

**BOARD OF EDUCATION OF HARFORD COUNTY**

**INFORMATIONAL REPORT**

**RECOMMENDATION ON**

**CONTROVERSIAL ISSUES  
POLICY NO. 04-0020-000**

**STUDENT PROMOTION  
POLICY NO. 04-0018-000**

**CEREMONIES AND OBSERVANCES  
POLICY NO. 04-0019-000**

**HOME INSTRUCTION  
POLICY NO. 04-0002-000**

**MARCH 7, 2016**

**Background Information:**

The Board maintains a manual which sets forth the various policies of the Harford County Public Schools. The manual contains policies which are either required by federal and state law and regulation or which are, in the Board's judgment, necessary and appropriate in order for the school system to operate in a lawful, appropriate and effective manner. Included among such policies are those entitled:

- 04-0020-000 Controversial Issues
- 04-0018-000 Student Promotion
- 04-0019-000 Ceremonies and Observances
- 04-0002-000 Home Instruction

**Discussion:**

In accordance with Board policy and direction, all sections of the Board Policy Manual are under revision. Included within the Instruction section are the following policies which were reviewed by the Board Policy Review Committee ("BPRC") at its October 26, 2015, meeting. The Superintendent's recommendations are consistent with the recommendations of the BPRC regarding each of the policies below.

#### 04-0020-000 Controversial Issues

This policy is recommended for revision as to language and format. The proposed, revised policy includes a definition of controversial issues, as well as clear criteria for the presentation of a controversial issue within the classroom.

The Superintendent recommends that this policy be reviewed for possible approval by the Board at a future meeting.

#### 04-0018-000 Student Promotion

This policy is recommended for revision as to language and format. The language and format of this proposed, revised policy is now aligned with local graduation requirements and includes updated information regarding numbers of credits required for promotion.

The Superintendent recommends that this proposed, revised policy be reviewed for possible approval at a future meeting.

#### 04-0019-000 Ceremonies and Observances

The policy is recommended for deletion as the subject matter of the policy is addressed in the Maryland Education Code §7-116, which is attached for review.

The deletion of this policy is not intended to remove ceremonies and observances from within the schools, as special calendar events and observances are addressed within curriculum and instructional programming.

The Superintendent recommends that this policy be reviewed for possible deletion at a future Board meeting.

#### 04-0022-000 Home Instruction

This policy is recommended for deletion as the subject matter is addressed in the Code of Maryland Regulations ("hereinafter COMAR"). See Code of Maryland Regulations 13A.10.01.01, a copy of which is attached for your review.

The Superintendent recommends that this policy be reviewed for possible deletion at a future Board meeting.

#### **Attachments:**

1. Current Board Policy 04-0020-000 entitled Controversial Issues.
2. Proposed, revised policy 04-0020-000 entitled Controversial Issues.
3. Current Board Policy 04-0018-000 entitled Student Promotion.
4. Proposed, revised policy 04-0018-000 entitled Student Promotion.
5. Current Board Policy 04-0019-000 entitled Ceremonies and Observances.

6. Maryland Education Code Annotated §7-116.
7. Current Board Policy 04-0002-000 entitled Home Instruction.
8. Code of Maryland Regulation 13A.10.01.01.

**Superintendent's Recommendation:**

For the foregoing reasons, the Superintendent recommends that the Board review for decision approval at a subsequent Board meeting the following.

- Proposed revision of policy 04-0020-000 entitled Controversial Issues.
- Proposed revision of policy 04-0018-000 entitled Student Promotion.
- Proposed deletion of policy 04-0019-000 entitled Ceremonies and Observances.
- Proposed deletion of policy 04-0002-000 entitled Home Instruction.

POLICY TITLE: <b>Controversial Issues</b>		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED: <b>5/6/2002</b>
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>Instruction</b>		

As a public institution, the Harford County Public Schools has a responsibility to provide for the study of controversial issues. Many areas of study abound with vital issues which should be carefully studied and adequately discussed to develop student abilities in reflective and responsible thinking. Facing issues without prejudice and withholding judgments until facts have been gathered, considered, and conclusions drawn are valuable student outcomes of a free educational system. A free exchange of ideas is highly important in democratic living. Serious consideration of purposeful, carefully planned investigations of controversial issues relating to a course of study is important to the citizenship education of students.

