

Comparison of Homeschooling Laws in New England States

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Issue

Provide an overview of federal and state homeschooling laws, with a particular focus on Connecticut and the New England States.

Summary

This report summarizes key aspects of homeschooling laws in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

The report focuses on the provisions that (1) authorize homeschooling; (2) require notification, record keeping, minimum hours of instruction, subjects, and academic assessment; and (3) include enforcement or intervention if homeschooling is suspected of being insufficient. It addresses homeschooling where parents are the ones primarily responsible for their child's education. It does not include other types of schooling outside of the public school realm, such as umbrella schools, which are at-home extension programs of established private schools, or at-home tutoring with a certified teacher.

Of the six states in the report, four states have some form of home record keeping requirements for homeschooled students, including assessment and attendance records. Additionally, all the states but Connecticut require some type of notification from parents prior to homeschooling their children, including notifying local school districts, commissioners, school boards, schools, and the education secretary.

Five of the six states do not require parents who homeschool their children to meet any type of qualifications, and four of the six states generally require annual assessments to judge how the homeschool student is progressing, although some states will allow alternative documentation to track progression.

There are no federal laws pertaining to homeschooling; therefore, the report only discusses state homeschooling laws.

Homeschool Law Tables

Table 1 below contains provisions regarding authorization of homeschooling, notification from parents before starting homeschooling, required record keeping, and enforcement or intervention mechanisms if homeschooling requirements are not met.

Table 1: Homeschooling Laws in New England States: Authorization and Oversight

State & Citation	Authorized in Statute	Notification From Parents Before Homeschooling	Home Record Keeping	Enforcement/ Intervention Specific to Homeschooling
Connecticut CGS § 10-184	Yes, under the “equivalent instruction” exemption, but the statute does not explicitly name homeschooling	Not required; but law exempts students from compulsory attendance if the parent shows that the child is receiving “equivalent instruction” elsewhere; State Department of Education (SDE) guidelines recommend parents file notice of intent to homeschool with local board of education (guidelines are not a legal requirement)	None	None

Table 1 (continued)

State & Citation	Authorized in Statute	Notification From Parents Before Homeschooling	Home Record Keeping	Enforcement/ Intervention Specific to Homeschooling
Maine Me. Rev. Stat. Ann. tit. 20-A § 5001-A (3) & (4)	Yes	Requires one-time notice to the local district and the education commissioner; must include: <ol style="list-style-type: none"> 1. name, signature, and address of parent or guardian; 2. name and age of student; 3. beginning date of home instruction; and 4. statement that instruction will include an annual assessment and meet school days and subject matter requirements 	Must maintain copies of notice of intent and annual assessments until home instruction program concludes; records must be made available, upon request, to the commissioner	None

Table 1 (continued)

State & Citation	Authorized in Statute	Notification From Parents Before Homeschooling	Home Record Keeping	Enforcement/ Intervention Specific to Homeschooling
Massachusetts Mass. Gen. Laws ch. 76, § 1 ; Care and Protection of Charles, 399 Mass. 324	Not specifically, prevailing case law applies private school law to home schools; case law authorizes local approval	Local approval required (case law allows districts to consider items such as parental qualifications, number of hours of instruction, and required assessments, but does not set a specific standard)	None	<p>Case law allows school committees to enforce certain reasonable requirements through their initial approval process. Local school committee may consider:</p> <ol style="list-style-type: none"> 1. curriculum and access to textbooks, workbooks, and other aids; 2. number of hours of instruction in each subject and length of home school year; 3. parent qualifications; and 4. standardized testing or another means to measure student progress

Table 1 (continued)

State & Citation	Authorized in Statute	Notification From Parents Before Homeschooling	Home Record Keeping	Enforcement/ Intervention Specific to Homeschooling
New Hampshire N.H. Rev. Stat. Ann., § 193-A:2, 4-6 & 10; N.H. Code R. Ed. 315.09-315.13	Yes	Requires notice to the education commissioner, local board of education, or local school within five days of starting the program; notice must include the names, addresses, and birth dates of all students	Must maintain a portfolio of records and materials related to the child's home education and must be preserved by the parent for two years after the date of the end of home education; must also keep a copy of the student's annual assessment	Home Education Advisory Council can hear grievances referred by the education commissioner; the council chair appoints a subcommittee to serve as the grievance committee; any party to a home education program can request a grievance conference; grievances are resolved by mutual settlement, or by the commissioner after receiving a report from the council; a party aggrieved by the decision may appeal through an administrative due process hearing

Table 1 (continued)

State & Citation	Authorized in Statute	Notification From Parents Before Homeschooling	Home Record Keeping	Enforcement/ Intervention Specific to Homeschooling
Rhode Island R.I. Gen. Laws § 16-19-1 and -2	Yes	Must get approval from local school committee and meet criteria that (1) attendance must be substantially equal to public schools, (2) attendance records are kept and reported to state and local officials, and (3) the required subjects are taught (see “subjects” column in Table 2 below)	Attendance records must be forwarded to the local school committee and the state	Resident of any city or town aggrieved by a school committee’s decision to either approve or disapprove at-home instruction may appeal the decision to the Department of Elementary and Secondary Education (DESE); after notice of a hearing to the parties involved, DESE will examine and decide the appeal; these decisions can further be appealed to the board of regents for elementary and secondary education

