

# Home Education and Private Tutoring Guide

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**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF EDUCATION**  
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## Introduction

There are hyperlinks throughout this *Home Education and Private Tutoring Guide*, making it most effectively viewed electronically. Updates to the guide will be made periodically, as need arises. A navigation pane is available on the **View** tab: **View/Navigation Pane**.

## History of Homeschooling and Private Tutoring in Pennsylvania

In 1988, the Pennsylvania General Assembly passed Act 169. This law amended the Pennsylvania School Code in a number of ways.

1. [24 P.S. §13-1327\(a\)](#) was modified to add private tutoring as an educational option for complying with compulsory attendance and defined a “properly qualified private tutor.”
2. [24 P.S. §13-1327\(d\)](#) was added to allow home education programs as an educational option for complying with compulsory attendance. It also required pre-approval of the program for special education students (with the exception of gifted students).
3. [24 P.S. §13-1327.1](#) was added to specify the home education program requirements and responsibilities of the parents/legal guardians and of the school district in the family’s school district of residence, as added in [24 P.S. §13-1327\(d\)](#).

In 2005, Act 67 added a provision as [24 P.S. §13-1327.1 \(f.1\)](#) to give homeschooled students the right to participate in extracurricular activities in their school district of residence.

[Act 196 of 2014](#) amended [24 P.S. §13-1327.1](#) in regard to a number of provisions.

1. “Department” was defined as the Department of Education of the Commonwealth.
2. It added the provision of a high school diploma awarded by a supervisor or by an approved diploma-granting organization, subject to certain requirements.
3. The school district’s responsibility and authority for reviewing the portfolio was removed.
4. The processes for confirming or questioning whether an appropriate education was occurring were modified.
5. A process was added for questioning any other issue of noncompliance of the home education program.
6. It added the court of common pleas to the appeal process.
7. It provided that a home education program could continue during the time of any appeal.
8. Nothing in this section shall be construed to affect Federal or State law relating to special education for students with disabilities in home education programs.

## Homeschooling and Private Tutoring are Rights

The decision to have a home education program ([22 Pa. Code §11.31a](#)) or a private tutoring program ([22 Pa. Code §11.31\(b\)\(1\)](#)) is a right; school district permission is not needed to commence either program, as long as the required documentation is submitted.

## Standardized Tests and Sample Affidavits

Standardized tests are required of homeschooled children in grades three, five, and eight without exception. The Pennsylvania Department of Education (PDE) provides a list of

nationally normed standardized tests, per the law, which may be used by those who do not wish to take advantage of the free PSSA testing at their district schools ([24 P.S. §13-1327.1 \(e\)\(1\)](#)). This list is available in the [Home Education Program](#) Basic Education Circular (BEC).

PDE provides sample affidavits which may be used by the supervisor of the home education program for children at the elementary school level (kindergarten through sixth grade) or at the secondary school level (seventh through twelfth grade).

The sample affidavits and the list of standardized tests are available on the [Home Education and Private Tutoring](#) homepage and at the bottom of the [Home Education Program](#) BEC.

## **Students with Disabilities**

There are additional requirements for homeschooling students who have been identified with a disability per the federal [Individuals with Disabilities Education Act](#) (Public Law 108-446, 20 U.S.C. § 1400 et seq.). These are found in the *Student with a Disability* section.

## **Home School Student Diplomas**

Some organizations apply to PDE for recognition, using the *Home Education Association Application for Recognition*, so that they may evaluate portfolios and issue home education high school diplomas that are recognized by the state. A link to these organizations can be found under the *Applications* heading on the [Home Education and Private Tutoring](#) homepage.

Additionally, Act 196 of 2014 provides a process for supervisor-issued high school diplomas to be recognized by the state. The diploma can be downloaded from the same page.

## **Laws and Regulations**

All laws and regulations referenced in this *Home Education and Private Tutoring Guide* are available online via the hyperlinks.

## **Educational Options**

There are numerous educational options available to Pennsylvania (PA) parents, including public schools, cyber charter schools, private schools, private tutoring, and home education programs.

### **Public School**

Public schooling options are free of cost to families, including the traditional public school district, and career and technical schools.. Today, many school districts also offer their cyber options that may include both online and classroom experience. Inquiry at your district whether this option is available. Use the link below to research public schools in PA.

<http://www.edna.pa.gov/>

Another public school option would be a charter school that operates under a school district, but serves a very specific population of students (i.e, Arts students) Finally, parents have the option of a public, PDE approved cyber charter school, which is a free online public school that

provides everything your child needs to complete their education from home. See the [CharterSchools/CyberCharterListing](#)

## Private School

There are many private school options, including schools related to religious institutions. These do not include online or correspondence courses, but rather are actual “brick-and-mortar” buildings where students obtain in-person instruction. Although not all of these schools are licensed, they are recognized by the Commonwealth. [See listing of these schools.](#)

## Private Tutoring

Private tutoring is another option for satisfying compulsory school attendance requirements. For families interested in hiring a private tutor (PA certified teacher) rather than having parent-directed education for their children, we include a section in this guide on *Private Tutoring Programs*, along with the related laws and regulations.

A parent or guardian may act as a private tutor for their own children if they are a PA-certified teacher. Background checks and other regulations apply.

Privately tutored students may obtain a [Commonwealth Secondary School Diploma](#) by passing a high school equivalency test or completing 30 college level credits from a United States accredited postsecondary institution. [View more information regarding Commonwealth Secondary School diplomas.](#)

## Home Education Programs

Home education programs (also known as homeschooling) are programs where the education of the student is directed by the parent or guardian or such person having legal custody of the child or children.

Restrictions include:

1. The supervisor of the home education program must have a high school diploma or its equivalent. Examples include a diploma awarded by a home education supervisor after October 31, 2014 or a diploma awarded by an approved diploma-granting organization ([Act 196 of 2014](#)); or a Commonwealth Secondary School Diploma awarded by passing a high school equivalency test or completing 30 college level credits from a United States accredited postsecondary institution ([22 Pa. Code §4.72](#)).
2. All adults living in the home and persons having legal custody of a child or children must not have been convicted of the criminal offenses itemized in [24 P.S. §1-111 \(e\)](#) within five years immediately preceding the date of the affidavit.

See the *Brief Tour of a Home Education Program* section for an overview.

## Diplomas

Parents, businesses, and postsecondary institutions are all interested in knowing the status of a home education diploma or privately tutored program and whether it is recognized by PDE. Additionally, there is confusion sometimes over what constitutes a home education program.

This *Diplomas* section explains state-recognized diploma options for home education and private tutoring programs. It also explains options that do not lead to a state-recognized diploma, although they often are misunderstood as leading to one.

## **Distance-Learning/Online Education**

Distance-learning or online education encompasses school districts that provide remote instruction, public and private cyber schools, and umbrella schools. Some lead to a state-recognized diploma.

### **School District Online Schools or Programs**

Some school districts have online programs or online cyber schools where students work from home via the Internet and complete the required credits to obtain a high school diploma as an enrolled student of the district. This is not homeschooling. A diploma from a school district online program is a state-recognized diploma.

### **Cyber Charter Schools**

In Pennsylvania, a cyber charter school is an independent public school established and operated under a charter from PDE and in which the school uses technology in order to provide a significant portion of curriculum and to deliver a significant portion of instruction to its students through the internet or other electronic means without a school-established requirement that students be present at a supervised physical facility designated by the school, except on a very limited basis, such as for standardized test. [Cyber charter schools](#) are public schools and are not homeschooling. High school diplomas awarded by cyber charter schools under a charter from PDE are recognized by the state. Each year, the list of PA's cyber charter schools may change and should be checked. [Cyber Charter List](#)

### **Private Cyber Schools**

Non-public, private cyber schools are not registered with PDE, and their diplomas are not state-recognized.

Parents may elect to use a private cyber school but must do so and comply with home education law. Although some institutions may choose to recognize a diploma from these private cyber schools or programs, the state does not.

### **Umbrella Schools**

An "umbrella school" is any alternative source of education which provides curriculum and oversight of homeschooled students to fulfill the requirements of a state government. These are not registered with PDE and do not lead to a state-recognized diploma.

In PA, an umbrella school includes any educational entity that is neither a public school nor a "brick-and-mortar" private school.

### **Examples of Umbrella Schools**

Umbrella schools include such entities as correspondence courses, private cyber schools, or any type of private provider of virtual or remote education. Anyone using curriculum from an umbrella school must operate within all the legal requirements of a home education program, including but not limited to the parent submitting a notarized affidavit and all other required documents to the local school district of residence's Superintendent, ensuring that the home education program is evaluated by a qualified evaluator, and submitting the annual written evaluation of a home education program to the superintendent.

While PDE does not recognize a diploma granted by an umbrella school, other institutions may.

### **Private Tutoring Programs**

There is no direct path to a state-recognized diploma through a private tutoring program; therefore, there are no graduation requirements. Students who are privately tutored may obtain a [Commonwealth Secondary School Diploma](#) by passing a high school equivalency test or completing 30 college level credits from an United States accredited postsecondary institution. Another option may be to privately tutor students through eleventh grade and then homeschool in twelfth grade to obtain a home education high school diploma.

### **Home Education Programs (Homeschooling)**

Occasionally PDE is asked to verify the diplomas of students graduating from home education programs. While PDE does not provide or track individual diplomas of students participating in home education programs, students in home education programs have multiple paths to a state-recognized diploma.

### **Supervisor-Issued Diploma**

Act 196 of 2014 modified the law to allow home education supervisors (parents, guardians, legal custodians) to award a state-recognized home education high school diploma to their children. The Act became effective for diplomas granted beginning October 31, 2014. The requirements for this diploma follow.

### **Legal Requirements**

1. The supervisor must submit an affidavit to the superintendent of schools in their district of residence for the student's twelfth grade (graduation) year.
2. The student must complete the graduation requirements of the law while enrolled in the home education program. (See the *Curriculum* section.)
3. The home education evaluator must fulfill the legal requirements as a secondary level home education evaluator. (See the *Evaluators* section.)
4. The evaluator who signs the diploma, in confirmation that the student has completed the graduation requirements of the law, must be the same evaluator whose evaluation was submitted to the school district for the student's twelfth grade (graduation) evaluation.
5. The diploma must be awarded to the student on a standardized form developed by PDE.

If the homeschool family provides evidence to the school district of the diploma, the school district can make a notation of the fact in the student's record at the district. Then, if the diploma is lost or misplaced and the twelfth grade evaluator cannot be located to sign a replacement, there will be a record at the school district that it exists. The evidence could be (1) a copy of the

diploma with the evaluator's signature attached, or (2) a notation on the twelfth grade evaluation, submitted to the superintendent, stating that the graduation requirements have been met.

The form for a supervisor-issued diploma (*Home Education Diploma (PDE 6008) and Definitions*) may be downloaded and printed from a link on the [Home Education and Private Tutoring](#) homepage.

### **Duplicate Diplomas**

It is imperative that a parent-issued diploma be preserved in case the evaluator moves or does not keep a log of the diplomas they have signed. The original twelfth grade evaluator is the only one who is legally authorized to co-sign the diploma.

### **Home Education Association Diploma**

The Department grants authority to certain home education associations to provide home education program diplomas. These associations are required to keep records of the diplomas they grant and may be contacted for verification of any student. Some of these also provide transcripts for higher education. A list of these *Diploma-Granting Organizations (State Approved)* is provided from a link on the [Home Education and Private Tutoring](#) homepage.

### **Requirements**

1. The supervisor must submit an affidavit to the superintendent of schools in their district of residence for the student's twelfth grade (graduation) year.
2. The student must complete the graduation requirements of the law while enrolled in the home education program. (See the *Curriculum* section)
3. The supervisor must submit an evaluation to the superintendent's office for the senior year.

### **Duplicate Diplomas**

Home education association diplomas are uniquely identified and tracked. If a diploma is lost, the association may be contacted for confirmation or a duplicate diploma.

### **Commonwealth Secondary School Diploma (CCSD)**

Homeschooled students may obtain a Commonwealth Secondary School Diploma by passing a high school equivalency test or completing of 30 college level credits from a United States accredited postsecondary institution if they do not have a diploma from any other state-recognized source. This mainly is applicable to those students who graduated prior to October 31, 2014, or for those who did not complete the graduation requirements for a home education high school diploma.

### **Verification of a Home Education Program Prior to October 31, 2014**

For students who need verification of having completed the graduation requirements of a home education program (24 P.S. § 13 1327.1 (d)) but who have not received a state-recognized diploma, there are two ways to verify that the program has been completed:

1. Request a letter from the superintendent of the student's district of residence stating that the student fulfilled all the graduation requirements of the law for a home education program; or
2. Request the superintendent of the student's district of residence complete a Pennsylvania Higher Education Assistance Agency ([PHEAA](#)) form or send a letter to PHEAA for any student who had completed the graduation requirements for a home education program prior to October 31, 2014. The PHEAA form can be obtained from a link under the question "Must I be a high school graduate to qualify for a State Grant?"

Superintendents are required by regulation to do this. Before the signing of Act 196 of 2014, the superintendent tracked homeschool progress through submission of the portfolios and they are required to maintain the historical records from those they tracked. Act 196 removed the responsibility for portfolios from superintendents as of October 31, 2014. For students without a state-recognized diploma and who graduated prior to Act 196, this remains an option for verification of having completed the graduation requirements (the PHEAA form is not a diploma). See [22 Pa. Code § 121.21 \(c\)](#); "the Agency" is defined in [22 Pa. Code § 121.1](#) as PHEAA.

### **Commonwealth Secondary School Diplomas**

A [Commonwealth Secondary School Diploma](#) (CSSD) can be obtained both by homeschooled and privately tutored students by passing a high school equivalency test or completing of 30 college level credits from a United States accredited postsecondary institution. See [22 Pa. Code § 4.72](#).

The CSSD may be issued to an applicant who is a resident of Pennsylvania; is at least 18 years of age (or, for 16 and 17 year old, has an approved age waiver from PDE); does not possess a secondary school diploma from the United States; is not enrolled in a public, licensed private, registered accredited or licensed nonpublic secondary school and has not obtained a state-recognized home education high school diploma.

Information about the *Commonwealth Secondary School Diploma* may be obtained at [ra-edhse@pa.gov](mailto:ra-edhse@pa.gov).

### **Becoming a Diploma Provider**

An association serving homeschooling families may apply to PDE for recognition to grant home education high school diplomas by completing the *Home Education Association Application for Recognition* on the [Home Education and Private Tutoring](#) homepage. An organization's application is submitted and reviewed for renewal every three years.