In providing for the study and discussion of such issues, the school system must maintain a non-partisan, neutral position. Controversial issues shall be presented and discussed in secondary school classrooms. Such study shall be objective and scholarly, and teachers shall guard against giving their personal opinions until after students have had the opportunity to collect and assemble factual information on the subject, to interpret the data without prejudice, to reconsider assumptions and claims, and to reach personal conclusions. Students must be encouraged to search after truth as well as to form, express, and justify personal views in controversial issues.

The teacher has the right to express personal views regarding controversial issues which have been previously presented and discussed in class. Such points of view should be clearly identified as opinions. The teacher may also express his/her views to generate additional thought and discussion but should identify these opinions and their purposes.

Further, the teacher has the obligation to assist students in achieving a scholarly competence, to teach factual information and concepts upon which truth is based, to help students develop a respect for factual knowledge as the basis for critical thought, to avoid discussion of issues beyond the comprehension and maturity of students, to lead students to recognize that some problems and issues escape solution, and to demonstrate a deep respect for the dignity of each student and his/her right to express opinions without jeopardizing relationships with the teachers of the school.

### **Board Approval Acknowledged By:**

\_\_\_\_\_  
Patricia L. Skebeck, Secretary and Treasurer  
Board of Education of Harford County

Policy Action Dates		
ACTION DATE	ACTION DATE	ACTION DATE
Reaffirmed 5/12/1980		
Reaffirmed 10/26/1998		
Reaffirmed 5/6/2002		

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Unknown		JOB POSITION OF LAST EDITOR/DRAFTER: Unknown
PERSON RESPONSIBLE:		JOB POSITION OF PERSON RESPONSIBLE:
DESIGNEE NAME: N/A		JOB POSITION OF DESIGNEE: N/A
REFERENCE 1 TYPE:	REFERENCE 1 NO.	REFERENCE 1 DESCRIPTION:
REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: Instructional Program .03.05.090		

POLICY TITLE: <b>CONTROVERSIAL ISSUES</b>		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED: <b>5/6/2002</b>
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>INSTRUCTION</b>		

~~As a public institution, the Harford County Public Schools has a responsibility to provide for the study of controversial issues. Many areas of study abound with vital issues which should be carefully studied and adequately discussed to develop student abilities in reflective and responsible thinking. Facing issues without prejudice and withholding judgments until facts have been gathered, considered, and conclusions drawn are valuable student outcomes of a free educational system. A free exchange of ideas is highly important in democratic living. Serious consideration of purposeful, carefully planned investigations of controversial issues relating to a course of study is important to the citizenship education of students.~~

~~In providing for the study and discussion of such issues, the school system must maintain a non-partisan, neutral position. Controversial issues shall be presented and discussed in secondary school classrooms. Such study shall be objective and scholarly, and teachers shall guard against giving their personal opinions until after students have had the opportunity to collect and assemble factual information on the subject, to interpret the data without prejudice, to reconsider assumptions and claims, and to reach personal conclusions. Students must be encouraged to search after truth as well as to form, express, and justify personal views in controversial issues.~~

~~The teacher has the right to express personal views regarding controversial issues which have been previously presented and discussed in class. Such points of view should be clearly identified as opinions. The teacher may also express his/her views to generate additional thought and discussion but should identify these opinions and their purposes.~~

~~Further, the teacher has the obligation to assist students in achieving a scholarly competence, to teach factual information and concepts upon which truth is based, to help students develop a respect for factual knowledge as the basis for critical thought, to avoid discussion of issues beyond the comprehension and maturity of students, to lead students to recognize that some problems and issues escape solution, and to demonstrate a deep respect for the dignity of each student and his/her right to express opinions without jeopardizing relationships with the teachers of the school.~~

**Board Approval Acknowledged By:**  
**Patricia L. Skebeck, Secretary and Treasurer**

## I. Purpose

To establish criteria related to the teaching of controversial issues in the schools.

## II. Definitions

Controversial issue means a subject or matter about which there are significant differences of opinion, and about which related discussion may create strong feelings among students and/or members of the community.

## III. Statement of Policy

A controversial issue may be considered for classroom instruction or discussion when the following criteria are met:

- A. The issue is related to the instructional goals of the course of study and commensurate with the level of maturity of the students.
- B. The controversial issue is presented in an impartial and objective manner and in an atmosphere that is free from bias and prejudice.
- C. The controversial issue presented encourages open discussion and a respect for conflicting beliefs and opinions.

