

# Understanding the Home Education Law in PA

A Guide Presented by York Home School Assoc., Inc.

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**Home Education Program.**--(a) The following words and phrases when used in this section shall have the meanings given to them in this subsection:

“Appropriate education” shall mean a program consisting of instruction in the required subjects for the time required in this act and in which the student demonstrates sustained progress in the overall program.

“Department” shall mean the Department of Education of the Commonwealth.

“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” shall mean a program conducted, in compliance with this section, by the parent or guardian or such person having legal custody of the child or children.

“Supervisor” shall mean the parent or guardian or such 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.

((a) amended Oct. 31, 2014, P.L.2967, No.196)

(b) The requirements contained in sections 1511 and 1511.1, except as provided for in this section, and section 1605 shall not apply to home education programs. A home education program shall not be considered a nonpublic school under the provisions of this act.

(1) A **notarized affidavit** of the parent or guardian or other person having legal custody of the child or children, filed prior to the commencement of the home education program and annually thereafter on August 1 with the superintendent of the school district of residence and which sets forth: the name of the supervisor of the home education program who shall be responsible for the provision of instruction; the name and age of each child who shall participate in the home education program; the address and telephone number of the home education program site; that such subjects as required by law are offered in the English language, including an **outline of proposed education objectives** by subject area; **evidence that the child has been immunized** in accordance with the provisions of section 1303(a) and has received the **health and medical services** required for students of the child’s age or grade level in Article XIV; and that the home education program shall comply with the provisions of this section and that the notarized affidavit shall be satisfactory evidence thereof. The required outline of proposed education objectives shall not be utilized by the superintendent in determining if the home education program is out of compliance with this section and section 1327. The affidavit shall contain a certification to be signed by the supervisor that the supervisor, all adults living in the home and persons having legal custody of a child or children in a home education program have not been convicted of the criminal offenses enumerated in subsection I of section 111 within five years immediately preceding the date of the affidavit. (See page 21 for list of criminal offenses)

(2) In the event the home education program site is **relocating to another school district** within this Commonwealth during the course of the public school term or prior to the opening of the public school term in the fall, the supervisor of the home education program must apply, by registered mail, thirty (30) days prior to the relocation, to the superintendent of the district in which he or she currently resides, requesting a letter of transfer for the home education program to the district to which the home education program is relocating. The current superintendent of residence must issue the letter of transfer thirty (30) days after receipt of the registered mail request of the home education program supervisor.

(i) If the home education program is not in compliance with the provisions of this section, the superintendent of the current district of residence must inform the home education supervisor and the superintendent of the district to which the home education program is relocating the status of the home education program and the reason for the denial of the letter of transfer.

(ii) If the home education program is in hearing procedures, as contained in this section, the superintendent of the current district of residence must inform the home education supervisor, the assigned hearing examiner and the superintendent of the district to which the home education program is relocating the status of the home education program and the reason for the denial of the letter of transfer.

(3) The letter of transfer, required by clause (2), must be filed by the supervisor of the home education program with the superintendent of the new district of residence. In the case of pending proceedings, the new district of residence superintendent shall continue the home education program until the appeal process is finalized.

I A child who is enrolled in a home education program and whose education is therefore under the direct supervision of his parent, guardian or other person having legal custody shall be deemed to have met the requirements of section 1327 if that home education 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:

(1) At the **elementary** school 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.

(2) At the **secondary** school 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 supervisor of the home education program, economics; biology;

chemistry; foreign languages; trigonometry; or other age-appropriate courses as contained in Chapter 5 (Curriculum Requirements) of the State Board of Education.

(d) The following minimum courses in grades nine through twelve are established as a **requirement for graduation** in a home education program:

- (1) Four years of English.
- (2) Three years of mathematics.
- (3) Three years of science.
- (4) Three years of social studies.
- (5) Two years of arts and humanities.

(d.1) (1) Notwithstanding any provision of this act or any other law or regulation to the contrary, 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 Commonwealth, a Commonwealth agency, including, but not limited to, the Pennsylvania Higher Education Assistance Agency, a political subdivision, a local agency and an authority or instrumentality of the Commonwealth or a political subdivision to a high school diploma awarded under this act, subject to sub-paragraphs (i) and (ii):

(i) In the case of a diploma awarded by a supervisor the following shall apply:

(A) The student receiving the diploma shall have completed all the requirements in subsection (d) while enrolled in a home education program that is in compliance with this section.

(B) The diploma shall be awarded to the student on a standardized form to be developed by the department and which shall be made available on the department's publicly accessible Internet website.

(C) The diploma shall be signed by the student's twelfth grade evaluator in confirmation of the student's suitability for graduation.

(ii) In the case of a diploma awarded by an approved diploma-granting organization the following shall apply:

(A) The student receiving the diploma shall have completed all the requirements in subsection (d) while enrolled in a home education program that is in compliance with this section.

