

Home Education Frequently Asked Questions

This Frequently Asked Questions (FAQ) document was created by the Department of Public Instruction to provide assistance to parents and schools in understanding North Dakota Century Code as it relates to Home Education. The Department has provided a link to legislation passed during the 2011 Legislative Session (<http://www.legis.nd.gov/cencode/t15-1c23.pdf>).

General Information

Q. 1 What is the definition of home education?

A. 1 *A program of education supervised by a child's parent, in accordance with the requirements of this chapter. (NDCC 15.1-23-01)*

Q. 2 Can a parent start a home education program at any time; before or during a school term?

A. 2 *Yes; however, there is a waiting period after the statement of intent form (SFN 16909) is submitted to the school superintendent. A parent must wait 14 days from the time the statement of intent is submitted before beginning home education. (NDCC 15.1-230)*

Q. 3 Where can one obtain the statement of intent to home educate?

A. 3 *The statement of intent form (SFN 16909) can be downloaded on the DPI website. <http://www.dpi.state.nd.us/forms/sfn16909.pdf>*

Q. 4 Where does a family that is home educating a high school-aged child submit the statement of intent form when they reside in a school district that does not have a high school – with the school district of residence, with the school district that the child would attend high school, or both?

A. 4 *NDCC 15.1-23-02 requires the statement must be submitted to the superintendent of the child's school district of residence or if no superintendent is employed, the county superintendent of schools for the child's county of residence.*

Parent Qualifications and Responsibilities

Q. 5 What qualification does the parent need to have to supervise a child in home education?

A. 5 *A parent is qualified to supervise a program of home education if the parent holds a high school diploma or general education diploma (GED). (NDCC15.1-23-06)*

Q. 6 What are the responsibilities of the parent when providing home education?

A. 6 *It is the responsibility of the parent to:*

- *File a statement of intent annually with the local superintendent for each student who is to receive home education (NDCC 15.1-23-02)*
- *Supervise the courses required by statute (NDCC 15.1-23-04) as well as methods of instruction*
- *Conduct classes for the required length of time and number of days (NDCC 15.1-23-04)*
- *Maintain a student academic record for each student receiving home education (NDCC 15.1-23-05)*
- *Arrange for testing using a nationally normed standardized achievement testing instrument as required by statute (NDCC 15.1-23-08, 15.1-23-09, 15.1-23-10, 15.1-23-11)*

- *Serve on a multidisciplinary assessment team for the purpose of evaluating the student who scores below the thirtieth percentile (30%) on the nationally normed standardized achievement test (NDCC 15.1-23-11, 15.1-23-12, 15.1-23-13)*
- *Transfer the student academic record, upon the request of the local superintendent, if the student enrolls in a public or nonpublic school (NDCC 15.1-23-05)*

Academic Records

Q. 7 What are parental requirements for maintaining academic records?

A. 7 *A parent supervising home education shall maintain an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results. (NDCC 15.1-23-05)*

Q. 8 What does a parent need to provide to a public or nonpublic school when transferring a student who was home educated?

A. 8 *In the event a student transfers to a public school or state-approved nonpublic school, the parent must provide documentation of courses taken and academic progress assessments, including any standardized achievement test results upon request of the local superintendent. (NDCC 15.1-23-05)*

Q. 9 When does state law require that a monitor be provided for home education?

A. 9 *A parent who does not meet the minimum qualifications of holding a high school diploma or a GED must be monitored for the first two years. If a child receiving home education obtains a basic composite standardized achievement test score below the fiftieth percentile (50%) nationally, the parent must be monitored for at least one additional school year and until the child receives a test score at or above the fiftieth (50%) percentile. (NDCC 15.1-23-06)*

Q. 10 Does the school have to provide a monitor when the parent is providing home education for a child?

A. 10 *Yes, if requested by the parent or if the parent qualification to supervise a child requires monitoring by law, the school must provide a licensed teacher to monitor at the school's expense. However, if the parent wishes to obtain his or her own monitor, the parent is responsible for the expenses. (NDCC 15.1-23-06, 15.1-23-07)*

Q. 11 What information needs to be submitted to the school superintendent if parent qualifications do not require monitoring?

