

DRAFT—August 2000
Not for General Distribution

HOME EDUCATION ADVISORY

Over the past several years, the Department of Education has received numerous inquiries about home education policies and procedures from school districts, parents, and others. The Department issued an advisory on home education in 1987, after the Massachusetts Supreme Judicial Court decided the case of *Care and Protection of Charles*, 399 Mass. 324 (1987). *Charles* established the legal guidelines in Massachusetts for the approval of home education programs for children of compulsory school age. This updated and expanded Home Education Advisory explains the legal standards and procedures that apply to home education in Massachusetts and contains answers to many of the questions about home education which the Department has been asked since the *Charles* opinion. It also incorporates two recent Massachusetts court decisions on home education, *Brunelle v. Lynn Public Schools*, 428 Mass. 512 (1998), concerning home visits by public school officials, and *Care and Protection of Ivan*, 48 Mass. App. Ct. 87 (1999), concerning the right of school districts to require that parents provide essential information regarding their home education plans and provide verification of their children's progress under those plans.

I. BASIC PRINCIPLES

Massachusetts has a compulsory school attendance law, General Laws Chapter 76, § 1, which applies to all children between the ages of 6 and 16. While the law requires that all children receive an education, it also recognizes the right of parents to choose from among several educational options. All children of school age have a right to be enrolled in the public schools of the city or town in which they reside. Alternatively, parents may elect to enroll their child in the public schools of another school district which participates in the state's school choice program or a charter school, or may choose to send their child to an approved private school or to educate their child at home. When a child of compulsory school age is educated outside the public school system, either in a private school or at home under the guidance of his or her parent(s), the school district where the private school is located, or in the case of home education, where the child resides, has a legal duty to review and approve the program.

Home education in Massachusetts is governed by General Laws Chapter 76, § 1. It states that a child of compulsory school age must "**attend a public day school [or some other approved school] . . . but such attendance shall not be required of a child . . . who is being otherwise instructed in a manner approved in advance by the superintendent or the school committee.**" G.L. c. 76, § 1 (emphasis added). School districts review and approve home school proposals under the guidelines set forth in the *Charles* opinion discussed below. Although *Charles* establishes a framework for the review of home education plans, each school district develops its own review process.

DRAFT

II. APPLYING FOR A HOME EDUCATION PROGRAM

A. Notification

Parents planning to educate their child at home must notify their superintendent or school committee *before* removing the child from public school. This notice may be given at any time before or during the school year. To avoid miscommunication and ensure compliance with the home education approval law, parents are encouraged to give this notice in writing. Some school districts have a home education approval application form to be completed for this purpose.

A student may not begin a home education program unless and until it has been approved by the superintendent or school committee of the school district in which the student resides. When a school district has received notice of a parent's proposal to educate his or her child at home, the school district must evaluate the proposed home education plan for the student and either approve, seek modification of, or disapprove that plan. The school district should communicate its decision on the parent's home education proposal to the parent in writing within a reasonable time after home education approval is sought.

B. Approval

Under Massachusetts law, parents who wish to educate their child at home as an alternative to public school enrollment must have their home education plan reviewed and approved by the school district in which their child resides. G.L. c. 76, § 1. In the recent case of *Care and Protection of Ivan*, the Massachusetts Appeals Court explicitly stated that "prior approval of the superintendent or [school] committee is a prerequisite to removal of children from school and to the commencement of a home schooling program." 48 Mass. App. Ct. 87, 89 (1999).

The standard for approval of a home education plan is set out in the *Charles* decision. It states that the school district has a duty to ensure that a home educated student receives instruction that is equal to public schooling in its thoroughness and efficiency, and in the progress made therein. *Charles* at 337. In applying this standard, school districts may only subject home education plans to requirements that are reasonable and essential to the state's interest in ensuring that all children receive an education. *Charles* at 336-337. A parent's refusal to provide a school district with essential information in order to evaluate a home education plan precludes the school district from reviewing or approving that plan. *Ivan* at 87-88.

The extent to which a school district may consider certain factors in evaluating a home education plan is set forth below:

1. Information about the parents: academic credentials or other qualifications.

The superintendent or school committee may consider the parent's competence to teach the child. Thus, a superintendent or school committee may properly inquire as

DRAFT

to the academic credentials or other qualifications of the parent or parents who will be instructing the child. However, parents who wish to home educate their child are not required to have attained a certain education level or to obtain teaching certification. *Charles* at 339.