(B) The diploma shall be awarded to the student on a standardized form to be developed by the organization.

(2) The department shall establish eligibility criteria and an application process for approving diploma-granting organizations to award high school diplomas to students enrolled in home education programs. The department shall maintain a list of approved diploma-granting organizations and post the list on the department's publicly accessible Internet website.

((d.1) added Oct. 31, 2014, P.L.2967, No.196)

In order to demonstrate that appropriate education is occurring, the supervisor of the home education program shall 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 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 the results of Statewide tests administered in these grade levels. The department shall establish a list, with a minimum of five tests, of nationally normed standardized tests from which the supervisor of the home education program shall select a test to be administered if the supervisor does not choose the Statewide tests. 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 shall ensure that the nationally normed standardized tests or the Statewide tests shall not be administered by the child's parent or guardian.

(i) A teacher or administrator who evaluates a portfolio at the elementary level (grades kindergarten through six) shall have at least two 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.

(ii) A teacher or administrator who evaluates a portfolio at the secondary level (grades seven through twelve) shall have at least two 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.

(iii) As used in this clause, the term "grading" shall mean evaluation of classwork, homework, quizzes, classwork-based tests and prepared tests related to classwork subject matter.

(2) An **annual written evaluation** of the student's educational progress as determined by a licensed clinical or school psychologist or a teacher certified by the Commonwealth or by a nonpublic school teacher or administrator. Any such nonpublic teacher or administrator shall have at least two years of teaching experience in a Pennsylvania public or nonpublic school within the last ten years. Such nonpublic teacher or administrator shall have the required experience at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students. The certified teacher shall have experience at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students. The evaluation shall also be based on an interview of the child and a review of the portfolio required in clause

(1) 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 district of residence superintendent. In no event shall the evaluator be the supervisor or their spouse.

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

(f.1) (1) Beginning January 1, 2006, the school district of residence shall permit a child who is enrolled in a home education program to **participate in any activity** that is subject to the provisions of section 511, including, but not limited to, clubs, musical ensembles, athletics and theatrical productions, provided that the child:

(i) Meets the eligibility criteria or their equivalent for participation in the activity that apply to students enrolled in the school district;

(ii) Meets the tryout criteria or their equivalent for participation in the activity that apply to students enrolled in the school district; and

(iii) Complies with all policies, rules and regulations or their equivalent of the governing organization of the activity.

(2) For the purposes of this subsection, the school district of residence's program of interscholastic athletics, including varsity sports, shall be considered an activity and shall include all activities related to competitive sports contests, games, events or exhibitions involving individual students or teams of students whenever such activities occur between schools within the school district or between schools outside of the school district.

(3) Where the activity requires completion of a physical examination or medical test as a condition of participation and the school district of residence offers such physical examination or medical test to students enrolled in the school district, the school district shall permit a child who is enrolled in a home education program to access such physical examination or medical test. The school district shall publish the dates and times of such physical examination or medical test in a publication of general circulation in the school district and on its publicly accessible Internet website.

(4) A board of school directors may adopt a policy to implement the requirements of this subsection. Such policy shall only apply to participation in activities and shall not conflict with any provisions of this section.

((f.1) added Nov. 10, 2005, P.L.374, No.67)

(g) When documentation is required by this section to be submitted to the hearing examiner, the hearing examiner shall return, upon completion of his review, all such documentation to the supervisor of the home education program. The hearing examiner may photocopy all or portions of the documentation for his files.

((g) amended Oct. 31, 2014, P.L.2967, No.196)

(h) ((h) deleted by amendment Oct. 31, 2014, P.L.2967, No.196)

(h.1) An **evaluator's certification** stating that an appropriate education is occurring for the school year under review shall be provided by the supervisor to the superintendent of the public school district of residence **by June 30 of each year**. If the supervisor fails to submit the certification due on June 30 to the superintendent, 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 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 of school directors shall provide for a proper hearing in accordance with subsection (k).

((h.1) added Oct. 31, 2014, P.L.2967, No.196)

(i)((i) deleted by amendment Oct. 31, 2014, P.L.2967, No.196)

(i.1) 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, he may submit a letter to the supervisor, by certified mail, return receipt requested, requiring that an evaluation be conducted in accordance with subsection I(2) 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 tests, as required in subsection I(1), 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 in accordance with subsection (k).

((i.1) added Oct. 31, 2014, P.L.2967, No.196)

(j)((j) deleted by amendment Oct. 31, 2014, P.L.2967, No.196)

(j.1) If the superintendent has a reasonable belief that the home education program is out of compliance with any other provisions of this section, the superintendent 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. The certified letter shall include the basis for the superintendent's reasonable belief. If the certification is not submitted within thirty (30) days of receipt of the certified letter, the board of school directors shall provide for a proper hearing in accordance with subsection (k).

