IHBGA - Home Schooling - Participation in School Programs

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The Board acknowledges the provisions for equivalent instruction under Maine law. The Board further recognizes the Legislature's statement "that the term 'equivalent' is intended to mean meeting state standards for alternate or other instruction and is not intended to mean the same as the education delivered in the public school system."

In addition, it is the intention of the Board to, "cooperate in the home instruction of any child who resides in the school administrative unit to the degree that the level of cooperation does not interfere with the responsibilities to the students enrolled in M.S.A.D. #35's regular programs." Furthermore, participation of students in such school programs shall be limited to home-schooled students whose home instruction programs are in compliance with applicable Maine law and Department of Education regulations.

In order to maintain an efficient and orderly school program, the Board directs the Superintendent/designee to develop procedures, as appropriate, regarding the availability of school system resources and services to home-schooled students who would otherwise be eligible to attend school in M.S.A.D. #35. The procedures shall be in accord with the following provisions.

I. Provision of Information

At the request of the student or the student's parent/guardian, this school unit shall make available to home-schooled students, in a form determined by the school, information regarding access to public school activities and attendance at the school unit's schools. This information must include:

A. Requirements regarding initial health and developmental screening for motor skills, vision, hearing, and immunization; and

B. Criteria for participation of home-schooled students in curricular, co-curricular, and extracurricular activities.

II. Permitted Participation

A. **Participation in Regular Classes**. Home instruction students may enroll in specific, day-school classes provided that the student's attendance is regular, the class is deemed to be age and grade appropriate, and all prerequisite course requirements are met. In addition, the following shall also apply.

1. The student or the student's parent/guardian, on the student's behalf, shall apply in writing to and receive written approval from the Superintendent/designee. Approval may not be unreasonably withheld.

2. The student shall demonstrate prior satisfactory academic achievement consistent with school unit policy and procedures applicable to all students.

3. The student shall comply with behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may withhold credit or terminate the student's participation.

4. Transportation must be provided by the parent/guardian or student. However, the student may use the same transportation as all other students in the school unit as long as additional expenses are not incurred and vehicle capacity is not exceeded.

5. The student shall complete all assignments and tests as required of all students in the same class.

B. **Course Auditing**. Home instruction students may audit a course(s) provided the following conditions have been met.

1. The student or the student's parent/guardian, on behalf of the student, shall apply in writing to and receive written approval from the Superintendent/designee to audit a specific course or courses. Participation may not be unreasonably withheld.

2. The student agrees to meet established behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may terminate participation.

III. Special Education Services

Special education services will be available to eligible special education students in accordance with applicable federal and state laws and regulations.

IV. Admission to Regular Program/Placement

A student who has been receiving home-school instruction and who seeks admission to the regular school program will be placed in a grade commensurate with the level of the student's academic achievement. Placement must be guided by the following.

A. For students who transfer into school from an educational program that is not required to meet the standards of the system of Learning Results, the principal of the receiving school

shall determine the value of the student's prior educational experience toward meeting these standards.

B. Appropriate school staff may make recommendations concerning placement based on, but not limited to, factors such as the student's completed curricula and record of achievement, conferences with the student's parent/guardian, and administration of tests.

C. The final grade placement decision shall be made by the principal. The principal's decision may be appealed to the Superintendent, whose decision shall be final.

V. Re-Admission to the School Program

Placement of homeschooled students who wish to be readmitted to the school program will be determined by the principal who shall consult with members of the professional staff to the extent appropriate and, as deemed necessary, to make a reasonable determination that the requisite academic standards have been met, and collect from parents actual samples of coursework (e.g., homework, papers, examinations). The principal may also direct that a test or tests be administered to help determine the student's progress toward meeting the content standards of the Learning Results for the purpose of determining an appropriate grade level. The decision of the principal may be appealed to the Superintendent.

VI. Use of School Textbooks and Library Books

Subject to availability, a student receiving home instruction may use school textbooks, if the number of particular copies is sufficient, and library books owned by the school unit, subject to the following conditions.

A. The use does not disrupt regular student, staff or special program functions.

B. The student's sign-out period for a library book is the same as that applicable to regularly enrolled students.

C. The student may sign out a textbook for a period not to exceed one school year.

D. The parent/guardian and student agree to reimburse the school unit for lost, unreturned or damaged library books and textbooks and for consumable supplies used.

VII. Use of School Facilities and Equipment

A student receiving home-school instruction may use public school facilities and equipment on the same basis as regularly enrolled students if the following conditions are met.

