

**CONNECTICUT STATE DEPARTMENT OF EDUCATION
HARTFORD, CONNECTICUT**

Series: 1994-95
Circular Letter: C-14

TO: Superintendents of Schools



FROM: Vincent L. Ferrandino, Commissioner of Education

DATE: July 15, 1994

SUBJECT: Revised Procedures Concerning Requests from Parents to Educate Their Child at Home

I. Introduction

On November 7, 1990, The State Board of Education adopted the following policy on home instruction.

The State Board of Education acknowledges the right of parents to instruct their children at home as an alternative to public school attendance; and advises local and regional boards of education, where such child would otherwise be attending public school, to acknowledge home instruction when the parent or person having control of a child ages 7 to 16 is able to show that the child is receiving equivalent instruction in the studies taught in the public schools.

The intent of these procedures is twofold: First, to provide local boards of education with suggestions concerning procedures to be utilized when parents wish to educate their child at home; and second, to assist parents in making requests to educate their child at home. The suggested procedures outline a series of steps in a process that should be conducted in an atmosphere of respect and cooperation by parents and local boards of education.

II. Statutory Authority

Section 10-184 of the Connecticut General Statutes (attached) describes the duties of parents for educating their children. It requires that parents or persons having control of children from seven years of age to sixteen years of age shall cause such children "...to attend a public day school regularly...." However, Section 10-184 allows the parent or person having control of such child to educate the child in other than the public schools if they are "...able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools."

The duties of local boards of education are described in Section 10-220 of the Connecticut General Statutes (attached). As part of their identified duties, local boards of education are required to "...cause each child seven years of age and over and under sixteen living in the school district to attend school in accordance with the provisions of Section 10-184...."

However, if parents wish to educate their child in their home, they must show equivalency as described in Section 10-184 and local boards of education must determine whether or not such a child is receiving equivalent instruction as required by Section 10-220.

The following procedures have been developed in order to assist parents and local boards of education to work together in such a way as to assure children receive the education to which they are entitled by law. We would deem compliance with these suggested procedures as satisfying the requirements of Sections 10-184 and 10-220 of the General Statutes.

III. Suggested Procedures for Home Instruction

In determining whether the education provided a child is equivalent to the instruction provided in the local schools, it is recommended that the local board of education observe the following procedures:

- A. Parents must file with the superintendent of schools in the town in which they reside a notice of intent form that provides basic information about the program to be provided to their child. A notice of intent will be effective for up to one school year (see attached).
- B. Filing must occur within ten days of the start of the home instruction program.
- C. The school district will receive the notice of intent, check it for completeness and keep it as part of the district's permanent records. A complete form will be one that provides basic program information including name of teacher, subjects to be taught and days of instruction, and the teacher's methods of assessment.
- D. A parent, by filing a notice of intent, acknowledges full responsibility for the education of their child in accordance with the requirements of state law. Receipt of a notice of intent in no way constitutes approval by a school district of the content or effectiveness of a program of home instruction.
- E. If a parent fails to file a notice of intent or files an incomplete form, then a certified letter shall be sent to the parent requesting compliance within ten days.
- F. An annual portfolio review will be held with the parents and school officials to determine if instruction in the required courses has been given.
- G. Any continued refusal by the parent to comply with the reasonable request of the school district for completion and filing of the notice of intent or to participate in an annual portfolio review may cause the child to be considered truant.
- H. A school district should not accept nor require a notice of intent [or option to exempt] for any child younger than seven years or sixteen years or older.
- I. The school district shall record the number of students instructed at home on the appropriate form issued by the State Department of Education.

**Selections from the Connecticut General Statutes
Regarding School Attendance
(Revised to January 1, 2011)**

Sec. 10-184. Duties of parents. School attendance age requirements. All parents and those who have the care of children shall bring them up in some lawful and honest employment and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic and United States history and in citizenship, including a study of the town, state and federal governments. Subject to the provisions of this section and section 10-15c, each parent or other person having control of a child five years of age and over and under eighteen years of age shall cause such child to attend a public school regularly during the hours and terms the public school in the district in which such child resides is in session, unless such child is a high school graduate or the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools. For the school year commencing July 1, 2011, and each school year thereafter, the parent or person having control of a child seventeen years of age may consent, as provided in this section, to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form. Such withdrawal form shall include an attestation from a guidance counselor or school administrator of the school that such school district has provided such parent or person with information on the educational options available in the school system and in the community. The parent or person having control of a child five years of age shall have the option of not sending the child to school until the child is six years of age and the parent or person having control of a child six years of age shall have the option of not sending the child to school until the child is seven years of age. The parent or person shall exercise such option by personally appearing at the school district office and signing an option form. The school district shall provide the parent or person with information on the educational opportunities available in the school system.