((j.1) added Oct. 31, 2014, P.L.2967, No.196)

(k) If a hearing is required by the provisions of subsection (h.1), (i.1) or (j.1), the board of school directors 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 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 of the home education program or the superintendent to the Secretary of Education, Commonwealth Court or court of common pleas.

((k) amended Oct. 31, 2014, P.L.2967, No.196)

(l) 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 shall be out of compliance with the requirements of this section and section 1327, and the student shall be promptly enrolled in the public school district of residence or a nonpublic school or a licensed private academic school. The home education program may continue during the time of any appeal.

((l) amended Oct. 31, 2014, P.L.2967, No.196)

(m) At such time as the child's home education program has been determined to be out of compliance with the provisions of this section and section 1327, the supervisor or spouse of the supervisor of the home education program shall not be eligible to supervise a home education program for that child, as provided for in subsection (b)(1) of this section, for a period of twelve (12) months from the date of such determination.

(n) Nothing in this section shall be construed to affect Federal or State law relating to special education for students with disabilities in home education programs.

((n) added Oct. 31, 2014, P.L.2967, No.196)

(1327.1 added Dec. 21, 1988, P.L.1321, No.169)



## When must I begin submitting an affidavit and objectives for my child?

First, a bit of history. For many years, the PA Dept of Education's policy on this read as follows:

“If your child turns eight before or during the first two weeks of the annual school term, or within the first two weeks of the second semester (if the school district in which you reside promotes students semi-annually), the affidavit needs to be filed by the child's birth date. If the child turns 8 during the school term, the affidavit should be filed prior to the beginning of the next school year. (24 P.S. 13-1304).<sup>1</sup> If the child has been enrolled in any school in grade 1 or above, you must file an affidavit whenever you begin homeschooling regardless of the child's age (24 P.S. 13-1326).”<sup>2</sup>

Under this policy, it was normal for home educators to wait to file an affidavit for an 8-year-old until the school term after the child's 8<sup>th</sup> birthday. It also exempted families from filing an affidavit for children who attended public kindergarten only and then switched to homeschooling. This was supported by (24 P.S. 13-1304).<sup>1</sup>

As of 1/28/16, the PDE's policy changed its policy to read as follows:

“If a child has never been enrolled in any legal educational option (see the *Educational Options* section), an affidavit must be submitted by the student's eighth birthday. However, school districts have the option of allowing the affidavit to be submitted at the beginning of the next school year, if the child's birthday is after the first two weeks of school.”

This change in policy was brought about by [PA Supreme Court appeal decision](#)<sup>3</sup>, June 16, 2014 in the Commonwealth of PA v. Jennifer Ann Kerstetter. This case had NOTHING to do with home education. It involved twin girls who were enrolled into public kindergarten and then had too many unexcused absences. The court ruled that once a child is enrolled in kindergarten, they have to abide by the attendance laws, meaning “continuous and consistent attendance without excessive unexcused absences.”

This led the PDE to change their position on kindergarten students to the following:

“If a child was enrolled in a *public* school for kindergarten or above and transferred to a home education program, an affidavit and an evaluation is due every year regardless of the age or grade of the child.”

“If a child attended first grade or above in any public or nonpublic school, or the child was enrolled in a private tutoring program for first grade or above, or an affidavit to homeschool was submitted for first grade or above, an affidavit and an evaluation is due every year regardless of the child's age.”

But back to the Kerstetter decision, the issue of the court's decision affecting kindergarteners:

“Appellant's *amicus curiae*, the Home School Legal Defense Association, claims that the disposition below, if upheld, could negatively affect homeschooling parents in certain circumstances. *Amicus* highlights the “not uncommon” circumstance where parents enroll a child in a public kindergarten program, subsequently determine that the child is not yet ready for the “formal education setting,” and withdraw the child from school. Such parents may keep the child at home or in some other arrangement until they believe the child is ready for the public school environment; in the alternative, some parents opt to homeschool a child instead of returning him or her to public school. *Amicus* calls these practices “withdrawal and waiting.”

*Amicus* then argues that children who have been formally withdrawn from public school for beneficial developmental reasons should not be subject to compulsory attendance laws until they reach eight years old.”

“The Commonwealth states that it supports the concept of a formal “withdrawal and waiting,” and would not view such children as subject to compulsory attendance.”

The law has since been changed to make school compulsory for ages 6 through 18. Based upon the law, the PDE’s current policies and the PA Supreme Court’s statements, here are my answers:

### **When must I begin submitting an affidavit and objectives for my child?**

If your child has never been enrolled in any legal educational options, under the law change of 2019, you must submit an affidavit and objectives for the child “not later than at the age of six (6) years.” From PA Dept of Ed: “Specifically, a child who has attained the age of 6 on or before September 1 must enroll and attend or begin a home school program that year.”

