

## NEW HAMPSHIRE

- Compulsory Attendance Ages:** “at least 6 years of age and under 18 years of age” New Hampshire Revised Statutes Annotated § 193:1. “A child who reaches his sixth birthday after September 30 shall not be required to attend school ... until the following school year.” N.H. Rev. Stat. Ann. § 193:1(II).
- Required Days of Instruction:** None required for home schools
- Required Subjects:** Science, mathematics, language, government, history, health, reading, writing, spelling, the history of the constitutions of New Hampshire and the U.S., and an exposure to and appreciation of art and music. N.H. Rev. Stat. Ann. § 193-A:4(I).

**Home School Statute:** N.H. Rev. Stat. Ann. § 193-A. Legislative purposes: “The general court recognizes, in the enactment of RSA 193-A . . . that it is the primary right and obligation of a parent to choose the appropriate educational alternative for a child under his care and supervision, as provided by law. . . . The general court further recognizes that home education is more individualized than instruction normally provided in the classroom setting.”

To home school, a parent must do the following:

1. A parent must file an annual notice with the participating agency within 5 days of commencing a home school program and by the beginning of school in the resident district when continuing a home school program. N.H. Rev. Stat. Ann. § 193-A:5(I). (A conflicting state regulation, Ed Reg. 315.04(a), calls for the notice to be filed on or before the date the home school program begins, but statutes take priority over conflicting regulations.)
2. The notice is filed with the parent’s choice of a “participating agency”—either the commissioner of education (not recommended), district superintendent, or principal of a non-public school (recommended). N.H. Rev. Stat. Ann. § 193-A:5(I). See HSLDA’s website for a list of private schools who serve as participating agencies for homeschoolers.
3. The notice must include the children’s names, addresses and birth dates. § 193-A:5(II).
4. The New Hampshire Supreme Court in *Appeal of Pierce*, 451 A.2d 363, (1982) reaffirmed the fundamental right to home school: “Thus while the State may adopt a policy requiring children to be educated, it does not have the unlimited power to require they be educated in a certain way or place. . . . Home education is an enduring American tradition and right. . . . Thus approval requirements for non-public school education may not unnecessarily interfere with traditional parental rights.”

5. Home education programs automatically terminate each year on August 1<sup>st</sup>. Ed. Regs. 315.04(g). If a family terminates a home education program before August 1<sup>st</sup>, a written notice of termination must be filed with the commissioner of education and the resident district superintendent, and non-public school principal if your participating agency was a nonpublic school within 15 days.

**Records:** The parent is required to maintain a portfolio of records and materials relative to the home education program consisting of a log of reading materials used and samples of writings, worksheets, workbooks or creative materials used or developed by the child. The parent is expected to retain the portfolio for two years. N.H. Rev. Stat. Ann. § 193-A:6(I).

**Teacher Qualifications:** None.

**Completion:** N.H. Rev. Stat. Ann. § 193:1 allows parents to exempt their children who are under age 18 from compulsory attendance if they have completed a home school program at the high school level. The law allows parents to “document the completion of a home school program at the high school level by submitting a certificate or a letter to the department of education.” HSLDA has created a model letter for members to use at [www.hsllda.org/nh](http://www.hsllda.org/nh).

**Assessment:** N.H. Rev. Stat. Ann. § 193-A:6 requires that parents annually evaluate students in their home education program. The parent can satisfy the evaluation requirement by submitting one of the following to the participating agency by July 1<sup>st</sup>:

1. a written evaluation of educational progress prepared by a certified teacher or a current non-public school teacher selected by the parent, after reviewing the student’s portfolio and discussing with the parent or child; or
2. the results of any national student achievement test administered by a person meeting the provider’s or publisher’s qualifications, with a composite score at or above the 40<sup>th</sup> percentile; or
3. the results of the state student assessment test used by the resident district, with a composite score at or above the 40<sup>th</sup> percentile; or
4. the child may be evaluated using any other valid measurement tool mutually agreed upon by the parent and the participating agency.

**Remediation:** If a child does not demonstrate educational progress for age and ability the participating agency shall notify the parent that progress has not been achieved. The parent shall have one year to provide remedial instruction to the child, in the event that the child “does not demonstrate educational progress for age and ability at a level commensurate with his ability.” Continuation of home education shall be contingent upon the child demonstrating progress “commensurate with his age and ability.” “The family has a right to request a hearing if, after a year of remedial instruction, the commissioner determines the child has not made adequate progress.” N.H. Rev. Stat. Ann. § 193-A:6.