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Authority

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

Definitions

Appropriate education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.[2]

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

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

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

Delegation of Responsibility

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

Guidelines

Notarized Affidavit

Prior to the commencement of the home education program, and annually thereafter on **or before** August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent, **which contains certification that the supervisor of the home education program and all adults living in the home and persons having legal custody of a child or children in the home education program have not been convicted of criminal offenses enumerated in School Code, in accordance with law. The affidavit shall include all** information required by law.[2]

Instructional Program

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

Loan of Instructional Materials

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

Student Portfolio and Evaluations

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

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

Graduation Requirements

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

Diplomas

Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or an approved diploma-granting organization.[2]

Students With Disabilities

A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[1]

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

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

Appropriate Education/Compliance

A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that **they have** ten (10) days to submit the certification.[2]

If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, **the Superintendent** may submit a letter to the supervisor requiring an evaluation **to** be conducted and that an evaluator's certification stating that an appropriate education is occurring **shall** be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.[2]

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

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.[2]

Hearings

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.[2]

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be enrolled promptly in a **public** school, a nonpublic school or a licensed private academic school.[2]

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

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.[2]

Transfers

If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation.[2]

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

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

If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[2]

If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[2]

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

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Legal

1. 24 P.S. 1327

2. 24 P.S. 1327.1

3. 22 PA Code 11.31a

4. Pol. 137.2

5. Pol. 137.3

24 P.S. 111

22 PA Code 11.33

Pol. 137.1

Pol. 203

Pol. 209

Wellsboro Area School District

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

137-AR-0. HOME EDUCATION PROGRAM REQUIREMENTS

Eligibility/Affidavits

A notarized affidavit of the parent/guardian or person having legal custody of the child or children shall be filed with the Superintendent prior to commencement of the home education program and annually thereafter on **or before** August 1. The affidavit will include:

1. Name of the supervisor of the home education program responsible for providing instruction.
2. Name and age of each child participating in the home education program.
3. Address and telephone number of the home education program site.
4. **Affirmation** that subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area.
5. Evidence, **with documentation attached to the affidavit**, that the child has received required immunizations and the health and medical services required for students of the child's age or grade level, **unless the child has a documented medical or religious exemption**.
6. An acknowledgment that the home education program will comply with applicable law.
7. A certification signed by the supervisor that the supervisor, all adults living in the home and persons having legal custody of a child or children in the home education program have not been convicted of criminal offenses enumerated in section 111(e) of the PA School Code within five (5) years immediately preceding the date of the affidavit.
8. If a child in the home education program has been identified as a student with a disability in need of special education services, the affidavit must also include written approval from a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist that the program addresses the specific needs of the student.

Copies of the Home Education Program Affidavits for Elementary and Secondary Programs are available through the PA Department of Education:

<https://www.education.pa.gov/K-12/Home%20Education%20and%20Private%20Tutoring/Pages/default.aspx>

Instructional Program

A student enrolled in a home education program meets the compulsory school attendance requirements if the program provides a minimum of 180 days of instruction, or 900 hours of instruction per year at the elementary level, or 990 hours per year at the secondary level.

At the elementary level, the following courses **must be taught in the home education program:** 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 **must be taught in the home education program:** 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 **at the secondary level** may include, at the discretion of the supervisor: economics; biology; chemistry; foreign languages; trigonometry; or other age-appropriate courses contained in Chapter 4 of the State Board of Education Regulations.

Student Portfolio and Evaluations

In order to demonstrate that appropriate education is occurring, the supervisor of the home education program will provide and maintain on file **a portfolio of records and materials and an annual written evaluation stating whether an appropriate education has occurred for each student.**

The portfolio will consist of a log, made contemporaneously with the instruction, which 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 3, 5 and 8 results of nationally normed standardized achievement tests in reading/language arts and mathematics or the results of statewide tests administered in these grade levels.

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

Portfolios will be evaluated by a **qualified home education evaluator**, as specified in law.

An annual written evaluation of the student's educational progress **will be conducted by a qualified home education evaluator. A home education evaluator may be:** a licensed clinical or school psychologist; a Pennsylvania certified teacher with **at least two (2) years of experience** at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students; or a nonpublic school teacher or administrator with **at least two (2) years of teaching experience** in a Pennsylvania public or nonpublic school within the last ten (10) years, the required experience must be at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students.

At the request of the supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the Superintendent.

In no event will the evaluator be the **home education** supervisor or **their** spouse.

The evaluation will be based on an interview of the child and a review of the portfolio, and will certify whether or not an appropriate education is occurring.

Graduation Requirements/Diplomas

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

The district will provide the student's home education program supervisor with a grade for each district cocurricular activity and academic course completed by a home education student, in accordance with Board policy and administrative regulations. The home education program supervisor will be responsible for maintaining the material in the student's portfolio of records and recording it as part of the student's graduation requirements.

Diplomas may be awarded by the supervisor of the home education program or by a diploma-granting organization approved by the PA Department of Education.