2. Evaluation of the academic plan.

When evaluating the adequacy of a proposed home education plan, the superintendent or school committee may examine the subjects that the child will study and the length of the proposed home school year and the hours of instruction in each subject. *Charles* at 339. In order to ensure instruction "equal in thoroughness and efficiency" to that offered in the public school, school officials may compare these factors in the home school proposal with the state requirements regarding curriculum and the number of hours of study. *Charles* at 338-339.

In Massachusetts, all public schools must operate for at least 180 days each school year and offer instruction in the core subjects of mathematics, science and technology, history and social science, English, foreign languages and the arts. G.L. c. 69, § 1D; 603 C.M.R. 27.03. Public elementary school students must receive a minimum of 900 hours, and secondary students must receive at least 990 hours of structured learning time each school year. Structured learning time is defined as the time during which students are engaged in regularly scheduled instruction, learning activities, or learning assessments within the curriculum for study of the core subjects. 603 C.M.R. 27.02.

Although these requirements do not apply to home schoolers, school districts may inquire into the content, duration and methods of study planned for the core subjects as a means of determining whether the proposed home education plan enables the child to progress academically in the areas which the Commonwealth has identified as essential in preparing students for future education, employment and effective citizenship.

The educational plan for a home educated student need not replicate the public school's grade equivalent educational offerings. Indeed, many parents elect to home educate their children to utilize an alternative approach to student learning. Home educating parents may employ educational methods that are quite different from those used in public schools. A home educated student may study certain subjects and acquire certain skills at different stages in the learning sequence than those planned for in the public school curriculum plan. Home educating parents are encouraged to identify and explain such differences in educational philosophy and methodology when home education approval is sought. School district officials will then have the necessary information to evaluate whether, having these pedagogical differences in mind, the proposed program meets the standard for home education program approval.

DRAFT

3. Educational materials and methods.

Parents may select the kind of instructional materials to use for their child's home education, but *Charles* allows school officials access to such materials in order to determine the type of subjects to be taught and the grade level of instruction for comparison purposes with the curriculum of the public schools. *Charles* at 339. School officials may not, however, use this access to dictate the manner in which the subjects will be taught. *Charles* at 339. Parents may employ educational methods that are different from those used in the public schools. This may include teaching materials that are non-tangible in nature, such as travel, community service, visits to educationally enriching facilities and places, and meetings with various resource people. *Brunelle* at 518.

Districts may keep on file a list of approved instructional materials or curricular programs, although home schooling parents are not required to use the materials on these local lists in order for their plan to be approved. Because approval takes place at the local level, the Department of Education does not maintain a list of approved materials.

Correspondence courses and commercial curriculum programs (for example, the Calvert or Abeka curriculum and home study programs) may be submitted and approved as part of a home education plan. Commercial curriculum organizations such as those mentioned above are not considered private schools for the purpose of school district approval; therefore, parents who wish to educate their child at home using one of these programs must follow the school district's home education approval procedures.

4. Periodic testing or other evaluation of the student's progress.

In *Charles*, the court stated that school officials may require periodic testing or some other agreed-upon form of evaluation of a home educated student's educational progress.

The superintendent or school committee may properly require periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards. . . . In consultation with the parents, the school authorities may decide where the testing is to occur and the type of testing instrument to be used. Where practical, a neutral party should administer the test. Other means of evaluating the progress of the children may be substituted for the formal testing process, such as periodic progress reports or dated work samples, subject to the approval of the parents.

Charles at 339-40.

DRAFT

Care and Protection of Ivan, 48 Mass. App. Ct. 87 (1999), reaffirms the holding of *Charles* in this regard. In *Ivan*, the court upheld the authority of a school committee to condition approval of a home education plan on the requirement that the child's educational attainment be verified through testing or some other type of evaluation. *Ivan* at 89.

When a home educating parent does not wish to have his or her child evaluated through periodic testing, we encourage school officials to work with the parent to agree on an alternative means of evaluation. Agreed upon evaluations may include school district review of a portfolio of student work or submission of dated work samples, independent evaluations by a third party acceptable to parents and school officials, or any other method agreed to by the parents and school officials. If no agreement is reached between school officials and parents on an alternative method of evaluation, school districts may require standardized testing as a condition of approval of the home education program.

