

## MAINE

- Compulsory Attendance Ages:** 7 years of age and under 17, or graduated, or 15 with parent and school board permission, or full-time attendance at accredited college with commissioner approval, MRSA tit. 20-A, § 5001-A sub-§§1 and 2.
- Required Days of Instruction:** 175 days.
- Required Subjects:** Option 1: English and language arts, math, science, social studies, physical and health education, library skills, fine arts, Maine studies (in one grade between grades 6 and 12), and computer proficiency (in one grade between grades 7 and 12). MRSA tit. 20-A, §5001-A, sub-§3A.(4)(a)(iv).  
Option 2: English (reading, writing, spelling, grammar), math, science, American history, Maine history and geography, and government (including the privilege and responsibility of citizenship).

*Parents may either follow the home school statute or participate in a Non-Approved Private School.*

**Option 1: Homeschool Statute:** Maine Revised Statutes Annotated (MRSA) title (tit.) 20-A, §5001-A, sub-§3A.(4). (The commissioner's power to adopt home school rules was abolished in 2007 by LD 150) A child is excused from attending school if instructed in a home instruction program meeting the following statutory requirements.

1. Within 10 days of starting home instruction for a student the parent must file a one-time notice of intent with both the local superintendent and Commissioner of Education containing:
  - a. name, signature, and address of the parent or guardian,
  - b. the name and age of the student,
  - c. the date home instruction will or did begin,
  - d. a statement of assurance that instruction will be provided for at least 175 days annually and will cover the subjects listed above, and
  - e. a statement of assurance that the parents will submit a year-end assessment.
2. Each year thereafter, by September 1 the parent must submit a letter to both the local superintendent and state commissioner of education enclosing the year-end assessment (see "Standardized Tests" below) and stating the intention to continue the student's home instruction. MRSA tit. 20-A, § 5001-A, sub-§3.A.(4)(b).
3. Parents must keep copies of items submitted under #1 and #2 above until the home school program concludes. They must be made available to the commissioner upon request. The confidentiality of all records is protected. MRSA tit. 20-A, § 5001-A, sub-§3.A.(4)(c).

**Option 2: Non-approved Private Schools:** Parents of at least 2 unrelated students may form a Non-Approved Private School (“NAPS”). MRSA tit. 20-A, § 5001-A, sub-§3.A.(1)(b). Pursuant to the Commissioner of Education and Cultural Services’ memo, “Guidelines for Equivalent Instruction in Non-Approved Private Schools”, to be “recognized” as providing equivalent instruction, the chief administrative official of the NAPS should:

1. Annually by Oct. 1 file a letter with the Commissioner stating that the school:
  - a. Complies with applicable state and local safety fire and health laws; will report the names, addresses, and grade levels of all students to the superintendent of the school system in which each student resides;
  - b. Operates at least 175 days or 875 hours;
  - c. Provides instruction appropriate to the grade level in: English (reading, writing, spelling, grammar), math, science, American history, Maine history and geography, and government (including the privilege and responsibility of citizenship);
  - d. Has examined and approved all teachers for competence;
  - e. Will furnish parents with at least 4 academic progress reports annually;
  - f. Will inform parents of methods of assessment, grade level of assessments, and results;
2. Annually notify parents in writing of the school’s commitment to follow these guidelines, stating the essence of each guideline. (Parents do not need to file anything with state or local officials.)
3. Note: Under *Bangor Baptist Church v. Maine*, 576 F. Supp.1299 (D.Me.1983), the Commissioner has no authority to compel a NAPS to follow any guidelines or regulations. Nonetheless, if the guidelines are not followed, parents may have much greater difficulty establishing they are providing "equivalent instruction" as required under MRSA tit. 20-A, §5001-A, sub-§3.A.(1)(b).

**Teacher Qualifications:** Option 1—none. Under Option 2, the NAPS administrator must approve its teachers’ competence.

**Standardized Tests:** Option 2—none (but school must provide 4 progress reports to parents annually—see above). Under Option 1, annually submit to both the local superintendent and Commissioner of Education the results from among the following options:

1. official results of any national standardized achievement test; or
2. results of a test developed by local school officials; or
3. review and acceptance of progress by: (a) a Maine certified teacher; (b) a homeschool support group that includes for this purpose a Maine certified teacher or administrator who has reviewed a portfolio of the student’s work; or (c) an advisory board the superintendent appoints composed of two homeschool teachers and one school official (must be arranged before school year starts).