

N.D. PUBLIC SCHOOL

SUPERINTENDENT

INFO PKT

Revised 2021



Dear Superintendent,

Contained in this packet is important information on a rapidly growing trend in North Dakota and all across the United States. It is now estimated that more than 4 million children are being taught by their parents in the United States. The trend shows no sign of abating and will surely continue to grow.

Standardized achievement test scores show clearly that parent-directed education is a very successful means of teaching and learning. Research continues to affirm that homeschoolers are succeeding academically and socially.

This information packet will assist you in dealing professionally and wisely with home educators in your school district. Included are reproducible forms for your use. Also included is a copy of the current home education statutes.

If you have comments or questions, feel free to call or write our state office at:

North Dakota Home School Association

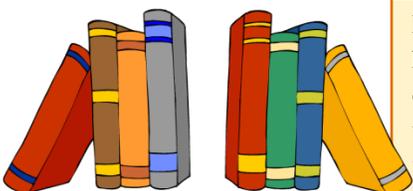
35450 HWY 14

Wing, ND 58494

701.936.0356

office@ndhsa.org

www.ndhsa.org



Dr. Lawrence Rudner, College of Library and Information Services, University of Maryland, in his study, *Home schooling works ... pass it on!*, states, "Significantly, there was also no difference found according to whether or not a parent was certified to teach. For those who would argue that only certified teachers should be allowed to teach their children at home, these findings suggest that such a requirement would not affect student achievement."

Table of contents

What are the facts?

Brief look at the N.D. law

North Dakota Century Code

Testing fact sheet

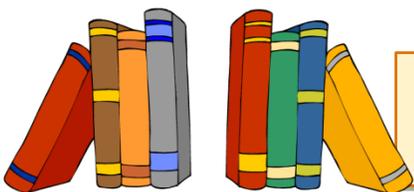
Monitoring requirements

Student rights in public schools

Research on homeschooling

Statement of intent

Monitor's progress report



All information contained herein is for instructional purposes only and does not constitute the giving of legal advice. For legal advice contact an attorney familiar with N.D. homeschool statutes. Comments unless bylined are those of the editor, Gail M. Biby.

What are the facts?

- Estimates now place the number of homeschooled children (K-12) in the United States at more than 4 million.
- The most common reasons for parents to fully direct the education of their children in North Dakota and across the U.S. are:
 - Teaching specific philosophical or religious values.
 - Controlling social interactions to ensure that good socialization skills are learned from people who have such skills.
 - Developing close family relationships.
 - Producing high levels of academic achievement.
 - Providing alternative approaches to teaching and learning; choosing styles that suit the child.
 - Providing physical and moral safety for children.
- Parent educators are able to develop curriculum and schedules to meet the needs of their children providing individualized methods of teaching and learning.
- Home educators and their families are not dependent on public, tax-funded resources. In general, they do not have a strong desire to access tax-funded resources even though they themselves are taxpayers. Bear in mind, also, that homeschooling families purchase all their own materials and supplies, an enormous saving for public schools.
- Dr. Larry Shyers observed children in free play and group interaction activities. Conventionally-schooled children had significantly more behavior problems than did the home educated. This is probably because the primary models of behavior for the home educated are their parents rather than an age-segregated peer group.
- Home educated students excel on nationally-normed, standardized achievement exams. On average, homeschoolers out-perform their public school peers by 30-37 percentile points across all subjects. (www.nheri.org)
- According to a nationwide study by Dr. Brian Ray, a parent's educational background has no substantive effect on their children's homeschool academic performance. (www.nheri.org)
- Dr. Ray's study also clearly shows that the degree of governmental regulation from state to state has NO significant effect on the academic performance of homeschooled children. Home educated students in states with low government regulations do as well on standardized achievement tests as children from states with high government regulations.
- Dr. Lawrence Rudner, College of Library and Information Services, University of Maryland, in his study, *Home schooling works ... pass it on!*, states, "Significantly, there was also no difference found according to whether or not a parent was certified to teach. For those who would argue that only certified teachers should be allowed to teach their children at home, these findings suggest that such a requirement would not affect student achievement."



What about when the homeschooled reach adulthood?

Dr. Brian Ray, National Home Education Research Institute, states in *Home Educated and Now Adults*, "In summary, the home-educated adults in this study were very positive about having been homeschooled and toward homeschooling in general, actively engaged in their local communities, keeping abreast of current affairs, highly civically involved, tolerant of others expressing their viewpoints, attaining relatively high levels of formal education, religiously active, wide-ranging in their worldview beliefs, holding worldview beliefs similar to those of their parents, and largely home educating their own children."

Brief look at N.D. law regulating homeschooling

Parent educator qualification

Parents must have a high school diploma or G.E.D. in order to qualify to homeschool their natural or adopted children or children for whom they are the legal guardians. If the parent has neither then he/she must be monitored by a N.D. state certified teacher for two years.

Monitored programs

If the parent must be in a monitored program they have two options:

1. They can request that the local school district provide them with a monitor and the school district must do so. There is no cost to the parent and the school district receives a portion of the foundation aid payment for providing these services.
OR
2. They can privately contract with any willing, N.D. state certified teacher to act as their monitor. The parent educator can choose who the monitor is, but they also must bear the cost associated with it.

The monitor must be in contact with the parent and child an average of one hour per week and an additional ½ hour per *month* per additional child. The monitor is required to file a report on the child's progress twice during the school year with the school district of residence.

Once the monitoring has been successfully completed for two years, the monitoring ceases permanently regardless of how many other children the parent may choose to homeschool.

Standardized achievement testing

N.D. homeschooling parents must have their children tested in **grades 4, 6, 8, and 10 unless the parent has chosen to opt out of testing based on academic credentials or philosophical, moral or religious beliefs**. Any nationally-normed, standardized achievement test may be used at the parents' discretion. However, if the parent requests the local school district do the testing then the test used by the school district must be employed (e.g. Comprehensive Test of Basic Skills, Stanford, Iowa Test of Basic Skills). The test used must be able to render scores in percentiles.

Testing is to be done in the child's learning environment or at the local public school at the parents' discretion. All test administration must be done by a N.D. state certified teacher. There is no cost to the parent if the local school district provides the test and test administrator. If the parent rents test materials they bear the cost of same. A copy of the test results must be filed with the school district and the parent is required to keep the test results in her files.

