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## EQUIVALENT INSTRUCTION

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The Bangor School Committee recognizes the provisions for equivalent instruction under Maine law. Consistent with Maine law, the term “equivalent” as used in this policy is intended to mean meeting state standards for alternate or other instruction and is not intended to mean the same as the education delivered in the Bangor School System.

The Bangor School Department will cooperate with the State of Maine in the home instruction of a child who resides in Bangor to the degree that the level of cooperation does not interfere with the School Department’s responsibilities to students enrolled in regular programs. Participation of home-schooled students in the Bangor School Department’s regular programs shall be limited to home-schooled students who are otherwise eligible to attend public school in Bangor and who demonstrate compliance with all state requirements, including the Maine Department of Education’s Rules for Equivalent Instruction Programs, Chapter 130.

It is the responsibility of the home-schooled student or the student’s parent(s) or guardian(s) to provide the Bangor School Department with all required information to demonstrate eligibility to participate in regular classes, co-curricular activities, or extra-curricular activities, or to use public school facilities and equipment. Failure of a student, parent(s), or guardian(s) to submit a complete written application in accordance with the provisions of this policy shall be grounds for denial of the application and admission.

### **I. PARTICIPATION IN REGULAR CLASSES**

- A. Enrollment: A student receiving home instruction may enroll in specific day school classes at the appropriate school provided that the student or the student’s parent(s) or guardian(s), on the student’s behalf, submits a written application to the Superintendent and the Superintendent or his/her/their\* designee gives written approval to such application. The Superintendent or his/her/their designee may determine the specific teacher, class period, and section to which an eligible student will be assigned. An application to enroll in specific day school classes shall identify the class or classes in which the student seeks to be enrolled and shall include the following information:
- i) documentation that the Commissioner of the Maine Department of Education has approved the student’s participation in a home instruction program, in accordance with 20-A M.R.S.A. § 5001-A (3) (A);
  - ii) documentation that the class is appropriate to the age and grade of the student, and that the student has met all prerequisite course requirements;
  - iii) specific information demonstrating that the student’s prior academic achievement has been satisfactory and consistent with the School Department’s policy and procedures applicable to all students;
  - iv) certification that the student, if enrolled in the specified class(es) shall comply with behavioral, disciplinary, attendance, and other classroom rules applicable to all students, and an acknowledgment that the school may withhold credit or terminate the student’s participation if the student fails to comply;
  - v) certification that the parent or student will provide transportation in the event that transportation used by other students in the Bangor School Department is not available to



the student without additional expense to the School Department; and

- vi) certification that the student shall complete all assignments and tests as required of all students in the class.
- B. Audit: A student receiving home instruction may audit a course at the appropriate public school, only to the extent that auditing of a course is permitted by established Bangor School Department policy. A home-schooled student or the student's parent(s) or guardian(s), on the student's behalf, must submit a written application to the Superintendent to audit a course and obtain the written approval of the Superintendent or his/her/their designee. An application to audit a course shall identify the specific course or courses which the student seeks to audit and shall include the following information:
- i) documentation that the Commissioner of the Maine Department of Education has approved the student's participation in a home instruction program, in accordance with 20-A M.R.S.A. § 5001-A (3) (A); and
  - ii) certification that the student, if permitted to audit the specified course(s), shall comply with behavioral, disciplinary, attendance, and other classroom rules applicable to all students, and an acknowledgment that the school may terminate participation if the student fails to comply.

## II. PARTICIPATION IN CO-CURRICULAR ACTIVITIES

A student receiving home instruction may apply to participate in co-curricular activities such as field trips, assemblies, and academically related fairs. The student or the student's parent(s)/guardian(s) on behalf of the student, must apply in writing to the Principal and receive written approval from the Principal or his/her/their designee for the student to participate in the specific co-curricular activity. An application to participate in a co-curricular activity shall identify the co-curricular activity in which the student seeks to participate and shall include the following information:

- A. documentation that the Commissioner of the Maine Department of Education has approved the student's participation in a home instruction program, in accordance with 20-A M.R.S.A. § 5001-A (3) (A);
- B. documentation that the student satisfies all requirements for participation in the co-curricular activity that apply to regularly enrolled students; and
- C. certification that the student, if allowed to participate, shall comply with behavioral, disciplinary, attendance, and other rules applicable to all students.