A. 11 *The statement of intent form (SFN 16909) and supporting documents as indicated on the form, and the standardized achievement test results. (NDCC 15.1-23-02, 15.1-23-11)*

Monitoring

Q. 12 When does state law require that a monitor be provided for home education?

A. 12 *Monitoring is required if the parent has less than a high school diploma or GED. Additionally, monitoring is required if a child scores below the fiftieth (50) percentile on the nationally normed standardized assessment. (NDCC 15.1-23-03, 15.1-23-06)*

Q. 13 Does the school have to provide a monitor when the parent is providing home education for a child?

A. 13 *Yes, if requested by the parent or if the parent qualification to supervise a child requires monitoring by law, the school must provide a licensed teacher to monitor at the school's expense. However, if the parent wishes to obtain his or her own monitor, the parent is responsible for the expenses. (NDCC 15.1-23-06, 15.1-23-07)*

Q. 14 What information needs to be submitted to the school superintendent if parent qualifications do not require monitoring?

A. 14 *The statement of intent form (SFN 16909) and supporting documents as indicated on the form, and the standardized achievement test results. (NDCC 15.1-23-02, 15.1-23-11)*

Assessment (Testing requirements for home education students from Section VII of the ND Assessment Programs FAQ's)

Q. 15 What are the mandated testing grades for home educated students?

A. 15 *NDCC 15.1-23-09 states "While in grades four, six, eight, and ten, each child receiving home education shall take a standardized achievement test used by the school district in which the child resides (All school districts in North Dakota are required to take the NDSA which is a criterion based test). The NWSA will fulfill the testing requirement for home educated students. If the parent does not wish to have their child take the NDSA, they will be required to take a nationally normed standardized achievement test of their choice and submit the test scores, including the composite score, to the superintendent or county superintendent if the district does not employ a superintendent.*

Q. 16 Who is responsible to pay for test materials for home educated students in the required testing grades?

A. 16 *NDCC 15.1-23-10 addresses cost. If a child receiving home education takes the standardized achievement test used by the school district in which the child resides, the school district is responsible for the cost of the test and for the cost of administering the test. However, if the child takes a nationally normed standardized achievement test not used by the school district in which the child resides, the child's parent is responsible for the cost of the test.*

Q. 17 Who is responsible for administering mandated tests to home educated students?

A. 17 *NDCC 15.1-23-08 addresses test administration. If the child takes a nationally normed standardized achievement test not used by the school district in which the child resides, the child's parent is responsible for the cost of the test. In addition, the cost of administering a test under this subsection is the responsibility of the child's parent if the test is administered by an individual who is selected by the parent. An individual selected by the child's parent to administer a test under this subsection must be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.*

The cost of administering a test under this subsection is the responsibility of the school district if, at the request of the child's parent, the school district administers the test. The school district shall ensure that the test is administered by an individual who is employed by the district and who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.

- Q. 18 Does the ND State Assessment (NDSA) meet the requirement for home education reporting of achievement to the school district?**
- A. 18** *Each child in grades four, six, eight and ten receiving home education shall take a standardized achievement test used by the school district in which the child resides or, if requested by the parent, shall take a nationally normed standardized achievement test. (NDCC 15.1-23-09)*
- Q. 19 Who pays for administration of the home education test if the home education parent chooses a nationally normed achievement test not used by the school district, or if the school district administers no nonmandated testing in which a home education student can participate?**
- A. 19** *The home education parent pays for the cost of the test material and administration. (NDCC 15.1-23-10.2)*
- Q. 20 Are results for home educated students included in a school's Adequate Yearly Progress Report?**
- A. 20** *No.*

