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Authority

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

Definitions

Appropriate Education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.[3]

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

Home Education Program - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.

Supervisor - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.

Delegation of Responsibility

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

Guidelines

Notarized affidavit

Prior to the commencement of the home education program, and annually thereafter on August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent setting forth the information required by law.[3]

Instructional Program

The instructional program for home education students shall include such courses as required by law.[3]

Loan of Educational Materials

At the request of the supervisor, the district shall lend to the home education program copies of the school's planned courses, textbooks and curriculum materials appropriate to the student's age and grade level. This shall include all instruction or services received by students at home for which the district utilizes in school. [3]

Student Portfolio and Evaluations

For each student participating in the home education program, the supervisor shall:[3]

1. Maintain a portfolio of records and materials.
2. Provide an annual written evaluation of the student's educational progress. Provide certification that appropriate education is occurring

Diplomas

Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or an approved diploma-granting organization.[3]

Students with Disabilities

A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[2]

Beginning the 2023-2024 school year, to the extent that a student who is receiving home education programming has also been identified for special education services, and the parents of that student wish for the student to attend school for particular specialized services to which they would have been entitled had they attended the schools of the District full-time, such services shall be memorialized in an equitable participation service plan. The development of such a plan shall be coordinated through the District's Office of Pupil Services.

Appropriate Education/Compliance Determination

A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that s/he has ten (10) days to submit the certification.[3]

If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, s/he may submit a letter to the supervisor requiring an evaluation be conducted and that an evaluator's certification stating that an appropriate education is occurring be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.[3]

If the Superintendent has a reasonable belief that the home education program is out of compliance, s/he shall submit a letter to the supervisor requiring a certification be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's reasonable belief.[3]

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.[3]

Hearings

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.[3]

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be enrolled promptly in a district school, a nonpublic school or a licensed private academic school.[3]

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.[3]

Transfers

If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation.[3]

The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request.[3]

The supervisor shall file the letter of transfer with the Superintendent of the new district of residence.[3]

If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[3]

If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[3]

If the Superintendent is informed of pending proceedings related to a home education program relocating to the district, s/he shall continue the home education program until the appeal process is finalized.[3]

Joint Program with School District of Residence

Starting with the 2023-2024 school year and each school year thereafter, a child who is enrolled in a home education program may participate, on the same basis as other students enrolled in the school district, in any: (1) cocurricular activity that merges extracurricular activities with an academic course;

(2) academic courses equaling up to at least one quarter of the school day for full-time students of the school district; and/or (3) career and technical education programs.

To be eligible for this Joint Program, the child enrolled in a home education program must:

- (i) meet the eligibility criteria or their equivalent for participation in the cocurricular activity, academic course, or career and technical program that applies to students enrolled full time in the school district.
- (ii) meet the prerequisite criteria or their equivalent for participation in the cocurricular activity, academic course, or career and technical program that applies to students enrolled full time with the school district.
- (iii) comply with all policies, rules, and regulations of the school district of residence and/or career and technical program during participation of the program.

For the purposes of the Joint Program, the school district of residence shall provide the grade for each cocurricular or academic course to the home education program supervisor, who shall be responsible for maintaining the material in the portfolio of records. The school-district-of-residence-operated career and technical education or the career and technical education center shall be responsible for providing the grade to the home education program supervisor.

A home-schooled student may utilize district transportation during the times buses are otherwise already operating to include to and from the career and technical education program.

Additionally, a home education student enrolled in a cocurricular activity, academic course, or career and technical education program in the student's district of residence shall be included in the average daily membership of the school district of residence and/or career and technical education center and shall be calculated by counting the time the home education student spends in public school.

The term "academic course" shall be construed broadly and shall include any planned instruction as well as any additional necessary instruction or electives.