5. Home visits as a condition of approval.

In the *Brunelle* decision, the Supreme Judicial Court addressed the question whether a school district may require home visits as part of its periodic evaluation of a home education program. The court held that home visits by public school officials may not be required as a condition of approval of a home education plan that satisfies other relevant criteria as outlined in *Charles*. The court stated that home education proposals can be made subject only to essential and reasonable requirements, and a home visit is not presumptively essential to protecting the State's interest in ensuring that children receive an education. *Brunelle* at 519. The court did not, however, rule out the possibility of allowing school districts to require home visits under special circumstances, stating:

We express no opinion on whether home visits can be required . . . if a child is not making satisfactory progress under a home education plan, if a home is used to educate children from other families, or if other circumstances make such a requirement essential, and reasonable standards are formulated to enforce the requirement.

Brunelle at 519.

III. COMMONLY ASKED QUESTIONS ABOUT HOME EDUCATION

1. What happens if the school district disapproves or does not respond to a parent's proposed home education program?

If the school district does not approve the home education plan, the superintendent or school committee must detail the reasons for the decision, and allow the parents to revise their proposal to

DRAFT

remedy its inadequacies. If no response is received from the school district within a reasonable time after home education approval is requested, parents should contact the superintendent and request a written decision on their approval request. Delay or lack of response by a school district does not constitute implied consent to a home education program; home educating families must obtain express approval before they commence home schooling.

2. What steps may a school district take if a parent fails to enroll the child or withdraws the child from school to begin home education without first obtaining the necessary approval?

Parents are required by law to ensure that if their children are of compulsory attendance age that they attend either public school or an approved private school until the parents have received school district approval of their home education program. If a parent fails to enroll the child in school or withdraws the child from school to begin home education without first obtaining the necessary approval, it is the school district's responsibility to act promptly to enforce the compulsory school attendance law.

Depending on the circumstances, the school district may fulfill this responsibility by expediting review and approval of the proposed home education program, or may seek judicial intervention by filing a truancy complaint (General Laws Chapter 76, § 2 and/or § 4) or initiating a care and protection proceeding (General Laws Chapter 119, § 24). In *Ivan*, the court held that where a parent has removed a child from school to home educate the child but refuses to provide any information to the school committee regarding the proposed home education plan, it is appropriate for the school committee to file a care and protection petition on the basis of educational neglect. In situations where the school committee has received the parents' home education proposal but has rejected it, the school district has the burden in any subsequent legal proceeding to demonstrate to the court that the instruction outlined in the proposal fails to equal "in thoroughness and efficiency, and in the progress made therein," that in the public school.

The filing of a CHINS petition (General Laws Chapter 119, § 39E) is not an appropriate action to enforce the compulsory school attendance law in the case of a home education dispute, since it is the parent's decision not to send the student to public school rather than the student's disobedience of parental and school authority which is at issue.

3. What steps may a school district take if a family does not comply with its periodic reporting requirements?

Under *Charles* and *Ivan*, superintendents and school committees may require periodic testing or some other mutually-agreed upon form of evaluation of home educated students. Therefore, school officials may refuse to grant or rescind home school approval if parents do not comply with the school district's periodic reporting requirements.

When a parent has failed to comply with periodic reporting requirements after approval of a home education plan has been granted, school officials should send a letter to parents indicating that home school approval was granted with the expectation that parents would comply with the school district's periodic reporting requirements. Parents should be urged to contact the school and indicate

DRAFT

whether they plan to submit the necessary evaluative material. The letter should inform parents that home school approval will be rescinded if such material is not submitted within a reasonable period of time. If the parents indicate that they will not submit the required material or if they fail to respond within the time period provided, the school district may then rescind home school approval.

Once home school approval is rescinded, parents are required by law to enroll their child in a public or approved private school. If a parent fails to fulfill this requirement, it is the school district's responsibility to enforce the compulsory school attendance law, the procedure for which is outlined above in the answer to question 2.

Charles requires parents to receive home school approval before they remove their child(ren) from a public or approved private school. Therefore, parents whose home school approval is rescinded may reapply for approval only after their child(ren) are enrolled in a public or approved private school.

4. May a school district require home visits as a condition of approving a home education program?

No. A school district may not require home visits as a condition of approving a home education program. The *Brunelle* decision leaves open whether, in certain limited circumstances, home visits may be warranted. For example, the court did not consider whether home visits may be required if a child is not making satisfactory progress under a home education plan, or if a home is used to educate children from other families. We would advise school officials to review the circumstances carefully with local counsel before deciding whether home visits are warranted in individual cases. In any event, home visits with parental consent are permissible.

