

Frequently Asked Questions (FAQ):

Nonpublic Schools, Including Homeschools Unaccredited by a Minnesota-Recognized Accrediting Agency

Revised July 2013

Decision to Homeschool

1. What might parents/guardians want to consider when deciding whether homeschooling is the best option for their child?

Homeschool parents/guardians do everything that traditional nonpublic school administrators and teachers do, but in the context of their home. This includes planning what students learn, recordkeeping, managing costs, and assuring the quality and scope of their student's education to college recruiters and employers. Students graduate from homeschools with homeschool diplomas and transcripts, just as they would from other nonpublic schools. Neither the Minnesota Department of Education (MDE) nor local school districts validate or certify any nonpublic school's education, transcripts, or diplomas.

Homeschooling is an opportunity to tailor education to a family's values and a child's needs. Families should weigh the advantages and disadvantages carefully to determine the best option for their child.

Considerations may include:

- The opportunity to tailor education.
- The opportunity to include family experiences like world travel in a curriculum.
- Peer group interaction.
- Time, commitment, and lost wages of the parent/guardian.
- Whether all parents/guardians of the student fully support the choice.
- Whether a combination of homeschooling and public programs like Postsecondary Enrollment Options, Special Education or Shared Time might provide the right mix.
- Whether the parent/guardian possesses the organizational skills and stamina to design and run a homeschool.
- Whether another public school choice or traditional nonpublic school would better meet the family's needs.
- New beginnings.

Minnesota offers school choice that includes both public and nonpublic educational options. Public options include choices within the family's resident district, open enrollment across district lines, magnet schools, charter schools, certified public online learning, and alternative education. Nonpublic options include traditional nonpublic schools (some may have financial aid programs), tutors, private online learning, and unaccredited nonpublic schools (including homeschools).

October 1 Deadline

Minnesota Statutes, sections 120A.24, 120A.22, 121A.15

2. Did changes to the law during the 2011 Special Legislative session eliminate October 1 reporting to resident district superintendents? What reporting requirements were eliminated and what requirements remain?

The person or nonpublic school in charge of providing instruction to a child still has annual reporting requirements to local superintendents. However, the information required has been reduced so that instructors must not repeatedly report information that remains the same as what they previously reported. Depending on the situation, the instructor is required to submit either:

- a **Full Report**, or
- a **Letter of Intent to Continue to Provide Instruction** that updates the superintendent on any changes to what was previously reported.

Superintendents no longer request an annual meeting with instructors to review curriculum or have instructors submit curriculum information, school calendars, or quarterly report cards until the student seeks enrollment in the public school district. At that point, the information is submitted along with all required test scores.

Superintendents still monitor students' reporting requirements and come to mutual agreement on nationally normed achievement testing. They still must refer noncompliance issues to MDE for mediation and, if unresolved, must refer issues to the county attorney. As mandated reporters, they must also refer suspected educational neglect to county human services. See questions 3-9 for further information on annual reporting requirements and testing.

Full Report

Minnesota Statutes, sections 120A.24, 120A.22, 121A.15

3. What is a full report?

A full report is written information provided to the superintendent on an MDE form or in another format (including electronic) that includes the following:

- a. Name, birth date, and address of each student aged 7-16.
- b. Name of each instructor.
- c. **Evidence of compliance** with Minnesota Statutes, section 120A.22, Subdivision 10, consisting of one of the following:
 - i. Instructor holds a current Minnesota teaching license for the field and grade level taught (attach copy of license).
 - ii. Instructor is directly supervised by a licensed teacher (attach name and copy of license).
 - iii. Instructor has successfully completed a teacher competency exam. Minnesota does not currently have an exam that satisfies this requirement (PRAXIS does not satisfy the requirement).
 - iv. Instructor holds a baccalaureate degree (attach a copy of diploma/degree), or
 - v. Instructor is the parent or legal guardian of the child. This means that unless a grandparent or step-parent is a licensed teacher, holds a bachelor's degree, or is under the direct supervision of a Minnesota licensed teacher for each grade level and area, they may not instruct the student(s) in situations where the parent/guardian would be able to instruct the student.
- d. **Immunization records** or a notarized conscientious objection statement. Nonpublic schools, including homeschool instructors, must comply with state immunization law related to safeguarding public health. Minnesota Statutes, section 121A.15 requires that nonpublic schools submit the immunization statement or a notarized statement of conscientious objection to the resident district. Immunization forms are available from the district. The district must forward any conscientious objection statements to the Minnesota Commissioner of Health.
- e. **Testing information.** Nonpublic school instructors in unaccredited schools, including homeschool parents, must inform the superintendent of the nationally normed achievement test they would like each student who is age 7-16 to take during the school year(s). Minnesota Statutes, section 120A.22, Subdivision 11 requires that superintendents be in mutual agreement with the instructor on which test will be taken and how and where it will be administered. If the superintendent does not agree with the instructor's suggested testing plan, the superintendent or a district staff member will contact the instructor to discuss and come to mutual agreement on a testing plan.