### **Private Tutoring Programs**

The law allows for a student to be privately tutored and the school district's approval is not required ([22 Pa. Code § 11.31\(b\)\(1\)](#)); however, the student must be reported by the tutor as participating in a private tutoring program ([24 P.S. § 13-1332](#)) in fulfillment of compulsory attendance laws ([24 P.S. § 13-1327](#)). A private tutoring program is not homeschooling.

The following *laws and regulations* apply:

1. [24 P.S. § 1-111\(e\)](#): Background checks
2. [24 P.S. § 12-1205.1](#). (e): Act 48 status not required
3. [24 P.S. § 13-1303](#): Immunizations
4. [24 P.S. § 13-1327\(a\)](#): Definition of a private tutor and filing requirements
5. [24 P.S. § 13-1332](#): Reports of enrollments; attendance and withdraws
6. [24 P.S. § 13-1333](#): Truancy
7. [Article XIV](#): Record of health services to be kept by the school district
8. [22 Pa. Code Chapter 4](#): Curriculum suggestions
9. [22 Pa. Code § 11.31](#): Private tutoring requirements, curriculum and documentation
10. [22 Pa. Code § 11.33](#): Dual enrollment
11. [Act 34 of 1985](#) (Printer's number 1956)
12. [Act 151 of 1994](#) (Printer's number 4353)
13. [Act 114 of 2006](#) (Printer's number 4517)
14. [Act 24 of 2011](#) (Printer's number 2227)
15. [Act 82 of 2011](#) (Printer's number 3885)
16. [Act 153 of 2014](#): See [Synopsis](#) (Printer's number 4225)
17. [Act 4 of 2016](#): Frequency of updates to background checks (Printer's number 1997)

## **Parental Responsibility**

Although the parent of a privately tutored student does not submit the yearly affidavit to begin a private tutoring program or the yearly written evaluation due by June 30 to the superintendent of schools that is required of a home education program, they instead provide a written assurance to the superintendent that the instructional requirements listed in the regulation has been met ([Pa. Code § 11.31 \(b\)\(2\)](#)). This must be provided even in the case where the parent is the private tutor.

Either the private tutor or the parent must keep portfolio-like documentation in case of an investigation initiated by the superintendent in response to a complaint regarding the private tutoring program ([Pa. Code § 11.31 \(b\)\(3\)-\(b\)\(5\)](#)).

Parents must submit the immunization, and health and medical services records for their children to the school district ([24 P.S. §§ 13-1303, 14-1401, 1402](#)).

Although not specifically required by law, a parent may verify with the school district that the private tutor has registered the children as privately tutored students. This may avoid truancy charges later if the tutor failed to register the students.

## **Private Tutor Responsibilities**

As with all schools or institutions, the private tutor is to report to the school district of the student's residence the list of the names and residences of all children between six (6) and eighteen (18) years of age that they are tutoring, report as soon as they cease to tutor these students, and notify the district of any such child who has been absent three (3) days, or their equivalent, during the term of compulsory attendance, without lawful excuse ([24 P.S. § 13-1332](#)).

Tutoring must be to a single family at a time, not a quasi-school where students from different families gather for instruction. Private tutors provide the majority of the instruction to their students for which they receive a fee *or other consideration* for their instructional services ([24 P.S. § 13-1327\(a\)](#)).

### **Superintendent Responsibilities**

If a superintendent receives a complaint that a privately tutored student in their district is not being provided instruction for the time prescribed or that a student is not making satisfactory progress in the tutoring program, the superintendent may request evidence of student academic progress and documentation that instruction is provided for the required number of days or hours ([Pa. Code § 11.31\(b\)\(3\)](#)).

Superintendents are to ensure private tutors have valid PA teaching certificates and have passed all required background checks.

### **Curriculum**

Regulation for private tutoring defines what must be taught and the amount of time that must be spent in instruction. These are similar to the requirements of home education programs ([22 Pa. Code § 11.31](#)).

*Elementary level students (grades K-6) must include:* English, including spelling, reading and writing; arithmetic; geography; the history of the United States and Pennsylvania; science; civics, including loyalty to the State and National government; safety education, including regular and continuous instruction in the dangers and prevention of fires; health, including physical education and physiology; music; and art. Either 180 days or 900 hours of instruction are required.

*Secondary school level students (grades 7-12) must include:* art; English; health; mathematics; music; physical education; science; and social studies, including civics, world history, United States and Pennsylvania history. Either 180 days or 990 hours of instruction are required.

*Secondary school level students (grades 7-12) may include, at the discretion of the tutor:* economics, biology, chemistry, foreign languages, trigonometry or other age-appropriate planned instruction as contained in Chapter 4 of the regulations (relating to academic standards and assessment).

### **Dual Enrollment of Privately Tutored Students**

A school district may allow students that are homeschooled or being privately tutored to attend classes in the district's schools or a career and technical educational program. ([22 Pa. Code § 11.33](#)). This provision of services is at the discretion of the school district of residence and not mandated. Review your local school district's policy or contact your local school district home education coordinator for additional information.

Credits that are taken by dual enrollment count toward curriculum requirements for the privately tutored student.

Students taking a class with the school district by dual enrollment will be assigned a PAsecureID so that they can be counted in the Pennsylvania Information Management System (PIMS).

### **Diplomas for Privately Tutored Students**

There is no direct path to a state-recognized diploma through a private tutoring program; hence, there are no graduation requirements ([22 Pa. Code § 11.31\(a\)](#)). Students who are privately tutored may obtain a [Commonwealth Secondary School Diploma](#).

Another option may be to privately tutor students through eleventh grade and then homeschool in twelfth grade in order to obtain a supervisor-issued home education high school diploma. In order to obtain a home education high school diploma, documentation of work completed in the private tutoring program in grades nine through eleven would be required.

### **Qualifications of a Private Tutor**

Private tutors must be PA certified teachers and submit background checks to any school district for which they privately tutor students ([24 P.S. § 13-1327\(a\)](#)).

### **Certification**

A private tutor must be certified by the Commonwealth of Pennsylvania to teach in the public schools of Pennsylvania.

### **Act 48 Professional Development Requirements**

The law specifically exempts evaluators and private tutors from having to maintain an active status for Act 48 Continuing Professional Development. This means a private tutor does not have to maintain Act 48 hours ([24 P.S. § 12-1205.1](#)). However, a teacher may check their Act 48 status at the [Professional Education Record Management System](#) (PERMS) webpage.

If a teacher does not know their Professional Personal ID (PPID), it can be obtained from the PERMS system using their Social Security number.

### **Verification of Teaching Credentials**

Official verification of a credential/certificate now is completed via the Internet through the [Teacher Information Management System](#) (TIMS) using either the teacher's PPID or name; paper documents no longer are an official source for verification. The private tutor must verify their Pennsylvania certification with the superintendent of the student's district of residence ([24 P.S. § 13-1327\(a\)](#)).

Many states have moved to electronic certification verification to prevent manipulation or modification of paper credentials and to provide faster processing of credentials. If a certification is in a disciplinary status, it will be reflected in TIMS; this information is available only when the certification is checked online.

For Credential and Disciplinary Status Categories, see Appendix I.

### **Background Checks**

No person who would be disqualified from school employment by the provisions of [24 P.S. § 1-111\(e\)](#) may be a private tutor. The private tutor must file a copy of the required criminal history record with the superintendent of the student's district of residence ([24 P.S. § 13-1327 \(a\)](#)).

The law is the same for a private tutor as it is for any other teacher; the same laws cover all scenarios, including for parents who act as private tutors for their own children only. Here are the three clearances and how they are reported:

1. [PA State Police \(PSP\) Request for Criminal Records Check](#) (Act 34 of 1985 and Act 114 of 2006): go to the [ePatch](#) website and complete the *Pennsylvania Access To Criminal History (PATCH)* check (use the link "Submit a New Record Check (requires a credit card)"). As long as the check does not go into review, the results can be printed immediately. Multiple copies can be printed.
2. [Department of Human Services Child Abuse History Clearance](#) (Act 151 of 1994): select the accompanying link, complete the form electronically, and then print and mail to the indicated address. The results will be sent to the teacher (or private tutor) and the original results must be presented to the school district. The school district will make a copy for their files. The teacher (or private tutor) is not allowed to make the copies.
3. [Federal Criminal History Record Information \(CHRI\)](#) (Act 24 of 2011): see the <https://uenroll.identogo.com/> website to register using service code 1KG6XN on this fingerprint-based criminal history submitted through the PA State Police or its authorized agent (FBI). Fingerprinting cannot be completed online, and you must pre-register (online or call 1-844-321-2101). The teacher (or private tutor) submits the UEID <https://uenroll.identogo.com/> to the school district and the district will check the results online.

Teachers (or private tutors) must provide the school district administrator or designee with written notice, utilizing the [Arrest/Conviction Report and Certification](#) form (PDE-6004), for any arrest or conviction for an offense enumerated under [24 PS 1-111\(e\)](#) provided for in clause [24 PS 1-111\(j\)\(1\)](#) not later than seventy-two (72) hours after an arrest or conviction.

## **Private Tutoring Versus Home Education Programs**

Parents may want to compare the differences between homeschooling and private tutoring to see which best fits the way they would like their children to be educated. There are many similarities, such as in the curriculum requirements, but there also are differences. Here is a brief overview of the structural differences.

### **Private Tutoring**

1. No affidavit required (cost savings)
2. In place of affidavit, reporting (1) by tutor of students and (2) by parent that the law's requirements were met
3. No evaluation required (cost savings)

4. No direct route to the Commonwealth Secondary School Diploma is possible, but additional cost and effort may be involved since high school equivalency tests now are based on the PA Core Standards)
5. Dual enrollment possible, at the discretion of the school district
6. Private tutor must be a PA certified teacher, submitting evidence of their certification and results of their background checks to the school district

## Homeschooling

1. Notarized affidavit required (cost)
2. Evaluation required (cost)
3. State-recognized diploma available
4. Right to borrow textbooks and other curricular materials
5. Right to participate in extracurricular activities
6. Dual enrollment possible, at the discretion of the school district
7. Supervisor of the home education program needs a high school diploma or its equivalent

One strategy for parents is to have their children privately tutored through eleventh grade and then switch to homeschooling in twelfth grade so that the student can obtain a state-recognized high school diploma. If this strategy is followed, the parent will need to ensure that the private tutor structures the student's education in such a way as to complete the requirements for graduation from a home education program.

## Home Education Evaluators

The law requires that each home education student be interviewed, and their portfolio reviewed by a qualified home education evaluator each school year. The evaluator's written certification that an appropriate education is occurring must be submitted by the home education supervisor to the superintendent of the student's district of residence by June 30 of each school year ([24 P.S. § 13-1327.1\(e\),\(h.1\)](#)).

## Yearly Evaluation Requirements

The evaluation of the student's educational progress must be annual and written. The evaluation must be based on an interview of the child and a review of the portfolio and accompanying documentation. The evaluation must certify whether an appropriate education is occurring ([24 P.S. § 13-1327.1\(e\)\(2\)](#)).

An appropriate education is defined in [24 P.S. § 13-1327.1\(a\)](#) as:

1. A program consisting of instruction in the required subjects (see the *Home Education Curriculum* subsection)
2. The time required in this act (see the *Portfolio – Tracking a Home Education Program* subsection)
3. The student demonstrates sustained progress in the overall program

Sustained progress in the overall program would indicate that the student is progressing through the mandatory courses such that the student will complete all mandatory courses during their current interval (elementary or secondary).

Since no time can be recorded toward the mandatory hours or days until the affidavit is submitted to the school district (the affidavit *begins* the program), the evaluator can consult the notarized affidavit to determine the start date of the program if questions arise.

The supervisor of the home education program may have a preference for the amount of detail contained in the written evaluation (see the *Evaluation – Closing Out a Home Education Program* subsection.)

### **Verifying “Compliance with Any Other Provisions”**

In addition to reviewing the portfolio for compliance with compulsory attendance and progress in the overall home education program, other questions may arise regarding compliance with other provisions of the home education law. The basis for these concerns must be substantiated in writing to the supervisor of the home education program by the superintendent of schools.

Concerns may include such things as whether the home education supervisor is qualified, whether anyone living in the home has been convicted of a criminal offense that would render the program invalid, or whether the program was conducted in English. A qualified home education evaluator may certify whether the program is in compliance, given appropriate documentation or evidence by the supervisor of the program ([24 P.S. § 13-1327.1\(j.1\)](#)).

### **Co-signing the High School Diploma**

Act 196 of 2014 provides for state-recognized supervisor-issued diplomas for students completing the graduation requirements of a home education high school diploma. This diploma must be on a form provided by PDE, and must be co-signed by the evaluator whose evaluation was submitted to the superintendent for the student’s twelfth grade (graduation) year ([24 P.S. § 13-1327.1\(d.1\)](#)).

### **Evaluator Confirmation**

The twelfth grade evaluator that co-signs the home education high school diploma confirms that the student is suitable for graduation. A determination that a student is suitable for graduation, that is, that the graduation requirements have been met, is more extensive in review than a yearly evaluation.

If the twelfth grade evaluator has not evaluated all of the student’s high school portfolios, the evaluator will need sufficient evidence of completion of all courses required for graduation in the home education program. In light of this, evaluators may consider providing a signed listing each year to the supervisor documenting the courses they have reviewed. Parents can save these yearly evaluations as evidence of course completion for the twelfth grade evaluator. Evaluators may consider keeping a record of evaluations they have completed and a list of the students for whom they have signed diplomas.

### **Backup Confirmation**

The evaluator may offer to add a notation to the twelfth grade evaluation submitted to the superintendent stipulating that the graduation requirements have been met so that the school district can document the home education graduation. If the student's diploma is lost or misplaced and the twelfth grade evaluator cannot be located to sign a replacement, there will be another official record that it exists.

The school district should be able to verify the following as is required to track both the notarized affidavit and the evaluation:

1. The supervisor submitted an affidavit for the graduation year of the named student;
2. The named evaluator on the diploma fulfills the legal requirements as a secondary level Home Education Evaluator; and that
3. The evaluator's twelfth grade evaluation for the student was submitted to the school district.

### **Qualifications**

There are a number of avenues for individuals to qualify to become home education evaluators ([24 P.S. § 13-1327.1\(e\)](#)).

