



SECTION: PROGRAMS

POLICY: 137

TITLE: HOME EDUCATION PROGRAM

ORIGINAL: January 9, 2006

CURRENT REVISION: February 1, 2021

LAST REVIEWED BY THE COMMITTEE:

I. PURPOSE

Home education programs for students of compulsory school age residing in the District shall be conducted in accordance with state law and regulations.

II. DEFINITIONS

- A. **Home Education Program** - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.
- B. **Supervisor** - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.
- C. **Hearing Examiner** - shall not be an officer, employee or agent of the Department of Education or of the District or intermediate unit of residence of the child in the home education program.
- D. **Appropriate Education** - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.

III. POLICY

- A. Notarized Affidavit
 - a. Prior to the commencement of the home education program, and annually thereafter on August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent setting forth the information required by law.
- B. Instructional Program
 - a. The instructional program for home education students shall include such courses as required by law.
- C. Loan of Instructional Materials
 - a. The District shall, at the request of the supervisor, lend to the home education program copies of the school's planned courses, textbooks, and other available curriculum materials appropriate to the student's age and grade level.
- D. Student Portfolio and Evaluations
 - a. For each student participating in the home education program, the supervisor shall:
 - i. Maintain a portfolio of records and materials.
 - ii. Provide an annual written evaluation of the student's educational progress.

E. Extracurricular Activities

- a. Students residing in the District who are participating in a home education program may participate in District extracurricular activities and interscholastic athletics in accordance with state law.

F. Graduation Requirements

- a. The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; and two (2) years of arts and humanities.

G. Diplomas

- a. Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or an approved diploma-granting organization
- b. Students in a home education program will not receive a diploma from the District.

H. Students With Disabilities

- a. A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.
- b. The supervisor may request that the District or intermediate unit of residence provide services that address the specific needs of a student with a disability.
- c. When the provision of services is agreed to by both the supervisor and the District or intermediate unit, all services shall be provided in District schools or in a private school licensed to provide such programs and services.

I. Appropriate Education/Compliance Determination

- a. A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that s/he has ten (10) days to submit the certification.
- b. If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, s/he may submit a letter to the supervisor requiring an evaluation be conducted and that an evaluator's certification stating that an appropriate education is occurring be submitted to the District by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.
- c. As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.

J. Hearings

- a. If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.
- b. If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of

compliance; and the student will be enrolled promptly in a District school, a nonpublic school or a licensed private academic school.

K. Appeal

- a. The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.

L. Transfers

- a. If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation.
- b. The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request.
- c. The supervisor shall file the letter of transfer with the Superintendent of the new district of residence.
- d. If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.
- e. If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner, and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.
- f. If the Superintendent is informed of pending proceedings related to a home education program relocating to the District, s/he shall continue the home education program until the appeal process is finalized.

I. DELEGATION OF AUTHORITY

The Superintendent or designee shall develop and distribute administrative guidelines for registering and monitoring home education programs.

I. REFERENCES

24 P.S.