5. What happens when parents modify the home education program that has been approved for their child?

Parents may modify their planned home education program to meet their child's needs. If the modification involves a significant change in the content or method of the child's educational program, such a change in plans is, in our opinion, subject to prior approval by the school district.

6. Are school districts obligated to provide educational materials to parents who are home educating their child?

Home education is a private alternative to public school education. The school district has no obligation to provide parents who elect this option with books, materials, or access to school resources other than to the extent available to the general public. (Curriculum outlines, for example, are considered public documents and must be provided within ten days of a written request). As a matter of local policy, however, a school district may, in its discretion, allow home educated students to borrow or use public school books or other educational materials.

DRAFT

7. May home educated students use public school facilities and participate in public school programs and activities?

Each school district may establish its own policy on the use of its facilities and participation in its programs by students not enrolled in the public schools. Home educated students can use school facilities and participate in school-sponsored activities that are open to the public. As a matter of local policy, a school district may allow home educated students to use certain school facilities or to participate in certain school programs or extra-curricular activities that are not open to the general public (for example: use the school library or computer lab; play in the school band or orchestra; participate in drama club; join a sports team). The district must fund any such participation (if it results in any cost to the district) either through local appropriations in addition to the minimum required local contribution for net school spending which the district is required to appropriate under General Laws Chapter 70, or by charging program fees to participants.

The Massachusetts Interscholastic Athletic Association (MIAA) has adopted a policy which enables school districts to allow home educated students to participate in interscholastic sports. The MIAA policy contains guidelines for such participation, including procedures to be followed by school districts that elect to permit home schoolers to join interscholastic public school sports teams. The MIAA permits a home educated student to participate on interscholastic athletic teams if the student's school committee has a policy regarding such participation and the school committee has approved the student's home education plan. Home educated students may join teams operated by the public schools in the district in which they live. If a school district operates an intra-district choice system (such as Boston and Springfield, where students may attend one of several schools in the district), and it allows home educated students to participate on sports teams, the district must assign a home educated student to a particular school for athletic team participation on the same basis used for the school assignment of regularly enrolled students.

8. May a school district include home educated students in the student enrollment count that the district reports to the Department of Education for statistical and state funding purposes?

Home educated students are not considered to be enrolled in a school district. Thus they cannot be counted as part of the school's membership, for state reporting purposes, even if the school district allows them to participate in some extra-curricular or other school activities. The only exception to this would be where a student receives home instruction as a supplement to educational services provided by the school district for which the student earns academic credit. A student participating in such a hybrid arrangement is not considered to be home educated for purposes of G.L. c. 76, § 1 if the school district is still supervising, and taking responsibility for, the student's educational program, including that part of the student's program that is delivered at home. In these situations, the student may be considered enrolled in the public school and counted as part of the school's membership for purposes of state funding.

9. Are home educated students entitled to course credit, a high school diploma, or a GED?

Course Credit. If a student who has previously been home educated wishes to enroll in public school, school officials in the school district where the child enrolls will determine grade placement

DRAFT

and whether to award course credit for work completed while the student was being home educated. This determination is usually made based on a review of the home study course content, past evaluation results, assessments to measure academic achievement, and other criteria.

High School Diplomas. Home educated students are, by definition, not enrolled in a public school. Because a diploma certifies completion of and graduation from a public high school, a school district has no obligation to grant a diploma to a student who has been home educated. The school committee has the discretion, however, to determine whether and under what circumstances a student who has been educated at home may receive a high school diploma. The school committee may provide a home educated student with a letter or certificate which indicates that the student participated in an approved home education program and describes the content of the program and the results of any academic tests administered by the school district.

The Education Reform Act of 1993 authorized the Board of Education to establish statewide public high school graduation standards (called competency standards), which will be implemented no earlier than the graduating class of 2003. Although these standards do not, by their terms, apply to home school programs, they may enable school districts to more readily compare the knowledge and skills of home educated students to that of their public school peers. The discretion to award a diploma to a home educated student will, however, remain with the school district.

General Educational Development test (GED). With regard to the GED, home educated students are subject to the same requirements as all other registrants. In order to take the GED test, a registrant must be at least 16 years old and must not be enrolled in a public or private school. Those students between the ages of 16 and 19 must provide a letter from the last school attended stating that the student has officially withdrawn. Any person, including a home educated student, who is 19 or older may take the GED without providing such a letter.