Curriculum

There is no curriculum approval process required in N.D. Since the virtual explosion of home education in the U.S. there are now hundreds of suppliers of academic materials designed specifically for home education parents and the tutorial method of instruction. Curriculum options include online programs, correspondence courses, traditional textbook methods, complete DVR instruction courses and combinations of the aforementioned.

Compulsory attendance

All children from age 7 to age 16 are required to attend school. For home educators instruction must be provided for at least four hours per day for a minimum of 175 days. There is *no* requirement for the homeschooling family to provide a school calendar to the local school superintendent. When parents file their statements of intent they are affirming they will meet the statutory requirements for attendance.

Statement of intent filing

The statement of intent is to be filed annually on each child between the ages of 7 and 16 with the local school district superintendent. It is to be filed at least 14 days before beginning instruction or within 14 days of establishing a new school district of residence. No specific form is required by statute, only specific information, but the Department of Public Instruction provides one to school districts. The North Dakota Home School Association with the assistance of Home School Legal Defense Association has published an easily recognizable form for use by home educators. A reproducible copy is included.

The statement of intent is *not* asking permission from the school superintendent or the local school board to homeschool. They have no statutory authority to grant approval of homeschools. The form is simply a notification that the family will be educating their children.

The initial filing of the form is to be accompanied by the child's proof of identity and immunization record. Notice of testing opt out is also included on the statement of intent.

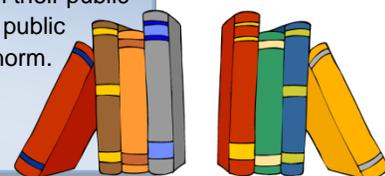
Research shows:

Through three decades of growth and change, homeschooling continues to stand out as an educational option that gives every child the opportunity to succeed at learning. Whether homeschool students are male or female, younger or older, and have been homeschooled for one year or eleven, they consistently outperform their public school peers. Even with variables that are linked to higher or lower levels of student achievement in public schools—such as whether a parent is college educated—homeschoolers still score well above the norm.

Homeschool Progress Report 2009: Academic Achievement and Demographics,

Dr. Brian Ray, National Home Education Research Institute

Published by Home School Legal Defense Association. www.hslda.org



NDCC Homeschool Statutes

CHAPTER 15.1-23 HOME EDUCATION

15.1-23-01 Definitions.

In this chapter:

1. "Home education" means a program of education supervised by a child's parent in accordance with the requirements of this chapter.
2. "Parent" includes a child's legal guardian.
3. "Supervise" means the selection of materials, determination of an educational philosophy, and oversight of the method, manner, and delivery of instruction.

15.1-23-02. Statement of intent to supervise home education.

At least fourteen days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter, a parent intending to supervise or supervising home education shall file a statement, reflecting that intent or fact, with the superintendent of the child's school district of residence or if no superintendent is employed, with the county superintendent of schools for the child's county of residence.

1. The statement must include:
 - a. The name and address of the child receiving home education;
 - b. The child's date of birth;
 - c. The child's grade level;
 - d. The name and address of the parent who will supervise the home education;
 - e. The qualifications of the parent who will supervise the home education;
 - f. Any public school courses in which the child intends to participate and the school district offering the courses; and
 - g. Any extracurricular activities in which the child intends to participate and the school district or approved nonpublic school offering the activities.
2. The statement must be accompanied by a copy of the child's immunization record and proof of the child's identity as required by section 12-60-26.
3. The superintendent of the child's school district of residence or if no superintendent is employed, the county superintendent of schools for the child's county of residence shall report the number of statements of intent that have been filed in accordance with this section to the superintendent of public instruction at the time and in the manner required by the superintendent of public instruction.

15.1-23-03. Home education - Parental qualifications. A parent may supervise home education if the parent:

1. Holds a high school diploma or a general educational development diploma; or
2. Meets the requirements of section 15.1-23-06.

15.1-23-04. Home education - Required subjects - Instructional time.

A parent supervising home education shall include instruction in those subjects required by law to be taught to public school students. The instruction must have a duration of at least four hours each day for a minimum of one hundred seventy-five days each year.

15.1-23-05. Home education - Academic records.

A parent supervising home education shall maintain an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results. If the child transfers to a public school district, the parent shall furnish the record, upon request, to the school district superintendent or other administrator.

15.1-23-06. Home education - Required monitoring of progress.

A parent who does not meet the qualifications provided in section 15.1-23-03 may supervise home education but must be monitored in accordance with section 15.1-23-07 for the first two years. If a child receiving home education obtains a basic composite standardized achievement test score below the fiftieth percentile nationally, the parent must be monitored for at least one additional school year and until the child receives a test score at or above the fiftieth percentile. If testing is not required by section 15.1-23-07 during the first two years of monitoring, the period of monitoring may not be extended, except upon the mutual consent of the parent and the monitor. If a parent completes the monitoring requirements of this section for one child, the parent may not be monitored with respect to other children for whom the parent supervises home education.

15.1-23-07. Home education - Required monitoring of progress - Reporting of progress - Compensation.

1. If monitoring is required under section 15.1-23-06, the school district shall assign and compensate an individual to monitor a child receiving home education unless the parent notifies the school district that the parent shall select and compensate an individual to monitor the child.
2. The individual assigned by the school district or selected by the parent under subsection 1 must be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3. Twice during each school year, the individual shall report the child's progress to the school district superintendent or to the county

superintendent if the district does not employ a superintendent.

4. If one child receives home education, the individual shall spend an average of one hour per week in contact with the child and the child's parent. If two or more children receive home education, the individual shall spend one-half hour per month for each additional child receiving home education. If the child attends a public or an approved nonpublic school, the time may be proportionately reduced.

15.1-23-08. Test administration.

An individual who in accordance with this chapter administers a standardized achievement test to a child receiving home education shall notify the child's school district of residence.

15.1-23-09. Home education - Standardized achievement test - Exemption.

1. a. While in grades four, six, eight, and ten, each child receiving home education shall take:
 - (1) A standardized achievement test used by the school district in which the child resides; or
 - (2) A nationally normed standardized achievement test if requested by the child's parent.
- b. The child shall take the test in the child's learning environment or, if requested by the child's parent, in a public school. An individual licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board shall administer the test.
2. a. The requirement of subsection 1 does not apply if the parent notifies the school district in which the child resides that the parent has a philosophical, moral, or religious objection to the use of standardized achievement tests or the parent:
 - (1) Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
 - (2) Holds a baccalaureate degree; or
 - (3) Has met or exceeded the cutoff score of a national teacher examination given in this state or in any other state if this state does not offer such an examination.
- b. The parent shall file the notification and necessary documentation required by this subsection with the school district at the same time that the parent files the statement of intent to supervise home education required by section 15.1-23-02.

