

How to Get Started Homeschooling a Struggling Learner or Child With Special Needs in NY State®

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Below is a list of things that you should do before you begin homeschooling a child with special learning needs in New York State:

- 1) Make sure the decision to homeschool is a family decision and that Mom and Dad are committed to supporting one another through the good and bad times. It also helps to have the support of other family members.
- 2) Join **Homeschool Legal Defense Association** (www.hslda.org). Check out their struggling learner webpage. Join **Heritage Defense** (<https://heritagedefense.org/>), especially if you have a child with significant medical issues, and/or have had issues with CPS.
- 3) Join **Homeschool New York / LEAH** www.leah.org.
- 4) Join **Parents Instructing Challenged Children (PICC) Supports & Services**, the special needs ministry of **Homeschool New York/LEAH**. Access to **PICC** requires **Homeschool New York / LEAH** members pay an Annual Access Fee. The link to pay the **PICC Annual Access Fee** can be found at <https://www.leah.org/parents-instructing-challenged-children-2/contact-picc/>.

For a complete list of all **PICC Supports & Services** offerings, please go to <https://www.leah.org/leah-special-needs/>.

- 5) Download the FREE **Homeschool New York/LEAH Regulatory and Informational Manual for Home Education in New York State** available at <https://www.leah.org/resources/regulatory-manual/>
- 6) Review Regulation 100.10 and the Frequently Asked Questions. [https://govt.westlaw.com/nycrr/Document/l3652de29c22211ddb29d8bee567fca9f?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/nycrr/Document/l3652de29c22211ddb29d8bee567fca9f?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1)

Make special note of the timeline that you must follow for submitting your Intent to Homeschool, IHIP (Individualized Home Instruction Plan), and quarterly reports. The Manual contains sample forms to help parents write their letter of intent, IHIP, and quarterly reports. **Parents Instructing Challenged Children (PICC)**, the special needs homeschool ministry of **HomeschoolNY** can further assist members in writing up these documents.

- 7) Go to <https://www.leah.org/parents-instructing-challenged-children-2/news/>, read about the law governing homeschooled children with special needs. Next, click on the web link to the SED Guidance Document (Section 3602-c) that tells you what you must do if you wish to receive special education services for your child. After you do that, check out the **PICC Articles** and **PICC Links** web pages.

- 8) Consider carefully if you want to have your child receive special education services through your school district or if you want to provide for your child's needs privately.

- 9) The New York State Regulations on Homeschooling 8 NYCRR § 100.10 (h) detail the requirements for annual assessments. If a parent homeschooling their child feels that their child may need testing accommodations in order to score above the 33rd percentile on a standardized achievement test, they are **NOT** required to go through their local school district to get them.

Instead, they may choose to get their private service provider to recommend the appropriate accommodation(s). You should check with the specific test publisher of the achievement test you plan to use on what they require for an accommodation to be given. Generally, the private service provider should be a competent and appropriate professional person in the student's disability. The private service provider should also confirm the specific justification for administering the test under the requested conditions.

The written verification obtained privately is done through an evaluation. The evaluation may be a psychological or neuropsychological evaluation. The evaluation may also "label" your child with a diagnosis. The initial evaluation process required to determine if testing accommodations are needed can take a few weeks to complete, so do not wait until a month before you need the testing accommodations to try and get them! If you choose to have the evaluation done through your school district, you will not have to pay for it. If you choose to have your child evaluated privately, you have to pay for that cost out of your own pocket. Some medical insurance plans may cover all or part of this cost.

Consider using the PASS (Personal Achievement Summary System) by Hewitt Resources. This test is an untimed test that allows you to test at your child's individual level (grades 1-8). If your child is at 1st grade in reading that is the level at which you test. This test allows you to test at multiple levels (for example - reading 1st grade, math 3rd grade, language arts 2nd). Another option is the untimed CAT (California Achievement Test) from Academic Excellence.

10) If your child needs special education services and you choose to go through your local school district for services, please remember that under the law (Section 3602-c) <https://www.nysed.gov/special-education/requirements-provision-special-education-services-home-instructed-home-schooled> governing homeschooled children with special needs in New York State, you must make all requests through your school district's board of education. The board of education will then refer your case to the CSE.

11) You can go directly to the NYSED website and download special education publications regarding **Eligibility and Evaluations for Students with Disabilities** and other NYSED publications that will detail your rights.

If your child continues to receive special education services through their school district beyond compulsory age (16yrs old), you are still required to file your Individualized Home Instruction Plan (IHIP) and quarterly.

12) When sending correspondence to your school district, it is recommended that you always obtain a receipt of delivery (USPS, email, or fax) as a record that you have submitted your required paperwork.