1. Licensed clinical psychologist
2. School psychologist
3. Pennsylvania certified teacher with two years grading experience at the level they evaluate (K-6 and/or 7-12)
4. Nonpublic school teacher or administrator with two years PA teaching experience within the last 10 years at the level they evaluate (K-6 and/or 7-12)
5. Persons with other qualifications, with the prior consent of the superintendent of the district of residence

At the request of the supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the district of residence superintendent. If the superintendent has confidence in the evaluator's ability to do a credible job, they may allow that person to evaluate, regardless of degrees or teaching experience ([24 P.S. § 13-1327.1\(e\)\(2\)](#)). The supervisor should receive permission to use an evaluator with "other qualifications" well before the evaluation is due to ensure the choice is acceptable.

NOTE: The supervisor or the spouse of the supervisor of the home education program is not allowed to be the evaluator for their home education program, regardless of any qualifications ([24 P.S. § 13-1327.1\(e\)\(2\)](#)).

Teaching experience is defined in [24 P.S. § 13-1327.1\(e\)\(1\)](#) as:

1. A teacher or administrator who evaluates a portfolio at the elementary level (grades kindergarten through six) shall have at least two years of experience in grading any of the following subjects: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; and civics.

2. A teacher or administrator who evaluates a portfolio at the secondary level (grades seven through twelve) shall have at least two years of experience in grading any of the following subjects: English, to include language, literature, speech, reading and composition; science, to include biology, chemistry and physics; geography; social studies, to include economics, civics, world history, history of the United States and Pennsylvania; foreign language; and mathematics, to include general mathematics, algebra, trigonometry, calculus and geometry.
3. As used in this clause, the term "grading" shall mean evaluation of classwork, homework, quizzes, classwork-based tests and prepared tests related to classwork subject matter.

A PA certified teacher's experience would apply regardless of where that experience occurred, including in a private tutoring program.

### **Continuing Education (Act 48) for an Evaluator**

The law specifically exempts evaluators and private tutors from having to maintain an active status for Act 48 Continuing Professional Development. This means an evaluator does not have to maintain Act 48 hours ([24 P.S. § 12-1205.1](#)).

If interested, a certified teacher may check their Act 48 status at the [Professional Education Record Management System](#) (PERMS) webpage. This link also can be used to obtain their PPID, if it is unknown.

### **Providing Credentials**

The law requires that the evaluation submitted to the superintendent must be completed by individuals with certain credentials. The verification of these credentials will depend on the credential itself.

The home education supervisor may select anyone to evaluate their student's portfolios, as long as that individual fulfills one of the five qualifications. The choice of evaluator selected by the supervisor cannot be denied as long as that individual meets the vocational criteria.

1. *Licensed clinical psychologist*: [License number](#) lookup.
2. *School psychologist*: This is an [Education Specialist Certification](#) and can be checked in the same manner as any PA certified teacher.
3. *Pennsylvania certified teacher*: Official verification of credentials is checked online using the teacher's PPID or name. Paper certifications no longer are used. The evaluator's name must match the name on the certification. If a teacher's name has changed but this is not yet reflected in their official record, documentation could be provided to substantiate the change. Teachers should update their official record whenever there is a name change. Check certification on the [Teacher Information Management System](#) (TIMS).
4. *Nonpublic school teacher or administrator*: For a teacher or administrator not having PA certification, a notation listing the contact information (e.g., phone number) for the place of employment where they taught, along with the subjects and grades taught,

can be checked by contacting the place of employment. A letter on letterhead from the referenced institution also would be acceptable.

5. *Persons with other qualifications*: The superintendent of schools in the student's district of residence may accept any other credentials or documentation they believe to be adequate. This is completely at the discretion of the superintendent. Some examples of requests include college professors, teachers certified in other states, experienced homeschool parents, professional curriculum providers, and teachers in "umbrella schools."

### **Documenting Credentials**

One method for documenting qualifications is to create a simple block signature for the evaluation, listing the evaluator's credentials.

#### Suggested Format

- Evaluator's Name
- PPID (for PA certified teacher or school psychologist) or License Number (for licensed clinical psychologist)
- School where taught, with contact number (phone number)
- Span of years taught, subjects taught, grades taught

#### Samples

- Alex Garcia
- PPID: 5101604
- North Green SD, 515-555-5555
- 2010-2015, mathematics, grades 7-12
  
- Mary Jones
- Clinical Psychologist
- PA License: PS012345L
  
- James Williams
- Johnson Academy
- 717-000-0000
- 2010-2015, science, grades 5-8

### **Home Education Programs**

The Home Education Program Basic Education Circular (BEC) can be reviewed from a link on the list of [BECs](#).

### **Brief Tour of a Home Education Program**

The following topics are covered more fully in their own section of this guide. All laws and regulations that are referenced are located in the *Laws and Regulations* section of this guide.

A home education program is not considered a nonpublic school under the home education law; it is a program ([24 P.S. § 13-1327.1 \(b\)](#)).

### **Homeschooling Right**

Homeschooling is a right, as long as the required documentation is submitted in the notarized affidavit; the school district's approval is not required ([22 Pa. Code § 11.31a](#)).

Once the required documentation is submitted, the school district may not deny the right to homeschool unless a proper hearing has found the home education program to be out of compliance, in which case the home education program can be suspended for up to 12 months ([24 P.S. § 13-1327.1\(k\)-\(m\)](#)).

### **Beginning the Program: The Affidavit**

A home education program is commenced by the submission of a notarized affidavit to the superintendent's office, in the student's district of residence, by the home education supervisor (parent, guardian or person having legal custody of the child).

The affidavit covers the school year (July 1 – June 30) and must be submitted to the superintendent's office no later than August 1 of each school year a child is homeschooled. The exception is the first year a student is homeschooled; that year the home education program may begin at any time, as soon as an affidavit and supporting documentation is submitted.

### **Documenting the Program: The Portfolio**

During the school year, the supervisor maintains a portfolio of records and materials, demonstrating that an appropriate education is occurring.

### **Closing out the School Year: The Evaluation**

A written evaluation of the home education program must be submitted by the home education supervisor to the superintendent of schools in the student's district of residence no later than June 30 for the closing school year and should be submitted at the close of the program for those programs that do not take place for an entire school year.

The evaluation by a qualified home education evaluator is to be based on an interview of the student and a review of the portfolio; it must state whether an appropriate education has occurred for the student and document the student's progress while in a home education program.

### **Age of Enrollment and Attendance**

Effective with the 2020-21 school year, a child must comply with compulsory attendance requirements from age six (6) to age eighteen (18). Specifically, a child who has attained the age of six (6) on or before September 1 must enroll and attend school or begin a home education program that year. A home education program must be documented and evaluated to account for all schooling during that time. Students may participate in a home education program as long as they are of school age.

### **Kindergarten**

Kindergarten is not required in Pennsylvania. Parents may choose to submit an affidavit for homeschooling their kindergarten child, but it is not required. A school district is not required to accept an affidavit for a kindergarten student that has not attained the age of enrollment in the school district of residence, but the parent may choose to submit an affidavit and the written evaluation for a kindergarten student to document the student's progress, should the parent wish to enroll the student in the local school district or another school in the future.

### **Curriculum**

Parents have a legal right to borrow copies of the school district's own planned courses, textbooks and other curriculum materials appropriate to the student's age and grade level; these are provided free of charge. There are many other options for obtaining curriculum. If a parent chooses an online program where the program provides grades, evaluations, etc., the parent is still responsible for providing the local school district with an annual written evaluation of the home education program completed by a qualified evaluator.

### **Extracurricular Activities**

Homeschooled students have the right to participate in the school district's extracurricular activities, subject to meeting the eligibility criteria or its equivalent. They are subject to compliance with all policies, rules and regulations, or their equivalent, of the governing organization of the activity.

### **Home Education Diplomas**

Parents may choose supervisor-issued diplomas (for students graduating since the passage of Act 196 on October 31, 2014) or enroll their children in one of the diploma-granting organizations recognized by PDE. Both options are equally recognized by the state under the guidelines of legislation.

For students who completed their home education programs prior to the passage of Act 196, if the home education student completed the home education graduation requirements but did not affiliate with an authorized diploma-granting organization, the school district is required to submit to PHEAA a certification that the home education program was in compliance with the home education program law so that the student may receive funding.

### **Transcripts**

A home education program has certain legally required courses and standardized testing requirements for completing the elementary level (grades kindergarten - 6) and secondary level (grades 7-12). There also are requirements for a home education graduation. In order to ensure these requirements are met, and to document the homeschool history, transcripts should be kept by the parent. Those diploma-granting organizations that are recognized by PDE also keep transcripts of students enrolled in their organizations in order to award diplomas.

### **Students with Disabilities**

For any child in a home education program who is identified pursuant to the provisions of the Education of the Handicapped Act as amended by the Individuals with Disabilities Education Act (IDEA) as needing special education services (excluding those students identified as gifted and/or talented), there is additional documentation required which must be submitted with the

notarized affidavit, detailed in the next section called 'Affidavit -- Beginning a Home School Program.

If a homeschooled student was found eligible for special education services and the LEA's policy or practices are to provide special education services to home school students, the special education services should be considered and offered in accordance with the individualized education program (IEP) to the extent appropriate.

If the LEA does not offer special education to homeschooled children in practice or policy, they are not required to provide services, but are also not prohibited from doing so.

Special Education Services provided to a homeschooled student is distinct from an LEA's responsibility to provide FAPE.

#### *Parents do not need special skills*

A parent has no legal requirement for any particular skill or certification to homeschool a child with special needs. The only limitation is that their affidavit must address the specific needs of the child and be approved ([24 P.S. § 13-1327\(d\)](#)).

#### *General IEP information*

General information on IEPs is available on the [IEPs and 504 Service Agreements](#) webpage.

### **Standardized Testing**

The law requires that homeschooled students take the statewide tests or other authorized tests in grades 3, 5, and 8. The results must be reported in the portfolio; they are not reported to the school district. PDE publishes a list of acceptable alternative tests on the [Home Education and Private Tutoring](#) homepage.

### **Work Permits**

Homeschooled students must apply for work permits from the school district. Detailed information can be read under the *School District Responsibilities* section.

### **Support Groups and Resources**

Parents of homeschooled students often band together for sharing resources, ideas and planned activities – including graduation exercises. Some of these are formal Homeschool Cooperatives. Check with your homeschool contacts or search the Internet to see whether one of these exists in your area; if not, you may want to start one.

A number of organizations also offer services to homeschooled students, often for a fee. See the *Support Groups & Resources* on the [Home Education and Private Tutoring](#) homepage.

### **Affidavit – Beginning a Home Education Program**

The notarized affidavit and accompanying attachments must be submitted to the superintendent's office in the student's district of residence for a home education program to begin. Without this documentation, a home education program does not legally exist.

### **When to Submit an Affidavit**

The initial affidavit may be submitted any time during the school year before the program commences, but all subsequent affidavits are due by August 1 ([24 P.S. § 13-1327.1\(b\)\(1\)](#)).

### **Year-round Homeschooling**

If a parent wishes to teach year-round, the affidavit may be submitted as early as July 1 ([24 P.S. § 1-102, “school year”](#)) so that the home education program may begin to count the mandatory days or hours. The cut-off date for completion of a school year is June 30, when the evaluation is due to the school district’s superintendent of schools ([24 P.S. § 13-1327.1\(h.1\)](#)).

### **Who Must Submit an Affidavit**

An affidavit must be submitted in the following circumstances.

1. *Kindergarten in public school.* If a child was enrolled in a *public* school for kindergarten or above and transferred to a home education program, an affidavit and an evaluation is due every year regardless of the age or grade of the child. ([PA Supreme Court appeal decision](#), June 16, 2014 in the Commonwealth of PA v. Jennifer Ann Kerstetter)
2. *Enrolled in any educational option for first grade or above.* If a child attended first grade or above in any public or nonpublic school, or the child was enrolled in a private tutoring program for first grade or above, or an affidavit to homeschool was submitted for first grade or above, an affidavit and an evaluation is due every year regardless of the child’s age ([24 P.S. § 13-1326](#)).
3. *Six (6) years old.* If a child has never been enrolled in any legal educational option (see the *Educational Options* section), an affidavit must be submitted by the student’s sixth birthday. However, school districts have the option of allowing the affidavit to be submitted at the beginning of the next school year, if the child’s birthday is after September 1st.
4. As a general rule, any student who has not attained 17 years of age, and has not graduated, must submit an affidavit. See the *Exceptions to Compulsory Attendance* section of this guide.

### **The Affidavit and its Attachments**

The notarized affidavit has certain requirements that generally are submitted as separate attachments and there are additional requirements for students with an IEP.

### **Obtaining an Affidavit**

Sample affidavit forms for your use are available on the [Home Education and Private Tutoring](#) homepage and contain all and only the requirements of the law. They also are attached to the Home Education Program Basic Education Circular (BEC), which may be accessed from the [list of BECs](#). Additionally, you may use a form provided by your school district or you may create your own affidavit, following the requirements in the home education law.

The home education supervisor is to sign the notarized affidavit and submit it to “the superintendent of the school, district of residence;” as such, the supervisor should be prepared to verify that they are residents of that district. See [24 P.S. § 13-1327.1\(b\)\(1\)](#).

### **The Affidavit**

The components of the affidavit are stipulated in [24 P.S. § 13-1327.1\(b\)\(1\)](#), including:

1. The name of the supervisor of the home education program,
2. The name and age of the student,
3. The address and telephone number of the home education program site,
4. A statement that the mandatory subjects will be taught in the English language,
5. An outline of proposed education objectives by subject area,
6. Evidence that the child has been immunized in accordance with [section 1303\(a\)](#),
7. Evidence that the child has received the health and medical services required for students of the child's age or grade level in [Article XIV](#),
8. Assurance that the home education program will comply with the law, and
9. A certification that the supervisor, all adults living in the home and persons having legal custody of the student have not been convicted of the criminal offenses enumerated in [subsection \(e\) of section 111](#) within five years preceding the date of the affidavit.

### **Immunizations and Health/Dental Exams and Screenings - Introduction**

The law requires all students, including students in a home education program to comply with 24 P.S. § 13-1303(a) and Article XIV School Health Services. For updates in policies regarding immunization, visit the Department of Health's website.

For all students enrolling in a home education program for the first time, the record of the student's immunization (certificate of immunization) must be submitted to and reviewed by the school nurse of the local school district. After this initial review, evidence of immunizations is required for all public school, private school, nonpublic and homeschool students every year.