15.1-23-10. Home education - Standardized achievement test - Cost.

1. If a child receiving home education takes the standardized achievement test used by the school district in which the child resides, the school district is responsible for the cost of the test and for the cost of administering the test. The school district shall ensure that the test is administered by an individual who is employed by the district and who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
2. a. If the child takes a nationally normed standardized achievement test not used by the school district in which the child resides, the child's parent is responsible for the cost of the test.
- b. The cost of administering a test under this subsection is the responsibility of the child's parent if the test is administered by an individual who is selected by the parent. An individual selected by the child's parent to administer a test under this subsection must be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
- c. The cost of administering a test under this subsection is the responsibility of the school district if, at the request of the child's parent, the school district administers the test. The school district shall ensure that the test is administered by an individual who is employed by the district and who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.

15.1-23-11. Home education - Standardized achievement test - Results.

1. A parent supervising home education shall file the results of the child's standardized achievement test with the superintendent of the district in which the child resides or with the county superintendent if the district does not employ a superintendent.
2. If the child's basic composite score on a standardized achievement test is less than the thirtieth percentile nationally, a multidisciplinary assessment team shall assess the child for a potential learning problem under rules adopted by the superintendent of public instruction.
3. If the multidisciplinary assessment team determines that the child is not disabled and the child's parent wishes to continue home education, the parent, with the advice and consent of an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board, shall prepare a remediation plan to address the child's academic deficiencies and file the plan with the superintendent of the school district or with the county superintendent if the district does not employ a superintendent. The parent is responsible for any costs associated with the development of the remediation plan. If the parent fails to file a remediation plan, the parent is deemed to be in violation of compulsory school attendance provisions and may no longer supervise the home education of the child.

15.1-23-12. Home education - Remediation plan.

The superintendent of the school district shall use the remediation plan required by section 15.1-23-11 as the basis for determining reasonable academic progress. The remediation plan must remain in effect until such time as the child achieves on a standardized achievement test a basic composite score at or above the thirtieth percentile or a score, which when compared to the previous year's test score, demonstrates one year of academic progress. At the option of the parent, the test may be one required by section 15.1-23-09 or one administered in a higher grade level. The child's parent, with the advice and consent of an individual who is licensed to teach by the education standards and practices board or who is approved to teach by the education standards and practices board, may amend the remediation plan from time to time in order to accommodate the child's academic needs. If after a remediation plan is no longer in effect the child fails to

demonstrate reasonable academic progress on a subsequent test required by this section, a remediation plan must again be developed and implemented.

15.1-23-13. Home education - Disabilities - Services plan.

1. a. If a multidisciplinary assessment team, using eligibility criteria established by the superintendent of public instruction, determines that the child is disabled, that the child requires specially designed instruction due to the disability, and that this instruction cannot be provided without special education and related services, the parent may continue to supervise home education, provided that:
 - (1) The parent files with the school district superintendent a services plan that was developed privately or through the school district; and
 - (2) The services plan demonstrates that the child's special needs are being addressed by persons qualified to provide special education or related services.
- b. If the multidisciplinary team determines that the child has a developmental disability, the parent may continue to supervise home education under the provisions of sections 15.1-23-14 and 15.1-23-15.
2. Annually, the superintendent of the child's school district of residence shall determine reasonable academic progress based on the child's services plan.
3. If a parent fails to file a services plan as required by this section, the parent is deemed to be in violation of the compulsory school attendance provisions and may no longer supervise the home education of the child.
4. A child who was once evaluated by a multidisciplinary assessment team need not be re-evaluated for a potential learning problem upon scoring below the thirtieth percentile on a subsequent standardized achievement test unless the re-evaluation is performed pursuant to the child's services plan.

15.1-23-14. Child with a developmental disability - Home education.

A parent may supervise home education for a child with a developmental disability if:

1. The child has been determined to have a developmental disability by a licensed psychologist;
2. The child's parent is qualified to supervise home education under this chapter; and
3. The child's parent files with the superintendent of the child's school district of residence:
 - a. A notice that the child will receive home education;
 - b. A copy of the child's diagnosis of a developmental disability prepared and attested to by a licensed psychologist; and
 - c. A services plan developed and followed by the child's school district of residence and the child's parent; or, after providing written notice to the superintendent of the child's school district of residence, a substitute services plan, developed and followed, according to section 15.1-23-15, by a services plan team selected by and compensated by the child's parent.

15.1-23-15. Child with a developmental disability - Home education - Progress reports.

1. On or before November first, February first, and May first of each school year, a parent supervising home education for a child with a developmental disability under section 15.1-23-14 shall file with the superintendent of the child's school district of residence progress reports prepared by the services plan team selected under section 15.1-23-14. If at any time the services plan team agrees that the child is not benefiting from home education, the team shall notify the superintendent of the child's school district of residence and request that the child be evaluated by a multidisciplinary team appointed by the superintendent of the child's school district of residence.
2. The superintendent of the child's school district of residence shall forward copies of all documentation required by this section to the superintendent of public instruction.

15.1-23-16. Home education - Participation in extracurricular activities.

1. A child receiving home education may participate in extracurricular activities either:
 - a. Under the auspices of the child's school district of residence; or
 - b. Under the auspices of an approved nonpublic school, if permitted by the administrator of the school.
2. For purposes of this section, a child participating under the auspices of the child's school district of residence is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the district.
3. For purposes of this section, a child participating under the auspices of an approved nonpublic school is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the school.
4. Once a child's parent has selected the public school district or the approved nonpublic school in which the child will participate for purposes of extracurricular activities and has provided notification of the selection through the statement required by section 15.1-23-02, the child is subject to the transfer rules as provided in the constitution and bylaws of the North Dakota high school activities association.

15.1-23-17. Home education - High school diplomas.

1. A child's school district of residence, an approved nonpublic high school, or the center for distance education may issue a high school diploma to a child who, through home education, has met the issuing entity's requirements for high school graduation provided the child's parent submits to the issuing entity a description of the course material covered in each high school subject, a description of the course objectives and how the objectives were met, and a transcript of the child's performance in grades nine through twelve.
2. In the alternative, a high school diploma may be issued by the child's school district of residence, an approved nonpublic high school, or the center for distance education provided the child, through home education, has completed at least twenty-two units of high school coursework from the minimum required curriculum offerings established by law for public and nonpublic schools and the child's parent or legal guardian submits to the issuing entity a description of the course material covered in each high school subject, a description of the course objectives and how the objectives were met, and a transcript of the child's performance in grades nine through twelve. The issuing entity may indicate on a diploma issued under this subsection that the child was provided with home education.