Non Proficient Test Results Requirements and Remediation plan requirements

- Q. 21 What if a home educated child does not score in the proficient level?**
- A. 21** *If the child's basic composite score on a standardized achievement test is less than the thirtieth (30%) percentile nationally, a multidisciplinary assessment team shall assess the child for a potential learning problem under rules adopted by the superintendent of public instruction.*
- If the multidisciplinary assessment team determines that the child is not disabled and the child's parents wish to continue home education, the parent, with the advice and consent of an individual who is licensed to teach by the education standards and practices board or approved to teach by the education and standards practices board, shall prepare a remediation plan to address the child's academic deficiencies and file the plan with the superintendent of the school district or with the county superintendent if the district does not employ a superintendent. The parent is responsible for any costs associated with the development of the remediation plan. If the parent fails to file a remediation plan, the parent is deemed to be in violation of compulsory school attendance provisions and may no longer supervise the home education of the child.*
- The superintendent of the school district shall use the remediation plan as the basis for determining reasonable academic progress. The remediation plan must remain in effect until such time as the child achieves on a standardized achievement test a basic composite score at or above the thirtieth (30%) percentile or a score, which when compared to the previous year's test score, demonstrates one year of academic progress. At the option of the parent, the test may be one required or one administered in a higher grade level. The child's parent, with the advice and consent of an individual who is licensed to teach by the education standards and practices board or who is approved to teach by the education standards and practices board, may amend the remediation plan from time to time in effect the child fails to demonstrate reasonable academic progress on a subsequent test, a remediation plan must again be developed and implemented. (NDCC 15.1-23-11, 15.1-23-12)*

Students With Disabilities

- Q. 22** **What if my child has been tested and it is determined to have a learning disability?**
- A. 22** *If a multidisciplinary assessment team, using eligibility criteria established by the Department of Public Instruction, determines that the child is disabled, that the child requires specially designed instruction due to the disability, and that this instruction cannot be provided without special education and related services, the parent may continue to supervise home education, provided that: The parent files a service plan that was developed privately or through the school district and the services plan demonstrates that the child's special needs are being met by persons qualified to provide special education or related services.*
- The superintendent of the child's school district shall conduct an annual review to determine reasonable academic progress based on the child's service plan. If a parent fails to file a service plan, the parent is deemed to be in violation of the compulsory school attendance provisions and may not longer supervise the home education of the child. (NDCC 15.1-23-13)*

District Responsibilities

- Q. 23** **What are the responsibilities of the local school district with regard to home education?**
- A. 23** *After receiving the statement of intent form to home educate (SFN 16909), the local superintendent will:*
- *Inform the parent about parental responsibility to maintain the student's academic record for each home-educated student (NDCC 15.1-23-05)*
 - *Explain resources and support for students who are experiencing learning difficulties and who may need special education and related services, as well as the responsibility of the local school district to identify and appropriately serve such students (NDCC 15.1-23-11, 15.1-23-12, 15.1-23-13)*
 - *Provide the local school district's expectations for each student at the appropriate grade level in the subjects required by statute (NDCC 15.1-21-01, 15.1-23-04, 15.1-23-17)*
 - *Provide information regarding the standardized achievement test administered by the district and the parent's options regarding the test (NDCC 15.1-23-09, 15.1-23-10)*
 - *Provide a copy of the state law on home education (NDCC 15.1-23)*
- Q. 24** **Does the school district receive state aid payments for home education students if they are taking a course or courses at school?**
- A. 24** *Yes, the school district is entitled to proportionate state payment. The total amount may not exceed the equivalent of one full state aid payment. (NDCC 15.1-23-19)*
- Q. 25** **Does a school district receive a state aid payment when they provide the home education monitor?**
- A. 25** *For purposes of allocating state aid and other state assistance to local school districts, a student receiving home education is deemed enrolled in the school district in which the student resides if the student is monitored by a licensed teacher employed by the public school district in which the parent resides. A school district is entitled to fifty percent (50%) of the per student payment provided in section 15.1-27-04 times the appropriate factor in section NDCC 15.1-27-06 or NDCC 15.1-27-07 for each student. (NDCC 15.1-23-19)*
- Q. 26** **Who determines reasonable academic progress of the home-educated child?**
- A. 26** *The local superintendent, who also sees that a district academic record is maintained for each home-educated child. (NDCC 15.1-23-02, NDCC 15.1-23-05, NDCC 15.1-23-11, NDCC 15.1-23-12, NDCC 15.1-23-13)*

Diplomas

Q. 27 **Where does a child being home-educated obtain a high school diploma?**

A. 27 *Diplomas may be issued through a child's school district of residence, an approved nonpublic high school, or the North Dakota Center for Distance Education. (NDCC 15.1-23-17) **Note:** Policies regarding issuance of high school diplomas to home educated students are established by the local school boards.*

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