Sec. 10-184a. Refusal of certain parents to consent to use of special education programs or services. The provisions of sections 10-76a to 10-76h, inclusive, shall not be construed to require any local, regional or state board of education to provide special education programs or services for any child whose parent or guardian has chosen to educate such child in a home or private school in accordance with the provisions of section 10-184 and who refuses to consent to such programs or services.

Sec. 10-184b. Waiver provisions not applicable to equivalent instruction authority of parents. Notwithstanding any provision of the general statutes or public or special act granting the Commissioner of Education the authority to waive provisions of the general statutes, the Commissioner of Education shall not limit the authority of parents or guardians to provide for equivalent instruction pursuant to section 10-184.

Sec. 10-220. Duties of boards of education. (a) Each local or regional board of education shall maintain good public elementary and secondary schools, implement the educational interests of the state as defined in section 10-4a and provide such other educational activities as in its judgment will best serve the interests of the school district; provided any board of education may secure such opportunities in another school district in accordance with provisions of the general statutes and shall give all the children of the school district as nearly equal advantages as may be practicable; shall provide an appropriate learning environment for its students which includes (1) adequate

instructional books, supplies, materials, equipment, staffing, facilities and technology, (2) equitable allocation of resources among its schools, (3) proper maintenance of facilities, and (4) a safe school setting; shall have charge of the schools of its respective school district; shall make a continuing study of the need for school facilities and of a long-term school building program and from time to time make recommendations based on such study to the town; shall adopt and implement an indoor air quality program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the indoor air quality of its facilities; shall adopt and implement a green cleaning program, pursuant to section 10-231g, that provides for the procurement and use of environmentally preferable cleaning products in school buildings and facilities; shall report biennially to the Commissioner of Education on the condition of its facilities and the action taken to implement its long-term school building program, indoor air quality program and green cleaning program, which report the Commissioner of Education shall use to prepare a biennial report that said commissioner shall submit in accordance with section 11-4a to the joint standing committee of the General Assembly having cognizance of matters relating to education; shall advise the Commissioner of Education of the relationship between any individual school building project pursuant to chapter 173 and such long-term school building program; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes and at all times shall insure all such buildings and all capital equipment contained therein against loss in an amount not less than eighty per cent of replacement cost; shall determine the number, age and qualifications of the pupils to be admitted into each school; shall develop and implement a written plan for minority staff recruitment for purposes of subdivision (3) of section 10-4a; shall employ and dismiss the teachers of the schools of such district subject to the provisions of sections 10-151 and 10-158a; shall designate the schools which shall be attended by the various children within the school district; shall make such provisions as will enable each child of school age residing in the district to attend some public day school for the period required by law and provide for the transportation of children wherever transportation is reasonable and desirable, and for such purpose may make contracts covering periods of not more than five years; may place in an alternative school program or other suitable educational program a pupil enrolling in school who is nineteen years of age or older and cannot acquire a sufficient number of credits for graduation by age twenty-one; may arrange with the board of education of an adjacent town for the instruction therein of such children as can attend school in such adjacent town more conveniently; shall cause each child five years of age and over and under eighteen years of age who is not a high school graduate and is living in the school district to attend school in accordance with the provisions of section 10-184, and shall perform all acts required of it by the town or necessary to carry into effect the powers and duties imposed by law.