### Board Approval Acknowledged By:

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Barbara P. Canavan, Superintendent  
Board of Education of Harford County

Policy Action Dates		
ACTION	DATE	ACTION DATE
Reaffirmed	5/12/1980	
Reaffirmed	10/26/1998	
Reaffirmed	5/6/2002	

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: <b>Patrick P. Spicer, Esquire</b>	JOB POSITION OF LAST EDITOR/DRAFTER: <b>General Counsel</b>	
PERSON RESPONSIBLE: <b>Dr. Susan Brown</b>	JOB POSITION OF PERSON RESPONSIBLE: <b>Executive Director of Curriculum and Assessment</b>	
DESIGNEE NAME: <b>N/A</b>	JOB POSITION OF DESIGNEE: <b>N/A</b>	
REFERENCE 1 TYPE:	REFERENCE 1 NO.	REFERENCE 1 DESCRIPTION:
<b>POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: Instructional Program .03.05.090</b>		

### REFERENCES<sup>1</sup>

References are set forth in the Policy.

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<sup>1</sup> All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes, regulations, or legal authority in support of a policy.



POLICY TITLE: <b>Student Promotion</b>		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED: <b>7/14/1997</b>	MOST RECENTLY REAFFIRMED: <b>4/22/2002</b>
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>Instruction</b>		

"Promotion or retention is based upon an analysis of multiple factors. Promotion for a student in the elementary and middle school grades is based upon a review of such factors as:

- demonstrated mastery of the essential learnings in the curriculum;
- the developmental level of the student;
- the student's ability to function in school;
- emotional, social, and physical factors; and,
- parental input.

Promotion in high school is based upon progress towards meeting the minimum requirements for a Maryland high school diploma. The requirements for a Maryland high school diploma include:

- successful completion of four years of enrollment in approved programs;
- successful completion of all competency prerequisites and the local program of student service learning;
- successful completion of specific subject area requirements; and,
- the accumulation of a minimum of 21 credits.

The minimum number of credits required for promotion is as follows:

- promotion to grade 10 - 5 credits
- promotion to grade 11 - 10 credits (one of which must be in English)
- promotion to grade 12 - 15 credits (two of which must be in English)

Graduation from high school will occur at the end of the school year or summer school in which the student has met the minimum requirements for graduation of the Maryland State Board of Education and of the Harford County Board of Education.

### **Board Approval Acknowledged By:**

\_\_\_\_\_  
Patricia L. Skebeck, Secretary and Treasurer  
Board of Education of Harford County

Policy Action Dates		
ACTION	DATE	ACTION DATE
Reaffirmed	3/10/1980	
Amended	7/14/1997	
Reaffirmed	4/22/2002	

Responsibility for Policy Maintenance & References		
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REFERENCE 1 TYPE:	REFERENCE 1 NO.	REFERENCE 1 DESCRIPTION:
REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: School Administration - .02.08.060		

# POLICY

Harford County Public Schools

POLICY TITLE: <b>Student Promotion</b>		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED: 7/14/1997	MOST RECENTLY REAFFIRMED: 4/22/2002
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>Instruction</b>		

~~“Promotion or retention is based upon an analysis of multiple factors. Promotion for a student in the elementary and middle school grades is based upon a review of such factors as:~~

- ~~• demonstrated mastery of the essential learnings in the curriculum;~~
- ~~• the developmental level of the student;~~
- ~~• the student's ability to function in school;~~
- ~~• emotional, social, and physical factors; and,~~
- ~~• parental input.~~

~~Promotion in high school is based upon progress towards meeting the minimum requirements for a Maryland high school diploma. The requirements for a Maryland high school diploma include:~~

- ~~• successful completion of four years of enrollment in approved programs;~~
- ~~• successful completion of all competency prerequisites and the local program of student service learning;~~
- ~~• successful completion of specific subject area requirements; and,~~
- ~~• the accumulation of a minimum of 21 credits.~~

~~The minimum number of credits required for promotion is as follows:~~

- ~~• promotion to grade 10 — 5 credits~~
- ~~• promotion to grade 11 — 10 credits (one of which must be in English)~~
- ~~• promotion to grade 12 — 15 credits (two of which must be in English)~~

~~Graduation from high school will occur at the end of the school year or summer school in which the student has met the minimum requirements for graduation of the Maryland State Board of Education and of the Harford County Board of Education.~~

**Board Approval Acknowledged By:**

\_\_\_\_\_  
Patricia L. Skebeck, Secretary and Treasurer  
Board of Education of Harford County

## **I. Purpose**

The purpose of this policy is to set forth student promotion factors and requirements for Harford County Public Schools students.