## III. PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES

A student receiving home instruction is eligible to try out for extra-curricular activities sponsored by the Bangor School Department provided that the student or the student's parent(s) or guardian(s), on behalf of the student, submits a written application to the Principal and the Principal or his/her/their designee gives written approval to such application. An application to participate in extra-curricular activities shall include:

- A. documentation that the Commissioner of the Maine Department of Education has approved the student's participation in a home instruction program, in accordance with 20-A M.R.S.A. § 5001-A (3) (A);
- B. certification that the student agrees to abide by equivalent rules of participation as are



- applicable to regularly enrolled students and that the student will provide evidence that the rules of participation are being met;
- C. documentation that the student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity;
  - D. documentation that the student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and certification that the student will provide evidence that the academic standards are being met during the activity. The Principal is authorized to collect from parents course descriptions and syllabi or curricula as well as actual course work (e.g., homework, examinations, etc.), as the Principal deems necessary in order to make the determination that the necessary academic standards have been met. Submission of requested information must be made sufficiently in advance of the activity to allow evaluation.
  - E. certification that the student will abide by the same transportation policy as regularly enrolled students participating in the activity.

#### **IV. USE OF SCHOOL TEXTBOOKS AND LIBRARY BOOKS**

Subject to availability, a student receiving home instruction may use textbooks owned by the Bangor School Department, if the number of copies of the particular textbook is sufficient, and library books owned by the Bangor School Department, subject to the following conditions:

- A. the use does not disrupt regular students, staff or special program functions (e.g., the use does not unduly limit or restrict their access to such materials or adversely impact the academic programs of regular students);
- B. the student's sign-out period for a library book is the same as that applicable to regularly enrolled students;
- C. the student may sign out a textbook for a period not to exceed one year; and
- D. the parent(s) and/or guardian(s) and student agree to reimburse the school unit for lost, unreturned or damaged library books and textbooks and for consumable supplies used.

#### **V. USE OF SCHOOL FACILITIES AND EQUIPMENT**

A student receiving home instruction may use school facilities and equipment on the same basis as regularly enrolled students provided that the student or student's parent(s) or guardian(s), on behalf of the student, submits a written application to the Principal and the Principal or his/her/their designee gives written approval to such application. An application for use of public-school facilities and equipment shall include the following information:

- A. the specific public-school facilities or equipment that the student seeks to use and the requested dates and times for such use;
- B. documentation that use of the facilities or equipment is related to the student's academic program; and
- C. certification that the student, if permitted use of the facilities or equipment, shall comply with all rules governing use of such facilities or equipment.

The Principal or his/her/their designee shall not approve use of the facilities or equipment unless



the following conditions are met:

- i) use does not disrupt regular school activities (e.g., the use does not unduly disrupt, limit, or restrict the access of regular students, staff, or special programs to such equipment or facilities or adversely impact the academic programs of regularly enrolled students);
- ii) use is approved in advance by the Principal in accordance with established school policy;
- iii) use does not create additional expense to the Bangor School Department;
- iv) use is directly related to the student's academic program; and
- v) use of potentially hazardous areas, such as shops, laboratories, and the gymnasium, is supervised by a qualified employee of the School Department who is approved and assigned by the Superintendent.

#### **VI. ACADEMIC CREDIT**

A student receiving home-school instruction shall receive academic credit as follows:

- A. A student who enrolls in an individual course offered by the Bangor School Department and meets the academic standards applicable to all enrolled students shall receive academic credit for the course.
- B. A student who successfully completes alternative instruction opportunities sponsored by the school and available to all students shall receive the appropriate academic credit.

#### **VII. SPECIAL EDUCATION SERVICES**

Special education services will be available to eligible students receiving home instruction in accordance with applicable state and federal laws and regulations.

