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### Education and Homeschooling: State Laws

#### Homeschooling Laws by State\*

**ALABAMA:** Alabama does not have any laws that specifically address homeschooling. Parents may opt to enroll children under the church school option, which does not require teacher certification. Church schools have little regulation, other than some requirements to report attendance. Under the private tutor option, teachers must be certified. The tutor must teach for at least three hours a day for 140 days each calendar year, and must file with the proper authorities a report describing subjects taught and periods of instruction.

**ALASKA:** Exempts children from compulsory attendance when they are educated in their home by a parent or legal guardian. There are no prescribed teacher qualifications, nor any requirements to assess or file any information. The state has the burden to show that the child is not receiving proper instruction.

**ARIZONA:** Within 30 days after homeschooling begins, the parent or guardian is required to file an affidavit of intent to homeschool. The affidavit is filed with the county school superintendent. The state does not prescribe any teacher certification requirements for homeschool instructors, nor are there any requirements for assessment or standardized testing. Required subjects are reading, grammar, math, social studies and science.

**ARKANSAS:** Parents are required to notify the local public school superintendent of the intent to homeschool, and provide information on the curriculum, the schedule, and the qualification of the parent/teacher. There are no subjects specifically required for instruction. Most students are required to take achievement tests selected by the state board of education. Refusing to participate in testing may result in a prosecution for truancy.

**CALIFORNIA:** The state does not have a specific homeschooling statute. Several options are available. First, the home-school may qualify as a private school if, among other requirements, the teacher is "capable of teaching" and instruction is in English. As a variation, students may enroll in a private school satellite program and receive independent study from that school. Another option is instruction provided by a certified private tutor. Finally, students may enroll in an independent study program at home, through a public school.

**COLORADO:** Statute provides that homeschooling programs "shall be subject only to minimum state controls." Instruction must be by a parent, guardian, or adult relative designated by the parents, but teacher certification is not required. Parents must give notice that they are homeschooling, must keep certain records, and submit students for testing or evaluation per state requirements.

**CONNECTICUT:** Although no statutes address homeschooling, Connecticut State Department of Education regulations permit it when the instruction is "equivalent" to public school instruction. Teacher certification and testing are not required, although a portfolio review with school authorities is used to determine whether instruction in required courses has been provided. Required courses are reading, writing, spelling, English, grammar, geography, arithmetic, United States history, and citizenship. Parents must file a notice of intent to homeschool.

**DELAWARE:** There are three options provided by statute: single-family homeschool, multiple family homeschool, and single-family homeschool coordinated with the local school district. Attendance and enrollment must be reported. There are no requirements for teacher qualifications or testing.

**DISTRICT OF COLUMBIA:** Homeschooling falls under laws regarding "private instruction." There are no requirements for teacher certification or student testing. No specific subjects must be taught.

**FLORIDA:** Florida has a notification requirement in its homeschool law. The state also requires that instructors maintain a portfolio containing specified information. The portfolio must be preserved for two years and be available for inspection, although there is no requirement that authorities actually inspect it. Parents are not required to be certified. However, where the private tutor law is used, instructors must be certified. There is also a statutory provision describing how multiple home schools may operate as a private school. Students must be tested or evaluated annually only where the

homeschool is operated by the parent or guardian.

GEORGIA: Parents must file a declaration of intent. Instruction must include, but may not be limited to, reading, language arts, math, social studies, and science. The school day is four and one-half hours. Parents must write an annual progress report, and retain it for three years. The parent must have at least a high school diploma or GED equivalency, and students must submit to a national standardized achievement test every three years, beginning in third grade.

HAWAII: Parents must provide a notice of intent to homeschool and keep a record of planned curriculum. There are no certification requirements. Students must take standardized achievement test of the parent's choice in grades 3, 5, 8, and 10. Parents must submit an annual progress report.

IDAHO: Students are exempt from compulsory attendance if they are "comparably" instructed to those in public schools. There are no teacher certification requirements, nor are assessment tests mandated.

