

# PENN MANOR SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED: August 17, 2015

REVISED:

## 137-AR-0. HOME EDUCATION PROGRAM REQUIREMENTS

### 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.

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.

### 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 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. Confirmation 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 received required immunizations and the health and medical services required for students of the child's age or grade level.

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.

### 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 will 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 will 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 contained in Chapter 4 of the State Board of Education Regulations.

### 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.

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 will be provided in district schools or in a private school licensed to provide such programs and services.

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 the following documentation for each student enrolled in the home education program:

1. A portfolio of records and materials. 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.

If the supervisor does not wish to administer a statewide test, s/he can choose a nationally normed standardized test from a list established by the PA Department of Education.

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 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 teacher or administrator with teaching experience as specified in law.

2. An annual written evaluation of the student's educational progress as determined by a licensed clinical or school psychologist; a Pennsylvania certified teacher with experience at the elementary level to evaluate elementary students or with experience at the secondary level to evaluate secondary students; or a nonpublic school teacher or administrator with 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 supervisor or his/her 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.

For purposes of portfolio review and evaluation, teaching experience is defined as:

At the elementary level (grades K through 6), a teacher or administrator who evaluates a portfolio must have at least two (2) 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.

At the secondary level (grades 7 through 12), a teacher or administrator who evaluates a portfolio must have at least two (2) 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.

The term "grading" shall mean evaluation of classwork, homework, quizzes, classwork-based tests and prepared tests related to classwork subject matter.

#### 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.

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.

In the case of a diploma awarded by a supervisor, the following provisions apply:

1. The student receiving the diploma will have completed all requirements for graduation.
2. The diploma will be awarded to the student on a standardized form developed by the PA Department of Education.
3. The diploma will be signed by the student's twelfth grade evaluator in confirmation of the student's suitability for graduation.

In the case of a diploma awarded by an approved diploma-granting organization the following provisions apply:

1. The student receiving the diploma will have completed all the requirements for graduation.
2. The diploma will be awarded to the student on a standardized form developed by the organization.

#### Appropriate Education/Compliance Determination

An 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 provide for a proper hearing.

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, 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 provide for a proper hearing.

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, s/he 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 provide for a proper hearing.

#### Hearings/Appeal

If a hearing is required, the Board will 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 to 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, Commonwealth Court or 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 the appropriate district school, a nonpublic school or a licensed private academic school. The home education program may continue during the time of any appeal.

If the child's home education program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home education program will not be eligible to supervise a home education program for that child 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 his/her 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 to the district, s/he will continue the home education program until the appeal process is finalized.