10. May parents home educate a child with a disability who needs special education?

Yes. Parents of a child with a disability who needs special education may home educate their child if they can provide the child with a home-based program that equals in thoroughness and efficiency and in the progress made therein the educational program that would be available to the student if he or she were enrolled in public school. In evaluating a proposed home education plan for a student who has been identified to have special education needs, the school district must consider the particular capabilities and needs of that child and evaluate the proposed program content, instructional materials and monitoring procedures and the competency of the parents or proposed instructors, having in mind the individual child's special needs.

If a school district finds that a parent's proposed home education plan will not meet the special educational needs of the child, the district should allow the parents to revise the plan before denying approval. If the parent of a special education student withdraws the student from school and commences home education without an approved plan, the district may initiate truancy proceedings against the parent or file a care and protection petition on behalf of the child. Additionally, if the parent has rejected special education services which the public school has offered to provide to the child and school officials think that, as a result of the parent's decision, the child is being denied an

DRAFT

appropriate education, the school district may file an appeal with the Bureau of Special Education Appeals.

Pursuant to a recent amendment to Mass. General Laws c. 71B, the Massachusetts Special Education Law, school age children with disabilities who reside in Massachusetts and who meet the applicable eligibility requirements are entitled to publicly funded special education services regardless of whether they are educated in a public or non-public school setting. Thus, school districts in which eligible home schooled students reside must provide such students with the opportunity for evaluations, determinations of eligibility, and receipt of special education services in accordance with the state and federal laws that apply to eligible public school students.

Detailed information about the special education evaluation, program planning, and appeal process is available from the administrator of special education of any school district or from the Massachusetts Department of Education.

11. If a student is unable to attend school for a period of weeks or months due to a temporary disability and the school district arranges for tutoring while the student is in the hospital or at home, is home education approval required?

No. Students who are enrolled in the public schools but are unable to attend the school to which they are assigned due to a temporary medical disability, are eligible for home or hospital-based educational services under the Massachusetts Special Education Regulations. The home or hospital-based services required under those regulations are public school services, funded and directed by the public school district in which the student is enrolled. A physician initiated, publicly provided home or hospital-based education program under the special education regulations is legally distinct from a parent initiated, privately provided home education program and is, therefore, not subject to the approval process described in this Advisory.

12. Who approves home education for secondary students who are tuitioned-out (attending public schools in another school district at their home district's expense)?

A town that does not operate its own schools must make arrangements regarding home education plan approval with the town to which it tuitions students. A town that tuitions out students in some grade levels, but not others, may make separate provisions for the approval of home education plans for students in the different grades. For example, if a town operates its own K - 8 schools, but tuitions out students in grades 9 - 12 to the high school in a neighboring district, the town may oversee approval of home education plans for students in grades K - 8, while contracting with the district to which it tuitions high school students to oversee home education plan approval for those students.

13. Who approves home education for students who have been enrolled in the public schools under the school choice program?

General Laws Chapter 76, § 1 provides that the superintendent or school committee of the town

DRAFT

in which the student resides is responsible for approving the student's proposed home education program. The law does not provide any exception to this rule for students who are enrolled in a school choice district at the time that their application for home education approval is made.

14. May a student participate in a school choice program part-time while also receiving a home education?

No, since students who have been approved for home education are not enrolled in any public school system but, rather, are privately educated by their parents as an alternative to public school enrollment. However, there may be circumstances in which a student participates in and receives academic credit for classes attended in a school choice district and also receives some instruction at home. In such a situation, the student is not considered home educated for purposes of G.L. c. 76, § 1, and remains enrolled in the school choice district, if the district retains responsibility for supervising and evaluating the student's progress in the educational program, including those services delivered at home.

15. Will the new state learning standards affect the home education approval process?

Pursuant to its authority under the Massachusetts Education Reform Act, the Board of Education has adopted curriculum frameworks and learning standards for core academic subjects. While the Act does not directly affect local decisions about the process and criteria for approval of home education programs, school districts evaluating a proposed home education program may consider the extent to which the program addresses the knowledge and skills set forth in the state standards.

16. What role will the new statewide student assessments play in home education evaluation?

The statewide assessments (Massachusetts Comprehensive Assessment System, or MCAS) required by the Education Reform Act measure student progress toward meeting the learning standards set forth in the Massachusetts curriculum frameworks. The assessments are administered to public school students in grades 4, 8 and 10. Since children in approved home education programs are not enrolled in public school, they are not required to take the MCAS tests. Moreover, the assessment guidelines required by the Education Reform Act do not directly affect the assessment guidelines established by *Charles*, which states that a school district may require home educated children either to take standardized achievement tests or to participate in another evaluation as agreed by the school district and the home educating parents.