A. The use does not disrupt regular school activities.

B. The use is approved by the school principal in accordance with established school policy.

C. The use does not create additional expense to the school unit.

D. The use is directly related to the student's academic program.

E. The use of potentially hazardous areas, such as shops, laboratories, and gymnasiums, is supervised by a qualified employee of the school unit, approved and assigned by the Superintendent.

VIII. Mandated Educational Assessments

If a parent of a student in an equivalent instruction program requests to have the student participate in the Maine Educational Assessment (MEA) or any other State-mandated test, such request must be granted. Participation in such examinations must be in compliance with all rules and procedures governing testing conditions in the school unit.

IX. Academic Credit

A student receiving home-school instruction must receive academic credit subject to the following requirements.

A. Academic credit for individual district courses must be awarded if the student meets required academic standards applicable to all students enrolled in the same course.

B. Academic credit must be awarded for successful completion of alternative instruction opportunities sponsored by the district and available to all students.

X. High School Course Credits and Diploma Eligibility

The following standards govern the awarding of course credits and a graduation diploma to a student receiving home-school instruction who seeks admission or readmission to the high school.

A. A student shall earn high school credits for satisfactory completion of courses in the high school pursuant to 20-A MRSA § 5021(2)(A).

B. A student may earn credit for coursework completed through home-school instruction if the principal determines, both in advance and upon completion of the course, that the course satisfies the requirements for awarding the credit. The principal may direct that the student undergo a test or tests to assist in making a determination relative to the awarding of credit.

C. Requests for transfer credit for equivalent instruction completed at non-approved private schools, at private schools that elect not to meet requirements under 20-A MRSA § 2901, or through other equivalent instruction programs must be evaluated on the merits of the documentation provided. The principal and guidance staff shall conduct these evaluations on request made by the student or the student's parent/guardian. The principal may direct that the student undergo a test or tests to assist in making a determination relative to the awarding of credit.

D. For students who transfer into a secondary school from another state or an educational program that is not required to meet the standards of the system of Learning Results, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards through the local assessment system.

E. Awarding of a high school diploma by the local school is conditioned upon the student's demonstration of having satisfied all requirements set by the State and all specific course credit and other requirements established by the Board. The final two years must be spent as a full time student at Marshwood High School as a precondition for the awarding of a Marshwood High School diploma.

XI. Participation in Co-Curricular Activities

Students receiving home-school instruction may participate in co-curricular activities. Co-curricular activities include school-sponsored activities that have some connection to education and the curriculum such as field trips, assemblies, and academically-related fairs provided:

A. Prior written permission is obtained from both the parent/guardian and the principal; and

B. The student has agreed to meet established behavioral, disciplinary, attendance, and other rules applicable to all students.

XII. Participation in Extracurricular Activities

Students receiving home-school instruction are eligible to try out for extracurricular activities sponsored by the school unit, provided the student applies in writing and the following requirements are satisfied.

A. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.

B. The student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the school unit. The school principal is authorized to collect from the student's parent/guardian actual samples of coursework (e.g., homework, examinations, etc.) as he/she deems necessary in order to make the determination that the necessary academic standards have been met.

C. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.

D. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

XIII. Standards for Participation When Tuition Payment to Another Unit is Required

If and when the school unit does not provide academic instruction for specific grade levels, the following applies for students enrolled in an approved program of equivalent instruction.

A. **Class participation**. The home-schooled student or the student's parent/guardian shall request authorization from the resident local school unit to apply to another school unit for permission to participate in classes or activities in that other school unit.

B. **Tuition payment**. Tuition payments for home-schooled student participation in a local school unit, including attendance at an applied technology center or an applied technology region other than the applicant's resident district is the responsibility of the home-schooled student, the student's parent/guardian, or the student's resident school administrative unit, in accordance with school unit policy. Participation may not be unreasonably withheld.

C. **Participation eligibility**. A tuitioned, home-schooled student is subject to the rules relating to eligibility for participation in co-curricular or extracurricular activities as may apply at the receiving school unit.

D. **Interscholastic activities.** A tuitioned, home-schooled student attending classes in more than one receiving school unit is not eligible for participation in interscholastic activities at any local school unit.

XIV. Appeals

Appeals regarding administration and application of the Board policy are heard by the Superintendent, whose decision is final and binding. Appeals that question the Board policy compliance with legal requirements must be made to the Commissioner, whose decision is final and binding.

Legal Reference: 20-A MRSA §§ 5001-A(3), 5021-5025

Ch. 127, 130 (Me. Dept. of Ed. Rules)

Cross References: IHBG – Home Schooling

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