4. When must instructors submit a full report of information to their resident superintendent?

The person or nonpublic school in charge of providing instruction to a child must submit a full report in the following situations:

- a. **By October 1** of the first school year that the child receives instruction after reaching the age of seven.
- b. **Within 15 days** of withdrawing a child from public school to provide instruction in a nonpublic school that is not accredited by a state-recognized accrediting agency.
- c. **Within 15 days** of moving out of a district (report to the old district), and
- d. **By October 1** after a new resident district is established (report to the new district).

Families sometimes ask which district is the resident district. Minnesota law defines the resident district as the district where the parent/guardian's residence is located. 'Open enrollment' for the purpose of nonpublic school registration does not exist in Minnesota law.

Letter of Intent to Continue to Provide Instruction

Minnesota Statutes, sections 120A.24, 121A.15, 120A.22

5. What is a Letter of Intent to Continue to Provide Instruction?

A Letter of Intent to Continue to Provide Instruction is written on an MDE form or in another format and provided to the resident superintendent by October 1 of each year *after* the instructor has provided the district with a full report. The letter communicates:

- a. That the instructor is still providing instruction in the district.
- b. Changes in the name(s) and birth date(s) of the student(s) receiving instruction.
- c. Changes to the annual nationally normed achievement testing plan.
- d. Changes to the instructor's name or qualifications.
- e. Changes in the school's accreditation status.
- f. Updates to immunization records required by law at age 12 (7th grade).

Note: a change of address to a new school district requires a full report.

Noncompliance with Compulsory Instruction Law

Minnesota Statutes, sections 120A.24, 121A.15, 120A.22, 626.556

6. What are the consequences of noncompliance with the Compulsory Instruction law?

The superintendent notifies the family when there is reason to believe the family is out of compliance with reporting or assessment requirements. If the initial attempt to resolve the situation does not succeed, Minnesota Statutes, section 120A.26 requires the district to request that MDE mediate the issue. MDE contacts the family by certified mail. If this does not succeed in addressing compliance issues, the superintendent refers the matters to the county attorney.

If noncompliance with the Compulsory Instruction law concerns the educational neglect of a child, any person – not just the superintendent – may report it to the family's county social services office. Superintendents and other educators are mandatory reporters of child abuse and neglect.

Documentation Required by State Law

Minnesota Statutes, sections 120A.24, Subd. 2-3; 120A.22, Subd. 11; 120A.26, Subd. 5; chapter 260C, 260A.

7. What documentation must be maintained?

The person or nonpublic school in charge of providing instruction to a child must maintain documentation indicating that the subjects required in section 120A.22, Subdivision 9, are being taught and proof that the tests under section 120A. 22, Subdivision 11, have been administered. This documentation must include class schedules, copies of materials used for instruction, and descriptions of the methods used to assess student achievement.

8. What documentation must be submitted to schools or county attorneys?

The parent of a child who enrolls full time in public school after having been enrolled in a nonpublic school, including homeschool, that is unaccredited by a Minnesota recognized accrediting agency, must provide the enrolling public school or district with the child's scores on any tests administered to the child under section 120A.22, Subdivision 11, and other education-related documents the enrolling school or district requires to determine where the child is placed in school and what course requirements apply. This does not apply to a shared time student who does not seek a public school diploma.

