



HOME SCHOOLING IN NEW YORK STATE

Listed below are some pertinent facts about Home Schooling in New York State under Section 100.10 of the Regulations of the Commissioner of Education.

- State law does not require any specific credentials for the person(s) providing home instruction
- Students instructed at home **are not** awarded a **HIGH SCHOOL DIPLOMA**. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Regents, the school or district.
- Home-instructed students are not eligible to participate in **INTERSCHOLASTIC SPORTS**. Section 135.4§(7) of the Regulation of the Commissioner of Education, which governs interscholastic sports, directs that a participant in interscholastic sports must be enrolled in a public school.
- Districts are not required to loan **TEXTBOOKS OR SUPPLY CURRICULUM** to home-instructed students. A student instructed at home is not enrolled in a nonpublic school, and therefore, the district is not obligated to loan those items, which the district is required to provide, by statute, to children attending nonpublic schools. However, a school may, if it wishes to, provide textbooks and other materials to students instructed at home.
- Students instructed at home **MAY NOT PARTICIPATE IN THE INSTRUCTIONAL PROGRAM OF THE SCHOOL DISTRICT** (exceptions are listed below). This is because the Legislature has not authorized part-time attendance.
- A district must offer a home-instructed student with disabilities the **SPECIAL EDUCATION SERVICES** and/or programs as recommended on the Individual Education Program (IEP) by the Committee on Special Education.
- A district may, but is not obligated to, make available to home-schooled students, **OCCUPATIONAL/VOCATIONAL EDUCATION PROGRAMS** and **PROGRAMS FOR THE GIFTED** available under Section 3602-c of the Education Law.
- A district may, but is not obligated to, allow home-schooled students to participate in **INTRA-MURAL AND OTHER SCHOOL-SPONSORED CLUB ACTIVITIES**..
- Primary responsibility for determining compliance with Section 100.10 rests with the Superintendent of Schools of the school district in which a home-instructed student resides. Section 100.10 also provides for parental appeals to the local board of education and the Commissioner of Education.
- The purpose of Section 100.10 is to provide a basis for an objective determination of **SUBSTANTIAL EQUIVALENCE**. A home instruction program that adheres to the standards of Section 100.10 at each stage of the process should be deemed substantially equivalent.