

MAINE

Compulsory Attendance Ages:	7 years of age and under 17, or graduated, or 15 with parent and school board permission, or full-time attendance at accredited college with commissioner approval, MRSA tit. 20-A, § 5001-A sub-§§1 and 2.
Required Days of Instruction:	175 days.
Required Subjects:	Notice of intent must include assurance that instruction will be provided in: English/language arts, math, science, social studies, physical and health education, library skills, fine arts, Maine studies (in one grade between grades 6 and 12), and computer proficiency (in one grade between grades 7 and 12). MRSA tit. 20-A, §5001-A, sub-§3A.(4)(a)(iv).

Parents may either follow the home school statute or participate in a Non-Approved Private School.

Option 1: Homeschool Statute: Maine Revised Statutes Annotated (MRSA) title (tit.) 20-A, §5001-A, sub-§3A.(4). A child is excused from attending school if instructed in a home instruction program meeting the following statutory requirements.

1. Within 10 days of starting home instruction for a student the parent must file a one-time notice of intent with both the local superintendent and Commissioner of Education containing:
 - a. name, signature, and address of the parent or guardian,
 - b. the name and age of the student,
 - c. the date home instruction will or did begin,
 - d. a statement of assurance that instruction will be provided for at least 175 days annually and will cover the subjects listed above, and
 - e. a statement of assurance that the parents will submit a year-end assessment.
2. Each year thereafter, by September 1 the parent must submit a letter to both the local superintendent and state Commissioner of Education enclosing the year-end assessment (see “Standardized Tests” below) and stating the intention to continue the student’s home instruction. MRSA tit. 20-A, § 5001-A, sub-§3.A.(4)(b).
3. Parents must keep copies of items submitted under #1 and #2 above until the home school program concludes. They must be made available to the commissioner upon request. The confidentiality of all records is protected. MRSA tit. 20-A, § 5001-A, sub-§3.A.(4)(c).

Option 2: Non-approved Private Schools: Parents of at least 2 unrelated students may form a Non-Approved Private School (“NAPS”). MRSA tit. 20-A, § 5001-A, sub-§3.A.(1)(b). To be “recognized” as providing equivalent instruction, the chief administrative official of the NAPS should:

1. Annually by Oct. 1 file a letter with the Commissioner stating that the school:
 - a. provides instruction in English (including reading, writing, spelling and grammar), math, science, health, fine arts, social studies (including American history, Maine history, geography, civil government and citizenship);
 - b. has examined and approved all teachers for competency;
 - c. will operate at least 175 days OR 875 hours;
 - d. complies with applicable fire, health and safety laws;
 - e. informs parents of the method, subjects, grade levels, and results of assessments;
 - f. gives parents at least 4 progress reports each year. Reg 7.01.A.
2. Annually notify parents in writing of compliance with the above. Reg 7.01.B (2)
3. Annually by Oct 1, and as enrollment changes, report name, address, and grade of students to public school superintendent where the student resides. Reg 7.01.B (1)
4. Parents do not file anything with state or local officials.
5. Note: These regulations modify and replace the Commissioner's 1984 NAPS "guidelines". His authority to adopt such regulations is questionable.
6. Note: Under *Bangor Baptist Church v. Maine*, 576 F. Supp.1299 (D.Me.1983), the Commissioner has no authority to compel a NAPS to follow any guidelines or regulations. Nonetheless, if the regulations are not followed, parents may have much greater difficulty establishing they are providing "equivalent instruction" as required under MRSA tit. 20-A, §5001-A, sub-§3.A.(1)(b).

Teacher Qualifications: Option 1—none. Under Option 2, the NAPS administrator must approve its teachers' competence.

Standardized Tests: Option 2—none. Under Option 1, students must annually submit the results of an assessment from among the following options:

1. results of any national standardized achievement test; or
2. results of a test developed by local school officials; or

review and acceptance of progress by: (a) a Maine certified teacher; or (b) a homeschool support group that includes for this purpose a Maine certified teacher or administrator who has reviewed a portfolio of the student's work ; or (c) an advisory board appointed by the superintendent composed of two homeschool teachers and one school official (must be arranged before school year starts).