In lieu of the standard certificate of immunization (green and white form) and medical certificate forms (red and white form), homeschool parents/legal guardians must submit at least one of the three documents listed below to satisfy the immunization record requirement:

1. The actual records, which show the record or history of immunization, including the month, day and year that immunizations were given, or
2. (After the initial records or certificate of immunization has been reviewed by the school nurse of the local school district) A letter from a physician or physician's designee stating the legal requirements have been fulfilled or that there exists a medical condition that prevents immunization, or
3. A letter stating that the parent/legal guardian objects to immunizations on religious grounds or on the basis of strong moral or ethical convictions, similar to religious beliefs.

The certificate of immunization form used by many school districts also has a 'Statement of Exemption' section that can be completed by a physician (medical exemption) or by a parent/legal guardian (religious/strong moral or ethical conviction exemptions).

### **Timeline for submitting documents**

Homeschool parents must submit this information before starting a home education program and by August 1 for subsequent years of the home education program, along with the affidavit and other required documentation, such as a medical certificate (known as the red and white form), which sets out a schedule of any remaining doses of immunizations.

### **Exemptions to Immunizations**

The only exemptions to this regulation are based upon medical exemptions (i.e., a child undergoing chemotherapy and scheduled for a dose of a live virus immunization as this would not be medically appropriate) or on religious grounds or on the basis of strong philosophical, moral or ethical convictions, similar to religious beliefs (See 28 Pa. Code § 23.84).

### **Resources**

A recommended vaccine schedule may be found at  
[www.CDC.gov/vaccines/schedules/index.html](http://www.CDC.gov/vaccines/schedules/index.html)

A standard certificate of immunization (green and white form) may be accessed at:  
[www.health.pa.gov/topics/documents/school%20health/SIR2.pdf](http://www.health.pa.gov/topics/documents/school%20health/SIR2.pdf)

A standard medical certificate (red and white form) may be accessed at:  
[www.health.pa.gov/topics/documents/school%20health/SIR3.pdf](http://www.health.pa.gov/topics/documents/school%20health/SIR3.pdf)

The Department of Health's website may be accessed at:  
<https://www.health.pa.gov/topics/programs/immunizations/Pages/School.aspx>

Frequently Asked Question Pages – Department of Health appear at:  
<https://www.health.pa.gov/topics/programs/immunizations/Pages/School-FAQ.aspx> (FAQ site)

Vaccines for Children website:

For students that have no insurance or are underinsured, there is a program called Vaccines for Children (VFC) (1-888-646-6864) that provides access to immunizations at federally funded health centers, rural health clinics, and through certain providers participating in the program.  
<https://www.health.pa.gov/topics/programs/immunizations/Pages/VFC.aspx>

### **Health Screenings, Physicals, and Dental Exams**

All public, private, nonpublic, and homeschool students of school age must have certain health screenings (vision, hearing, height/weight for calculation of body mass index, tuberculosis, and scoliosis), comprehensive physicals, and dental examinations at specified time frames as set forth in Article XIV (School Health Services) and in regulations (28 Pa. Code Chapter 23). A complete schedule of exams has been furnished under the Resources section below. The Department of Health's website provides information on the requirements, guidelines and sample forms for the required exams and screenings that can be accessed using the links listed in the Resources section.

Homeschool families may schedule appointments for these screenings with the local school district nurse or the district's contracted health care professional when the screenings/exams are being conducted at the schools. Homeschool families may also schedule comprehensive physicals and dental examinations with private health care providers, but these physicals and dental examinations must be performed no more than four months prior to the year in school for which the exam is mandated. (See 24 P.S. § 14-1419 for other considerations related to exams).

As with immunizations, the results of these screenings must be submitted to the school district at the beginning of a home education program or by August 1 for subsequent years of the home education program along with the affidavit and other required documentation.

## Resources

Complete Schedule of Screening/Exams may be accessed at:

<https://www.health.pa.gov/topics/Documents/School%20Health/Mandated%20Health%20Services%202017.doc>

Requirements, Guidelines, and Sample Forms are available at:

<https://www.health.pa.gov/topics/school/Pages/Mandated-School-Health-Programs.aspx>  
<https://www.health.pa.gov/topics/school/Pages/Dental-Health.aspx>

Medical record regulations are defined in Additional Documentation for ***Students with Disabilities***

For any child identified by the provisions of the Education of the Handicapped Act as amended by the Individuals with Disabilities Education Act (IDEA) as needing special education services (excluding those identified as gifted and/or talented), the program must address the specific needs of the student with a disability and be approved by a teacher with a valid certificate from the Commonwealth to teach special education or a licensed clinical or certified school psychologist. This written notification of approval must be submitted with the notarized affidavit ([24 P.S. § 13-1327\(d\)](#)). For further information, see the Student with a Disability section of this guide. A parent has the option of revoking consent in writing for their child's receipt of special education services pursuant to 34 CFR 300.9.

## Outline of Proposed Education Objectives by Subject Area

The outline is like a "game plan" for the coming school year and may be similar to a table of contents. It cannot be used in determining whether an appropriate education has taken place ([24 P.S. § 13-1327.1\(b\)\(1\)](#)). This is an individualized home education program and is not required to follow the same curriculum order as the school district.

## Portfolio – Tracking a Home Education Program

A portfolio documents that the compulsory attendance laws have been observed and that the student has made sustained progress in the overall home education program ([24 P.S. § 13-1327.1\(a\),\(c\),\(e\)](#)).

Portfolios are required of all homeschooled students covering the period of time when they are of compulsory school age (students who have attained age six by September 1 until they attain the age of 18 or have graduated ([24 P.S. § 13-1326](#)). In order for a student to receive a home education high school diploma that is recognized by the state, an affidavit and evaluation must be submitted to the superintendent of schools in the student's graduating year.

### **Minimum Portfolio Requirements**

1. Samples of any writings, worksheets, workbooks or creative materials used or developed by the student; and
2. A log, made contemporaneously with the instruction, which designates by title the reading materials used.

The log must demonstrate that the home education program provided a minimum of either (1) 180 days of instruction or (2) 900 hours of instruction per year at the elementary level (grades kindergarten to 6), or 990 hours per year at the secondary level (grades 7-12). See [24 P.S. § 13-1327.1\(c\)](#). If the choice is to document days, the portfolio does not need to specify the number of hours each day. For students in grades three, five, or eight, the results of the statewide tests (PSSAs) or other authorized nationally normed standardized achievement tests (a list of approved tests is provided on the [Home Education and Private Tutoring](#) homepage). See the *Standardized Testing* section of this guide.

1. A written evaluation from a qualified home education evaluator verifying whether the student has had an appropriate education. It is the responsibility of the parent to pay for any charge for this service. See the *Evaluators* section of this guide.

### **Example Format**

Parents sometimes ask what the portfolio should look like. One simple suggestion for maintaining the portfolio is to use a three-ring binder, inserting dividers for (1) the log, (2) the results of the standardized test (for grades three, five and eight), (3) the evaluation, and (4) sample work products for all subjects taught. There are many other options.

### **Students above Age 18**

Compulsory attendance laws require students to attend school until they are 18 years old or have graduated; therefore, a portfolio must be submitted to provide evidence of compliance with compulsory attendance laws up to age 18. If a student ceases to homeschool after they turn 18, the portfolio still must be submitted for the period before the eighteenth birthday.

Sometimes supervisors of home education programs question whether they need to continue to document their child's work once the child has turned 18, or whether it is acceptable simply to submit the portfolio covering the work up to that age.

It is permissible to document only the work completed up to the eighteenth birthday, but there are diploma and Pennsylvania Higher Education Assistance Agency (PHEAA) considerations. A student cannot obtain a state-recognized diploma from the home education supervisor or an approved diploma-granting organization unless they provide the affidavits and evaluations to the

school district and until the graduation requirements are completed. See the *Curriculum* and *Diplomas* sections of this guide.

However, the student may receive a Commonwealth Secondary School Diploma by passing a high school equivalency test or completing of 30 college level credits from a United States accredited postsecondary institution. PHEAA will accept these.

### **Evaluation – Closing Out a Home Education Program**

An appropriate education is defined as “a program consisting of instruction in the required subjects for the time required in this act and in which the student demonstrates sustained progress in the overall program.” The portfolio evaluation certifies whether an appropriate education occurred.

1. *What:* A written evaluation by a qualified evaluator must be submitted for each student. See the *Home Education Evaluators* section regarding a qualified evaluator.
2. *Who:* The evaluation must be submitted by the home education supervisor to the superintendent of the school district of residence.
3. *When:* The evaluation must be submitted by June 30 of each year for full year programs and should be submitted at the end of the program for those programs that do not take place for an entire school year.
4. *Basis:* The evaluation must consist of a portfolio review and interview with the student.
5. *Contents:* The evaluation must certify whether an appropriate education is occurring for that student.
6. *Law:* See [24 P.S. § 13-1327.1\(e\),\(h.1\)](#).

### **Scheduling an Evaluation**

Identify an evaluator very early in the school year and schedule an appointment with that person for the evaluation to ensure that the evaluation is not late in being submitted to the superintendent. It is the responsibility of the parent to pay for any charge by an evaluator for this service.

### **Finding an Evaluator**

The Department does not keep a list of evaluators. One may be found by asking other homeschooling friends or acquaintances, searching the Internet for “PA homeschool evaluators,” or asking the school district for a recommendation. A number of homeschool organizations also list evaluators. It may be more convenient to select an evaluator in your area, but it is not necessary.

### **Diploma Considerations in Selecting an Evaluator**

Act 196 of 2014, which established state-recognized diplomas issued to homeschooled students by their home education supervisor, requires the diploma to be co-signed by the twelfth grade evaluator ([24 P.S. § 13-1327.1\(d.1\)\(1\)\(i\)](#)).

Considering this, a parent may want to establish that the individual they select to evaluate the portfolio in the twelfth grade is willing to co-sign the diploma. If the evaluator is not willing to do so but their evaluation is submitted to the superintendent, a state-recognized diploma issued by

the supervisor is no longer possible; the only individual that may co-sign the diploma is the student's twelfth grade evaluator.

### **Contents of the Evaluation**

The law requires only that the evaluation certify whether an appropriate education is occurring.

Prior to Act 196 of 2014, school districts kept a record of completed homeschool courses. Since the portfolio no longer is submitted to the school district, the school district does not track the mandatory courses that have been completed by the student toward graduation.

Additionally, since the twelfth grade evaluator must co-sign the diploma, evaluators may expect documentation that substantiates the courses that were completed during grades 9-11 if they were not the evaluators for those years. Therefore, a parent may want to ask each year's evaluator to sign a detailed list of the courses evaluated for that year. This list can be provided to the twelfth grade evaluator to confirm completion of the mandatory courses, not personally reviewed by the evaluator, in order to sign the diploma.

This detailed evaluation also may be useful in instances where a student enrolls in a public or private school and evidence of previously completed courses is required.

If desired, a separate evaluation may be completed for submission to the superintendent that simply states whether an appropriate education has occurred. If the evaluation states that the student has completed the graduation requirements for a home education program, the school district can make a notation in the student's record so that if the evaluator-signed diploma is lost, a secondary confirmation is available.

### **Students above Compulsory School Age**

As a result of Act 196 of 2014, a high school diploma awarded by a home education supervisor or an approved diploma-granting organization has the same legal rights and privileges as a diploma awarded by any school in Pennsylvania.

Prior to this legislation, affidavits and portfolios were submitted to provide verification of compliance with compulsory attendance laws. As a result of Act 196, the submission of an affidavit and evaluation to the superintendent of the school district of residence now is a requirement for a state-recognized high school diploma awarded by the supervisor of a homeschooled student or an approved diploma-granting organization.

Since affidavits and evaluations serve a greater purpose than simply verifying compliance with compulsory attendance laws (necessary until age 18), any student of school age may begin and continue in a home education program.

School age is defined as continuing until graduation from high school or the end of the school term in which a student reaches the age of 21 years, whichever occurs first ([22 Pa. Code § 11.12](#)).

### **Exceptions to Compulsory Attendance**

Compulsory attendance is required until a child is 18 years old, with some exceptions. An affidavit must be submitted for any student who is of compulsory attendance age and an evaluation is due to the superintendent for any time spent in homeschooling until the student is 18 or they have graduated from the home education program.

Regardless of the student's age, it is advantageous to continue to submit an affidavit and evaluation until graduation. Unless an affidavit and evaluation are submitted for the senior year, the student cannot be awarded a state-recognized diploma.

The term "compulsory attendance" refers to the mandate that all children of compulsory school age having a legal residence in Pennsylvania must attend a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language, except in the following situations found in sections 1327, 1327.1, and 1330 of the School Code:

1. Attendance at a private trade school or private business school continuously through the entire term congruent with the school term of the resident school district and that meets the requirements set forth by the State Board of Education or the State Board of Career and Technical Education when:

- The child is 15 and has approval from the district superintendent and the Secretary of Education, or
- The child is 16 and has approval from the district superintendent.

2. Attendance at a school operated by a bona fide church or other religious body which provides a minimum of 180 days of instruction or 900 hours of instruction per year at the elementary level or 990 hours per year of instruction at the secondary level.

3. Privately tutored or home-schooled students provided a minimum of 180 days of instruction or 900 hours of instruction per year at the elementary level or 990 hours per year of instruction at the secondary level.

4. Enrollment in a day or boarding school which is accredited by an accrediting association approved by the State Board of Education.

5. Children who are 16 and regularly engaged in useful and lawful employment during the school session with a valid employment certificate. Regularly engaged means 35 or more hours per week of employment.

6. Children who have been examined by an approved psychological professional and identified to be unable to profit from further public school attendance and excused by the school board.

7. Children who are 15 who hold a permit approved by the school district to engage in farm work or domestic service in a private home.

8. Children who are 14 and satisfactorily completed the equivalent of the highest grade of elementary school in their district who hold a permit recommended by the district and approved by the Secretary of Education to engage in farm work or domestic service in a private home.

## **Kindergarten**

Pennsylvania does not have compulsory attendance for kindergarten.

Since kindergarten is not required, some parents prefer to teach their child the kindergarten subjects and then enroll them in first grade once they attain the age of 5 years and 7 months by September 1 ([24 P.S. § 13-1304](#)).

If a child is homeschooled, a school district is not required to accept an affidavit for kindergarten before the child attains the age of enrollment set by the school district.