All documentation maintained under state law must be made available to the county attorney when a case is commenced under Minnesota Statutes section 120A.26, Subdivision 5; chapter 260C; or when diverted under chapter 260A.

9. Can school districts (when enrolling a previously homeschooled student) or other organizations require more documentation than the state minimum?

Yes. For example, a district or organization (such as a prospective employer, the military, or a college/university) might require:

- Administration of tests.
- Interviews or conferences with the student.
- Conferences with the parent/guardian.
- Review of the student's curriculum.
- Review of the student's record of achievement, and
- Review of the work the student completed.

Note: credits and grades earned through Postsecondary Enrollment Options must be transferred to the public school transcript when a student transfers to a public school.

10. Does MDE keep records of or validate the education of students who attend unaccredited nonpublic schools?

No. MDE does not keep records of past or current unaccredited nonpublic school students. MDE does not validate for families, prospective employers, the military, or colleges/universities that a unaccredited, nonpublic school operated in accordance with the law.

Required Subject Areas

Minnesota Statutes, section 120A.22

11. What subject areas are required to be taught in Minnesota?

State law requires instruction in the following subject areas:

- a. basic communication skills including reading and writing, literature, and fine arts;
- b. mathematics and science;
- c. social studies including history, geography and government; and
- d. health and physical education.

12. Does MDE provide guidance on curriculum or learning plans?

No. Nonpublic schools, including homeschools, develop curriculum and learning plans independent of state government.

13. Does a nonpublic school's curriculum meet state curriculum standards?

State standards are established for public schools. They do not apply to nonpublic schools.

Testing

Minnesota Statutes, section 120A.22

14. What testing is required by state law?

- a. **Annual nationally normed achievement test:** Students in unaccredited nonpublic schools, including homeschools, must be assessed annually with a nationally norm-referenced standardized achievement examination. The selected test and how and where it will be administered must be mutually agreed upon by the instructor and the resident district superintendent.
- b. **Supplemental testing in required curriculum areas:** If the selected nationally normed achievement test does not encompass all required subject areas (see #11, page 5), the instructor must supplement the annual test with additional assessments. Supplemental assessments may be given at home and need not be nationally normed.
- c. **Additional evaluation:** If any annual or supplemental test results indicate that the student's performance is at or below the 30th percentile or one grade level below the performance level for students of the same age, the instructor must obtain additional evaluation of the student's abilities and performance to determine whether the student has learning problems.

Students in nonpublic schools are exempt from additional evaluation if the instructor holds a valid Minnesota teaching license for that grade level or has passed a teacher competency exam (no exam currently exists) or is directly supervised by a licensed Minnesota teacher in the field and grade level or whose nonpublic school is accredited by a state-recognized accrediting agency.

- d. Unaccredited, nonpublic schools must maintain evidence that all required testing occurred as planned and keep records of the scores.** See Documentation Required by State Law, page 4.

15. Can MDE verify whether a test meets the requirements of a nationally norm-referenced standardized achievement examination?

No. MDE's assessment office works with state tests that are not nationally normed. Before an instructor or superintendent suggests an exam, he or she should have evidence that it is both an achievement exam and nationally normed.

16. Can MDE suggest a test that fulfills the requirements of a nationally norm-referenced standardized achievement examination?

Yes. MDE suggests, but does not require, that instructors and superintendents consider the following tests:

- a. Iowa Tests of Basic Skills (ITBS) Grades K-2
- b. Iowa Tests of Basic Skills (ITBS) Grades 3-8
- c. Iowa Tests of Educational Development (ITED) Grades 9-12
- d. Stanford Achievement Test (SAT), Grades K-2
- e. Stanford Achievement Test (SAT), Grades 3-8
- f. Stanford Achievement Test (SAT), Grades 9-12

These tests are available through the Minnesota Statewide Testing Program at the University of Minnesota, 879 29th Avenue SE, Room 103, Minneapolis, Minnesota 55414, (612)626-1803.

Minnesota State Standardized Exams

Minnesota Rule 3501.1030

17. May nonpublic students, including homeschooled students, choose to take the Minnesota standardized assessments that public school students are required to take?