Table 1 (continued)

State & Citation	Authorized in Statute	Notification From Parents Before Homeschooling	Home Record Keeping	Enforcement/ Intervention Specific to Homeschooling
Vermont Vt. Stat. Ann. tit.16 §§ 11(a)(21), 1121 & 166b	Yes	<p>Written notice to education secretary at least 10 business days before the homeschooling begins that includes:</p> <ol style="list-style-type: none"> 1. student's name and age; 2. mailing address, email address, town of residence, phone number, and signatures of parents; 3. an attestation that the academic progress of the child will be assessed at the end of each school year; and 4. independent documentation of whether child has a disability, for new enrollees. 	Must maintain a record of the assessments monitoring the child's academic progress	None

Table 2: Homeschooling Laws in New England States: Education Requirements and Assessments

State & Citation	Parent Qualification	Days/Hours	Subjects	Assessments
Connecticut CGS § 10-184	None	Not explicit, but the parent must show that the child is receiving “equivalent instruction” elsewhere to be exempt from compulsory attendance	Reading, writing, spelling, English grammar, geography, arithmetic, United States history, and citizenship, including the town, state, and federal governments	None, but SDE guidelines recommend the assessment method be stated in the recommended notice of intent to homeschool filed with the local board of education
Maine Me. Rev. Stat. Ann. tit. 20-A §§ 5001-A (3) & (4) and 5053-A	None	175 days a year	English language arts, math, science, social studies, physical education, health education, library skills, fine arts, and, in at least one grade, Maine studies, and must demonstrate proficiency in computer use	Annual year-end assessment, which must be submitted to local school officials and the education commissioner, is required and may be: <ol style="list-style-type: none"> 1. national standardized achievement test results; 2. locally-developed test administered at the local school; or 3. a review of student’s progress (a) by a certified teacher, (b) based on a presentation of the student’s school portfolio to a homeschooling support group that includes at least one certified teacher, or (c) by an advisory board created by the superintendent that is made up of two homeschool parents and one school official

Table 2 (continued)

State & Citation	Parent Qualification	Days/Hours	Subjects	Assessments
Massachusetts Mass. Gen. Laws ch. 71, § 1; Care and Protection of Charles, 399 Mass. 324	Statutory standard considered, but no specific requirements (statutory standard is “competent ability and good morals”)	Statutory standard considered, but no specific requirements (standard is 180 days a year with 900 instruction hours for elementary school and 990 for high school)	Statutory standard considered (i.e. orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, music, the United States history and constitution, citizenship, health education, physical education, and good behavior) but no specific requirements; local committee may require subjects it considers expedient	Yes, local district may require periodic standardized testing to ensure attainment of minimum standards. Other means of evaluation may be substituted for testing, such as progress reports or dated work samples, subject to approval by the parents

Table 2 (continued)

State & Citation	Parent Qualification	Days/Hours	Subjects	Assessments
New Hampshire N.H. Rev. Stat. Ann., § 193-A:2, 4-6 & 10; N.H. Code R. Ed. 315.08-315.13	None	None	Science, mathematics, language, government, history, health, reading, writing, spelling, the history of and the constitutions of New Hampshire and the United States, and an exposure to and appreciation of art and music	<p>The parents must provide an annual evaluation by one of the following:</p> <ol style="list-style-type: none"> 1. review of the student's school work portfolio by a certified teacher or a private school teacher, 2. student takes a national achievement test administered by a person who meets the qualifications set by the test provider, 3. student takes a state assessment test that is used by the resident district, or 4. student is evaluated by another valid measure agreed upon by the parent and the education commissioner or resident district superintendent. <p>The assessment results cannot be used as a reason to terminate a home education program</p>
Rhode Island R.I. Gen. Laws § 16-19-1 and -2	None	Must be "substantially equal" to public schools	Reading, writing, geography, arithmetic, United States and Rhode Island history, the principles of American government must be taught in English substantially to the same extent as in the public schools	None, but under case law local committees are allowed to add an assessment as part of local approval

Table 2 (continued)

State & Citation	Parent Qualification	Days/Hours	Subjects	Assessments
Vermont Vt. Stat. Ann. tit.16 §§ 11(a)(21), 1121, 906 & 166b	None	175 days per year	Basic communication skills, including reading, writing, and the use of numbers; citizenship, history, and government in Vermont and the United States; physical and health education, including the effects of tobacco, alcohol, and drugs; English, American, and other literature; the natural sciences; and the fine arts	An annual assessment in each subject area must be conducted by one of the following: <ol style="list-style-type: none"> 1. a progress review by a licensed Vermont teacher, 2. parents or guardian provide a report and portfolio including a summary of what the student learned during the year and at least four samples of student work, 3. the results of a standardized test administered by the school district or a testing company or in a manner approved by the testing company, 4. grades from an online academy or school, or 5. passing the GED.

For more information on homeschooling in Connecticut, visit SDE's Homeschooling website:

<http://portal.ct.gov/SDE/Homeschooling/Homeschooling-in-Connecticut>.

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