## **Age of Enrollment and Attendance**

Effective with the 2020-21 school year, a child must comply with compulsory attendance from ages six to 18, or until graduation. Homeschooling must be documented and evaluated to account for all schooling during that time.

Students become of compulsory school age, regardless of age, in these circumstances:

1. The student is enrolled in a public school in kindergarten or above, or
2. The student is enrolled in a private school or private tutoring program in first grade or above, or
3. The parent has submitted an affidavit for a home education program for first grade or above.

Students may begin a new home education program or continue in a home education as long as they are of school age (graduation or the end of the school term in which the student reaches the age of 21, whichever comes first; [22 Pa. Code § 11.12](#)).

## **Age versus Grade**

Since the affidavit is based on age, sometimes parents, evaluators and school districts are concerned about fulfilling their obligations when a family chooses to declare only the age of the student and not a grade. These obligations include submission of standardized testing results in the portfolio, and submission of evidence of immunizations and health and medical services to the school district.

In a home education program, the parent determines the course of study for their child. This program may or may not correspond to a specific grade overall.

The child's program may span more than one grade, depending on the subject. The mandatory courses are not grade-specific, they are level-specific. These courses are defined for the elementary grades (K-6) and the secondary grades (7-12).

Comparing the age of the child with the law and regulations, in conjunction with a yearly review of the portfolio contents, may help reasonably infer an approximate grade in determination of the various grade-specific requirements of the laws and regulations.

### **Home Education Divisions**

[24 P.S. § 13-1327.1 \(c\)-\(d\)](#) (Home education recognized levels)

1. The elementary level is grades kindergarten through six (K-6).
2. The secondary level is grades seven through twelve (7-12).

### **Elementary Level**

[22 Pa. Code § 4.21](#) (Elementary education: primary and intermediate levels)

1. The primary program (grades K-3) shall ordinarily be completed by children who are approximately 8 years of age.
2. The intermediate level program (grades 4-6) shall ordinarily be completed by children who are approximately 11 years of age.

### **Secondary Level**

[22 Pa. Code § 4.22](#) (Middle level education)

1. The middle level planned instruction aligned with academic standards serves children who are approximately 11—14 years of age.

[22 Pa. Code § 4.23](#) (High school education)

1. High school (grades 9-12) is above age 14.

### **Home Education Curriculum**

Children are homeschooled for a variety of reasons and some of these reasons may dictate the type of educational materials selected. For example, a family may be interested in a classical education or perhaps a faith-based curriculum.

Some options provide both curriculum and secondary oversight of the work (parents exercise primary oversight); these options are referred to as “umbrella schools.” When using an umbrella school, care must be taken to ensure the mandatory courses and graduation requirements defined by law are met; specific programs may need to be augmented to ensure this.

If a student begins a home education program after having been enrolled in a public or private school, all courses completed also apply to the home education program. See the section Umbrella Schools for more information.

### **Mandatory Courses**

Elementary school level (grades K-6), mandatory courses: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art.

Secondary school level (grades 7-12), mandatory courses: English, to include language, literature, speech and composition; science; geography; social studies, to include civics, world history, history of the United States and Pennsylvania; mathematics, to include general mathematics, algebra and geometry; art; music; physical education; health; and safety education, including regular and continuous instruction in the dangers and prevention of fires. Such courses of study may include, at the discretion of the supervisor of the home education program, economics; biology; chemistry; foreign languages; trigonometry; or other age-appropriate courses as contained in Chapter 5 (Curriculum Requirements) of the State Board of Education.

Note: the Chapter 5 (Curriculum Requirements) of the State Board of Education, mentioned in [24 P.S. § 13-1327.1\(c\)](#) as a resource to find other age-appropriate courses, has been repealed and replaced with *Chapter 4 Academic Standards and Assessment* ([22 Pa. Code Chapter 4](#)). Therefore, supervisors may consult 22 Pa. Code Chapter 4 for information regarding age-appropriate courses.

### **Graduation Requirements**

The following minimum courses in grades nine through twelve are established as a requirement for graduation in a home education program.

1. Four years of English
2. Three years of mathematics
3. Three years of science
4. Three years of social studies
5. Two years of arts and humanities

### **Resources**

There are sources for obtaining curriculum and support for a home education program.

#### **School District Resources**

A parent may choose to take advantage the planned courses, textbooks and other curriculum materials appropriate to the student's age and grade level used by the school district. These are available for borrowing simply by requesting them; there is no fee and the school district is legally required to lend them. See [24 P.S. § 13-1327.1\(f\)](#).

#### **Additional Resource Suggestions**

1. Public or private libraries
2. Curriculum that may be purchased from many diverse sources
3. Private cyber schools or other online courses
4. Correspondence courses
5. Umbrella schools
6. Homeschool cooperatives (Co-Ops)
7. Massive Open Online Courses (MOOCs)
8. Dual enrollment in classes at the public school district (at the discretion of the district)
9. Enrollment in universities or other higher educational choices
10. Selective classes at a private school (cannot be dually enrolled)

11. Individuals who specialize in particular subjects
12. Relatives
13. Self-developed materials
14. Internet materials

Note: all of these options are categorized as resources for home education programs and the source of educational materials is the supervisor's prerogative.

Homeschool co-ops are a great source of information for obtaining curricular materials, along with providing various kinds of support for those who homeschool. Some of these are listed on our [Home Education and Private Tutoring](#) homepage (*Support Groups and Resources*).

All that is necessary for obtaining credit for work completed in a home education program, regardless of the source of the curriculum, is for evidence of the work completed to be demonstrated in the portfolio. It is not necessary for the supervisor of the home education program to deliver all instruction personally.

### **Dual Enrollment of Homeschooled Students**

A school district may allow students who are homeschooled (or privately tutored) to attend curricular classes in the district's schools, although they are not legally required to do so ([22 Pa. Code § 11.33](#)). Credits taken by dual enrollment also count toward mandatory course completion and graduation requirements in the home education program.

School districts may have written policies regarding participation of homeschooled students in curricular programs, such as career and technical educational programs, science classes, computer labs, the arts, and foreign language courses. Please contact your local school district for this information. Unlike extracurricular activities, the provision of these services is at the discretion of the school district and not mandated ([22 Pa. Code § 11.41](#)).

The particular courses and the number of classes a homeschooled student may take by dual enrollment are determined by each school district's policy.

If a class taken by dual enrollment has an associated standardized test associated (e.g., Keystone exam, PSSA), the dually enrolled student must take the test unless they opt out for religious reasons via the provision of [22 Pa. Code § 4.4 \(d\)\(4\)](#).

Students taking a class with the school district by dual enrollment will be assigned a PAsecureID because they are counted with the school district in the Pennsylvania Information Management System (PIMS).

### **Concurrent Enrollment of Homeschooled Students**

Concurrent enrollment is a program administered and developed by a school entity (such as a school district or an area career and technical educational school) and an eligible postsecondary institution that allows students to concurrently enroll in postsecondary courses and to receive both secondary and postsecondary credit for that coursework. The term includes an early college high school program, a gateway to college program or a middle college high school program ([24 P.S. § 16-1602-B "Concurrent enrollment program"](#)).

Concurrent enrollment programs are open to students who are enrolled in a school district, a charter school, an area career and technical educational school, a nonpublic school, a private school or a home education program ([24 P.S. § 16-1602-B “Concurrent student”](#)).

Concurrent enrollment programs have not been funded by the state for a number of years. However, [24 P.S. § 15-1525](#) and [22 Pa. Code § 11.5](#) are not the same as a concurrent enrollment program and participation by homeschooled students is at the discretion of the school district for this option.

### **Private Schools**

Home school students may take selective classes from a private school, but this is at the discretion of the private school.

### **Standards**

Homeschool parents sometimes ask what content is appropriate to a given course. PA has certain standards which a homeschool parent may wish to explore in planning their own program. Nothing requires a home education program to contain the same course content or to offer courses in the same order as the public school regulations.

*CHAPTER 4. ACADEMIC STANDARDS AND ASSESSMENT* ([22 Pa. Code Chapter 4](#)) contains standards and rubrics for curriculum content for public school's students in various grades.

HINT: On the webpage for [Chapter 4 and Appendices](#), rather than using the hyperlinks at the top of the webpage, scroll down to the bottom of the page where there are assessment rubrics for various grade levels.

The appendices contain assessment rubrics for: (A) Reading; writing; speaking and listening; characteristics of the English language; research. (B) Science and technology. (C) Civics; government; economics; geography; history. (D) Arts and humanities; health; health, safety and physical education; family and consumer services. (E) Career education and work.

Additionally, the [PA Core Standards](#) contain these rubrics in PDF format and can be downloaded and printed. The [PA Core Crosswalks](#) drills down for more detail.

### **Transferring to Public/Private School**

If a student enrolls in a public or private school after homeschooling, there must be a determination of the grade level into which the child will be assigned and/or the high school credits to be accepted.

### **School Policy Determines Grade**

Although the homeschool supervisor determines the grade of a homeschooled student (if declared), when the student transfers into a public or private school, the school in which the child enrolls determines the grade to which the student will be assigned and/or the high school credits that will be accepted from home education work, pursuant to school policy. There are no laws or regulations governing the acceptance of home education work; it is at the discretion of the school. However, school districts are to have written policies ([22 Pa. Code § 11.41](#)).

### **Verification of Homeschool Credits**

The evaluations of homeschooled students are submitted each year to the superintendent for verification that an appropriate education has taken place. If the yearly evaluations do not list the completed courses in the home education program, the school will have no record of courses completed that can be used as guidance toward grade placement or graduation.

In these situations, possibly a district may ask to see the portfolios they have not reviewed since the passage of Act 196 or ask for a formal evaluation that lists the completed courses so that the school district can accept credit for them. Otherwise, schools no longer have the same grounds for placement as when they reviewed portfolios.

### **Acceptance of Homeschool credit**

School districts have a wide range of solutions for the determination of acceptance of credits from transferring homeschooled students. Below are some examples.

1. Some schools accept all home education credits.
2. Some schools do not accept any home education credits.
3. Some schools accept home education credits for any classes the school also offers.
4. Some schools accept home education credits for classes the school offers but also assign general education credits for classes the district does not offer.
5. Some schools allow students to test for credit.

### **Extracurricular Activities**

A school district must allow homeschooled students in their district to participate in the district's extracurricular activities. These are the activities that are subject to the provisions of [24 P.S. § 5-511](#), including, but not limited to, clubs, musical ensembles, athletics and theatrical productions, interscholastic athletics, varsity sports and intramural sports, with certain qualifications. The law does not require a school district to allow participation in certain activities such as the senior prom, commencement exercises, or music classes/lessons which are considered a graded course; these are decisions made at the local school district level.

The law also includes all activities related to competitive sports contests, games, events or exhibitions involving individual students or teams of students whenever such activities occur between schools within the school district or between schools outside of the school district.

If the activity requires completion of a physical examination or medical test as a condition of participation and the school district offers the physical examination or medical test to students enrolled in the school district, the school district must permit a child who is enrolled in a home education program to access such physical examination or medical test. The school district is required to publish the dates and times of these physical examinations or medical tests in a publication of general circulation in the school district and on its publicly accessible Internet website.

In order to participate, the student must:

1. Meet the eligibility criteria or their equivalent for participation in the activity that apply to students enrolled in the school district,

2. Meet the tryout criteria or their equivalent for participation in the activity that apply to students enrolled in the school district, and
3. Comply with all policies, rules and regulations or their equivalent of the governing organization of the activity.

See [24 P.S. § 13-1327.1\(f.1\)](#).

## Transcripts

As you track the progress of your homeschooled students to ensure compliance throughout their homeschool participation, you may consult the *Mandatory Courses* section of this guide for the requirements ([24 P.S. § 13-1327.1\(c1\),\(c2\),\(d\)](#)):

1. Elementary level students (K-6)
2. Secondary level students (7-12)
3. Graduation requirements

Sometimes a simple spreadsheet, similar to the following example, can be used to track the completed requirements over the student’s career. The first column contains all the mandatory course requirements, next columns contain year completed, a column for any comments (e.g., source of course such as taken by dual enrollment, college course, etc.), and perhaps a signature column for the evaluator who reviewed the course. Alternately, a grade could be assigned in place of a simple indication that the course was completed.

(Secondary level)	202W	202X	202Y	202Z	Comments	Evaluator
Algebra I	X					
Geometry		X				
Fire Prevention	X	X				
General Science	X					
Geography		X				
Physical Education		X				
Health	X					
Other	X	X				

## Students with a Disability

### The Affidavit

When the affidavit is submitted for a student with a disability, it must be accompanied by a written notification of approval that the specific support needs of the student with a disability are addressed by the program. See [24 P.S. § 13-1327\(d\)](#).

The parent has a choice of who will assure that the educational program addresses the needs of their child, and may be any of the following:

1. A teacher with a valid certificate from the Commonwealth to teach special education,
2. A licensed clinical psychologist, or
3. A certified school psychologist.

The law does not stipulate that the certification must be active, but only that it exists. This is similar to the regulation for evaluators of home education programs and private tutors, neither of which are required to be current in Act 48 professional development credits ([24 P.S. § 12-1205.1\(e\)](#)).

The supervisor of the home education program has the right to choose anyone to provide the approval letter that must accompany the affidavit, as long as that individual meets the vocational criteria.

### **School District Support**

If you believe your child has a disability and is in need of special education services, but has not been evaluated, the school district in which you reside is required to evaluate the child, without charge, when you make such a request in writing. The district must explain the results of the evaluation to you. If the district does not provide this service when requested to do so, the supervisor may contact the PDE special education consult line at 1-800-879-2301.

If you desire special education support services, the provision of services is a local decision and must be agreed to by both the supervisor and the school district or intermediate unit. All services shall be provided in the public schools or in a private school licensed to provide such programs and services; these services will not be provided in your home ([24 P.S. § 13-1327\(d\)](#)).

School districts and intermediate units are not required to provide support but may at their discretion.

### **Revocation of Consent for Special Education Services**

If a parent revokes consent for the receipt of special education services for their homeschooled child, the requirement for pre-approval of the educational plan no longer applies and the school district will not provide special education services.

Revocation of consent for the receipt of special education services is submitted in writing to the school district by the parent. If this is requested, the child no longer will be identified as a child with a disability under the IDEA and opting out of the designation closes the door to other state and federal assistance programs. If the school district is providing support for this child at their discretion, they must issue a Notice of Recommended Educational Placement / Prior Written Notice ([NOREP/PWN](#)) to the parents.

