

Monitor's duties

The monitoring provision of the NDCC 15.1-23-06, 07, 08

A parent educator may choose to qualify to home school under the monitoring provision of the law. The statutes require that the parent supervising the home education program has a high school diploma or general education development certificate. When choosing this option the parent educator has two choices:

- Request a monitor from their local school district
- Privately contract with any willing, ND state-certified teacher

Compensation for monitors

If the parent requests a monitor be provided by the local school district the school district is responsible to provide compensation to the individual. He/she must be currently licensed by the North Dakota education standards and practices board. If the family chooses to hire their own monitor they bear the cost of such hiring. Again, the monitor of the parent's choosing must be currently licensed by the education standards and practices board of North Dakota.

Length of monitoring

The NDCC requires that the monitor be in contact with the parent educator and the child an average of one hour per week. Since this is stated as an average the parent and monitor could make arrangements that are flexible and suitable to both the monitor and the home educating family. For example, the monitor and the parent and child could theoretically meet one Saturday morning a month at the local public library for four hours and fulfill the requirements of the law. Nothing in the law requires that the monitor must make home visits. An additional 1/2 hour of monitoring per month is required for each additional child in the monitored program. If the child attends a public or an approved nonpublic school, the time may be proportionately reduced. For example, if the child in the program being monitored is enrolled in 25% of her classes at a private, approved school then the monitoring for that program would equal only 3 hours per month.

HSLDA Attorney Dee Black states, "the North Dakota Century Code 15.1-23-07 sets forth the monitoring requirements for a home education program. According to this provision, the monitor must spend time 'in contact with the child and the child's parent.' There is no requirement that the monitoring take place in the home. Additionally, state law does not specifically require that the monitor have a face-to-face meeting with the parent and child receiving home education. It would be permissible for the monitor to fulfill the requirements of the statute through telephone contact with the child and the child's parent."

The monitoring is to continue for two years. If the child tests below the 50th percentile on a nationally-normed, standardized achievement test in a year in which such testing is required by law, the monitoring must be continued for at least one additional year. However, if testing is not required during the first two years of monitoring it may not be continued without the consent of the parent and the monitor. Once the monitoring has been successfully completed it ceases permanently no matter how many other children the parent may choose to home school or what subsequent tests scores may be for the children in the home education program.

Additional duties

The privately-contracted monitor is required by law to notify the school district of residence that he/she is providing such services.

The monitor is to file a report twice a year with the school district superintendent (or county superintendent) assessing the child's progress. A copy of a sample progress report is available from the NDHSA. A copy of the report is provided to the home educator.

The monitor may administer the standardized achievement test required in grades 4, 6, 8 and 10 to the children in the monitored program. If the parent may request that the local school district provides the test and test administrator. The parent educator also has the option of renting any nationally-normed standardized achievement test for use in the years in which testing is required. If the parent chooses to test privately then they bear the cost of the test. The parent may request a test administrator from the school district or they can privately contract for these services at their own expense. The public school-administered tests must be given in the child's learning environment or at the local public school *at the parent's discretion*. The ND State Assessment test is NOT required of homeschoolers and cannot be used to fulfill the requirements of the home school statutes.

Not in the job description

Some monitors have erroneously seen their job as one in which they critique the teaching abilities of the home educator or determine the suitability of the curriculum being used in the home school. There is no curriculum approval process in N.D. and the choice is left entirely to the discretion of the parent educator. Also, nothing in the law requires that the contact between the parent, child and monitor takes place while the home school is in session. It is also not the monitor's job to do any of the actual teaching. Basically his/her job is to see if there is a program in place and does it seem to be working.