## **II. Definitions**

- A. Elementary school student means all students in grades Prekindergarten-5.
- B. Middle school student means all students in grades 6-8.
- C. High school student means all students in grades 9-12.

## **III. Policy Statement**

A. Promotion in elementary and middle school grades is based on an analysis of multiple factors.

1. The following are factors taken into consideration in order for a student to be promoted in elementary and middle school grades from HCPS.

- i.* Demonstrated mastery of the essential learnings in the curriculum;
- ii.* The developmental level of the student;
- iii.* The student's ability to function in school;
- iv.* The emotional, social, and physical factors; and
- v.* Parental input.

B. Promotion in high school is based upon progress towards meeting the minimum state and local requirements for a high school diploma.

1. The following are required for a student to be promoted in high school grades from HCPS. Students must successfully complete:

- i.* four years of enrollment in approved programs;
- ii.* all competency prerequisites and the local program of student service learning;
- iii.* specific subject area requirements; and
- iv.* a minimum of 26 credits.

2. Students must meet the minimum number of credits required for promotion as follows:

- i.* promotion to grade 10 - 6 credits.

- ii.* promotion to grade 11 - 12 credits.
  - iii.* promotion to grade 12 - 18 credits.
- C. Graduation from high school will occur at the end of the school year or summer school in which the student has met the minimum requirements for graduation of the Maryland State Board of Education and of the Harford County Board of Education as outlined in the HCPS Student Education Planning Guide, which can be found on the Harford County Public Schools [website](#).

# POLICY

Harford County Public Schools

Policy Action Dates		
ACTION	DATE	ACTION DATE
Reaffirmed	3/10/1980	
Amended	7/14/1997	
Reaffirmed	4/22/2002	

Responsibility for Policy Maintenance & References	
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire	JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Ms. Angela Morton Mr. Joseph Schmitz	JOB POSITION OF PERSON RESPONSIBLE: Executive Director of Elementary School Performance Executive Director of Middle and High School Performance
DESIGNEE NAME:	JOB POSITION OF DESIGNEE:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: School Administration - .02.08.060	

## REFERENCES<sup>1</sup>

References are set forth in the Policy.

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<sup>1</sup> All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes, regulations, or legal authority in support of a policy.

# POLICY

POLICY TITLE: <b>Ceremonies and Observances</b>		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED: <b>10/26/1998</b>	MOST RECENTLY REAFFIRMED: <b>5/6/2002</b>
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>Instruction</b>		

The school instruction program shall include the commemoration of special days and events which are identified as part of the curriculum.

**Board Approval Acknowledged By:**

\_\_\_\_\_  
Patricia L. Skebeck, Secretary and Treasurer  
Board of Education of Harford County

# POLICY

Harford County Public Schools

Policy Action Dates		
ACTION	DATE	ACTION DATE
Reaffirmed	5/12/1980	
Amended	10/26/1998	
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Responsibility for Policy Maintenance & References		
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REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: Instructional Program .03.05.085		



*Md. EDUCATION Code Ann. § 7-116*

Annotated Code of Maryland  
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\*\*\* Statutes current through 2015 legislation \*\*\*

EDUCATION  
DIVISION II. ELEMENTARY AND SECONDARY EDUCATION  
TITLE 7. PUBLIC SCHOOLS  
SUBTITLE 1. GENERAL PROVISIONS

Md. EDUCATION Code Ann. § 7-116 (2015)

§ 7-116. Constitution Day and Citizenship Day

(a) Purpose. -- The purpose of this section is to:

(1) Acknowledge 36 U.S.C. § 106, which designates September 17 of each year as "Constitution Day and Citizenship Day" to commemorate the signing of the United States Constitution on September 17, 1787; and

(2) Celebrate "Constitution Day and Citizenship Day" in the public schools and help instill in students knowledge of the history, importance, and enduring meaning of the United States Constitution and of the Maryland Constitution on the citizens of the State.