ILLINOIS: A homeschool is considered to be a private school. A statute provides that children in a private school are in compliance with the compulsory attendance law where they are instructed in English and where the instruction corresponds to that given to children of a corresponding age and grade in public school. Teacher qualifications and standardized testing are not prescribed.

INDIANA: Children may attend an alternative form of "equivalent" instruction when it is conducted in English. Teachers need not be certified; testing is not required. Parents must maintain attendance records.

IOWA: Parents must submit an annual private instruction report. For students age eight and older, instruction must be by or under the supervision of a certified teacher, or alternatively, provide instruction which results in "adequate progress" for the student. For students not under the auspices of a certified teacher, yearly assessments are required. Several options are available to satisfy the assessment requirement.

KANSAS: Homeschoolers may register as a nonaccredited private school, for which there are no required subjects of instruction. The teacher must be "competent;" there is no testing requirement.

KENTUCKY: Although there is no specific statute on homeschooling, students may be homeschooled by following laws for private, parochial, or church regular day schools. Standardized testing is not required. Teacher certification is not required. Enrollment reports must be made to the local school board.

LOUISIANA: Home school students are exempt from compulsory attendance requirements if a parent applies and receives approval for a program offers a "sustained curriculum of quality at least equal to that offered by public schools." The state also provides for home-based private schools. Standardized tests are required under the first option, but there are no requirements regarding teacher certification.

MAINE: The state has a home school statute, or has an option for non-approved private schools. Under the first option, there are no specified teacher requirements, but students must submit to an annual assessment. Under the private school option, teacher competence is subject to approval, but students do not need to submit to assessment.

MARYLAND: Three options are available to exempt a student from compulsory attendance laws. The "church umbrella option" provides instruction under the supervision of a bona-fide church organization. Students may also be homeschooled under a state approved "non-public school umbrella." The "portfolio option" requires supervision by a public school superintendent. None of the options requires teacher certification or testing.

MASSACHUSETTS: Students are excused from compulsory attendance laws if they are being instructed in a manner that has been approved in advance by the superintendent or the school committee. Required subjects are reading, writing, English language and grammar, geography, arithmetic, drawing, music, history and constitution of United States, citizenship, health, physical education, and good behavior. There are no teacher certification requirements. Students must take standardized tests or submit to an approved, alternative form of assessment.

MICHIGAN: A child may be educated at home by a parent or legal guardian in reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar. Parents are not required to notify the state, and the burden is on the state to show that a child is not receiving an adequate education. The teacher certification requirement was held to be unconstitutional by the Michigan Supreme Court. The state also has a nonpublic school option, which does require certified instructors.

MINNESOTA: Parents may qualify to teach their children in one of six ways, including certification, working under the direct supervision of a qualified instructor, or by holding a baccalaureate degree. Students must take achievement tests, but the results do not need to be submitted to the school district. Required topics are reading, writing, literature, fine arts, math, science, history, geography, government, health, and physical education. Parents must either submit to an on-site visit or provide documentation to show compliance with education laws.

MISSISSIPPI: Parents must file a certificate of enrollment. The child must be enrolled in a "legitimate home instruction program." There are no teacher certification requirements and no provision for mandatory testing or assessment.

MISSOURI: Homeschools must maintain specific records, although there is no requirement to submit them. There are no mandatory testing or teacher certification requirements. Students must have 1,000 hours of instruction, including a minimum 600 hours in reading, math, social studies, language arts, and science. At least 400 hours must be in the home

school location.

**MONTANA:** 720 hours of instruction are required for grades 1-3, and 1,080 for grades 4-12. Home schools must provide the same basic instructional program as public schools. Parents must notify authorities of the intent to home school. There are no mandatory testing or teacher certification requirements.

**NORTH CAROLINA:** Annual standardized testing is required for English, grammar, reading, spelling, and math. The school must operate for a nine-month period of instruction. Parents must possess a high school diploma or GED. Parents must keep certain records and must provide a notice of intent to homeschool.