3. If for any reason the documentation required in subsection 1 or 2 is unavailable, the entity issuing the diploma may accept any other reasonable proof that the child has met the applicable requirements for high school graduation.

15.1-23-18. Home education - Liability.

No state agency, school district, or county superintendent may be held liable for accepting as correct the information on the statement of intent or for any damages resulting from a parent's failure to educate the child.

15.1-23-19. Home education - State aid to school districts.

For purposes of allocating state aid to school districts, a child receiving home education is included in a school district's determination of average daily membership only for those days or portions of days that the child attends a public school.

Definition of **developmentally disabled** is found at NDCC 25-01.2-01.

Proof of identity statute is NDCC 12-60-26.7.

Immunization law is at NDCC 23-07-17.1 (Note: N.D. has an opt-out provision for parents who have a philosophical, moral or religious belief contrary to government-mandated vaccines or have a child with medical issues necessitating the omission of vaccines. It is found in the citation listed.)



Research shows:

Is there a correlation between student scores and parent education? Dr. Brian Ray's study, *Homeschool Progress Report 2009*, "... whether or not parents were teacher-certified had no impact on these high scores." This study also stated that "the degree to which homeschooling was regulated by state governments had no bearing on student test scores. That's a good reason for state governments to redirect scarce funds from regulating homeschooling to where the money is actually needed."

Testing Fact Sheet

Currently testing is required for North Dakota's home educated students in **grades 4, 6, 8, and 10 UNLESS** the parent has opted out of testing based on philosophical, moral or religious beliefs **or** opts out based on academic qualifications (has a baccalaureate degree or has met or exceeded the cut-off scores on a national teacher exam or is a N.D. state certified teacher).

The parent may request the local school district do the testing and they must do so free of charge. If the parent opts to have the testing done by the local school district they must employ the test used by the school district that renders scores in percentiles. The testing is to be done in the child's learning environment or at the public school *at the parent's discretion*.

Our attorney at HSLDA, Dewitt Black, declares the following regarding who pays for the testing:

Regarding the test question, the statute gives parents two choices: to select one used by the school district or to select a nationally-normed, standardized achievement test not used by the school district. If the parent chooses a test used by the school district, then the school district must pay for the cost of the test. The statute presumes that the school district uses tests in grades four, six, eight, and ten, the years for which testing is required in home education programs. Notable is the fact that the statute does not say that a parent may choose a test used by the school district if the school district uses a test at those grade levels. The school district cannot eliminate one of the statutory options for parents by taking

the position that it does not use tests at those grade levels. It is clear from a reading of the statutes for testing that the North Dakota Legislative Assembly intended for parents to have two options for test selection, one of which permitted the parent to obtain the test at no cost. Local districts may not thwart this legislative intent by refusing to provide parents with a test at the designated grade levels.

A parent may choose to privately test using any nationally-normed, standardized achievement test. The family then bears the cost of testing.

Types of tests

STANDARDIZED A standardized test is an assessment that has been devised from a sample of primarily public school students of a certain grade and age in a particular area. After the test has been administered to this group, an average of the group's score is determined as the 'standard' for that grade and age. Each student of the same grade and age who thereafter takes the test is assessed according to the average of the sample peer group—hence, 'norm-referenced' or simply 'normed' testing.

The scoring system used by these tests is three-tiered: percentile rank; stanine; and grade equivalent.

Percentile rank – Considered by many to be the most accurate of the three. A word of caution: This does not reveal the percent that your child got correct but rather ranks him to the sample peer group of children his age who took the same test. If your child scores in the 75th percentile in Reading Comprehension, this means he scored as well as or better than 75 percent of the sample peer group of students who took the same test.

Stanine – This score ranges in numbers from 1-9 with 4-6 being average.

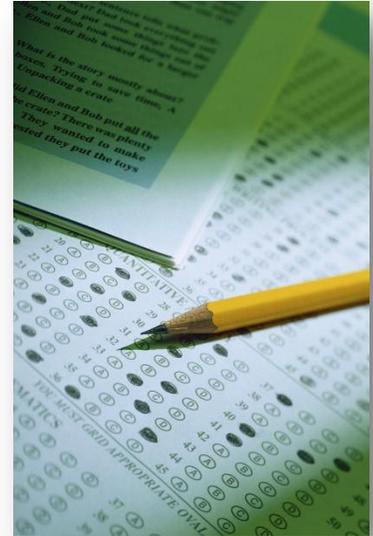
Grade equivalent – This can be misleading and measures development from year to year. It DOES NOT indicate the grade level that your child is in or should be in.

For example: If your 5th grade child scored a 7.6 grade level in math, this does not mean that your child knows all 7th grade math skills or should be placed in 7th grade math. It only means that the score your child received would be the same score that a 7th grader in the sixth month of 7th grade would make when he took the same 5th grade math test. BIG DIFFERENCE!

Also: Unfortunately these scores may or may not be an accurate reflection of your child's academic abilities. Since parent educators are generally not allowed access to the tests, there is no way for them to see what exactly their child did poorly on in order to remediate the weakness. In addition the circumstance under which the test is taken, the test administrator's expertise, any family difficulties or a recent illness can affect how a child does on the test. Some children are just better test takers than others. Some experts believe that testing below the 4th or 5th grade isn't really reflective of a child's abilities at all. Nevertheless periodic testing is required by N.D. statute unless the parent opts out of testing.

DIAGNOSTIC Unlike standardized tests, diagnostic tests have predetermined goals and test items according to a fixed set of requirements. They are scored without being averaged or normed. Each test is based on the student's own performance regarding grade level requirements. Obviously, this allows parent to pinpoint grade level weaknesses and strengths. A parent may use such a test, but it will not fulfill the testing requirement of our law.

N.D. STATE ASSESSMENT TESTS Home educated students in N.D. are **not required** to take the state assessment tests being given in public schools. These tests are a result of the *No Child Left Behind* federal law. Language was added to NCLB which specifically exempts homeschools from all its provisions.



Monitoring Requirements

The monitoring provision of the NDCC 15.1-23-06, 07, 08

If the parent educator has neither a high school diploma nor G.E.D. then he/she must be monitored for two years. The parent has two options if qualifying under the monitoring provision of our law:

- Request a monitor from the local school district of residence;
- OR
- Privately contract with any willing, N.D. state certified teacher.

