

ABINGTON SCHOOL DISTRICT
ABINGTON, PENNSYLVANIA

SUPERINTENDENT'S
ADMINISTRATIVE PROCEDURE

REGARDING: **Home Education Programs**

Section: **Students**

Effective Date: March 24, 2009

Reissued: 8/22/11, 5/9/17,
11/22/19, 9/9/21,
4/28/23, 1/2/24

See Also: Related Board Policy; Board
Policy Re: Instructional
Materials School Code
Sections 1327
& 1327.1

Information concerning Pennsylvania's requirements and procedures related to a home education program can be found on the Home Education and Private Tutoring page of the Pennsylvania Department of Education website located at: <http://www.education.pa.gov>.

The District recognizes and accepts its responsibilities to make provisions for Home Education Programs for those families who elect this method of instruction. District staff shall be available to assist and work cooperatively with families who are interested in establishing and/or carrying out 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 or of the Abington School District or the Montgomery 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.

Eligibility/Affidavits

If a student is new to the District, all policies and processes for registration of the student into the District shall be followed prior to enrollment into the Home Education Program.

To enroll into the Home Education Program a notarized affidavit of the parent or 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 or designee. The affidavit shall set forth:

- Name of the Home Education Program Supervisor who shall be responsible for the provision of the instruction;
- Name and age of each child who shall participate in the Home Education Program;
- Address and telephone number of the Home Education Program site;
- That subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area; and
- 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.

The affidavit shall contain certification signed by the Home Education Program Supervisor 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

When a Home Education Program being conducted in the District is relocating to another district due to a change to the student's residency, the Home Education Program Supervisor must apply by registered mail, thirty (30) days prior to the relocation, to the Superintendent requesting a letter of transfer for the Home Education Program to the district to which the Home Education Program is relocating. The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the registered mail request of the Home Education Program Supervisor.

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.

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.

The District is under no obligation to award a diploma to a student educated in a Home Education Program and does not issue a diploma from Abington Senior High School to such students.

A high school diploma awarded by a supervisor or an approved diploma-granting organization shall be considered as having all the rights and privileges afforded by the law. The procedures by which a diploma may be awarded by a supervisor or approved diploma-granting organization shall be in accordance with the law.

Students with Disabilities

Home Education Programs shall 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 Montgomery 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 of the Home Education Program, 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 provide and maintain on file a portfolio of records and materials for each student enrolled in the Home Education Program.

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 process 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 Home Education Program Supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the Superintendent. 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 to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification due on June 30, the Superintendent 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, the Board of School Directors shall provide for a proper hearing, as detailed below.

If the Superintendent 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 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'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 supervisor, the 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 within thirty (30) days of receipt of the certified letter, the Board

of School Directors shall provide for a proper hearing, as detailed below.

If the Superintendent 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 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's reasonable belief. If the certification is not submitted within the applicable timeframe, the Board of School Directors shall provide for a proper hearing, as detailed below.

Textbooks and Curriculum Materials

The District shall, at the request of the 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. Curricular materials do not include technology provided to students enrolled in Abington School District as part of the District's one-to-one computing initiative.

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 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 and Home Education Program 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, 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 a licensed private academic school. The Home Education Program may continue during the time of any appeal.

Participation in District Programs and Activities

The District permits home-educated students to participate in District (1) academic courses for up to 25% of the school day for a full-time student, (2) extracurricular activities such as clubs, musical ensembles, athletics (such as varsity sports), and theatrical productions, (3) cocurricular activity that merges extracurricular activities with required academic courses. Such courses, activities, and cocurricular activities are limited to those available at the school to which their elementary attendance zone or grade level is assigned. Participation is permitted provided that such students:

- meet the eligibility criteria or their equivalent for participation in the academic course and/or activity that apply to students enrolled in the District;
- meet the prerequisite criteria or their equivalent for participation in the cocurricular or academic course that apply to students enrolled in the District;
- meet the tryout criteria or their equivalent for participation in the activity that apply to

students enrolled in the District; and

- comply with all policies, rules and regulations or their equivalent of the District or the governing organization of the activity. This includes adhering to attendance and grading requirements of an academic course.

For academic courses and cocurricular activities that have limited enrollment priority for participation will be given to students attending District schools. For home-educated students, the District will provide the grades for District academic courses or cocurricular activities to the home education program supervisor, who will be responsible for maintaining the material in the portfolio of records. The parent or guardian shall be responsible for transportation to and from school for selected courses, except that the home-educated student may use District transportation to and from school during the times that a bus is otherwise already operating and space is available.

If the parent or guardian is not able to provide adequate supervision for the child between cocurricular and academic courses, then cocurricular and academic courses must be taken consecutively during the school day.

If the District offers a physical exam or medical test as a condition of participation in the specific activity, then the exam or test will be available to home educated students. The dates and times of such physicals or tests shall be published on the District's publicly accessible Internet website.

Participation in EASTERN Center for Arts and Technology

Home-educated students may participate in the EASTERN Center for Arts and Technology, subject to the following:

- the home-educated student meets the prerequisite criteria or their equivalent for participation in EASTERN Center for Arts and Technology that applies to students enrolled full time in the District; and
- the home-educated student complies with all policies, rules and regulations or their equivalent of the District and EASTERN Center for Arts and Technology.

EASTERN Center for Arts and Technology shall provide the grades to the home education program supervisor, who shall be responsible for maintaining the material in the portfolio of records.

Home-educated students may utilize district transportation to or from EASTERN Center for Arts and Technology during the times buses are otherwise already operating and space is available.

For programs that have limited enrollment priority will be given to full-time students enrolled in the District.