

NEW HAMPSHIRE

- Compulsory Attendance Ages:** “at least 6 years of age and under 16 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). Students who reach the age of 16 are not subject to compulsory attendance and therefore parents need not submit the annual notification.
- Required Days of Instruction:** 180 days (not 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. It is due within 30 days of the annual commencement of the home school program, or within 30 days of withdrawing from public school or moving into the school district. N.H. Rev. Stat. Ann. § 193-A:5(II). (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.) A home education program should begin no later than the first day of the local public school in the area to ensure compliance with § 193:1.
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).
3. The notice must include the children’s names, addresses and birth dates. § 193-A:5(II).
4. 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).

5. 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.”
6. Home education programs automatically terminate each year on August 1st. Ed. Regs. 315.04(g). If a family terminates a home education program before August 1st, a written notice of termination must be filed with the commissioner of education within 15 days.

Teacher Qualifications: None.

Standardized Tests: N.H. Rev. Stat. Ann. § 193-A:6(II) and (III). The parent can satisfy the testing requirement by submitting one of the following to the participating agency (see paragraph 1 above) by July 1st:

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 40th percentile; or
3. the results of the state student assessment test used by the resident district, with a composite score at or above the 40th percentile; or
4. the child may be evaluated using any other valid measurement tool mutually agreed upon by the parent and the participating agency.

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(III).