Compensation for monitors

If the parent requests a monitor from the local school district the school district is responsible to provide the monitor and the compensation is the responsibility of the school district. Both public school-supplied and privately-contracted monitors must be licensed by the N.D. education standards and practices board. If the parents choose to privately contract with a N.D. state certified teacher to act as their monitor then the parents are responsible for the compensation.

Length of monitoring

The NDCC requires that the monitor be in contact with the parent educator and the child an average of one hour per week. Since this is stated as an average the parent and monitor could make arrangements that are flexible and suitable to both the monitor and the home educating family. For example, the monitor and the parent and child could theoretically meet one Saturday morning a month at the local public library for four hours and fulfill the requirements of the law. Nothing in the law requires that the monitor make home visits. An additional 1/2 hour of monitoring *per month* is required for each additional child in the monitored program. If the child attends a public or an approved nonpublic school, the time may be proportionately reduced. For example, if the child in the program being monitored is enrolled in 25% of her classes at a public school then the monitoring for that program would be 3 hours per month.

The monitoring is to continue for two years. If the child tests below the 50th percentile on a nationally-normed, standardized achievement test in a year in which testing is required by law, the monitoring continues for at least one additional year. However, if testing is not required during the first two years of monitoring then it may not be continued without the consent of the parent and the monitor. Once the monitoring has been successfully completed it *ceases permanently* no matter how many other children the parent may choose to homeschool and regardless of future test scores.

Additional duties

The privately-contracted monitor is required by law to notify the school district that he/she is providing such services.

The monitor is to file a report twice a year with the school district superintendent (or county superintendent) assessing the child's progress. A copy is provided to the parent educator for her files. A copy is contained in this packet and permission is granted for use by the local school district.

The monitor may administer the testing required in grades 4, 6, 8, and 10 to the children in the monitored program. If the parent requests that the local school district provides the test and test administrator, they must do so free of charge. The test used must be the one employed by the school district (e.g. CTBS, ITBS, Stanford, and MAT). The parent also has the option of renting any nationally-normed, standardized achievement test for use in the years in which testing is required. If the parent chooses to test privately then they bear the cost of the test and test administration. The test must be given in the child's learning environment or at the local public school at *the parent's discretion*.

Not in the job description

Some monitors have erroneously seen their job as one in which they critique the teaching abilities of the home educator or determine the suitability of the curriculum being used in the homeschool. There is no curriculum approval requirement in N.D. law and the choice is left entirely to the discretion of the parent educator. Also, nothing in the law requires that the contact between the parent, child, and monitor takes place while the homeschool is in session. It is also not the monitor's job to do any of the actually teaching. In a nutshell the monitor's duty: Is there an educational program in place and does it seem to be working?

From our attorney on the subject of monitoring:

"The NDCC 15.1-23-07 sets forth the monitoring requirements for a home education program. According to this provision, the monitor must spend time 'in contact with the child and the child's parent.' There is no requirement that the monitoring take place in the home. Additionally, state law does not specifically require that the monitor have a face-to-face meeting with the parent and child receiving home education. It would be permissible for the monitor to fulfill the requirements of the statute through telephone contact with the child and the child's parent." Dewitt Black, senior counsel Home School Legal Defense Association.

Final note

The school district receives a portion of the foundation aid payment for each child in a monitored program if the school district supplies the monitor.

Research shows:

Dr. Brian Ray, National Home Education Research Institute, in a 2007 study (*Homeschool Progress Report 2009*) conducted using test results from 11,739 participants from all 50 states, found "homeschoolers scored 34-39 percentile points higher than the norm on standardized achievement tests. The homeschool national average ranged from the 84th percentile for Language, Math and Social Studies to the 89th percentile for Reading."





Student Rights in Public Schools

By Mathew D. Staver, Esq.
Copyright 1991 - 2000. Used with permission.

Editor's highlights appear in green.

A. FREEDOM OF SPEECH

1. Expression

Students on public school campuses enjoy constitutional protection of free speech, including religious speech. Student speech can be prohibited only when the speech activities "substantially interfere with the work of the school, or impinge upon the rights of other students."¹ In *Tinker v. Des Moines Independent School District*, the United States Supreme Court stated:

In our system, state-operated schools may not be enclaves of totalitarianism. School officials do not possess absolute authority over their students. Students in schools as well as out of school are "persons" under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligations to the State. In our system, students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. They may not be confined to the expression of those sentiments that are officially approved. In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views.²

The Supreme Court further stated: "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."³

The Court recognized that when a student is "in the cafeteria, or on the playing field, or on the campus during the authorized hours, he may express his opinions."⁴ Students may exercise their constitutional right to free speech while on public school campuses before and after school, in between class, in the cafeteria, or on the playing field. Students have a right to free speech during non-instructional time.

Students are compelled to be in school until age sixteen. While they are under compulsory attendance, the State must protect their constitutional rights to freedom of expression. **As soon as students walk on the premises of any public school, kindergarten through college, they carry with them the First Amendment's protection of free speech.** Students certainly do not shed their Constitutional rights when they enter the schoolhouse gate.⁵

Schools may prohibit student speech only if there is specific evidence that the speech materially and substantially interferes with the orderly operation of the school. Merely because others disagree or are offended by the message is no reason to prohibit student speech.

Everyone would agree that when a student exits the school bus on the way to class, the student has the right to converse with another student. One student can say to another student, "I like you." The same student can go even further and say, "I love you." Moreover, the student can invite a friend to his or her house after school for a birthday party or some other after-school program. This is not only constitutionally correct, it just makes common sense. **Since students may speak about secular topics, they may also speak about religious topics.** The same student during non-instructional time may state, "Jesus loves you." This student may also invite another student to an after school church function.

