

Draft of a proposed revision of RSA 193-A: 6
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193-A:6 Records; Evaluation.

- I. The parent shall maintain a portfolio of records and materials relative to the home education program for each approved child. The portfolio shall consist of a log which designates by title there ing material and on line programs used, and also samples of writing, worksheets, workbooks, or creative materials used or developed by the child in each subject area. The parent shall include a statement certifying that only work of the individual child is included in the portfolio. Such portfolios shall be preserved by the parents for two years from the date of the ending of instruction, and for the purpose of evaluation will be delivered, on a temporary basis., to the resident district superintendent at. the time of the scheduled testing specified in 193-A:6, II (a). The portfolio will be evaluated as stated in 193-A:6, II. (b)
- II. (a) The parent resident district superintendent shall provide for an annual educational evaluation in which is documented the child's demonstration of educational progress at a level commensurate with the child's age and ability utilizing the examination employed at the time by the State of New Hampshire for the "No Child Left Behind" evaluation., or if no test is offered at the child's grade level in that program., the resident district superintendent shall use standardized achievement tests in reading , writing and mathematics with national normative data at the proper level. The examinations shall be administered and monitored by a credentialed educator under standardized testing procedures. Under certain circumstances, when it appears that the test is unsuitable for use in the child's evaluation, the superintendent may grant a waiver to the testing requirement under this paragraph, and the evaluation shall be based on the portfolio only.

(b) With respect to the evaluation of the child's portfolio, the resident district superintendent shall appoint, as needed, three or more teams of evaluators, the first for grades K-2, the second for 3 through 8, and the third for grades 9 through 12. Each portfolio will be read and evaluated by the appropriate grade-level team using the corresponding state approved grade level expectations (GLE) to judge the demonstrated level of progress. Each child's portfolio will be judged independently by two of the three members using the acceptable level of performance specified in III.(a) below. If they do not agreement on the level of competence demonstrated by the portfolio, the third member will evaluate it independently to break the tie. The portfolio will be

adjudged to pass or fail when two of the three evaluators agree on the demonstrate level of progress.

(c) For the home school children registered with the commissioner or a principal, the superintendent shall forward the evaluation results to the designated individuals in each of those agencies. The report will be in the form of a letter listing names of the tests and the scores obtained by the child. It shall also state the results of the portfolio evaluation.

III. (a) The commissioner, the superintendent or principal shall review the results of the annual educational evaluation of the child in a home education program as provided in paragraph II. If the child does not demonstrate educational progress for age at a level commensurate with his ability, the commissioner, superintendent, or principal shall notify the parent, in writing, that such progress has not been achieved. In this review, the acceptable level of educational progress will be the mastery of (40?) percent of the GLE, listed for the child's grade for each subject being evaluated that year.

(b) If a child has not demonstrated educational progress on both the portfolio and the test, or has failed on one of the evaluation measures only, the commissioner, superintendent, or principal shall notify the parent, in writing, that the expected progress has not been achieved. No later than 30 days from the date of the annual testing, they shall individually schedule a meeting with the child's parent and, if desirable, with the child. The commissioner, superintendent or principal and the parent shall review the results of the evaluation and determine a plan for remediation, including a plan for addressing the child's specific weaknesses. The remediation plan shall be completed no later than 60 days from the date of the meeting, and shall be reviewed by the commissioner, superintendent or principal who shall attach a written response and comments to the plan. They shall retain the plan and the attached response and comments on file. After the evaluation has been completed and any required remediation plan has been prepared, the resident district superintendent shall return the child's portfolio to the parent.

(c) The parent shall have one year from the date of receipt of the written notification under subparagraph III (a) of the completion of the remediation plan required under subparagraph III. (b) to provide remedial instruction to the child. At the end of the one-year probationary period, the child shall be reevaluated in a manner as provided under paragraph II. Continuation in a home education program shall be contingent upon the child demonstrating at the end of the probationary period the required GLE level of educational progress. The parent of a child who fails to demonstrate such progress at the end of the probationary period shall meet with the commissioner, superintendent, or principal to discuss the child's home education program. At this, meeting, the commissioner, superintendent or principal shall decide

whether or not the child's home education program will be permitted to continue. If the home education program is terminated, the commissioner, superintendent or principal shall notify the parent that he or she is entitled to a hearing as provided in RSA 193-A:7, I and II. Upon finding that the program should be terminated, the commissioner's office will be notified by the superintendent or principal, and upon acknowledgment of the receipt of notification of termination by the commissioner, the superintendent or principal shall, if necessary, take appropriate action to ensure that compulsory attendance requirements are met.

IV. A parent aggrieved by a decision under this section may appeal the decision to the state board of education. The state board's decision on such appeals shall be final.