

**You do not need permission from your School District to Homeschool in New Jersey. This is a common misconception in New Jersey. It is your responsibility as parent/guardian to choose a curriculum and provide it and instruction to your child.**

In New Jersey, the Legislature under the compulsory education law (N.J.S.A. 18A:38-25) has permitted children to receive “equivalent instruction elsewhere than at school,” including the home.

- N.J.S.A. 18A:38-25 requires that “every parent, guardian or other person having custody and control of a child between six and 16 to ensure that such child regularly attends the public schools of the district or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school.”
- N.J.S.A. 18A:38-31 states that “a parent or guardian or other person having charge and control of a child between the ages of 6 and 16 years, who shall fail to comply with any of the provisions of the article (N.J.S.A. 18A:38-25) relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine of not more than \$25.00 for the first offense and not more than \$100.00 for each subsequent offense, in the discretion of the court.”
- Special Education Services - In accordance with the federal special education law, Individuals with Disabilities Education Act (P.L. 108-446 §612), the board of education must ensure that “all children with disabilities residing in the State, including children with disabilities attending private schools, regardless of the severity of the disability, and who are in need of special education and related services, are identified, located and evaluated.”
- When the public school district receives a written request for special education evaluation, the district must review the request in a meeting of the child study team, the parent/guardian and the regular education teacher. This procedure applies to children who are educated at home. At the meeting, current information about the child is reviewed to determine whether an evaluation is warranted. If an evaluation is warranted, another determination will be made regarding the assessment procedures. Written notice of the determinations is given to the parent/guardian. Once the assessments are completed, a meeting in accordance with N.J.A.C. 6A:14-2.3(i)1 is held to determine whether the child is eligible for special education and related services.

If the child is eligible for special education and related services, the public school district must make a free, appropriate public education available only if the child enrolls in the district. If the child does not enroll in the public school district, but the district chooses to provide services, the district would develop a plan for the services to be provided.

A board of education is not required to establish a record for a child who is educated elsewhere than at school. If the board of education receives information from the parent/guardian of a child educated elsewhere than at school, the board may establish a record for a child for the sole purpose of documenting that the child is receiving an education as required by law.

**Disclaimer: Please note that this document is intended to promote general guidance and resources for a parent/guardian and does not constitute legal advice or state directives.**

## **Homeschooling Resources/Providers for New Jersey:**

[Acellus Learning Accelerator | Acellus](#)

[Online Homeschool Programs & Afterschool Enrichment | Time4Learning](#)

[Miacademy - Engaging Online Curriculum](#)

[Get affordable online classes and tutoring for kids at Outschool](#)

[HOME | NJHSA](#)

[HSLDA - Making homeschooling possible](#)

[Education.com | #1 Educational Site for Pre-K to 8th Grade](#)

[New Jersey Homeschool Co-ops & Academic Enrichment Classes - TheHomeSchoolMom](#)

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If your child is enrolled into the public school system and you have decided to homeschool. It is within the best interest that you send a formal letter indicating your decision to homeschool your child as stated in previous paragraphs.

### Letter Example to remove child from the Public School System

MR. XXXXX YOUR NAME

XXXXXXXX ADDRESS

XXXXXXXX CITY, STATE, ZIP

DATE

Recipient Name

XXXXXXXX SUPERINTENDENT AND DISTRICT NAME

To Whom it May Concern,

Effective immediately XXXXXXXX will no longer be attending school as a part of the XXXXX School District and is being unenrolled.

As of today, this letter of withdrawal for XXXX, DOB XXXX and shall be accepted as a formal document to inform you of this withdrawal from the XXXX School District with intent to homeschool in accordance with (N.J.S.A. 18A:38-25)

It is our intent to school elsewhere according to the New Jersey Legislature under the compulsory education law (N.J.S.A. 18A:38-25).

We appreciate your swift cooperation,

Regards,

YOUR NAME

ADDRESS CITY, STATE, ZIP

Student Name: XXXXXXXXX

Student ID #: XXXXX Student DOB: XXXXX

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# NJPFVC

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