Some school districts and parents have asked whether children in home education programs may participate in MCAS testing, with the agreement of the school district and the parents. At this early stage of the MCAS program, the answer is no, because of administrative costs and other complicating factors. In the future, after the MCAS is fully implemented, the Department of Education will consider whether and under what circumstances it is feasible to permit children in home education programs who wish to take the MCAS tests to do so.

17. Is school district approval required if a parent wishes to home educate a child who is under age 6 or is age 16 or older (i.e., not of compulsory school age)?

DRAFT

No. In *Charles*, the court stated that school committees may enforce, through the approval process under G.L. c. 76, § 1, certain reasonable educational requirements similar to those required for public and private schools. *Charles* at 336. Under Massachusetts General Laws Chapter 76, § 1 and Massachusetts Board of Education regulations, school attendance is required for children ages 6 to 16. The authority of a school committee to require prior approval of a home education plan extends only to children of compulsory school age. A school district may, in its discretion, review and approve a home education plan for a student age 16 or older at the request of the student's parent. Some parents seek such approval as a means of providing the documentation that may be required if their child applies to college or technical school.

18. Are school districts required to have a written policy on home education?

No. Neither the compulsory attendance law nor the *Charles* decision requires school districts to have a written policy on home education. Some districts elect to deal with home education-related questions on a case by case basis as they arise. Others, particularly those districts with a significant number of home educating families, have found that having a written policy and set of procedures saves time and reduces confusion for both school staff and home educating parents. Whether to adopt a formal home education policy, as well as the contents of that policy, is a decision to be made by local school officials based on the needs of their school district.

19. What resources are available to assist parents who are interested in educating their children at home?

The Department is aware of five Massachusetts organizations that provide parents with information and assistance regarding home education, each from a distinct religious, philosophical, or pedagogical perspective. These groups, which are private, and are not affiliated with or endorsed by the Massachusetts Department of Education, are:

Mass Homeschool Organization of Parent Educators (Mass H.O.P.E),
5 Atwood Road, Cherry Valley, MA 01611
contacts: Glenda and Walt Grayum (508) 791-5642
(Mass H.O.P.E. is a Christian organization)

Website: <http://www.masshope.org>
E-mail: info@masshope.org
24 Hour information line: (978) 544-7948

Massachusetts Home Learning Association (www.mhla.org)
Eastern MA: Loretta Heuer (508) 429-1436, 164 Norfolk St., Holliston, MA 01746
MAHmLearn@aol.com
Western MA: Kathy Smith (508) 249-9056, 2380 Petersham Rd., Athol, MA 01331.
mt_top_school@hotmail.com

DRAFT

Holt Associates, Inc., Growing Without Schooling
2380 Massachusetts Avenue, Suite 104, Cambridge, MA 02140
Contact: Patrick Farenga (617) 864-3100

Catholic Homeschoolers in Massachusetts East (C.H.I.M.E.)
Contact: Jane Richard (978) 794-4630
CHIMEInfo@yahoo.com

Muslim Home School Network and Resource (M.H.S.N.R.)
Contact: Cynthia Sulaiman, Attleboro, MA (508) 226-1638

Information on home education resources, services, and events is also available from the Northeast office of the **Homeschool Support Network**, P.O. Box 1056, Gray, ME 04039, (207) 657-2800 which publishes a bi-monthly magazine called *Home Educator: Family Times* (contact: Shirley Minster).

Legal information and advocacy on home education, from a Christian religious perspective, is available to home educating parents who join the **Home School Legal Defense Association**, P.O. Box 3000, Purcellville, VA 20134-9000, (540) 338-5600.

20. What role does the Massachusetts Department of Education play with respect to home education?

Approval and oversight of home education is a local, rather than state, function in Massachusetts. Therefore, the Department of Education is not involved in setting policy, overseeing school district practices, or otherwise enforcing the Commonwealth's home education law. The Department does not collect data from school districts concerning the incidence of home education, and does not maintain a repository of school district home education policies.

When asked, the Department attempts to provide school officials and parents with information and answers to questions about the legal requirements for home education. This Advisory has been prepared to assist us in fulfilling that limited role. We hope it will be of assistance both to parents considering or participating in home education, and to school district officials whose job it is to protect the public interest in the education of all children by reviewing plans for the home education of students whose parents elect this option.

The information which appears in this Advisory, as well as other education related information, is also available from the Department of Education's Internet site: <http://www.doe.mass.edu>.