Yes. However, the tests are not nationally normed so they do not fulfill the annual testing requirement. Districts are charged a small fee to administer the exam to nonpublic school students and usually pass the fee along to families. Much higher fees apply for late testing or rescored exams.

If a nonpublic school student, including homeschooled student, is planning to graduate from a public high school in Minnesota, all graduation-required state exams (GRAD) must be passed prior to graduation, regardless of whether the student was attending a nonpublic school, including homeschool, during the year that the exam was administered to public school students.

Instructors may contact the resident district to request participation in any state standardized exam such as the Minnesota Comprehensive Assessments (MCAs), the GRAD tests (a component of the MCAs), or the Minnesota Test of Academic Skills (an alternative assessment for students with significant cognitive disabilities).

College Level Examination Program (CLEP)

Minnesota Statutes, section 120B.131

18. Can nonpublic students, including homeschooled students, obtain college credit through examination?

Yes. The College-Level Examination Program® (CLEP) gives students the opportunity to receive college credit for knowledge acquired through independent study, prior course work, on-the-job training, professional development, cultural pursuits, or internships by earning qualifying scores on any of 34 examinations.

CLEP exams are administered throughout the year at over 1,400 colleges and universities in the United States and abroad. Once families have identified a convenient testing center, they contact that site for information about registration, scheduling, and fees. In addition to the exam fee, most testing centers charge a nonrefundable administration fee payable to the institution. For more information, [visit the CLEP website](http://www.collegeboard.com) (www.collegeboard.com).

Shared Time

Minnesota Statutes, section 126C.19

19. Are nonpublic students, including homeschooled students, eligible for special education services or enrollment in public school classes?

Special Education: State and federal law protects the rights of students to receive special education services from the student's resident district if they are homeschooled or from the district where the regular nonpublic school is located.

Coursework that fulfills core requirements: School districts may establish policies that allow nonpublic school students who reside in the district to take public school classes that fulfill graduation requirements of the district. Local policy determines which classes are eligible;

capacity issues and other factors may affect a nonpublic school student's ability to enroll. However, Minnesota Statutes, section 126C.19, Subdivision 4 prohibits nonpublic school student participation in public online learning.

The shared time law applies to time shared with the resident district, not with other districts or charter schools. The resident district receives state tax support for the time that a shared time student is enrolled.

20. Does the shared time provision work in the other direction? Can a public school student attend nonpublic school for a course or two?

No. The public school student would have to completely withdraw from the public school system, register and maintain their transcript as a nonpublic school student, and then access every public school class they wanted to take as a shared time student subject to local shared time policy. MDE recommends that, in these situations, the public school student consider supplemental public online learning or independent study offered by the public school district.

Postsecondary Enrollment Options (PSEO)

Minnesota Statutes, section 124D.09

21. May nonpublic students, including homeschooled students, participate in PSEO, which allows 11th and 12th graders to take college coursework for credit?

Yes. Nonpublic school students may contact a participating public or private college/university and apply for the program. Students must meet the admissions criteria of the institution. The college/university may or may not transfer the credits earned after a nonpublic school student graduates and is admitted to the college/university.

22. May nonpublic students, including homeschooled students, participate as 10th graders in career and technical courses through PSEO?

No. State law limits the career and technical education PSEO options for 10th-graders to public school students.

Extracurricular Activities

Minnesota Statutes, section 123B.49

23. Are there differences between whether homeschooled students and students in very small regular nonpublic schools may participate in public school extracurricular activities versus participation in these activities by other nonpublic students?

Yes, only homeschooled students or students in other very small nonpublic schools may participate under state law. Any expanded participation would need mutual agreement of the district, nonpublic school and, depending on the student's grade level, the Minnesota High School League.

Nonpublic school students in schools of five or fewer students may participate in the resident school district's extracurricular activities that meet the characteristics of extracurricular activities detailed in law. The law does not allow participation in extracurricular activities in another public school district where the student was previously enrolled or at a charter school.

If a nonpublic school student in grades 10-12 is interested in participating in extracurricular activities in another school district or charter school, they may join the Minnesota High School League and enter into an agreement with that district or school. High School League policies pertaining to this arrangement are Bylaws 104 and 403.