**NORTH DAKOTA:** A certified teacher must administer standardized tests to students in grades 4, 6, 8, and 10. Parents who are not certified teachers may fulfill teacher requirements in other ways, including possession of a baccalaureate degree, and supervision by a certified teacher for those who possess a high school diploma or GED. Parents must file an annual notice of intent to homeschool and must maintain annual reports.

**NEBRASKA:** Home schools operate under private school laws. Parents must affirm under oath that instruction in language arts, mathematics, science, social studies, and health are being provided to the child. There are no mandatory testing or teacher certification requirements. Elementary students must have 1,032 hours of instruction; high school students must have 1,080 hours.

**NEVADA:** English, science, math, and social studies are required subjects. Parents must provide evidence that they are providing "equivalent instruction of the kind and amount" as public school students. Parents must provide annual notification of homeschooling status. There are no mandatory testing or teacher certification requirements.

**NEW HAMPSHIRE:** Parents must provide notification of homeschooling. They must also maintain a portfolio of records and materials used. There are no teacher certification requirements. A number of choices exist to satisfy testing and assessment requirements.

**NEW JERSEY:** There are no specific statutes addressing homeschooling. Students may be homeschooled under a law that provides for instruction for "equivalent" education elsewhere than a public school. There are no mandatory testing or teacher certification requirements.

**NEW MEXICO:** The law contains a notification requirement, and parents must possess a high school diploma or a GED. There is no requirement of mandatory testing. Instruction must include reading, language arts, mathematics, social studies, and science.

**NEW YORK:** The law requires specifies numerous required subjects that vary depending upon grade level. Instruction must be "at least substantially equivalent" to public school instruction. Parents must provide notice of homeschooling, file individualized instruction plans, and file other required reports in a timely manner. Teachers must be "competent." Most students are required to take one of five approved standardized tests at specified intervals. The student must achieve a composite score above the thirty-third percentile.

**OHIO:** The homeschool law requires instruction in language arts, geography, U.S. and Ohio history, government, math, health, physical education, fine arts, first aid, and science. Parents must provide annual notification of homeschooling, which includes an outline of the intended curriculum. Teacher requirement can be satisfied several ways, including working under the direction of someone with a baccalaureate degree. Parents have three options to satisfy standardized testing requirement. Ohio law also provides for non-chartered schools for parents who object to government-controlled education because of "truly held religious beliefs." Different requirements apply to these schools, including a waiver of the testing requirement.

**OKLAHOMA:** The state has a constitutional provision which appears to guarantee the right to homeschool, but no specific statutes on the subject. There are no mandatory testing or teacher certification requirements.

**OREGON:** The parent or legal guardian must provide initial notification to the school district, but need not file annually. Teacher qualifications are not prescribed. Students must be assessed in grades 3, 5, 8, and 10; more testing or oversight over the home school may be required when students perform below specified limits. Children with disabilities will be assessed according to the individualized education plan (IEP).

**PENNSYLVANIA:** Parents must provide affidavit initially and annually thereafter; affidavit must include information on the courses taught, assurances that instruction will be in English, and certification that none of the adults in the home have been convicted of certain criminal offenses within the last five years. Parents must annually provide a portfolio for review, which includes an annual review by qualified personnel who will determine whether the child's education is appropriate. The program for a special needs child must meet special approval requirements. Parents must have a high school diploma or equivalent, and standardized testing must be done and reported for students in grades 3, 5, and 8. Other statutes provide alternatives, including instruction by a private tutor (who must be certified to teach in the state), and teaching in the home as an extension of a religious day school. The state has mandated an extensive list of required subjects, which vary with grade level.

**RHODE ISLAND:** Rhode Island requires attendance that is "substantially equal" to public schools. Required subjects include reading, writing, geography, math, U.S. and Rhode Island history and principles of government, English, and

physical education. Instruction must be "thorough and efficient." Teacher qualifications are unspecified. There is no statutory requirement of standardized testing.

