



Title: **Home Education Programs**

Code: 137

Book: Policy Manual

Section: 100 Programs

Authority

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

Definitions

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.[\[2\]](#)

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.

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.

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.

Guidelines

Eligibility/Affidavits

A notarized affidavit of the parent/guardian or person having legal custody of the child shall be filed prior to commencement of the home education program and annually thereafter on August 1 with the Superintendent. The affidavit shall set forth:[\[2\]](#)

1. Name of the supervisor of the home education program who will be responsible for the provision of instruction.
2. Name and age of each child who will participate in the home education program.
3. Address and telephone number of the home education program site.
4. That subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area.
5. Evidence that the child has been immunized and has received the health and medical services required for students of the child's age or grade level.[\[4\]](#)[\[5\]](#)
6. Certification signed by the supervisor that the supervisor, all adults in the home and persons having legal custody of a child in the home education program have not been convicted of criminal offenses as enumerated in the School Code.[\[6\]](#)

Transfers

When a home education program is relocating to another school district, the supervisor is responsible to follow the requirements of law.[\[2\]](#)

Program

A student who is enrolled in a home education program shall be deemed to have met the requirements if the program provides a minimum of one hundred eighty (180) days of instruction, or nine hundred (900) hours of instruction per year at the elementary level, or nine hundred ninety (990) hours per year at the secondary level.[\[2\]](#)

At the elementary level, the following courses shall be taught: 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.

At the secondary level, the following courses shall be taught: 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.

Courses of study may include, at the discretion of the supervisor: economics; biology; chemistry; foreign languages; trigonometry; or other age appropriate courses required by the State Board of Education.

Requirements of Supervisor

In order to demonstrate that appropriate education is occurring, the supervisor shall provide and maintain on file for each student enrolled in the home education program a portfolio of records and materials.[\[2\]](#)

The portfolio shall consist of a log, made contemporaneously with the instruction, that designates by title the reading materials used; samples of any writings; worksheets, workbooks or creative materials used or developed by the student; and in grades three, five and eight results of nationally normed standardized achievement tests in reading, language arts and mathematics or results of statewide tests administered in these grade levels.

The supervisor shall ensure that the nationally normed standardized tests or the statewide tests are not administered by the child's parent/guardian.

Evaluation Requirements

A teacher or administrator who evaluates a portfolio at the elementary level or secondary level shall meet the requirements established in law.[\[2\]](#)

An annual written evaluation of the student's educational progress as determined by a licensed clinical or school psychologist, a teacher certified by the Commonwealth, or a nonpublic school teacher or administrator is required. The evaluation shall also be based on an interview of the child and a review of the portfolio and shall certify whether or not an appropriate education is occurring. At the request of the supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the Superintendent. In no event shall the evaluator be the supervisor or his/her spouse.

Documentation required by this policy shall be provided to the district Superintendent or designee at the conclusion of each school year. The Superintendent shall determine whether the child is receiving appropriate education, as defined in this policy and law, as a program consisting of instruction in the required

subjects for the time required and in which the student demonstrates sustained progress in the overall program.

If the Superintendent or designee has a reasonable belief that, at any time during the school year, appropriate education may not be occurring in the home education program, s/he may require documentation pertaining to the portfolio to be submitted to the district by certified mail with return receipt requested within fifteen (15) days, and the evaluation to be submitted within thirty (30) days.

If the Superintendent or designee determines, based on documentation, that appropriate education is not occurring, s/he shall send a letter to the supervisor stating that in his/her opinion appropriate education is not occurring in the home education program and shall return all documentation, specifying what aspect(s) of the documentation are inadequate.

The supervisor of the program shall have twenty (20) days from receipt of the certified letter to submit additional documentation demonstrating that appropriate education is taking place. If documentation is not submitted within that time, the home education program shall be out of compliance; and the student shall be promptly enrolled in the public or a nonpublic school.

Right of Hearing

The Board shall provide for a proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The examiner shall render a decision within fifteen (15) days of the hearing, except that s/he may require the establishment of a remedial education plan, mutually agreed to by the Superintendent and supervisor of the home education program, which shall continue the home education program. The decision of the examiner may be appealed by either the supervisor or the

Superintendent to the Secretary of Education or Commonwealth Court.[\[2\]](#)

If the hearing examiner finds that the documentation does not indicate that appropriate education is taking place in the home education program, the home education program shall be out of compliance; and the student shall be promptly enrolled in a public or nonpublic school.

Loan of Instructional Materials

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

Graduation Requirements

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

The school district is under no obligation to award a diploma or acknowledge completion of a student's education in a home education program.

Students With a Disability

A home education program shall meet 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 education certificate from the Commonwealth to teach special education, or a licensed clinical or certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[\[1\]](#)

The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.

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

Adopted: **April 20, 1993**

Last Revised: **November 15, 2005**

Legal References:

- [1. 24 P.S. 1327](#)
 - [2. 24 P.S. 1327.1](#)
 - [3. 22 PA Code 11.31a](#)
 - 4. Pol. 203
 - 5. Pol. 209
 - [6. 24 P.S. 111](#)
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