

# DEFERRED

05-1116-PO2

November 16, 2005

## AMEND BOARD REPORT 02-0227-PO2 ESTABLISHING A POLICY ON HOME-SCHOOLING

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:

### DESCRIPTION:

That the Board amend Board Report 02-0227-PO2 "Policy on Home-Schooling".

~~That Board Report 96-0828-PO5, establishing a Policy on Home-Schooling, be amended. The reasons for the amendments are: (1) to clarify the purposes of the policy; and (2) to clarify existing provisions of the policy and add new provisions to the policy which are related to those purposes. The purposes of the policy are to: (1) determine and monitor the presence of home-schooled students residing within District 299; (2) determine and monitor the compliance of the parents/legal guardians of such students with Illinois' Compulsory School Attendance Law; and (3) provide for educational assistance to the parents/legal guardians of home-schooled students residing within District 299.~~

~~With respect to the second purpose, the amendments provide: (1) the legal requirements which parents/legal guardians of home-schooled students must satisfy to establish compliance with the Compulsory School Attendance Law; and (2) the means and educational standards which the CPS will employ in assessing such compliance. With respect to the third purpose, the amendments provide that, upon request, the CPS will provide appropriate grade-level curriculum and testing materials and textbooks to home-schooled students. In that connection, the amendments also provides that the parents/legal guardians will be required to pay all school fees related to such instructional materials and textbooks unless they qualify for and obtain a waiver of the fees pursuant to the CPS Policy Regarding Waiver of School Fees, 94-1026-PO2.~~

### TEXT OF POLICY:

This policy shall be instituted: (i) to determine and monitor, with the parents/legal guardians' cooperation, the presence of home-schooled students residing within District 299; (2) to determine and monitor, with the parents/legal guardians' cooperation, the compliance of parents/legal guardians of home-schooled students residing within District 299 with the Illinois Compulsory School Attendance Law, 105 ILCS 5/26-1 et seq.; and (3) to provide with the parents/legal guardians' cooperation educational assistance to the parents/legal guardians of home-schooled students residing within District 299 in accordance with the Illinois School Code, case law, and this policy.

#### I. LEGAL REQUIREMENTS

Parents/Legal guardians who choose to educate their children at home are subject to the provisions of the Illinois School Code. Those provisions include the Compulsory School Attendance Law, 105 ILCS 5/26-1 et seq. That law requires children between the ages of 7 and ~~46~~ 17 years to attend a public school unless they attend a private or parochial school where they are taught in the English language the branches of education taught to children of corresponding age and grade in the public schools. 105 ILCS 5/26-1. In order to comply with the foregoing provision of the Illinois School Code, parents/legal guardians who choose to educate their children at home must provide an education "at least commensurate with the standards prescribed for the public schools." People v. Levisen, 404 Ill. 574, 90 N.E.2d 213 (1950). In order to satisfy the "commensurate education" standard, among other things, "there must be an organized, coherent plan for educating the children in a home school using appropriate materials and teaching methods." 1991 Ill. Atty. Gen. Op. 92. As with public school instruction does, home school instruction must include the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health. 105 ILCS 5/27-1.

#### II. NOTIFICATION AND DOCUMENTATION OF HOME-SCHOOLED STUDENTS

Parents/Legal Guardians who choose to educate their children at home ~~are encouraged to~~ should notify their local school of their intention to home school. Upon request, the parents/legal guardians will be provided with information concerning home schooling by the Office of ~~Schools and Regions~~ Instruction and School

Management for elementary grade students and by the Office of High School Programs for high school grade students. Upon request, the parents/legal guardians may receive appropriate grade-level curriculum ~~and testing~~ materials and textbooks from the local school. The parents/legal guardians will be required to pay all school fees related to the ~~instructional~~ curriculum materials and textbooks received from the local school unless they qualify for and obtain a waiver of the fees pursuant to the Policy Regarding Waiver of School Fees, 94-1026-PO2, as amended. Annually, parents/legal guardians should complete the "Statement of Assurance for Parent-Taught Home Instruction" form, which is available from the Office of ~~Schools and Regions~~ Instruction and School Management and the Office of High School Programs, and attach a statement indicating the manner in which the child will be instructed at home. These documents are to be forwarded to the Office of ~~Schools and Regions~~ Instruction and School Management for elementary grade students or the Office of High School Programs for high school grade student.