#### **VIII. ADMISSION TO REGULAR PROGRAM**

A student who has been receiving home-school instruction and who applies for admission to the regular school program will be placed in a grade commensurate with the level of the student's academic achievement. Placement of the student will be determined as follows:

- A. Grade level placement will be determined by the Principal, who shall consult with members of the professional staff to the extent appropriate. The Principal may direct that a test or tests be administered to help determine appropriate grade level placement. In addition, the Principal is authorized to collect from parents/guardians actual samples of course work as the Principal deems necessary, in order to make the determination that the requisite academic standards have been met.
- B. Grade level placement will be based upon but not limited to such factors as:
  - i) the student's completed curricula and record of achievement;
  - ii) conferences with the student's parent(s) or guardian(s);
  - iii) administration of tests, if necessary; and
  - iv) the Bangor School Department's policies and procedures.
- C. The Principal's final grade level placement decision may be appealed to the Superintendent



and, if desired, subsequently to the School Committee. The decision of the School Committee shall be final.

#### **IX. HIGH SCHOOL COURSE CREDITS AND DIPLOMA ELIGIBILITY**

The following standards govern the awarding of course credits and a graduation diploma to a student receiving home-school instruction who seeks admission or re-admission to Bangor High School.

- A. A student shall earn high school credits for satisfactory completion of courses at Bangor High School, to the extent the student meets required academic standards applicable to all students enrolled in the same course.
- B. A student may earn credit for course work completed through home-school instruction if the Principal determines both in advance and upon completion of the course that the course satisfies the requirements for awarding the credit. The Principal may direct that the student undergoes a test or tests to assist in making a determination relative to the awarding of credit in elective courses. The Principal shall direct that the student undergoes a test or tests to assist in making a determination relative to the awarding of credit in required courses.
- C. Requests for transfer credit for equivalent instruction completed at unapproved private schools, at private schools that elect not to meet the requirements under 20-A M.R.S.A. § 2901, or through other equivalent instruction programs will be evaluated on the merits of the documentation provided. The Principal and the guidance staff will conduct these evaluations on request by the student or the student's parent(s) or guardian(s), on behalf of the student. The Principal may direct that the student undergo a test or tests to assist in making a determination relative to the awarding of credit.
- D. Awarding of a high school diploma is conditioned upon the student's demonstration of having satisfied all course credit and other requirements established by the School Committee. The School Committee may establish resident credit requirements as a precondition for the awarding of a Bangor High School diploma.

#### **X. MAINE EDUCATION ASSESSMENT TESTS**

Home-schooled students may participate in the Maine Educational Assessment tests administered by the Bangor School Department, provided that the student or student's parent(s) or guardian(s), on behalf of the student, submits a written request to participate to the Superintendent at least sixty (60) days prior to the administration of the tests. Participation in such tests must be in compliance with all rules and procedures governing testing in the Bangor School Department.

#### **XI. WRITTEN NOTICE OF INTENT**

- A. The student's parent/guardian must provide a written notice of intent to provide home instruction that meets the requirements of 20-A MRSA § 5001-A(3)(A)(4)(a) simultaneously to the Office of the Bangor Superintendent of Schools and to the Commissioner within 10 calendar days of the beginning of home instruction.
- B. On or before September 1 of each subsequent year of home instruction, the student's parent/guardian must file a letter with the Office of the Bangor Superintendent of Schools and Commissioner stating the intention to continue providing home instruction and enclose a copy of one of the forms of annual assessment of the student's academic progress described in 20-A MRSA 5001-A(3)(A)(4)(b).

#### **XII. REQUESTS FOR INFORMATION**

At the request of a student or the student's parent(s) or guardian(s), on behalf of the student, the



Bangor School Department shall make available to home-schooled students, in a form determined by the school, information regarding access to public school resources and services, participation in public school activities, and attendance at public schools. This information must include:

- A. Requirements regarding initial health and developmental screening for motor skills, vision, hearing and immunization; and
- B. Criteria for participation of home-schooled students in curricular, co-curricular, and extra-curricular activities.

### **XIII. APPEALS**

Appeals from administration and application of the School Committee's policy are heard by the Superintendent. If desired, the decision of the Superintendent may be appealed to the School Committee, whose decision is final and binding. Appeals that question the School Committee's compliance with 20-A M.R.S.A. §§ 5021-5025 may be made to the Commissioner, whose decision is final and binding.

Legal References:       20-A M.R.S.A. §§ 5021-5025  
                              20-A M.R.S.A. § 5001-A (3) (A)  
                              Maine Department of Education Regulations, Chapter 127 and Chapter 130

ADOPTED:    May 19, 1986  
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