NOTICE OF INTENT: INSTRUCTION OF STUDENT AT HOME
(For District Use Only)

(SAMPLE FORM ONLY: OBTAIN DISTRICT FORM FROM LOCAL SUPERINTENDENT'S OFFICE)

Name of Student: _____ Date of Birth: _____

Address: _____ Telephone #: _____

Name of Teacher: _____

Address: _____

Telephone #: _____ FAX: _____

THE SUBJECTS TO BE TAUGHT ARE:	<u>YES</u>	<u>NO</u>
(REQUIRED)		
Reading		
Writing		
Spelling		
English Grammar		
Geography		
Arithmetic		
U.S. History		
Citizenship (including a study of Town, State and Federal Governments)		
(RECOMMENDED)		
Science		
(OTHER)		

Total number of days scheduled for instruction: _____

Teacher's methods of assessment of Student Progress:

**NOTICE OF INTENT:
INSTRUCTION OF STUDENT AT HOME
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An annual Portfolio Review of student's work will be held on or about: _____.
Date

I acknowledge and accept full responsibility for the education of my child in accordance with the requirements of State Law.

Parents

Date

I only acknowledge receipt of this Form and render no opinion as to the appropriateness of the planned program.

Superintendent

Date

**CONNECTICUT STATE DEPARTMENT OF EDUCATION
HARTFORD, CONNECTICUT**

Series 1998-1999

Circular Letter: C-4

To: Superintendents of Schools

From: Theodore S. Sergi Commissioner of Education

Date: August 10, 1998

Subject: Duties of Boards of Education and Parents to Cause Children to Attend Public School

Public Act 98-243, An Act Concerning Early Reading Success, contains a little noticed provision which changes your obligations concerning compulsory school attendance. This provision lowers the compulsory education age from age seven to age five. It also permits parents to withhold their child from a formal education program at age five for one year and then again at age six for one year. At age seven, the child must be enrolled in an education program as described in Section 10-184 of the Connecticut General Statutes and no additional delays are permitted.

The 'opt-out' process described in the statute imposes three conditions:

- The parent or person having control of the child must personally appear at the school district office;
- The school district shall provide the parent or person with information on the educational opportunities available in the school system; and
- The parent or person having control of the child must sign an option form exempting their child from attendance at the public school.

The purpose of this legislation is not to interfere with the rights of parents who choose to educate their child in a private school or teach them at home. It is directed at those few parents who do not provide a regular educational experience for their child. It is hoped that if the parent is fully apprised of the importance of providing this experience at an early age and understands the nature of the public school offerings, that they will quickly choose to enroll their child in school before reaching the age of seven.

Attached to this letter is a sample form developed by the State Department of Education, which any school district may use to document compliance with the requirements of this law. It contains all of the information, which is required by statute and serves as an appropriate record of compliance with the statute. This form or a comparable form developed by a school system should be made a part of the student's record.

If you have any questions about the new law or the sample form, please contact Attorney Ronald C. Harris, Office of Legal and Governmental Affairs, at (860) 713-6516.

TSS:rhw

Attachment

**ACKNOWLEDGEMENT OF OPTION TO EXEMPT ATTENDANCE
OF CHILD FIVE OR SIX YEARS OF AGE FROM SCHOOL**

Pursuant to Section 10-184 of the Connecticut General Statutes, I _____,
(Name of Parent, Guardian or Other)
of _____,

Address

the parent, guardian or other person charged with the care of the following minor child

_____ of _____ who was

Name of Child

Address

born on _____ do hereby choose not to send my child to public School

Date

during the _____.

School Year

Furthermore, before signing this form, a representative of the _____

Name of District

school district met with me and provided me with information concerning the educational

opportunities and school accommodations available in the school system.

ACKNOWLEDGED BY:

Signature of Parent, Guardian or Other

Date

**CONNECTICUT DEPARTMENT OF EDUCATION
GENERAL EDUCATIONAL DEVELOPMENT (GED)
HOME-SCHOOLING ATTESTATION**

I confirm that (NAME) _____ has been home-schooled under my direction in the town(s) of _____ since (Date) _____, and I agree the general educational development (GED) test would in his/her best interest at this time.

(Signature of parent or guardian)

Date

Signature of GED Examinee

Date

Name and address of GED Examinee:

Please present this attestation form to the GED registrar at the registration site where you are applying to take the GED Test. You will not be able to register for the GED Test without this completed form.

Copies of this form are available only through Connecticut State Department of Education and are not valid without signature.

Maureen R. Wagner, Acting GED Administrator
Connecticut State Department of Education (CSDE)
General Educational Development (GED)
25 Industrial Park Road
Middletown, CT 06457

Signature

Date