Appropriate Education/Compliance

The qualified home education evaluator's certification stating that an appropriate education is occurring for the school year under review will be provided by the supervisor to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification due on June 30 to the Superintendent, the Superintendent will 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 ten (10) days of receipt of the certified letter. If the certification is not submitted within that time, the Board will **schedule a hearing.**

Appropriate Education –

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 that an evaluator's certification stating that an appropriate education is occurring for the school year under review be submitted to the district by the supervisor within thirty (30) days of the receipt of the certified letter. The certified letter will include the basis for the Superintendent's reasonable belief. If the statewide or nationally normed tests have not been administered at the time of the receipt of the certified letter by the supervisor, the supervisor will submit the other required documentation to the evaluator. The test results will be submitted with the completed documentation at the conclusion of the school year. If the certification is not submitted to the Superintendent within thirty (30) days of receipt of the certified letter, the Board will **schedule a hearing**.

Compliance with School Code –

If the Superintendent has a reasonable belief that the home education program is out of compliance with the requirements in section 1327.1 of the PA School Code, **the Superintendent** will submit a letter to the supervisor, by certified mail, return receipt requested, requiring a certification to be submitted within thirty (30) days indicating that the program is in compliance. The certified letter will include the basis for the Superintendent's reasonable belief. If the certification is not submitted to the Superintendent within thirty (30) days of receipt of the certified letter, the Board will **schedule a hearing**.

Hearings/Appeal

If a hearing is required, the Board will **schedule a** proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The **hearing examiner will** render a decision within fifteen (15) days of the hearing except that **the examiner** may require the establishment of a remedial education plan mutually agreed to by the Superintendent and supervisor of the home education program to continue the home education program.

The decision of the **hearing** examiner may be appealed by either the supervisor or the Superintendent to the Secretary of Education, the Commonwealth Court or the Court of Common Pleas.

If the hearing examiner finds that the evidence does not indicate that appropriate education is taking place in the home education program, the home education program for the child will be deemed out of compliance and the student will be promptly enrolled in **an appropriate public** school, a nonpublic school or a licensed private academic school. The home education program may continue during the time of any appeal.

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

When documentation is required to be submitted to the hearing examiner, the hearing examiner will return, upon completion of **the** review, all such documentation to the supervisor of the home education program. The hearing examiner may photocopy all or portions of the documentation for the files.

Transfers

When 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.

The Superintendent will issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request. The supervisor will file the letter of transfer with the Superintendent of the new district of residence.

When a home education program is not in compliance with section 1327.1 of the PA School Code, the Superintendent will 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.

When a home education program is in hearing procedures, the Superintendent will 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.

When the Superintendent is informed of pending proceedings related to a home education program relocating **from a previous district to this district**, **the Superintendent** will continue the home education program until the appeal process **in the previous district** is finalized.

Resources:

Home Education and Private Tutoring Guide, PA Department of Education:

<https://www.education.pa.gov/K-12/Home%20Education%20and%20Private%20Tutoring/HomeEdPrivateTutoringGuide/Pages/default.aspx>

Home Education Program Basic Education Circular (BEC) December 23, 2022:

<https://www.education.pa.gov/Policy-Funding/BECS/Purdons/Pages/HomeEducationProgram.aspx>

Wellsboro Area School District

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

137-AR-1. PARENT/GUARDIAN LETTER HOME EDUCATION PROGRAM

Dear Parent/Guardian:

You have notified the district that your child or children will be educated at home pursuant to Section 13-1327.1 of the Pennsylvania Public School Code. For your information, the district's policies and administrative regulations governing home education programs are enclosed.

In order to fulfill the requirements of compulsory attendance, you must comply with the provisions of law applicable to your program of home education. Some of the requirements applicable to home education programs are described in the enclosed documents; however, the documents are not a complete statement of applicable law. It is your responsibility to review the enclosed documents and the School Code provisions applicable to home education programs.

Annually by August 1, the parent/guardian or other person having legal custody of the child or children must submit to the district Superintendent a notarized affidavit, as required by law.* **A copy of an affidavit from the Pennsylvania Department of Education can be located here:** <https://www.education.pa.gov/K-12/Home%20Education%20and%20Private%20Tutoring/Pages/default.aspx>

By June 30 of each school year, the supervisor of the home education program must submit to the Superintendent the **qualified home education** evaluator's certification stating that an appropriate education is occurring for the school year under review.

Please call the district administrative office if you have questions regarding the information to be filed with the district.

Sincerely,

Superintendent

***The affidavit may be submitted as early as July 1 for home education programs that take place year-round.**

Wellsboro Area School District

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

137-AR-2. CURRICULUM MATERIALS REQUEST FORM

I, _____, supervisor of the home education program for _____ request the following materials be provided in order to complete the curriculum requirements **of the program.**

_____ District Curriculum, Planned Courses and/or Objectives for the _____ **grade level**

_____ **District Curriculum, Syllabi and/or Objectives for the following secondary level courses:**

_____ Textbooks

_____ Other Curriculum Materials as Listed:

Date: _____

(Supervisor Signature)

-or-

137-AR-2. CURRICULUM MATERIALS REQUEST FORM - Pg. 2

I, _____, supervisor of the home education program for
_____ do not wish to use any district-provided materials.

Date: _____

(Supervisor Signature)