**SOUTH CAROLINA:** Statutes in this state delineate three different homeschooling options. First, parents may teach at home with an approved program of instruction. School must run for four and one-half hours per day for 180 days. Parents must have at least a high school diploma or GED, and students must be assessed annually. Second, parents may become members of the South Carolina Association of Independent Home Schools and comply with the association's standards. Finally, parents may join an association of home schools with no fewer than 50 members. Students in the latter two categories are not required to undergo annual testing.

**SOUTH DAKOTA:** Children are permitted to be homeschooled if the program provides for instruction for an equivalent period of time as the public schools. Required subjects are language arts and mathematics. Parents must apply for permission to home school, and students in grades 2, 4, 8, 11 must take standardized tests. No teacher requirements are prescribed. No person may teach more than 22 students.

**TENNESSEE:** Three options exist. Parents or legal guardians may homeschool, after they notify the local school district. Instruction must be four hours per day. Other options are to associate with a church-related school, or to operate as a satellite of one. Teacher qualifications and testing requirements vary depending upon the option selected.

**TEXAS:** The state does not have a specific homeschooling statute, but court decisions have established the right for homeschools to operate under private school rules. Required subjects are reading, spelling, grammar, math and good citizenship. No requirement of standardized testing. State law specifically prohibits Texas colleges from discriminating against homeschooled applicants.

**UTAH:** Parents must file an annual affidavit with the local school district. Required subjects are language arts, math, science, social studies, arts, health, and computer literacy. The law does not prescribe teacher qualifications or standardized testing. Parents are responsible for evaluation of instruction.

**VERMONT:** The law requires instruction in reading, writing, math, citizenship, history, United States and Vermont government, physical education, health, English, American and other literature, science and fine arts. Annual notice is required; notice must include a detailed description of the program of study. Teacher requirements are not specified, but students must be evaluated annually. Several options exist to satisfy the evaluation requirement.

**VIRGINIA:** This state has four statutory options for homeschoolers. First is the typical homeschool statute, which requires notice to the district. Parents must set forth the program of instruction and teach language arts and math. Parents may qualify as teachers in one of four ways. The second option is for students and parents who are conscientiously opposed to attendance at school due to a bona fide religious belief. These students are exempt from the requirements in the home-school statute. Third, the state has a certified tutor statute. Fourth, groups of homeschooling families may band together to become a private school. These schools are not regulated. Only students under the first option must submit to an annual standardized test or assessment.

**WASHINGTON:** Students may obtain their education either under the homeschool statute or operate as an extension of a private school. Under the first option, parents must provide equivalent hours of instruction as public schools. Planned and supervised instruction must include occupational education, science, math, language, social studies, history, health, reading, writing, spelling, and art and music appreciation. Teacher qualification requirements can be satisfied in a number of ways. Standardized tests on an annual basis are required, but need not be submitted to the school district. Under the second option, parents must be supervised by a certified teacher who evaluates the student's progress.

**WEST VIRGINIA:** This state provides for homeschooling either under an "approval" or "notice" method. The approval method must be approved by the board and is for a term equal to that of the school district. Under the notice option, parents submit evidence that they possess a high school diploma or its equivalent, and provide an outline of the program of instruction. No testing is required under the first option; testing and evaluation under the latter option may be fulfilled in several ways.

**WISCONSIN:** A homeschool program must include at least 875 hours of instruction. Instruction must provide a "sequentially progressive curriculum of fundamental instruction" in reading, language arts, math, social studies, science, and health. Parents must provide information annually to show compliance. Standardized tests are not required, and no teacher qualifications are specified.

**WYOMING:** Parents must annually submit curriculum plan to the school board. This program must provide a "sequentially progressive curriculum" in reading, writing, math, civics, history, literature, and science. The law does not delineate teacher requirements or call for standardized testing.

*\*Important Notice and Disclaimer:* State laws are constantly changing -- [contact an attorney](#) or conduct your own legal research to verify the state law(s) you are researching.

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