Minnesota High School League, 2100 Freeway Boulevard, Brooklyn Center, Minnesota 55430-1735; phone (763)560-2262, fax (763) 569-0499.

Online Learning

Minnesota Statutes, section 124D.095

24. What is the difference between homeschooling and certified public online learning?

A homeschool provides curriculum determined by the parent/guardian. The parent/guardian is the teacher, administrator, and curriculum director. A homeschool is a nonpublic school, so the parent/guardian bears almost all costs, just like a traditional nonpublic school. A homeschool provides its own diplomas and transcripts.

Certified public online learning is a form of public education that takes place at home, usually with parent/guardian involvement. This option provides free public school curriculum, public school mandated tests, direct instruction and supervision by licensed Minnesota public school teachers, and public school diplomas.

Public School Students below Grade Level

Minnesota Statutes, section 124D.68-69

25. If a student is behind in credits to graduate from a public school, could the student's parents educate him/her at home in order to catch up?

Yes, but it is not the most efficient way to rapidly make up credits so the student can graduate on time. Before a school district transfers unaccredited, nonpublic school credits, including

homeschool credits, to the public system, they may need to verify that the nonpublic coursework fits the district's graduation requirements and test the student to verify subject area mastery.

Passing Minnesota standardized tests is required to receive a public high school diploma. Before receiving a high school diploma, all Minnesota students – including those who were not in public school for the grade when the test was given – must pass all graduation-required state exams.

Other options might include negotiating an independent study plan with a district, a public online learning program, a public summer school program, an alternative education program, or hiring a private tutor. The parent or student may work with the high school guidance counselor or school principal to develop a plan that fits the student's needs.

Driver's Education

Minnesota Statutes, section 168.012

26. What driver's education options exist for homeschooled students?

The Minnesota Department of Public Safety offers special options. [Visit the Department of Public Safety website](http://www.dps.mn.gov) (www.dps.mn.gov). This option is only available to students who are being homeschooled full-time in situations that will lead to a homeschool high school diploma, not to other nonpublic school situations.

Financial Considerations

Minnesota Statutes, sections 123B.41, 290.0674

27. Is there state government aid available to help with the cost of nonpublic schooling?

Limited aid is available. Just as traditional nonpublic school options require financial sacrifice, so does homeschooling. Costs can include instructional materials, field trips, and most importantly, parental time, as the parent/guardian is the instructor and administrator of the homeschool.

Aids to Nonpublic Students are one way to save on costs when starting a nonpublic school. Families must meet the September 15 annual deadline to obtain this aid.

Aids to Nonpublic Students Timeline

September 15: Deadline for families to request the Aids to Nonpublic Students forms from the resident district.

October 1: Deadline to return the Student Report for Nonpublic Aids to the resident district. Also, this is the deadline to submit a full report or letter of intent to continue to provide instruction (see questions 2-5).

October 15: Deadline for the resident district to submit the family's form to the Minnesota Department of Education. State aid options help families access up to:

- a. **\$79.70** per eligible pupil for textbooks, standardized tests, and individual instructional materials on a loan basis. Materials must be nonsectarian and appropriate for potential use in a public school setting. The materials purchased under this provision are the property of the public school district.
- b. **\$59.27** per eligible pupil for Pupil Health Services.
- c. **\$211.54** for Secondary Pupil Guidance and Counseling Services.

28. How old must a student be to receive Aids to Nonpublic Students?

A student may receive aid the year they are 5 years old by September 1. Aid is pro-rated (half the normal amount) for kindergarten, and received in full for first grade.

29. Apart from Aids to Nonpublic Students, do nonpublic schools, including homeschooled students have a right to borrow textbooks or other materials from the resident district?

No. A public school district is not obligated to loan other textbooks or materials to any nonpublic school in the district.

30. How nonpublic school, including homeschool, claim exemption from sales tax?

Contact the Minnesota Department of Revenue with questions about sales tax exemption. Nonpublic schools may complete the Department of Revenue's Application for Nonprofit Exempt Status – Sales Tax. [Visit the Department of Revenue website](http://www.taxes.state.mn.us) (www.taxes.state.mn.us).

