

## *Home Education and Private Tutoring Programs*

District staff shall be available to assist and work cooperatively with families who are interested in establishing and/or carrying out home education or private tutoring programs.

The Pennsylvania Department of Education's Home Education and Private Tutoring Guide, which is updated periodically, can be found online at <https://www.education.pa.gov/K-12/Home%20Education%20and%20Private%20Tutoring/Pages/default.aspx>.

The requirements of home education programs and private tutoring programs, as outlined in the most current version of the Home Education and Private Tutoring Guide, are hereby incorporated into this Administrative Regulation by reference.

### **Home Education Programs:**

#### **Definitions:**

**Home education program** — a program conducted in compliance with the School Code by the parent or guardian or person having legal custody of the child or children. A home education program shall not be considered a nonpublic school under the provisions of this law.

**Home education program supervisor** — the parent or guardian or person having legal custody of the child or children who shall be responsible for the provision of 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, the Tredyffrin/Easttown School District, or the Chester County Intermediate Unit.

**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.

**Department** — shall mean the Department of Education of the Commonwealth.

#### **Notarized Affidavit**

Prior to the commencement of a home education program, and annually thereafter by August 1, a notarized affidavit of the parent or guardian or other person having legal custody of the child shall be filed with the Superintendent or designee. The affidavit shall set forth:

1. Name of the home education program supervisor;
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. A statement that the subjects required by law will be taught 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. At the request of the home education program supervisor, students in a home education program shall be included in the District's regularly scheduled State mandated health services;
6. Assurance that the home education program will comply with law; and
7. Certification that the home education program 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 within the five years immediately preceding the date of the affidavit.

### **Transfers**

If a home education program is relocating to another Pennsylvania school district, the home education program supervisor must request from the Superintendent or designee 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 or designee shall issue the letter of transfer within thirty (30) days after receipt of the home education program supervisor's registered mail request. The home education program supervisor shall file the letter of transfer with the Superintendent or designee of the new district of residence.

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

If the Superintendent or designee is informed of pending proceedings related to a home education program relocating to the District, they shall continue the home education program until the appeal process is finalized.

### **Program**

A student who is enrolled in a home education program and whose education is therefore under the direct supervision of their parent, guardian or person having legal custody 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.

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.

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

### **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.

### **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. Such diplomas shall be considered as having all the rights and privileges afforded by the law. No diploma shall be issued by Conestoga High School.

The procedures by which a diploma may be awarded by a supervisor or approved diploma-granting organization shall be in accordance with law.

### **Students with Disabilities**

Home education programs meet compulsory attendance requirements for students identified with disabilities 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.

The home education program supervisor may request in writing that the District or the Chester County Intermediate Unit provide services that address the identified student's specific needs.

When the provision of services for special education is agreed to in writing between the District and the home education program supervisor, the agreed special education services shall be provided in the public schools or in a private school licensed to provide such services.

**Requirements of Home Education Program Supervisor**

In order to demonstrate that appropriate education is occurring, the home education program supervisor shall maintain a portfolio of records and materials for each student enrolled in the home education program and provide an annual written evaluation of the student's educational progress, as outlined in more detail below.

The portfolio shall 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 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 home education program supervisor shall ensure that the nationally normed standardized tests or the statewide tests are not administered by the child's parent or guardian. At the home education program supervisor's request, students in a home education program shall be included in the District's standardized testing plan.

**Evaluation Requirements**

A teacher or administrator who evaluates a portfolio at the elementary level shall 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.

A teacher or administrator who evaluates a portfolio at the secondary level shall 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, and history of the United States and Pennsylvania; foreign language; and mathematics, to include general mathematics, algebra, trigonometry, calculus and geometry.

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 with the required qualifications 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 home education program supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the Superintendent or designee. In no event shall the evaluator be the home education program supervisor or their spouse.

An evaluator's certification stating that an appropriate education is occurring for the school year under review must be provided by the supervisor of the home education program to the Superintendent or designee by June 30 of each year. If the supervisor of the home education program fails to submit the certification due on June 30, the Superintendent or designee 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 to submit the certification within ten (10) days of receipt of the certified letter. If the certification is still not submitted within the applicable timeframe, a hearing before the Board of School Directors or appropriate designee shall be arranged, as detailed below.

If the Superintendent or designee has a reasonable belief at any time during the school year that an appropriate education may not be occurring in the home education program, the Superintendent or designee may submit a letter to the home education program 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 shall include the basis for the Superintendent or designee's reasonable belief. If the required standardized tests, as detailed above, have not been administered at the time of the receipt of the certified letter by the home education program supervisor, the home education program supervisor shall submit the other required documentation to the evaluator and shall submit the test results to the evaluator with the completed documentation at the conclusion of the school year. If the certification is not submitted to the Superintendent or designee within thirty (30) days of receipt of the certified letter, a hearing before the Board of School Directors or appropriate designee shall be arranged, as detailed below.

If the Superintendent or designee has a reasonable belief that the home education program is out of compliance with any other provision of the law, the Superintendent or designee shall submit a letter to the home education program supervisor by certified mail, return receipt requested, requiring a certification to be submitted within thirty (30) days indicating that the program is in compliance with the law. The certified letter shall include the basis for the Superintendent or designee's reasonable belief. If the certification is not submitted within the applicable timeframe, a hearing before the Board of School Directors or appropriate designee shall be arranged, as detailed below.

### **Textbooks and Curriculum Materials**

The District shall, at the request of the home education program supervisor, lend to the home education program copies of the District's planned courses, textbooks, and other curriculum materials appropriate to the student's age and grade level.

### **Right of Hearing**

If a hearing is required, the Board shall provide for a proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The hearing examiner shall render a decision within fifteen (15) days of the hearing, except that they may require the establishment of a remedial education plan mutually agreed to by the Superintendent or designee and home education program supervisor which shall continue the home education program. The decision of the examiner may be appealed by either the home education program 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 shall be out of compliance, and the student shall be promptly enrolled in a public or nonpublic school or at licensed private academic school. The home education program may continue during the time of any appeal.

**Participation in District Programs and Activities**

The District shall permit a child who is enrolled in a home education program to participate in District programs and activities, including but not limited to, clubs, musical ensembles, athletics and theatrical productions only to the extent required by law and consistent with Board Policy and Regulation 5311 – Eligibility for Participation in School-Related Activities.

**Private Tutoring Programs:**

Guidelines and procedures regarding the approval, implementation, and monitoring of private tutoring programs shall be in accordance with the requirements of law and the procedures outlined in the Pennsylvania Department of Education’s Home Education and Private Tutoring Guide.

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