

RELATIONS WITH "HOME SCHOOLS"

General Information

Under §3204 of the Education Law, commonly called the "compulsory attendance law", the Board of Education has certain obligations to assure every child living in that district an equal opportunity to receive an education. The Superintendent of Schools generally acts as agent for the Board in carrying out these specific obligations. One of the obligations is to ensure that every child between the ages of six and sixteen is provided with an education which is "substantially equivalent" to that of the public schools where the child resides. Furthermore, the child must receive an education from a "competent instructor." The law provides that children receiving such an education may be educated in the public schools, nonpublic schools, or at home.

As noted above, it is legally permissible for parents to teach their children at home. Parents must recognize the responsibility of public school officials to assure such children a substantially equivalent education by a competent instructor, and their own responsibility to provide such an education when they consider instructing their children at home.

The Superintendent will establish guidelines, based upon the Regulations of the Commissioner, to inform schools and parents of their respective rights and responsibilities regarding this issue.

Ref: Education Law §§1709; 2503(4); 3202; 3204(2)
8 NYCRR §100.10

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