2. Literature Distribution

The right to free speech includes the right to distribute literature.⁶ The Supreme Court considers the distribution of printed material as pure speech.⁷ Indeed, **peaceful distribution of literature is a protected form of free speech just like verbal speech.**⁸

The Supreme Court has correctly recognized "that the right to distribute flyers and literature lies at the heart of the liberties guaranteed by the speech and press clauses of the First Amendment."⁹ "From the time of the founding of our nation, the distribution of written material has been an essential weapon in the defense of liberty."¹⁰ **Literature distribution includes anything in printed format such as brochures, pamphlets, newspapers, cards, stamps, books, symbols and pictures.**

Religious speech enjoys the same protection as political speech.¹¹ Students not only have the right to verbal and written speech, they have the right to persuade, advocate and even proselytize a religious viewpoint. The Supreme Court recognized that "free trade and ideas mean free trade and the opportunity to persuade, not merely to describe facts."¹² **Merely because other students or school officials disagree with the content of the message is no reason to deny student speech.**¹³ The Supreme Court could not make this point any clearer than it did in *Tinker*:

Any departure from absolute regimentation may cause trouble. Any variation from the majority's opinion may inspire fear. Any word spoken, in class, in the lunchroom, or on the campus, that deviates from the views of another person may start an argument or cause a disturbance. But our Constitution says we must take this risk and our history says that it is this sort of hazardous freedom — this kind of openness — that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society.¹⁴

It is impermissible for schools to require students to submit their literature to a school official for review prior to distribution. It is important to remember that printed speech enjoys the same rights as verbal speech. Just as it would be unconstitutional and ludicrous for schools to preview all student verbal communication before it occurs, it is similarly unconstitutional to do so with respect to printed communication. Indeed, the Supreme Court's decision in *Tinker* in no way suggests that students may be required to announce their intentions of engaging in a certain conduct beforehand so school authorities may decide whether to prohibit such conduct.¹⁵ The Supreme Court has unequivocally stated that prior notification is "quite incompatible with the requirement of the First Amendment."¹⁶ Certainly the "delay inherent in advanced notice requirements inhibits free speech by outlawing spontaneous expression."¹⁷ Indeed, when "an event occurs, it is often necessary to have one's voice heard promptly, if it is to be considered at all."¹⁸ Finally, with respect to literature distribution, schools should not confine the distribution of literature to a designated location or to a bulletin board. Just as a school cannot require all students to report to a designated location before engaging in verbal communication, schools should not limit literature distribution in this manner. Student speech through literature cannot be confined to a bulletin board. Students have a constitutional right to free speech during non-instructional time, and this includes the right to speak through literature. Speech does not lose any constitutional protection simply because it is transformed from verbal expression to the printed page.

3. Clothing and Jewelry

Students may communicate a message through words or symbols on clothing or by wearing jewelry. Indeed, students in the *Tinker* case wore black armbands to school as a symbolic protest of the Vietnam War. The Supreme Court held that such expression was protected by the First Amendment.¹⁹ The only difference between clothing and jewelry as opposed to verbal or written speech is that clothes and jewelry are carried into the classroom during instructional time. Students cannot turn off the message on a T-shirt in the same manner that they can stop speaking when they enter the classroom or refrain from literature distribution during class time. Schools may therefore place some restrictions on clothing or jewelry if worn during class. However, if the school allows T-shirts or jewelry with secular messages or symbols, the school cannot prohibit students from wearing religious T-shirts or jewelry. If a school allows students to wear a T-shirt with a Nike symbol or the slogan, "Just Do It," the school cannot prohibit students from wearing a T-shirt with the message, "Jesus died for you." Students have a constitutional right during non-class time to communicate through clothing or jewelry.²⁰ If the First Amendment teaches us anything it teaches that "[a]ll ideas having even the slightest redeeming social importance — unorthodox ideas, controversial ideas, even ideas hateful to the prevailing climate of opinion — have the full protection of the guarantees [of the First Amendment]."²¹

4. Class Discussion and Reports

While students have a constitutional right to free speech during non-instructional times, schools may place certain restrictions on speech during class time. Students may express their viewpoint on any subject being taught so long as it is consistent with the subject matter discussed at that time. While a student may pass out a religious tract during non-instructional time, the student may not pass out the same tract during a math class. However, students may express a religious viewpoint during math class so long as it is consistent with the subject being studied.

If students are asked to give verbal or written reports, then students may also give reports on religious topics so long as the report falls within the parameters of the assignment. For example, in a literature class, if students are required to read a secular book and give an oral or written report, then these students may also read a religious book. Teachers may not prohibit students from giving written or oral reports solely because the content is religious.²² Some younger grades have what is known as "Show and Tell." This is a time where students are asked to bring in personal items to show to the rest of the class and then talk about these items. So long as the student's item brought into the Show and Tell is consistent with the assignment, schools should not prohibit students from either showing or telling about their item solely because the content is religious. Students have a constitutional right to show and tell their item even if the item centers on religion.²³

B. EQUAL ACCESS

The Equal Access Act and the First Amendment guarantee that students have the right to form student clubs.²⁴

If a public secondary school receives federal funds and allows one or more non-curriculum related student groups to meet on campus, then the school cannot prohibit other non-curriculum related student groups from meeting on campus unless such clubs "materially and substantially interfere with the orderly conduct of educational activities within the school."²⁵ A non-curriculum related student group is interpreted broadly to mean "any student group that does not directly relate to the body of courses offered by the school."²⁶ The Supreme Court has indicated that "a student group directly relates to a school's curriculum if the subject matter of the group is actually taught, or will soon be taught, in a regularly offered course; if the subject matter of the group concerns the body of courses of the whole; if the participation in the group is required for a particular course; or if participation in the group results in academic credit."²⁷ Examples of non-curriculum related student groups are chess clubs, stamp collecting clubs, community service clubs, environmental clubs, or special interest clubs. Equal Access means exactly what it says — equal access to every facility of the school which is used by at least one or more non-curriculum related student groups. This includes use of class room facilities, copy machines, intercom systems, bulletin boards, school newspaper, yearbook, annual club fairs, funding, bank accounts, and any other benefit or facility afforded to secular student clubs. There must be no discrimination and no denial with respect to access of any school facility. All clubs must be treated equally regardless of the content of the message.

