**\*If you have written comment in addition to oral testimony, please submit it in the email as a word or pdf attachment when requesting to testify, at the time of your testimony, or prior to the deadline in #8 above.**

**Telephonic: (800) 356-8278 Pin: 125563 State name and affiliation when prompted**

**Members of the public wishing to testify over the phone must complete the following steps:**

- 1. Email [amanda.phelps@doe.nh.gov](mailto:amanda.phelps@doe.nh.gov) ;**
- 2. In the subject line type the following “WISHING TO TESTIFY OVER THE PHONE ON Ed 315”; and**

**3. In the body of the email type the following: Your name, the organization you may be representing, your town of residence, and your phone number.**

**\*If you have written comment in addition to oral testimony, please submit it in the email as a word or pdf attachment when requesting to testify, at the time of your testimony, or prior to the deadline in #8 above.**

**Written Testimony**

**Members of the public wishing only to submit written testimony must complete the following steps:**

- 1. Email amanda.phelps@doe.nh.gov ;**
- 2. In the subject line type the following “SUBMITTING TESTIMONY ON Ed 315”; and**
- 3. In the body of the email type the following: Your name, the organization you may be representing, your town of residence, and your phone number.**

**\*If any member of the public has any issue with access to the meeting, please email or call Amanda Phelps at the contact information referenced in item #7 above.**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 20:071 , dated 8/31/2020

**1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing the proposed rules to the existing rules. Any cost or benefit associated with the proposed rules is attributable to RSA 193-A and not the rules.

**2. Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

**3. Cost and benefits of the proposed rule(s):**

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

None.

**C. To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**Relative to Part I, Article 28-a of the NH Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide a process for parents to notify school districts of their desire to home educate their child, at no cost to the district, unless agreed to by both parties. Therefore, there is no violation of Part I, Article 28-a.**