31. What tax breaks are available for families with students in homeschools or other nonpublic schools?

Explore Minnesota's K-12 education tax credit and subtraction to determine whether some costs or tax liability can be reduced. The Department of Revenue Fact Sheet 8 explains the tax breaks in detail. [Download the fact sheet from the Department of Revenue website](http://www.taxes.state.mn.us) (www.taxes.state.mn.us).

Community Resources and Accreditation

Minnesota Statutes, sections 123B.445, 120A.24; 120A.22

32. What community resources exist for parents/guardians who are home educators?

There are many local, statewide, and virtual communities available for networking. A few well-known groups are listed below. These groups are listed here as a way to help homeschooling families begin networking; MDE does not endorse these organizations' beliefs or resources.

Minnesota Homeschoolers Alliance. The statewide conference for this nonsectarian group is held in September. Phone: (612)288-9662. Email: mha@homeschoolers.org.

Minnesota Association of Christian Home Educators. The statewide conference is in April. Phone: (763)717-9070 in the Twin Cities; (866)717-9070 toll free. Email: info@make.org.

Minnesota Catholic Home Education Conference. The annual conference is held in May. Email: info@mnconference.org.

Public libraries can contribute to the richness of the homeschooling experience. In addition, some college/university libraries have community loan options for materials.

33. What is the Minnesota Nonpublic Education Council?

The Nonpublic Education Council is a link between nonpublic education in Minnesota and MDE. The council is established in Minnesota Statutes, section 123B.445 and members are appointed by the Commissioner of Education. The council's work includes recognizing accrediting agencies in order to exempt accredited nonpublic schools from some of the reporting requirements of Minnesota's Compulsory Instruction law. The council also hears appeals from nonpublic schools when disagreements arise concerning Aids to Nonpublic Students.

Further, the council is a forum for discussion of how Minnesota laws and policies impact nonpublic education. The council meets four times a year. Meetings are open to the public.

34. What are the benefits of accreditation?

Accreditation helps to assure the quality of a nonpublic school, and can make transferring credits to other schools easier. In Minnesota, state law waives the annual nationally normed achievement test requirement for those schools accredited by a state-recognized accrediting agency. On the MDE website (education.state.mn.us), visit the Advisory Boards section under "Welcome to MDE" to find the Minnesota Nonpublic Education Council page. Download the document titled *Accrediting Agencies Whose Schools Have Reduced Reporting Requirements*.

35. How can an accrediting agency become state-recognized?

New or existing accrediting agencies apply to the Nonpublic Education Council for review and recognition. On the MDE website (education.state.mn.us), visit the Advisory Boards section under "Welcome to MDE" to find the Minnesota Nonpublic Education Council page and download documents related to the state recognition process.

Crisis Situations

Minnesota Statutes, section 626.556

36. What if a person suspects a family of claiming to homeschool and actually educationally or otherwise neglecting the student?

If a person suspects that a student is in immediate danger, they should contact the police. If they believe the student is being neglected, they should contact county human services in the county where the student resides.

37. What if a homeschool instructor thought home education was the best option but now feels overwhelmed?

The instructor may need better support from a community-based network of homeschooling families. Some families homeschool for a time and then choose other options. MDE can help families learn about the full range of school choice options available.

Laws

38. Where is the full text of the laws cited in this document?

[Visit the Minnesota Office of the Revisor of Statutes website](http://www.revisor.mn.gov) (www.revisor.mn.gov).

Further Questions

39. Where can one find further information?

The resident district superintendent's office is an instructor's key contact for reporting and assessment questions, as well as filing for Aids to Nonpublic Students. Districts often designate a staff member to be the nonpublic and homeschool liaison.

People concerned about educational neglect of a child should contact county human services in the county where the student resides. If the student is in immediate danger, contact the police.

Minnesota Department of Education contacts:

Nonpublic Education Policy, Cindy Jackson, cindy.s.jackson@state.mn.us, 651-582-8572.

Aids to Nonpublic Students, Greg Sogaard, greg.sogaard@state.mn.us, 651-582-8858.

Postsecondary Enrollment Options, Jacqui McKenzie, jacqui.mckenzie@state.mn.us, 651-582-8852

Special Education, Tom Delaney, thomas.delaney@state.mn.us, 651-582-8324.