INDEX TO CITATIONS

- ¹ *Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 509 (1969).
- ² *Id.* at 511.
- ³ *Id.* at 506.
- ⁴ *Id.* at 512-13.
- ⁵ *Id.* at 506.
- ⁶ *Martin v. City of Struthers*, 319 U.S. 141 (1943).
- ⁷ *Texas v. Johnson*, 491 U.S. 397, 406 (1989).
- ⁸ *United States v. Grace*, 461 U.S. 171, 176 (1983) ("leafleting is protected speech."); *Lovell v. City of Griffin*, 303 U.S. 444, 451-52 (1938) ("liberty of circulating is as essential to [freedom of speech] as liberty of publishing; indeed without circulation, the publication would be of little value.").
- ⁹ *ISKCON v. Lee*, 505 U.S. 672, 702 (1992).
- ¹⁰ *Paulsen v. County of Nassau*, 925 F.2d 65, 66 (2d Cir. 1991).
- ¹¹ *Widmar v. Vincent*, 454 U.S. 263, 269 (1981) (citations omitted).
- ¹² *Thomas v. Collins*, 323 U.S. 516, 537 (1945).
- ¹³ *Clark v. Dallas Indep. Sch. Dist.*, 806 F. Supp. 116, 120 (N.D. Tex. 1992).
- ¹⁴ *Tinker*, 393 U.S. at 508-09 (citations omitted).
- ¹⁵ *Fujishima v. Bd. of Educ.*, 460 F.2d 1355, 1358 (7th Cir. 1972). See also *Nitzdberg v. Parks*, 525 F.2d 378, 383-85 (4th Cir. 1975); *Baughman v. Bd. of Educ.*, 478 F.2d 1345 (4th Cir. 1973); *Quarterman v. Byrd*, 453 F.2d 54 (4th Cir. 1971); *Eisner v. Stamford Bd. of Educ.*, 440 F.2d 803 (2d Cir. 1971); *Riseman v. Sch. Comm.*, 439 F.2d 148 (1st Cir. 1971); *Johnston-Loehner v. O'Brien*, 859 F. Supp. 575 (M.D. Fla. 1994); *Slotterback v. Interboro Sch. Dist.*, 766 F. Supp. 280 (E.D. Penn. 1991); *Riveria v. Bd. of Regents*, 721 F. Supp. 1189, 1197 (D. Col. 1989); *Sullivan v. Houston Indep. Sch. Dist.*, 333 F. Supp. 1149 (S.D. Tex. 1971); *Zucker v. Panitz*, 299 F. Supp. 102 (SD N.Y. 1969). But see *Muller v. Jefferson Lighthouse Sch.*, 98 F.3d 1530 (7th Cir. 1996), cert. denied, 520 U.S. 1156 (1997); *Hedges v. Wauconda Comm. Unit Sch. Dist. No. 118*, 9 F.3d 1295 (7th Cir. 1993); *Bystrom v. Friedley High School*, 822 F.2d 747 (8th Cir. 1987); *Shanley v. Northeast Indep. Sch. Dist.*, 462 F.2d 960 (5th Cir. 1972).
- ¹⁶ *Thomas*, 323 US at 540.
- ¹⁷ *NAACP v. City of Richmond*, 743 F.2d 1346, 1455 (9th Cir. 1984) (citations omitted).
- ¹⁸ *Shuttlesworth v. City of Birmingham*, 394 US 147, 163 (1969).
- ¹⁹ *Tinker*, 393 US at 506, 511.
- ²⁰ See *McIntire v. Bethel Indep. Sch. Dist.*, 804 F. Supp. 1415, 1421 (W.D. Ok. 1992).
- ²¹ *Roth v. United States*, 354 US 476, 484 (1957).
- ²² See *DeNooyer v. Livonia Public Schools*, 799 F. Supp. 744 (E.D. Mich. 1992), *aff'd sub nom, DeNooyer v. Marinelli*, 1 F.3d 1240 (6th Cir. 1993); *Duran v. Nitsche*, 780 F. Supp. 1048 (E.D. Penn. 1991). These particular cases generally stand for the proposition that a student must give a report within the parameters of the assignment. If the report is given within the parameters of the assignment, then the school is prohibited from restricting the report solely because the content is religious.
- ²³ See Dept. of Educ., *Religious Expression in Public Schools*, www.ed.gov/Speeches/08-1995/religion.html.
- ²⁴ *Bd. of Educ. of the Westside Comm. Sch. v. Mergens*, 496 US 226 (1990).
- ²⁵ *Id.* at 236, 241.
- ²⁶ *Id.* at 237.
- ²⁷ *Id.*

The information contained herein is not intended to render legal advice. Factual and legal issues may arise that must be considered in each circumstance. If legal advice is necessary, the services of a competent attorney should be sought.

Liberty Counsel - Post Office Box 540774 - Orlando, FL 32854

Phone: (407) 875-2100 Fax: (407) 875-0770 Email: liberty@lc.org

Copyright 1995-2002 Mathew D. Staver and Liberty Counsel

Liberty Counsel is a nonprofit litigation, education and policy organization dedicated to advancing religious freedom, the sanctity of human life and the family. Established in 1989, Liberty Counsel is a nationwide organization with offices in Florida, Virginia, and Washington, D.C., and hundreds of affiliate attorneys across the Nation. <http://lc.org/>

SUMMARY OF STUDENT RIGHTS

1. May engage in verbal speech during non-instructional time.
2. May distribute literature during non-instructional time.
3. Schools may not preview literature prior to its distribution.
4. Schools may not confine literature distribution to a designated spot or to a bulletin board.
5. May meet around the flag pole with other students during non-instructional time for prayer.
6. May engage in free speech during class so long as the speech is consistent with the topic being studied.
7. May wear clothing with religious messages or symbols including religious jewelry on the same basis and in the same manner as the school allows secular words, symbols, or jewelry to be worn and displayed.
8. May wear clothing with religious words and symbols and wear religious jewelry during non-instructional time.
9. May give oral and written reports on religious topics so long as the report or presentation is consistent with the assignment.
10. May show and tell religious items so long as the item and the presentation is consistent with the assignment.
11. May form Bible clubs so long as the school allows at least one other non-curriculum student club.
12. Bible clubs must be treated equally to other non-curriculum related student clubs and be afforded equal access to school facilities such as the bulletin board, intercom system, annual club fair, school newspaper, yearbook, copy machine, financial sponsorship, or any other benefit or facility afforded to secular student clubs.