### **Standardized Testing**

Homeschooled students in grades 3, 5, or 8 must take, and report in their portfolio, the results of the statewide tests or another nationally normed standardized achievement test in reading/language arts and mathematics ([24 P.S. § 13-1327.1\(e\)\(1\)](#)).

At the discretion of the supervisor, the portfolio may include the results of nationally normed standardized achievement tests for other subject areas or grade levels. The current "[Statewide tests](#)" include both the PSSAs and the Keystone exams.

Supervisors of home education students are not required to state a reason for not selecting the statewide tests. However, the statewide tests may be taken at their school district without cost

to the homeschooled student whereas parents must bear any cost for an alternative test and its administration. The home education supervisor, a parent or a guardian of the child may not administer the alternative test. Your evaluator may request the name of the person who administered or proctored the test, along with the results of the test.

The Department must provide at least five (5) alternative tests in place of the statewide test. A list of approved alternative tests is provided on the [Home Education and Private Tutoring](#) homepage and in the Home Education Program Basic Education Circular (BEC), accessible from the [list of BECs](#).

Supervisors of home education programs must ensure that all required standardized testing is administered at the appropriate time in the student's education, regardless of whether they have covered the usually grade-specific material in a different order or on an accelerated path. If, for example, a student was able to cover both fourth and fifth grade material in one year or fifth and sixth grade material in one year, the fifth grade standardized test results would be due in the portfolio that year.

### **PSSA and PASA Testing Dates**

A student may take the PSSA or PASA state assessment through their school district in order to fulfill the standardized test requirement. The supervisor should notify the school district early in the school year if the PSSA or PASA is to be taken so the school can order the extra tests and arrange for the test administered.

The [calendar for the PSSA and PASA](#) is available on the PDE website.

### **Accommodations for a Student with a Disability**

The supervisor of the home education program is responsible for determining whether the test publisher allows for accommodations on the particular test and to ensure that the publisher's policies are followed.

See also [The Pennsylvania Alternate System of Assessment](#) (PASA) for students with the most significant cognitive disabilities, intended for those who are unable to participate meaningfully in the PSSAs.

### **Keystone Exams**

The [Keystone exams](#) are end-of-course assessments designed to assess proficiency in the subject areas of Algebra I, Algebra II, Geometry, Literature, English Composition, Biology, Chemistry, U.S. History, World History, and Civics and Government.

Homeschooled students are not required to take the Keystone Exams, but supervisors of home education programs may request that their students take these "Statewide tests" along with the school district, if they so desire. The supervisor should notify the school district early in the school year if the Keystone Exams are to be taken so the school district can order the extra tests and arrange for where the test will be administered.

Additional information regarding the [Keystone exams](#) can be found on the Standards Aligned System (SAS) portal. The schedule of exams is provided at this site.

## School Year

The school year is from July 1 of the year until June 30 of the following year ([24 P.S. § 1-102](#)).

The school year defines when a home education program may begin counting days or hours toward compulsory attendance laws for the new school year (July 1) and when the portfolio and evaluation is due at the end of the school year (June 30). Some parents may elect to institute year-round homeschooling; this could begin as early as July 1, as long as the appropriate documentation has been submitted to the district. See the Affidavit – Beginning a Home Education Program section of this guide.

A home education program may begin a course late in one school year and complete it in the next school year. For example, if a student completes Algebra I early in the school year, they are free to begin Algebra II immediately, if desired. If Algebra II is not completed by the end of that school year would continue into the next school year. Whatever is completed by the time the portfolio is submitted would be reported in the portfolio for that year.

## Homeschool Cooperatives

Parents of homeschooled students often associate with one another in formal and informal settings known as homeschool cooperatives (co-ops). Parents use these associations for many reasons: e.g. to keep updated on the laws affecting homeschooling families; to trade or purchase books and other curricular materials; to group together for various kinds of field trips, events, or extracurricular activities; to share the responsibilities of teaching their children in areas of expertise; and to generally encourage and support one another.

A list of many of these organizations is posted on our [Home Education and Private Tutoring](#) homepage with the link *Support Groups and Resources*.

Due to the passage of Act 15 of 2015, volunteers in certain of these co-ops will need to have background checks. The background checks for these volunteers are covered under the Department of Human Services (DHS) (717-783-6211) and will be free to the volunteer. Background checks must be renewed every five years. Please contact DHS for more details.

The process for background checks for volunteers is similar to that for teachers, with some exceptions. Here are the three clearances and how they are reported:

1. [PA State Police \(PSP\) Request for Criminal Records Check](#) (Act 34 of 1985 and Act 114 of 2006): go to the [ePatch](#) website and complete the *Pennsylvania Access To Criminal History (PATCH)* check (click the *New Record Check* button for Volunteers only). As long as the check does not go into review, the results can be printed immediately, and multiple copies can be printed to be submitted to your organization. This is free for volunteers.
2. [Department of Human Services Child Abuse History Clearance](#) (Act 151 of 1994): select the accompanying link, complete the form electronically, and then print and mail to the indicated address. The results will be sent to the volunteer and the original results must be presented to person in the organization who is responsible for background checks.

The organization will make a copy for their files. The volunteer is not allowed to make the copies. This is free to volunteers once every 57 months.

3. [Federal Criminal History Record Information \(CHRI\)](#) (Act 24 of 2011): see the <https://uenroll.identogo.com/> website to register using the following service code for volunteers (1KG6ZJ) on this fingerprint-based criminal history submitted through the PA State Police or its authorized agent (FBI). Fingerprinting cannot be completed online, and you must pre-register (online or by calling 1-844-321-2101). Volunteers need only submit fingerprinting if they have not lived in PA for the last 10 years.

Volunteers still must provide their organization's designee with written notice, utilizing the [Arrest/Conviction Report and Certification](#) form (PDE-6004), for any arrest or conviction for an offense enumerated under [24 PS 1-111\(e\)](#) provided for in clause [24 PS 1-111 \(j\)\(1\)](#) not later than seventy-two (72) hours after an arrest or conviction.

## **School District Responsibilities**

School districts are responsible to ensure all students living within their district borders comply with compulsory school attendance.

Charter, cyber charter, private, and nonpublic schools are responsible to provide the school district with a list of the students enrolled in their schools; private tutors also are responsible to provide the list of their students ([24 P.S. § 13-1332](#)).

Homeschooled students are reported to the school district via an affidavit submitted each year by the supervisor of the program ([24 P.S. § 13-1327.1\(b\)](#))

## **Brief Tour of School District Responsibilities**

These topics are covered more fully in other sections of this guide.

## **Tracking Home Education Programs**

Home education programs are to submit to the superintendent of the school district of residency the yearly affidavits by August 1 and evaluations by June 30 for each student in a home education program ([24 P.S. § 13-1327.1\(b\),\(h.1\)](#)).

School districts are required to maintain records for home education students in their district. These are important for such things as letters of transfer, outbreaks of communicable disease, and proof of completion of a home education program.

## **Private Tutoring Programs**

Rather than an affidavit, private tutors are to submit to the school district a list of all students they are privately tutoring. Parents are to provide written assurance to the school district that the legal instructional requirements have been met and immunization and medical services records.

## **Transferring to Another District**

When a homeschool family moves from one school district to another within the State, an official letter of transfer is required. This letter substantiates that the home education program is in compliance with the home education law.

### **Transferring into Public or Private School**

If a child enrolls in a public or private school after homeschooling, there must be a determination of the grade level to which the child is assigned and/or the high school credits that will be awarded. The grade to which the supervisor of the home education program may have assigned their child may not be the same grade in the school to which the child is enrolling. The school will determine the appropriate grade. It is important for a parent to document a student's progress in the form of a written evaluation of the home education program for any time spent in a home education program.

### **Truancy**

Homeschooled are not bound by the days and hours that public school is in session and may not be considered truant during those times. The supervisor of the home education program sets the periods of time for studies, which may be defined as evenings and weekends.

### **Challenges to an Appropriate Education**

There are instances in which a school district may convene a proper hearing regarding whether an appropriate education has occurred. These may include such things as an end-of-year or mid-year evaluation that has not been submitted after a 30-day notice by certified letter from the superintendent to the supervisor of the program.

The hearing may result in a remedial program or the loss of the right to homeschool for 12 months for that student.

### **Age Versus Grade**

Since the affidavit is based on age, not grade, many districts are concerned about fulfilling their obligation for such items as tracking immunizations and health and medical services when a parent chooses to declare only the age of the student and not a grade.

Comparing the age of the child listed on the affidavit with the expectations in the laws and regulations regarding the age of a child in a given grade may help the school district reasonably infer when certain information is due. See the *Age versus Grade* section of this guide for further details.

### **School Year**

The school year is defined as July 1 to June 30 of the following year. These dates are the boundaries for reporting completed work and time spent in homeschooling.

### **Dual and Concurrent Enrollment**

Districts determine whether they will allow homeschooled students to participate in curricular subjects at the school district (dual enrollment).

If a school district has a concurrent enrollment program (enrollment in an institution of higher learning), homeschooled students must be allowed to participate. These are reimbursable costs. See [24 P.S. § 16-1602-B](#) and [22 Pa. Code § 11.33](#).

### **Work Permits**

The school districts are responsible to issue and track permits for homeschooled students. These students are allowed to work during the day.

Homeschooled students who are 16 and 17 may work during the time school is in session as long as they do not work more than six consecutive days in one week, more than eight hours per day, or more than 44 hours per week. Those students may not work after midnight (Sunday through Thursday) during the school year.

### **Written Policies**

School districts should have written policies on attendance. This would include whether Dual Enrollment is allowed and how support for students with special needs will be handled, if allowed. See [22 Pa. Code § 11.41](#).

### **Home Education Programs Above Compulsory Age**

Act 196 of 2014 provides that supervisors of home education programs and approved diploma-granting organizations may award state-recognized high school diplomas. In keeping with this provision, any student of school age may begin or complete a home education program.

School age is defined as “the period of a child’s life from the earliest admission age to a school district’s kindergarten program until graduation from high school or ‘the end of the school term in which a student reaches the age of 21 years, whichever occurs first,’ ([22 Pa. Code § 11.12](#)).

### **Home Education & Private Tutoring Report**

The Home Education and Private Tutoring Report (PDE 4097) is due as part of the October 1 PIMS reports, and covers the home education and private tutoring enrollments of the previous school year.

### **Graduation and the PHEAA Form**

With the passage of Act 196 of 2014, school districts no longer review home education portfolios. However, for those students who graduated from home education programs prior to the passage of Act 196, the school district continues to be responsible to verify the completion of the home education program for any student seeking PHEAA funding.

The home education law defines what is required for a homeschooled student to graduate from a home education program. The superintendent must comply with verifying to PHEAA that the student has completed the home education law’s requirements.

## **Tracking Home Education Programs**

### **Affidavits**

Home education programs are to submit yearly affidavits to the school district for each student in a home education program. These are due to the district at the commencement of any new home education program or by August 1 for subsequent years of a home education program ([24 P.S. § 13-1327.1 \(b\)](#)).

Through submission of homeschool affidavits, school districts ensure students of compulsory school age are enrolled in a legally-recognized educational program.

## Evaluations

A written evaluation stating whether an appropriate education has occurred for each student are due to the superintendent's office by June 30 of each school year and should be submitted at the close of the program for home education programs that do not last the entire school year ([24 P.S. § 13-1327.1 \(h.1\)](#)).

If the evaluation is missing, the superintendent must send a certified letter, return receipt requested, to the supervisor of the home education program stating that the certification is past due and notify the supervisor that they must submit the certification within 10 days of receipt of the letter. If the certification is not submitted within that time, the school directors provide for a proper hearing.

The school district calling supervisors on the phone regarding missing evaluations does not replace the legal requirement for the certified letter. Until the legal process is followed by the school district, the supervisor has the right to continue to homeschool.

## Tracking Private Tutoring Programs

Private tutors are to submit a list of the names and residences of all children between six and 18 years to the school district of their student's district of residence. Students are to be reported immediately after their admission to the program. If a student leaves a private tutoring program, the private tutor must at once report it to the school district ([24 P.S. § 13-1332](#)).

Through submission of the list of privately tutored students, school districts can ensure students of compulsory school age are enrolled in an educational program.

School districts must ensure all private tutors have current background checks. The same background checks are required of private tutors as for school district teachers, even if the private tutor has only their own children as students.

## Tracking the Immunizations and Medical Services

The school district is given the responsibility of tracking the immunizations and medical services that have been provided to the children in a community.

In [24 P.S. § 13-1327.1\(b\)](#), which delineates the contents of the home education affidavit, there are two medical references in the home education law to other laws. These legal references make clear that these additional laws also apply to homeschool students, even though those laws themselves do not specifically mention homeschooled or privately tutored students. They also ensure there was no confusion over whether homeschooled students were exempt.

1. Section 1303(a) [[24 P.S. 13-1303\(a\) Immunization required; penalty](#)]
2. Article XIV (all) [[Article XIV School Health Services](#) (Act 14 of 1949)]

The records are kept for at least two years after transferring or graduation ([24 P.S. § 14-1409](#)).

[24 P.S. § 13-1327.1\(b\)](#) requires evidence that homeschooled students have been immunized in accordance with [24 P.S. § 13-1303\(a\)](#) and the medical services of Article XIV have been

received. These are the only items in the list of contents of the affidavit that requests “evidence” beyond the notarized affidavit.

## **Proper Hearings**

Home education programs are required to submit their portfolios for evaluation to their home education evaluator each school year. The evaluation then must be submitted by the supervisor of the home education program to the superintendent of the student’s district of residence by June 30 of each school year. See the *Home Education Evaluators* section for further details.

