



Start a School

AN EDUCATION FREEDOM FOUNDATION INITIATIVE

Montana

Home School

The Montana Office of Public Instruction receives dozens of calls each year from people with questions about home schooling. Many of those calling request that Montana Office of Public Instruction (OPI) provide a summary of Montana law pertaining to home schooling. This [document](#) outlines key statutes regarding private/nonpublic/home schools in Montana. Attached to this document is the full text of statutes (Montana Code Annotated Chapter 20—MCA) and administrative rules (Administrative Rules of Montana—ARM Chapter 55, Subchapter 9) that may be of interest to those with questions about home schooling. The statutes that follow may also be found in the 2017 MCA and have been in effect for many years. This packet of information is not provided as a complete analysis of the issue, nor is it intended as legal advice. The following are [general requirements](#) for home schools.

- Maintain records on pupil attendance and disease immunization and make the records available to the county superintendent of schools on request;
- Provide at least the minimum aggregate hours of pupil instruction in accordance with 20-1-301 and 20-1-302;
- Be housed in a building that complies with applicable local health and safety regulations;
- Provide an organized course of study that includes instruction in the subjects required of public schools as a basic instructional program pursuant to 20-7-111 ; and
- Notify the [County Superintendent of Schools](#), of the county in which the home school is located, in each school fiscal year of the student's attendance at the school.

Steps to Start a Home School

Starting a homeschool in Montana involves understanding the state's homeschooling laws and fulfilling the necessary requirements. Here's a step-by-step guide to help you get started:

1. **Understand Montana Homeschool Laws:** Familiarize yourself with Montana's homeschooling laws and regulations. In Montana, homeschooling is governed by the Office of Public Instruction (OPI) and follows the state's Compulsory School Attendance Law. There are minimal regulations for homeschooling in Montana compared to other states. You can find detailed information on your state's Department of Education

website or through homeschooling advocacy groups such as [Home School Legal Defense Association \(HSLDA\)](#).

- [Home School Information Packet](#)
 - [Montana Coalition of Home Educators](#)
2. **File a Notice of Intent:** Submit a Notice of Intent to homeschool to the county superintendent of schools in the county where you reside. This notice typically includes basic information such as your name, address, and the names and ages of the children you plan to homeschool. The notice must be filed annually.
 3. **Choose a Homeschooling Approach:** Select an educational approach that aligns with your child's learning style and your teaching philosophy. Common homeschooling approaches include traditional, Charlotte Mason, Montessori, Waldorf, and unschooling.
 4. **Develop a Curriculum:** Create a curriculum that meets Montana's educational standards and covers essential subjects such as reading, math, social studies, language arts, and science. You have flexibility in choosing curriculum materials and resources.
 5. **Gather Curriculum and Materials:** Collect textbooks, workbooks, educational materials, and other resources needed for teaching and learning. Consider your child's interests, learning style, and grade level when selecting materials.
 6. **Set Up a Learning Environment:** Create a designated space in your home for homeschooling activities. Ensure that the space is conducive to learning and free from distractions.
 7. **Establish a Schedule:** Develop a daily or weekly schedule for homeschooling activities. Include time for instruction, independent study, breaks, and extracurricular activities. Be flexible and adjust the schedule as needed to accommodate your child's needs and interests.
 8. **Keep Records:** Maintain records of attendance, academic progress, and other documentation required by the state. While Montana does not have specific record-keeping requirements, it's essential to keep records for your own reference and to demonstrate compliance if requested.
 9. **Participate in Evaluations (Optional):** Montana does not require homeschooling families to participate in standardized testing or evaluations. However, you may choose to have your child participate in assessments to gauge their academic progress.
 10. **Stay Informed and Connected:** Stay updated on any changes to homeschooling laws and regulations in Montana. Join homeschooling support groups, attend workshops and conferences, and connect with other homeschooling families for resources, advice, and socialization opportunities.

Remember that homeschooling is a personalized educational option, so feel free to tailor your approach to meet your child's unique needs and interests. Additionally, don't hesitate to seek guidance from experienced homeschoolers, educational professionals, and homeschooling organizations as you embark on this journey.

Home School Statutes

The Education Freedom Foundation has relied on the [U.S. Department of Education's State Regulation of Private and Home Schools Map](#) for relevant statutes. Over time, the state pages on this map have been updated since their initial creation. In some cases, states have changed their laws without these updates being reflected on the map. Given the various methods each state uses to publicize changes to its laws, the most recent information for the Start-A-School project was often obtained directly from the U.S. Department of Education website. Users are encouraged to verify any information before making decisions based on it.

- Montana compulsory enrollment law is met if a parent or guardian has his or her child enrolled in a nonpublic or home school that complies with the provisions of [Mont. Code Ann. §20-5-109](#). [Mont. Code Ann. §20-5-102](#).
- "A parent, guardian, or other person shall enroll the child in the school assigned by the trustees of the district within the first week of the school term or when the parent, guardian, or person establishes residence in the district unless the child is enrolled in a nonpublic or home school that complies with the provisions of [Mont. Code Ann. §20-5-109](#). For the purposes of this subsection (2)(e), a home school is the instruction by a parent of the parent's child, stepchild, or ward in the parent's residence and a nonpublic school includes a parochial, church, religious, or private school." [Mont. Code Ann. §20-5-102\(2\)\(e\)](#).

Curriculum and Instruction

- "Subject to the provisions of [Mont. Code Ann. §20-5-109](#), a parent has the authority to instruct the parent's child, stepchild, or ward in a home school and is solely responsible for: (1) the educational philosophy of the home school; (2) the selection of instructional materials, curriculum, and textbooks; (3) the time, place, and method of instruction; and (4) the evaluation of the home school instruction." [Mont. Code Ann. §20-5-111](#).
- Students must be given a study course that involves instruction in the subjects required of public schools as defined in [Mont. Code Ann. §20-7-111](#).

Initial and Renewal Applications

- A home school must (1) maintain and make available to the county superintendent (upon request) attendance and disease immunization records; (2) meet the minimum aggregate hours of instruction in accordance with [Mont. Code Ann. §20-1-301](#) and [Mont. Code Ann. §20-1-302](#); (3) must be housed in a building that complies with applicable local health and safety regulations; (4) "provide an organized course of study that includes instruction in the subjects required of public schools as a basic instructional program pursuant to [Mont. Code Ann. §20-7-111](#)"; and (5) in the case of home schools, shall "notify the county superintendent of schools of the county in which

the home school is located in each school fiscal year of the student's attendance at the school." [Mont. Code Ann. §20-5-109](#).

Public School Access

- Nonpublic students may not participate in public school district sports programs based on district policy. The Supreme Court of Montana ruled in favor of districts limiting participation to public school students when the primary interest of the district is to focus on developing the full academic potential in each student rather than permitting any student to play sports. *Kaptein v. Conrad School District*, 931 P.2d 1311 (Mont. 1997).

Resources

- Association of Nonpublic Schools of Montana
PO Box 1708
Helena, MT 59624
- The Grapevine
PO Box 3228
Missoula, MT 59806
- Flathead Home Educators Association
PO Box 7661
Kalispell, MT 59904
- [Montana Homeschool Organizations and Support Groups](#)
- [Flathead Homeschool Email Group Support](#)
- Facebook: [Flathead Homeschool Support and Curriculum](#)
- [Best Online High School Programs](#)
- For additional information, contact Andy Boehm, OPI Nonpublic School Specialist, 406-444-0375.