### **III. ASSESSMENT OF COMPLIANCE WITH COMMENSURATE EDUCATION STANDARDS**

Once notified of the presence of a particular home school or of particular home-schooled students within the boundaries of District 299, appropriate offices within the Chicago Public Schools ("CPS") will, with the cooperation of the parents/legal guardians, determine whether the home school provides an education at least commensurate with the standards prescribed for the public schools. Such determination will thereafter be made on an annual basis. However, absent the cooperation of the parents/legal guardians of home-schooled students, the CPS will have no obligation to determine whether home schools comply with the Compulsory School Attendance Law.

The CPS may employ any appropriate means, including site visits, to determine whether home schools are providing an education at least commensurate with the standards prescribed for the public schools in the aforementioned subjects. The CPS may also employ any appropriate standards and assessments in making that determination, ~~including: the Chicago Academic Standards; the CPS Programs of Study and Curriculum Framework Statements; the Iowa Test of Basic Skills ("ITBS"), the Chicago Academic Standards Examination ("CASE"); other age- and grade-appropriate standardized examinations and any other relevant non-standardized assessments.~~

### **IV. PARTICIPATION IN CPS CURRICULAR AND EXTRACURRICULAR ACTIVITIES OR COURSES**

Except as described herein, home-schooled students are entitled to participate in curricular activities or courses offered by the district, and in doing so must comply with CPS enrollment requirements ~~of the CPS~~; however, the student's participation may be limited by the availability of an activity or course.

For science fair participation, home-schooled students may register with, and participate in, the Illinois Junior Academy of Science (IJAS) Region 2 Science Fair. This fair has been established specifically to accommodate non-public school students residing in the City of Chicago, including home-schooled students. The CPS Student Science Fair is exclusively for students enrolled in Chicago Public Schools.

Home-schooled students may also participate in extracurricular activities; ~~requests must be submitted, in writing, to the Chief Education Officer of the CPS, for approval.~~ If the extracurricular activity involves interscholastic high school athletics or activities, participation is requirements will be determined by the CPS and pursuant to the By-laws of the Illinois High School Athletic Association and the Chicago Public High Schools Athletic Association.

These All requests to participate in curricular activities or courses or extracurricular activities must ~~should also~~ be submitted in writing to the Chief Education Officer for approval.

~~Parents/legal guardians of children with disabilities who are home-schooled may dual-enroll their children in the CPS, so that appropriate educational support services may be provided.~~

**V. SPECIAL EDUCATION**

Students with disabilities who are home-schooled may receive proportionate share special education and/or related services under a Service Plan. Parents/Legal guardians may contact their attendance area school for information regarding development of a Service Plan. If a parent suspects that a student who is home-schooled may have a disability, they may contact their attendance area school to request an evaluation for special education and/or related services.

**V. VI. ENROLLMENT/RE-ENROLLMENT OF STUDENTS IN CPS:**

Students previously home-schooled are entitled to enroll or re-enroll in the CPS. The determination of grade placement of previously home-schooled students who enroll or re-enroll in the CPS shall be within the authority and discretion of the administrators of the local school. They may employ any appropriate standards and/or assessments in making that determination.


**LEGAL REFERENCES:** 105 ILCS 5/26-1 et seq.; 105 ILCS 5/27-1 et seq.; People v. Levisen, 404 Ill. 574, 90 N.E.2d 213 (1950); 1991 Ill.Atty.Gen.Op. 92.

Approved for Consideration:



Barbara Eason-Watkins  
Chief Education Officer

Approved:

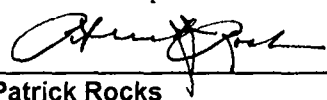


Arne Duncan  
Chief Executive Officer

Noted:

  
John Maiorca  
Chief Financial Officer

Approved as to Legal Form 

  
Patrick Rocks  
General Counsel