### **When a Hearing is Appropriate**

1. End-of-year evaluation
  - a. If the supervisor fails to submit the evaluation by June 30, the superintendent shall send a letter by certified mail, return receipt requested, to the supervisor of the home education program, stating that the certification is past due and notifying the supervisor to submit the certification within 10 days of receipt of the certified letter. If the certification is not submitted within that time, the board of school directors shall provide for a proper hearing ([24 P.S. § 13-1327.1\(h.1\)](#)).
2. Mid-year evaluation
  - a. 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 by certified mail, return receipt requested, requiring that an evaluation be conducted and including the basis for the reasonable belief. The evaluator’s certification stating that an appropriate education is occurring for the school year under review must be submitted to the district by the supervisor within 30 days of the receipt of the certified letter. If the certification is not submitted to the superintendent within 30 days of receipt of the certified letter, the board of school directors shall provide for a proper hearing in accordance with subsection (k). See [24 P.S. § 13-1327.1\(i.1\)](#).
  - b. A mid-year evaluation may provide timely feedback for correction to the home education program, if any deficiencies are discovered. The outcome of the hearing may be the establishment of a remedial education plan.
3. Non-compliance for any other provision
  - a. If the superintendent has a reasonable belief that the home education program is out of compliance with any other provisions of this section, the superintendent shall submit a letter to the supervisor by certified mail, return receipt requested, requiring a certification to be submitted within 30 days indicating that the program is in compliance. The certified letter shall include the basis for the superintendent’s reasonable belief. If the certification is not submitted within 30 days of receipt of the certified letter, the board of school directors shall provide for a proper hearing in accordance with subsection (k). See [24 P.S. § 13-1327.1\(j.1\)](#).

The certified letter is sent to the supervisor of the home education program, return receipt requested, to the address listed on the affidavit. If the letter is returned to the school district, not

having been accepted by the supervisor, the hearing is scheduled and proceeds with or without the supervisor's presence.

Any hearing as a result of subsections (h.1), (i.1) or (j.1) must be scheduled within 30 days and the examiner must render a decision with 15 days of the hearing. Beginning and completing the process in a timely fashion enables resolution before the next school year begins.

### **The Hearing Examiner**

The Hearing Examiner may 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 ([24 P.S. § 13-1327.1\(a\)](#)).

Since the hearing examiner must be impartial and must know how to conduct a proper hearing, one possibility may be to contact the county bar association for the names of attorneys who may be interested in serving as a hearing examiner ([24 P.S. § 13-1327.1 \(k\)](#)).

Documentation required by this section to be submitted to the hearing examiner must be returned the supervisor of the home education program upon completion of the hearing examiner's review. The hearing examiner may photocopy all or portions of the documentation for his files ([24 P.S. § 13-1327.1\(g\)](#)).

### **Outcomes of a Hearing**

While the outcome of a hearing may be that the student may not be homeschooled for the next 12 months from the date of the determination of the hearing, another option is the establishment of a remedial education plan, mutually agreed to by the superintendent and supervisor of the home education program ([24 P.S. § 13-1327.1\(k\),\(l\),\(m\)](#)).

The remedial plan may be particularly useful in a mid-year evaluation when corrections to the program may help the home education program to complete the year successfully. A remedial plan might include periodic evaluations during the school year so that the supervisor may receive timely guidance for their home education program.

A hearing for a home education program is specific to a student, not to all students in a family, and the results of the hearing are specific to the student whose education is challenged.

### **Appealing the Hearing Outcome**

The decision of a hearing examiner may be appealed by either the supervisor of the home education program or the superintendent to the Secretary of Education, Commonwealth Court or court of common pleas. The home education program may continue during the time of any appeal ([24 P.S. § 13-1327.1 \(k\),\(l\)](#)).

### **Truancy**

In the course of the school year, homeschooled students are not considered truant if they are not schooling during the times that the public school is in session ([24 P.S. § 13-1333\(d\)](#)). In other words, students who are homeschooled are not limited to 8 AM – 3 PM from Monday through Friday; homeschool supervisors are free to set different schooling hours for their children.

The portfolio, for which an evaluation must be submitted June 30, must contain the evidence that the student has met the compulsory attendance requirements for homeschooled students. This may be accomplished through the option of either days or hours; both are not required ([24 P.S. § 13-1327.1\(c\)](#)). Questions regarding students who do not complete the attendance requirements are handled through a proper hearing ([24 P.S. § 13-1327.1\(i.1\)](#)).

Attendance Option: Days (K-12)

- 180 days of instruction, regardless of the number of hours spent each day

Attendance Option: Hours for Elementary Level (K-6)

- 900 hours of instruction, regardless of the number of days

Attendance Option: Hours for Secondary Level (7-12)

- 990 hours of instruction, regardless of the number of days

## **Letters of Transfer**

When a homeschool family moves from one school district to another within the State, an official letter of transfer is required ([24 P.S. § 13-1327.1\(b\)\(2\),\(b\)\(3\)](#)). This letter substantiates that the current home education program is in compliance with the home education law.

## **Programs in Compliance with the Law**

As a result of [Act 196 of 2014](#), school districts no longer collect the portfolio, they only collect the affidavit and evaluation. If a notarized affidavit was submitted, as required by law, and the last required evaluation affirmed that the student had an “appropriate education,” then the school district would issue the letter of transfer unless a complaint has been filed against the home education program ([24 P.S. § 13-1327.1\(i.1\)](#)).

## **Issuing the Letter of Transfer**

The supervisor of the home education program must apply, by registered mail, 30 days prior to the relocation, to the current superintendent of residence, requesting a letter of transfer for the home education program to the district to which the home education program is relocating.

The current superintendent of residence must issue the letter of transfer 30 days after receipt of the registered mail request of the home education program supervisor. The law does not stipulate what the letter must contain, but it must indicate the home education program is in compliance with the law.

The letter of transfer must be filed by the supervisor of the home education program with the superintendent of the new district of residence.

## **Programs Not in Compliance**

If the home education program is not in compliance with the provisions of this section, the superintendent of the current district of residence must inform the home education supervisor and the superintendent of the district to which the home education program is relocating the status of the home education program and the reason for the denial of the letter of transfer.

If the home education program is in hearing procedures, as contained in this section, the superintendent of the current district of residence must inform the home education supervisor, the assigned hearing examiner and the superintendent of the district to which the home education program is relocating, the status of the home education program and the reason for the denial of the letter of transfer.

In the case of pending proceedings, the new district of residence superintendent shall continue the home education program until the appeal process is finalized.

### **Transferring from Public School to Homeschooling**

Any student who switches from public school to homeschooling is treated as a transfer and no longer counted in the graduation cohort. It is the same as if the student transferred to another school; they are not counted as a dropout.

However, for homeschooling to be an official change in status, the home education supervisor must submit the required notarized affidavit and accompanying documentation before the program may commence.

### **Transferring from Homeschooling to Public School**

With the passage of Act 196, school districts no longer review portfolios and evaluators do not necessarily list on the evaluation the courses that have been completed in the previous year. Thus, school districts may not have any indication of the course credits that could be accepted.

School districts may ask to see the portfolios they have not reviewed as a condition for credit or ask for a formal evaluation that lists the completed courses so that the school district can accept credit for them.

Additionally, there is nothing in the law or regulations that require a school district to accept any credits from homeschooling. School districts handle the integration of former homeschoolers in various ways.

### **Some Options in Transfer of Course Credits**

1. Compare the school's courses to the courses completed in the home education program and give credit where they intersect; work with the student to make up any deficiencies toward graduation requirements.
2. Accept all home education credits, giving "elective" credits for those courses the school district does not offer.
3. Accept the student into the grade which the home education program has placed the student, especially in grade school.
4. Do not accept any credits from a home education program.

Students enrolling in high school must complete all the school district's graduation requirements in order to graduate from that district. There may be many requirements beyond the requirements for a home education graduation.

### **Dual Enrollment for Homeschooled and Privately Tutored Students**

See the *Home Education Curriculum* section in this guide, where dual enrollment of homeschooled students (students participating in curricular subjects at the school) is discussed.

Students taking a class with the school district by dual enrollment will be assigned a PAsecureID so that they can be counted in the Pennsylvania Information Management System (PIMS).

School districts are reimbursed on a pro rata basis for those classes taken by dual enrollment. See [22 Pa. Code § 11.33](#).

## **Standardized Testing**

In grades three, five, and eight, homeschooled students are required to report the result of PDE-approved nationally normed standardized achievement tests in reading/language arts and mathematics or the results of Statewide tests administered in these grade levels. The approved alternative tests are listed on the [Home Education and Private Tutoring](#) homepage.

Homeschool students have a right to take the Statewide tests (PSSA or Keystone exams) with the school district but they are not required to do so ([24 P.S. § 13-1327.1\(e\)\(1\)](#)).

The Data Recognition Corporation (DRC) tracks student scores; they can advise schools how to handle homeschool testing and results. Call 800-451-7849.

## **Labeling Instructions**

1. Put a "District Label" on the student's test booklet; this will ensure that the results are sent to the correct school district.
2. Do not assign a PaSecureID – leave that blank (unless this is for a class in which the student is dually-enrolled).
3. Fill in the student's name on the test.
4. Mark the bubble "Student is home-schooled and assessed at parental request." This will ensure that the student's results are not included in the district's/school's results.

## **Enrollment in a Post-Secondary Institution**

### **Concurrent Enrollment Programs**

See the *Home Education Curriculum* section in this guide, where concurrent enrollment for homeschooled students (enrollment in an institution of higher learning) is discussed.

A school district must allow homeschooled students to participate in a concurrent enrollment program if it is offered to the students in their school district of residence. See [24 P.S. § 16-1602-B](#) and [22 Pa. Code § 11.33](#).

Concurrent enrollment programs have not been funded by the state for a number of years. However, [24 P.S. § 15-1525](#) and [22 Pa. Code § 11.5](#) are not the same as a concurrent enrollment program and participation by homeschooled students is at the discretion of the school district for this option.

### **Agreements with Institutions of Higher Education**

School districts may enter into agreements, other than concurrent enrollment agreements, with institutions of higher education. Nothing in the law requires a school district to allow homeschooled or privately tutored students to participate in these agreements. See [24 P.S. § 15-1525](#).

## **Work Permits**

The Pennsylvania Child Labor Law (CLL) was enacted to "provide for the health, safety, and welfare of minors by forbidding their employment or work in certain establishments and occupations, and under certain specified ages." The CLL requires minors to obtain work permits prior to beginning work. This law, with the exception of farm work or domestic service in a private home, covers work in any establishment other than the minor's residence.

While homeschool students are allowed to work during the day, as is discussed in the following FAQ, school districts also are responsible to track and issue permits for these students.

Documentation and [Frequently Asked Questions](#) are provided online, as in the following home education question.

Question: If a student is being home schooled, do all of the child labor laws apply?

Answer: The U.S. Department of Labor has ruled that homeschooling is not grounds for an exception to the federal Fair Labor Standards Act (FLSA) and thus all work by 14- and 15-year-olds is prohibited during the time the local public school is in session. Since the FLSA does not cover 16- and 17-year-olds, the Pennsylvania Department of Education has ruled that students in a home education program who are 16 and 17 may work during the time school is in session as long as they do not work more than six consecutive days in one week or work more than eight hours per day or more than 44 hours per week. Those students may not work after midnight (Sunday through Thursday) during the school year. It would be helpful if the parent provides the employer with written verification that the student is being schooled at home.

## **Records**

School districts are required to maintain records for home education students in their district. These records are important for documentation, such as proof of compulsory attendance and letters of transfer.

School districts are required to accept the affidavit (and its accompanying documentation) and the evaluation each school year for students of school age ([24 P.S. § 13-1327.1\(b\)\(1\),\(h.1\)](#)).

Prior to Act 196 of 2014 (October 31, 2014), school districts were required to maintain a record of the completed mandatory courses and courses completed toward graduation requirements. These transcripts provided the documentation as to whether a student was making sustained progress in the overall program and provided documentation for signing the PHEAA form for students who did not associate with one of the authorized diploma-granting organizations.

School districts should continue to maintain historical transcripts for future reference for those cases where a student graduated prior to Act 196 but who may desire state funding for higher

education. However, the school district no longer has the responsibility for maintaining these detailed transcripts for students since Act 196 was signed.

Nevertheless, the school district should maintain a base record for all homeschooled students indefinitely, including:

1. Dates for which affidavits and evaluations were submitted for each student
2. Name of the supervisor of the home education program
3. Address of the home education program
4. The name of the twelfth grade (graduating year) evaluator
5. Immunization and medical services (for a minimum of two years following graduation) and
6. A notation of evidence of graduation, when provided by the parent.

The awarding of a supervisor-issued diploma is dependent upon the student being compliant with Section 1327.1 of the law; the diploma must be signed by the twelfth grade evaluator ([24 P.S. § 13-1327.1\(d.1\)](#)).

The *Diplomas* section of this guide offers detailed information.

## Residency

Home education supervisors must file a notarized affidavit with the superintendent of the school in the district of residence ([24 P.S. § 13-1327.1\(b\)\(1\)](#)). The affidavit must contain “the address and telephone number of the home education program *site*,” which may be different than the child’s *residence*.

The definitions of habitation, residence and domicile were decided by PA Supreme Court decision (January 20, 2000) [IN RE: RESIDENCE HEARING BEFORE the BOARD OF SCHOOL DIRECTORS](#):

*“Domicile [is] that place where [people have their] true, fixed and permanent home and principal establishment, and to which whenever [they are] absent [they have] the intention of returning.” Id. “Residence,” in contrast, is “a factual place of abode” evidenced by a person’s physical presence in a particular place. Id.*

*[As] we stated in Lesker Case, 377 Pa. 411, 418, 105 A.2d 376, 380 (1954), “in strict technical terminology a habitation may be defined as an abode for the moment, residence a tarrying place for some specific purpose of business or pleasure, and domicile the fixed, permanent, final home to which one always intends to return.” (Emphasis in original).*

This sometimes is rephrased simply as “where the parent(s) lay their head at night.”

Residency is important because the school district of residence has obligations to homeschooled students for a number of items, such as tracking the affidavits and evaluations; lending copies of the school district’s planned courses, textbooks and other curriculum materials

appropriate to the student's age and grade level; allowing participation in extracurricular activities; and allowing concurrent enrollment, if the district has a concurrent enrollment program. Additionally, districts may provide dual enrollment and provide support for IDEA students, at their discretion.

Families that travel continue to maintain a residence in PA, for purposes of educational accountability, as long as they do not stay in any one location for an extended period of time but are moving around (“habitation”). Otherwise, for educational accountability, they are considered residents of the other location, even if they maintain a domicile in PA.

If someone moves into a school district from another school district within PA, they are required to submit a letter of transfer from the former school district. If the family is from out-of-state, the letter of transfer is not required but the school district may reasonably ask for proof of residency, since the affidavit is to be presented to the superintendent of the district of residence.

### **Written Policies**

School districts are required to have written policies on attendance ([22 Pa. Code § 11.41](#)). This would include such things as whether dual enrollment is allowed and how support for students with special needs will be handled, if allowed.

### **Reporting Home Education & Private Tutoring Enrollments**

The *Home Education and Private Tutoring Report (PDE 4097)* has been incorporated into the October 1 PIMS report.