Research and Analyses of Research on Homeschooling

Editor's note: I have arranged this sampling of research and analyses of research chronologically beginning with some of the earliest publications. Some were done to fulfill the requirements of Bachelor of Arts, Master's Degrees or Doctorates. Research on homeschooling continues. Much useful research information is available at www.nheri.org

- *A Comparison of Home Schooling and Conventional Schooling: With a Focus on Learner Outcomes* by Brian Ray for his doctoral thesis, Oregon State University, 1986.
- *A Study of Home Schooling: Parental Motivations and Goals*, by Sonia K. Gustafson, Senior Thesis presented to the Faculty of the Woodrow Wilson School of Public and International Affairs, Princeton University, 1987.
- *A Nationwide Study of Home Education* conducted by Brian Ray, Ph.D., National Home Education Research Institute (NHERI), 1990.
- *Home Education in North Dakota: Family Characteristics and Student Achievement*, by Dr. Brian Ray, NHERI, for the North Dakota Home School Association, 1991.
- *Marching to the Beat of Their Own Drum!*, Dr. Brian Ray, NHERI, 1992.
- *Learning at Home in North Dakota: Family Attributes and Student Achievement* conducted by Dr. Brian Ray, NHERI, for the North Dakota Home School Association, 1993.
- *Home Education across the United States*, Dr. Brian Ray with Home School Legal Defense Association, 1997.
- *Home Schooling Works pass it on!* by Lawrence M. Rudner, Ph.D., Director of the ERIC Clearinghouse on Assessment and Evaluation, 1998.
- *Homeschooling on the Threshold*, Dr. Brian Ray, NHERI, 1999.
- *Homeschooling Grows up*, Home School Legal Defense Association's synopsis of new research, 2003.
- *Support for Home-Based Education—A guide for State Policymakers, Local Boards of Education, and School Administrators*, research by Patricia M. Lines, Ph.D., published by ERIC Clearinghouse on Education Management, 2003.
- *A Study of Parent Teacher Roles in Home Schooling*, research conducted by Dawn M. Negrón with assistance from the North Dakota Home School Association, for fulfillment of requirement for a Master of Education Degree, Minot State University, 2003.
- *Home-education Comparison of Home- and School-educated children on PIPS Baseline Assessments*, Paula Rothermel, published in Journal of Early Childhood Research, 2004.
- *Home Schooling: From the Extreme to the Mainstream 2nd Edition*, Patrick Basham, John Merrifield, Claudia Hepburn, published in Studies in Education Policy, 2007.(Update of original work done in 2001 by the Canadian Fraser Institute and is an analysis of current research).
- *State Regulation of Homeschooling and Homeschoolers' SAT Scores*, by Dr. Brian Ray and Dr. Bruce K. Eagleson, published in Academic Leadership, 2008.
- *Homeschool Progress Report 2009 Academic Achievement and Demographics*, Dr. Brian Ray with Home School Legal Defense Association, 2009.
- *Academic Achievement and Demographic Traits of Homeschool Students: A Nationwide Study*, Dr. Brian Ray, published in Academic Leadership the Online Journal, Vol.8 Issue1 Winter 2010.

Research shows:

Already in 1987 Sonia Gustafson in her senior thesis "A Study of Home Schooling: Parental Motivations and Goals", stated, "... the strong commitment and enthusiasm of parents, the legal and constitutional bases for it, and its value [in] ... teaching and learning methods all indicate that the home school movement should be welcomed, and not ignored or stifled, for the contribution it can make (and is making) to the field of education as a whole, and to our understanding of the developmental and learning processes of children."



Statement of Intent to Home Educate

Date filed _____

Published by the North Dakota Home School Association to fulfill NDCC 15.1-23-02. www.ndhsa.org office@ndhsa.org

To: Superintendent of _____ School District or (if no local Superintendent) Superintendent of Schools for _____ County.

Information on parent educator:

Name of parent _____ Phone (optional) _____

Address _____ City _____ ST _____ ZIP _____

Information on child:

Name _____ Address _____

Date of birth _____ Grade level _____
(Parent educator determines grade level.)

Parental qualifications:

____ 1. I have a high school diploma or G.E.D. (attached is copy of diploma/G.E.D. or it is already on file) **OR**

____ 2. I do not have a high school diploma or G.E.D. (Check one of the following.)

____ I am requesting a monitor provided by my local school district **OR**____ I have employed a N.D. state-certified teacher to act as my monitor (proof of credentials is attached) **OR**

____ Monitoring requirements of NDCC section 15.1-23-06 have been fulfilled.

Public school/non-public school participation:

My child will participate in the following at _____ (a public school):

Academic CoursesExtra-curricular activities_____
_____My child will participate in the following *extra-curricular activities* at _____ (an approved non-public school):_____
(Listing *curricular* activities at an *approved non-public school* is **not** required by law.)

Proof of immunization or exemption as it relates to NDCC 23-07-17:

*Note to parent educators: If due to health reasons or if you are philosophically, morally or religiously opposed to government-mandated immunizations, you may opt out. Fill in appropriate section on the N.D. Department of Health's immunization form.*____ Attached is a copy of my child's immunization record or statement of exemption **OR**

____ My child's immunization record/statement of exemption is already on file and nothing has changed since filed.

Testing Opt Out as it relates to NDCC 15.1-23-09:

The 2017 legislature passed HB 1428 which allows parents with philosophical, religious or moral beliefs opposed to standardized testing to opt out of testing as required in grades 4, 6, 8 and 10. Academic requirements are no longer required by law.

____ I am opting out of testing requirements (NDCC15.1-23-09).

____ I am opting out of testing based on academic qualifications: ____ ND state certified teacher **OR**; ____ Baccalaureate degree **OR**; ____ met or exceeded cut-off scores on national teacher exam

Proof of identity as it relates to NDCC 12-60-26:

*Note to parent educators: Proof of identity as described in the North Dakota Century Code is "a certified copy of a birth certificate, a certified transcript, or similar student records from the previous school, or any other documentary evidence the school, licensed day care facility, or school superintendent considers appropriate proof of identity."*____ Attached is my child's proof of identity **OR**

____ My child's proof of identity is already on file at this public school.

Parent's signature _____

Date _____

One parental signature is adequate. No signature by a school superintendent is required.

This form is *not* a request for permission to home educate; it is notification of intent to do so.

Monitor's Progress Report

Date filed _____

Name of child _____ Age _____ Grade level _____

Name of parent _____

Address _____

Dates of contact:

Progress Report

Directions: Record each subject included in the instructional program. Monitor *may* identify with **E** (exceptional), **S** (satisfactory), or **U** (unsatisfactory) the progress the child is making. You *may* include comments which are appropriate in each subject area.

SUBJECT

PROGRESS

ANECDOTAL RECORD

SUBJECT	PROGRESS	ANECDOTAL RECORD
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Summary

Based on my observation and discussions with the child and parent(s), the child is making reasonable progress.

_____ YES

_____ NO

Comments:

Signature of monitor

Date filed

The N.D. home education statutes (NDCC 15.1-23-07) require that a monitor's progress report be filed twice annually with the local school district by the state-certified individual providing monitoring services to a home educating family. *A copy of each report is provided to the parent educator.*