

## Homeschooling in Massachusetts

### ARRSD Fact Guide for Parents considering Homeschooling their Children

Oversight of home education is a local function in Massachusetts. Because there are nearly as many ways to homeschool as there are homeschooling families, local oversight enables school authorities to exercise discretion and flexibility in evaluating home education plans and student progress. In using their oversight abilities, school authorities may ask for certain types of information (elaborated below), while remembering the limits established to protect parents' rights in determining how their children will be educated.

In Massachusetts there are key legislative and court actions that have helped define homeschooling in the Commonwealth. On such case is the, **Care and Protection of Charles** (1987), which states, ...the approval of a home school proposal must not be conditioned on requirements that are not essential to the State interest in assuring that all the children shall be educated. In Massachusetts each school district maintains its own home education policies, which must be in keeping with the guidelines of the Charles verdict and another case referred to as Brunelle v. Lynn Public Schools.

Below, Massachusetts' compulsory attendance law is explained and provides that children must attend a recognized and/or approved school or be educated in some other way that is approved in advance by the local school committee or superintendent. To legally homeschool, you will need to follow these requirements:

1. Submit an annual notice of intent to the school district.

School officials may ask for information regarding qualifications of the parent or parents who will be instructing the children, (*Charles*) but the parents are not required to have any specific educational credentials. General Laws c. 71, Sec. 1, provides that teachers shall be of competent ability and good morals. (*Charles*) Although Massachusetts school districts vary, organizations following homeschooling practices have found that most require an annual notice of intent to provide home instruction. According to state law and court opinions, there are four areas a superintendent or school committee may consider when reviewing a notice of intent:

- The proposed curriculum and number of hours of instruction
- The competency of the parents (Parents do not need college or advanced degrees.)
- Textbooks, workbooks, and other instructional aids to be used (so that the superintendent or committee can determine the subjects to be taught and the grade level of instruction for comparison with the curriculum of the public schools)
- The method of assessment used (to ensure educational progress and attainment of minimum standards); the superintendent or school committee can require standardized testing or may substitute, with the approval of the parents, another form of assessment.

Parents are encouraged to notify their district before the beginning of the school year. Along with the notice, we recommend that you provide a list of materials you intend to use, a brief description of the curriculum and/or subjects to be taught, and a description of your

qualifications or the qualifications of others who will be instructing your children. **Please be advised that homeschooling is not the same as Remote Learning.** In a remote learning environment, as was seen during the COVID-19 closure, the district supplied learning materials and opportunities for instruction and collaboration with teaching staff. In homeschooling, the onus or responsibility is on the parent or guardian to supply curriculum supports and instructional delivery to the child/student.

2. Teach the required subjects.

Massachusetts law requires that all students be taught the following subjects:

- spelling,
- reading,
- writing,
- English language and grammar,
- geography,
- arithmetic,
- drawing,
- music,
- United States history and Constitution
- duties of citizenship,
- health (including CPR),
- physical education, and
- good behavior.

While there are no specific requirements in Massachusetts law for how often each of the subjects must be taught or at what grade levels, general recommendations from oversight groups is that each of the required subjects be taught *at an age-appropriate level* every year during the elementary and middle school years, and at least once at the high school level.

3. Keep good records.

There is no explicit legal requirement that homeschool records be kept. However, certain assessments may require various records and work samples. Please consider the importance of this if you have to or plan to have your child transition into the traditional public school at some point in the future.

4. Test or evaluate your child as required.

A superintendent or school committee may require periodic standardized tests or “other means of evaluating the progress of the children [that] may be substituted for the formal testing process, such as periodic progress reports or dated work samples.” Testing or evaluation must be mutually agreed upon by the parents and the superintendent or school committee.

According to the Massachusetts Supreme Court opinion issued in the case; *Care and Protection of Charles*, the standard of review to determine adequate progress is if the education is equal in “thoroughness, efficiency and progress made therein” to that of the schools in the district.

Please refer to your, *Notice of Intent to Pursue a Program of Home Education*, document for the materials needed to submit or continue your homeschool process.

Thank you,  
Dr. John Salovardos  
Director of Pupil Personnel Services