To gather the information, a *Sample Statistics Report* is provided as a link on the [Home Education and Private Tutoring](#) homepage. Complete the Sample Report and provide the collected information to the PIMS coordinator.

### **Graduation and the PHEAA Form**

The home education law defines graduation requirements from a home education program ([24 P.S. § 13-1327.1\(d\)](#)).

Completion of these requirements is a prerequisite for obtaining state financing for higher education from the Pennsylvania Higher Education Assistance Agency (PHEAA) unless the student has been awarded a Commonwealth Secondary School Diploma.

For students who completed their home education graduation requirements before Act 196 of 2014 was signed (October 31, 2014), but were not affiliated with one of the organizations that are authorized to grant a diploma recognized by PDE, they may request that the superintendent sign the *PHEAA form* as proof that they have completed all that the home education law requires. The superintendent must comply with verifying to PHEAA that the student has completed the home education law’s requirements. See [22 Pa. Code § 121.21\(c\)](#).

See the *Diplomas* section.

## **Support Groups and Resources**

Various organizations provide support for homeschoolers. The *Support Groups and Resources* list is provided as a link on the [Home Education and Private Tutoring](#) homepage. Inclusion in this list does not imply evaluation, review or approval of any kind by PDE.

County and regional support groups for parents of homeschoolers are particularly welcomed to the list because they link together homeschool families in the same geographical area to share ideas, resources and activities.

### **Support Groups are Listed in the Following Order:**

1. County in PA
2. Regional in PA
3. Statewide
4. National
5. Worldwide

### **List Your Support Group**

While PDE does not list individuals as resources, an organization may request to be included on the list by completing the *Home Education Support Group Application* and returning it for inclusion of their group on the website. The application is available on the [Home Education and Private Tutoring](#) homepage.

### **Statistics**

PDE provides data on all school districts relating to home education and privately tutored students in Pennsylvania.

The information that is available is provided online and is submitted to PDE by school districts. A link to these statistics is available on the [Home Education and Private Tutoring](#) homepage.

### **Appendix I: Credential and Disciplinary Status Categories**

Official verification of a certified teacher is completed via the Internet through the [Teacher Information Management System](#) (TIMS) using either the teacher's PPID or name. Both the credential status and any disciplinary status are available in TIMS.

#### **Credential Status**

1. Converted – Indicates that the certificate has been adjusted to a Permanent or Level II certificate because the individual has met all the requirements for conversion.
2. Expired – Indicates that the certificate has reached the end of its specified duration. This status applies to emergency permits, intern and residency certificates. Emergency permits are only valid for the school year in which they are approved. An intern or residency certificate is valid for three calendar years from the date it is approved. Once the specified time for the certificate/permit has passed, it cannot be used as a credential to teach in Commonwealth public schools.

3. Invalid – Indicates that the certificate is no longer legitimate, and the individual is not eligible to teach in the Commonwealth public schools.
4. Lapsed – Indicates that the level I certificate has not been converted to a level II certificate within the required number of service years. Individuals with this status may not teach on the certificate in Commonwealth public schools. Please note that Level I certificates are only marked as lapsed when the Department becomes aware of and confirms that the individual has taught on the certificate beyond the service year limitation set forth on the certificate without converting to a permanent certificate as required by regulation. (See the definitions for valid and converted.)
5. Null/Void – Indicates the certificate is no longer valid and the individual cannot teach on the credential. This applies to an intern or residency certificate when a certificate holder has withdrawn from an intern or residency certification program prior to completion of the program.
6. Pending Voluntarily Deletion – Indicates that the certificate is in the process of being removed. The status of the application has not been determined and the certificate remains valid until deleted.
7. Valid - Indicates that the certificate is legitimate, and the individual is eligible to teach in the certificate area.
8. Valid for (#) years of service – Indicates that the certificate is legitimate for the displayed number of service years. This status applies to level I certificates which are valid for a specified number of years of service, not calendar years. Please note that this status does not confirm the number of service years used or remaining on the certificate. The certificate holder and employing school entity are responsible for keeping track of the number of service years completed by the certificate holder. If uncertain as to the service years completed, the certificate holder or the employing school entity may request that the Department complete a validity determination.
9. Voluntary Deletion – Indicates the certificate area has been removed from service at the request of the certificate holder. The individual is no longer certified to teach in this area.

## **Disciplinary Status**

1. Public Letter of Reprimand – Indicates that the educator received a letter of admonishment as a result of professional misconduct. Educators with this discipline status continue to hold a Pennsylvania certificate and are eligible for employment in Commonwealth public schools.
2. Reinstated – Indicates an educator’s certificate was at one time suspended, invalidated or revoked and has been returned to valid status after a decision by the Professional Standards and Practices Commission. Educators with this status are eligible for employment in Commonwealth public schools.
3. Revoked – Indicates an educator’s certificate is terminated and all Pennsylvania certificates held by the educator are nullified as a result of the imposition of professional discipline. Educators with this status no longer hold a valid Pennsylvania certificate and are not eligible for employment in Commonwealth public schools.
4. Surrender – Means the termination by consent of a certificate or eligibility to be employed as a charter or cyber charter school staff member or as a contracted

educational provider staff member whenever the surrender occurs at any time after the issuance of the certificate or the employment in a charter or cyber charter school or contracted educational provider.

5. Surrender in Lieu of Discipline – Indicates an educator’s certificate is terminated and all Pennsylvania certificates held by the educator are nullified as the result of the imposition of professional discipline. Educators with this status no longer hold a valid Pennsylvania certificate and are not eligible for employment in Commonwealth public schools.
6. Suspended – Indicates an educator’s certificate is temporarily terminated and all Pennsylvania certificates held by the educator are nullified for a specified period of time or until a condition is met as a result of the imposition of professional discipline. Educators with this status are not eligible for employment in Commonwealth public schools.
7. Suspended/Revoked – Indicates an educator’s certificate is terminated and all Pennsylvania certificates held by the educator are nullified as a result of the imposition of professional discipline. Educators with this status no longer hold a valid Pennsylvania certificate and are not eligible for employment in Commonwealth public schools.
8. Suspension Lifted – Indicates that the terms and/or conditions of the educator’s temporarily terminated Pennsylvania certificate have been satisfied and the educator once again holds a Pennsylvania certificate. Educators with this status are eligible for employment in Commonwealth public schools.

## Laws and Regulations

Links to the legislation and regulations referenced in this guide are included for your convenience. All laws and regulations that are referenced in this guide are included.

**Legislation** (format: *Title P.S. Section*, e.g. *24 P.S. § 13-1327.1* or *Section 1327.1*)

Purdon’s Statutes: Title 24 P.S. Education, [Public School Code of 1949](#) (Table of Contents)

**Regulations** (Pennsylvania Code)

(format: *Title Number Pa. Code Section*, e.g. *22 Pa. Code § 11.31* or *§ 11.31* or *Sec. 11.31*)

1. [Title 22 Education](#) (Table of Contents for all chapters)
  - a. [Chapter 4](#) (4.1 – 4.83): Academic Standards and Assessment
  - b. [Chapter 11](#): Student Attendance
  - c. [Chapter 12](#): Students and Student Services
  - d. [Chapter 121](#): Student Financial Aid
2. [Title 23 Domestic Relations](#) (Table of Contents for all chapters)
  - a. [23 Pa. C.S. § 6344.4 Recertification](#)
3. [Title 28 Health and Safety](#) (Table of Contents for all chapters)
  - a. [Chapter 23 School Health](#) (28 Pa. Code 23.1 – 23.45)

The State Board of Education obtains its authority to make regulation by [ARTICLE XXVI-B THE STATE BOARD OF EDUCATION](#).



## **Public School Code of 1949 (State Law)**

### **ARTICLE I. PRELIMINARY PROVISIONS.**

1. [24 P.S. § 1-102 Definitions \[school year\]](#)
2. [24 P.S. § 1-111 Criminal History of Employees and Prospective employees; Conviction of Certain Offenses](#)

### **ARTICLE V. DUTIES AND POWERS OF BOARDS OF SCHOOL DIRECTORS.**

1. [24 P.S. § 5-511 School athletics, publications, and organizations](#)

### **ARTICLE XII. CERTIFICATION OF TEACHERS.**

1. [24 P.S. § 12-1205.1 Continuing Professional Development](#)

### **ARTICLE XIII. PUPILS AND ATTENDANCE.**

1. [24 P.S. § 13-1302 Residence and right to free school privileges](#)
2. [24 P.S. § 13-1303 Immunization required; penalty](#)
3. [24 P.S. § 13-1304 Admission of Beginners](#)
4. [24 P.S. § 13-1326 Definitions](#)
5. [24 P.S. § 13-1327 Compulsory School Attendance](#)
6. [24 P.S. § 13-1327.1 Home Education Program](#)
7. [24 P.S. § 13-1330 Exceptions to compulsory attendance](#)
8. [24 P.S. § 13-1332 Reports of enrollments; attendance and withdraws; public and private schools](#)
9. [24 P.S. § 13-1333 Penalties for violation of compulsory attendance requirements](#)
10. [24 P.S. § 13-1351 Duty to make; penalty for interfering](#)

### **ARTICLE XIV. SCHOOL HEALTH SERVICES.**

1. [24 P.S. § 14-1401 Definitions](#)
2. [24 P.S. § 14-1402 Health services](#)
3. [24 P.S. § 14-1403 Dental examinations and dental hygiene services](#)
4. [24 P.S. § 14-1404 Place of examination, use of hospital facilities](#)
5. [24 P.S. § 14-1405 Assistance; presence of parents](#)
6. [24 P.S. § 14-1406 Recommendations](#)
7. [24 P.S. § 14-1407 Examinations by examiners of own choice](#)
8. [24 P.S. § 14-1408 Reports](#)
9. [24 P.S. § 14-1409 Confidentiality, transference and removal of health records](#)
10. [24 P.S. § 14-1410 Employment of school health personnel](#)
11. [24 P.S. § 14-1411 Cooperation with political subdivisions](#)
12. [24 P.S. § 14-1412 Municipal civil service status protected](#)
13. [24 P.S. § 14-1413 Supplemental duties of school physicians](#)
14. [24 P.S. § 14-1414 Care and treatment of pupils](#)
15. [24 P.S. § 14-1414.1 Possession and use of asthma inhalers](#)
16. [24 P.S. § 14-1414.2 School access to emergency epinephrine](#)
17. [24 P.S. § 14-1415 Public assistance for medical, dental or surgical care](#)
18. [24 P.S. § 14-1416 Precautions against spread of tuberculosis](#)
19. [24 P.S. § 14-1417 Pupils relieved from compulsory attendance](#)

20. [24 P.S. § 14-1418 Medical examinations of teachers and other persons](#)
21. [24 P.S. § 14-1419 Objections to examination or treatment on religious grounds](#)
22. [24 P.S. § 14-1420 Examinations of school buildings and grounds](#)
23. [24 P.S. § 14-1421 Powers and duties of the Secretary of Health and of the Superintendent of Public Instruction; rules and regulations](#)
24. [24 P.S. § 14-1422 Advisory health councils](#)
25. [24 P.S. § 14-1422.1 Local wellness policy](#)
26. [24 P.S. § 14-1422.2 Interagency Coordinating Council for Child Health, Nutrition and Physical Education](#)
27. [24 P.S. § 14-1422.3 Duties of Department of Education](#)
28. [24 P.S. § 14-1423 Automatic external defibrillators](#)
29. [24 P.S. § 14-1424 Cardiopulmonary resuscitation](#)

**ARTICLE XV. TERMS AND COURSES OF STUDY.**

1. [24 P.S. § 15-1525 Agreements with institutions of higher education](#)

**ARTICLE XVI-B. OPPORTUNITIES FOR EDUCATIONAL EXCELLENCE.**

1. [24 P.S. § 16-1601-B Scope of article](#)
2. [24 P.S. § 16-1602-B Definitions \[concurrent enrollment/student\]](#)

**ARTICLE XXI. SCHOOL DISTRICTS OF THE FIRST CLASS.**

1. [24 P.S. § 21-2103 Board of Public Education; additional duties](#)

**ARTICLE XXVI. THE STATE BOARD OF EDUCATION.**

1. [24 P.S. §§ 2601-B – 24 P.S. 2606-B](#)

## **TITLE 22 EDUCATION (STATE REGULATIONS)**

### **CHAPTER 4. ACADEMIC STANDARDS AND ASSESSMENT**

1. [22 Pa. Code § 4.72 Credentials other than the high school diploma](#)

### **CHAPTER 11. STUDENT ATTENDANCE**

1. [22 Pa. Code § 11.4 Early withdrawal for postsecondary institution attendance](#)
2. [22 Pa. Code § 11.5 Part-time attendance for potential graduates](#)
3. [22 Pa. Code § 11.12 School age](#)
4. [22 Pa. Code § 11.13 Compulsory school age](#)
5. [22 Pa. Code § 11.31 Students not enrolled in public schools due to private tutoring](#)
6. [22 Pa. Code § 11.31a Students not enrolled in public schools due to participation in a home education program](#)
7. [22 Pa. Code § 11.33 Dual enrollment students enrolled part-time in the public schools](#)
8. [22 Pa. Code § 11.41 School district policies and rules](#)

### **CHAPTER 121. STUDENT FINANCIAL AID**

1. [22 Pa. Code § 121.1 Definitions](#)
2. [22 Pa. Code § 121.21 Requirement for higher education grant applicants](#)

## **TITLE 23 DOMESTIC RELATIONS**

[23Pa. § 6344.4 Recertification.](#)

## **TITLE 28 HEALTH AND SAFETY**

### **CHAPTER 23. SCHOOL HEALTH**

1. [28 Pa. Code § 23.1. Required health services](#)
2. [28 Pa. Code § 23.2. Medical examinations](#)
3. [28 Pa. Code § 23.3. Dental examinations](#)
4. [28 Pa. Code § 23.4. Vision screening tests](#)
5. [28 Pa. Code § 23.5. Hearing screening tests](#)
6. [28 Pa. Code § 23.6. Threshold hearing tests](#)
7. [28 Pa. Code § 23.7. Height and weight measurements](#)
8. [28 Pa. Code § 23.8. Maintenance of medical and dental records](#)
9. [28 Pa. Code § 23.9. Tuberculosis tests](#)
10. [28 Pa. Code § 23.10. Scoliosis screening](#)
11. [28 Pa. Code § 23.11. Special examinations](#)