(b) In general. --

(1) In accordance with Pub. L. 108-447 § 111(b), each county board may establish a program of education to be held on "Constitution Day and Citizenship Day" each year to teach students about:

(i) The United States Constitution; and

(ii) The Maryland Constitution.

(2) The program of education may include:

(i) Special assemblies, discussions, presentations, and events commemorating the United States Constitution and the Maryland Constitution;

(ii) The opportunity for eligible students to register to vote; and

(iii) Efforts to reinforce existing curricula.

**HISTORY:** 2007, ch. 12.

# POLICY

POLICY TITLE: <b>Home Instruction</b>		
ADOPTION/EFFECTIVE DATE: <b>10/8/1984</b>	MOST RECENTLY AMENDED: <b>10/26/1998</b>	MOST RECENTLY REAFFIRMED: <b>5/6/2002</b>
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>Instruction</b>		

Home instruction programs shall be evaluated in accordance with the criteria established by the Maryland State Board of Education.

**Board Approval Acknowledged By:**

\_\_\_\_\_  
Patricia L. Skebeck, Secretary and Treasurer  
Board of Education of Harford County

# POLICY

Harford County Public Schools

Policy Action Dates		
ACTION DATE	ACTION DATE	ACTION DATE
Adopted 10/8/1984		
Amended 10/26/1998		
Reaffirmed 5/6/2002		

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: <b>Unknown</b>		JOB POSITION OF LAST EDITOR/DRAFTER: <b>Unknown</b>
PERSON RESPONSIBLE:		JOB POSITION OF PERSON RESPONSIBLE:
DESIGNEE NAME: <b>N/A</b>		JOB POSITION OF DESIGNEE: <b>N/A</b>
REFERENCE 1 TYPE: <b>Legal</b>	REFERENCE 1 NO. <b>13A.10.01.01</b>	REFERENCE 1 DESCRIPTION: <b>Code of Maryland Regulations</b>
REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: Instructional Program .03.05.100		

## **.01 Home Instruction Program.**

**Purpose.** The purpose of this regulation is to establish a procedure to be used by the superintendent of each local school system to determine if a child participating in a home instruction program is receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age.

### **B. Written Agreement.**

(1) A parent or guardian who chooses to teach his or her child at home shall initially sign a statement on a form prescribed by the State Department of Education which:

- (a) Indicates consent to the requirements set forth in §§C, D, and E of this regulation; and
- (b) Shall be submitted to the local superintendent at least 15 days before the beginning of a home instruction program.

(2) **Annual Verification.** Annually thereafter, before the beginning of the school year, a parent or guardian shall verify the continuation of home schooling for his or her child with the local school superintendent or with the supervising nonpublic school or institution described in Regulation .05 of this chapter.

(3) **Change in Status.** A parent or guardian shall notify the local school superintendent or the supervising nonpublic school or institution described in Regulation .05 of this chapter if a change occurs in the home school status of a child during the school year.

### **C. Instruction Program. The home instruction program shall:**

- (1) Provide regular, thorough instruction in the studies usually taught in the public schools to children of the same age;
- (2) Include instruction in English, mathematics, science, social studies, art, music, health, and physical education; and
- (3) Take place on a regular basis during the school year and be of sufficient duration to implement the instruction program.

**Educational Materials.** A parent or guardian who chooses to teach a child at home shall maintain a portfolio of materials which:

- (1) Demonstrates the parent or guardian is providing regular, thorough instruction during the school year in the areas specified in §C(1) and (2);
- (2) Includes relevant materials, such as instructional materials, reading materials, and examples of the child's writings, worksheets, workbooks, creative materials, and tests;
- (3) Shall be reviewed by the local superintendent or the superintendent's designee at the conclusion of each semester of the local school system at such times as are mutually agreeable to the local superintendent or designee and the parent or guardian.

**E.** A parent or guardian shall agree to permit a representative of a local school system to review the portfolio of educational materials, discuss the instructional program, and observe instruction provided that all of the following requirements are met:

- (1) The review is at a time and place mutually agreeable to the representative of the local school system and the parent or guardian;
- (2) The purpose of the review is to ensure that the child is receiving regular, thorough instruction as set forth in §C;
- (3) There are not more than three reviews during a school year.

**F. Additional Requirements.** A local school system may not impose additional requirements for home instruction programs other than those in these regulations.