

# FOX CHAPEL AREA SCHOOL DISTRICT

Book	Policy Manual
Section	100 Programs
Title	Home Education Programs
Code	137
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## **Authority**

Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)

## **Definitions**

**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.[\[2\]](#)

**Hearing examiner** - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.

**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.

**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.

## **Delegation of Responsibility**

The Superintendent or designee shall develop and distribute administrative regulations for registering home education programs and maintaining appropriate records in accordance with law.[\[2\]](#)

## **Guidelines**

### Notarized Affidavit

Prior to the commencement of the home education program, and annually thereafter on or before August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent, which contains certification that the supervisor of the home education program and all adults living in the home and persons having legal

custody of a child or children in the home education program have not been convicted of criminal offenses enumerated in School Code, in accordance with law. The affidavit shall include all information required by law.[\[2\]](#)

### Instructional Program

The instructional program for home education students shall include such courses as required by law.[\[2\]](#)[\[4\]](#)[\[5\]](#)

### Loan of Instructional Materials

At the request of the supervisor, the district shall lend to the home education program copies of the school's planned courses, textbooks and curriculum materials appropriate to the student's age and grade level.[\[2\]](#)

### Student Portfolio and Evaluations

For each student participating in a home education program, the supervisor shall:[\[2\]](#)

1. Maintain a portfolio of records and materials, in accordance with applicable law.
2. Provide an annual written evaluation of the student's educational progress, in accordance with the provisions of applicable law.

### Graduation Requirements

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.[\[2\]](#)

### Diplomas

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.[\[2\]](#)

### Students With Disabilities

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.[\[1\]](#)

The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.[\[1\]](#)

When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in public schools or in a private school licensed to provide such programs and services.[\[1\]](#)

### Appropriate Education/Compliance

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 they have ten (10) days to submit the certification.[\[2\]](#)

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, the Superintendent may submit a letter to the supervisor requiring an evaluation to be conducted and that an evaluator's certification stating that an appropriate education is occurring shall be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.[2]

If the Superintendent has a reasonable belief that the home education program is out of compliance, the Superintendent shall submit a letter to the supervisor requiring a certification to be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's reasonable belief.[2]

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.[2]

### Hearings

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.[2]

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 public school, a nonpublic school or a licensed private academic school.[2]

If a home education program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home education program is prohibited by law from supervising a home education program for that child or children for a period of twelve (12) months from the date of such determination.[2]

### Appeal

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.[2]

### Transfers

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.[2]

The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request.[2]

The supervisor shall file the letter of transfer with the Superintendent of the new district of residence.[2]

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.[2]

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.[2]

If the Superintendent is informed of pending proceedings related to a home education program relocating from a previous district to this district, the Superintendent shall continue the home education program until the appeal process in the previous district is finalized.[2]

Legal

[1. 24 P.S. 1327](#)

[2. 24 P.S. 1327.1](#)

[3. 22 PA Code 11.31a](#)

4. Pol. 137.2

5. Pol. 137.3

[24 P.S. 111](#)

[22 PA Code 11.33](#)

Pol. 137.1

Pol. 203

Pol. 209