If your child has been registered for Kindergarten but you have changed your mind, you can formally withdraw the child from kindergarten, citing the concept of “withdrawal and waiting” as discussed above and wait until the child is 6 years old to submit an affidavit and objectives.

From PA Dept of Ed: “The State Board of Education recommends that parents or guardians who formally withdraw their child from kindergarten prior to reaching compulsory school age not be subject to compulsory attendance requirements. The Pennsylvania Department of Education (PDE) adopted and supports the State Board of Education's recommendation. Beginning with the 2020-2021 school year, this provision will apply to children under the age of six.”

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

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### Citations:

<sup>1</sup> “Section 1304. Admission of Beginners.--(a) School districts shall admit beginners to the public schools during at least the first two weeks of the annual school term in districts operating on an annual promotion basis and during the first two weeks of either the first or the second semester of the school term in districts operating on a semi-annual promotion basis; thereafter, the admission of beginners shall be at the discretion of each school district.”

“(c) The term “beginners,” as used in this section, shall mean any child that should enter the lowest grade of the primary school or the lowest primary class above the kindergarten level. (1304 amended June 30, 2011, P.L.112, No.24).”

<sup>2</sup> “Section 1326. Definitions.--The term ‘compulsory school age,’ as hereinafter used, shall mean the period of a child's life from the time the child's parents elect to have the child enter school, which shall be not later than at the age of eight (8) years, until the age of seventeen (17) years.” NOTE: This was amended June 2019 to age 6 and 18.

<sup>3</sup> <http://www.pacourts.us/assets/opinions/Supreme/out/J-88-2013mo%20-%201018435722316660.pdf>

**PA HOME EDUCATION PROGRAM AFFIDAVIT**

**COMMONWEALTH OF PENNSYLVANIA** )

)**:SS**

**COUNTY OF YORK** )

Before me, the undersigned notary public, this day personally appeared \_\_\_\_\_,  
being first duly sworn on oath, deposes and declares:

I am the parent of the child(ren) listed below. I am responsible for the provision of instruction in the Home Education Program in which the minimum of one hundred eighty (180) days or nine hundred (900) hours of instruction at the elementary school level or nine hundred ninety (990) hours of instruction at the secondary level will take place. I attest that the subjects required by law will be offered in the English language, and that the Home Education Program will be in full compliance with the provisions of the Public School Code, and that the notarized affidavit shall be satisfactory evidence thereof.

I attest that the child(ren) in the Home Education Program has/have received the health and medical services required by Article XIV of the Public School Code or I claim exemption per Title 28 PA Code Subchapter C, § 23.84, and that comprehensive health records are being maintained for said child(ren) and that the notarized affidavit shall be satisfactory evidence thereof.

I attest that I have a high school diploma, or its equivalency, and that all adults living in the home of the child(ren) in the Home Education Program have not been convicted of the criminal offenses enumerated in subsection (E) of section 111 of the school code within five years immediately preceding the date of the affidavit and that the notarized affidavit shall be satisfactory evidence thereof.

Attached is: An outline of proposed education objectives by subject area

Name of Supervisor of the Home Education Program: \_\_\_\_\_

Address of Home Education Program Site: \_\_\_\_\_

Phone Number of Home Education Program Site: \_\_\_\_\_

Name(s) and age(s) of child(ren) participating in Home Education Program:

\_\_\_\_\_

\_\_\_\_\_

-----  
**Signature** \_\_\_\_\_

**Subscribed and sworn before me this** \_\_\_\_\_ **day of** \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Notary Public**

**My commission expires:** \_\_\_\_\_

## Provision of School Health Services and Mandated School Health Services

School entities are to provide the following health services for students who attend or who should attend an elementary, grade or high school, either public or private, and children who are attending a kindergarten which is an integral part of a local school district. These requirements also apply to students who are home schooled.

### Mandated School Health Services

SERVICE	K	1	2	3	4	5	6	7	8	9	10	11	12	Notes
School Nurse Services	X	X	X	X	X	X	X	X	X	X	X	X	X	
Maintenance of Health Record	X	X	X	X	X	X	X	X	X	X	X	X	X	
Immunization Assessment	X	X	X	X	X	X	X	X	X	X	X	X	X	
Medical Examination	*	*					X						X	*Required on original entry- K or 1st grade
Dental Examination	*	*		X				X					X	*Required on original entry- K or 1st grade
Growth Screen	X	X	X	X	X	X	X	X	X	X	X	X	X	
Hearing Screen	X	X	X	X				X					X	
Scoliosis Screen							X	X						6th grade physical may be used in lieu of 6th grade screen
Tuberculin Test	*	*								X				*Required on original entry- K or 1st grade. Unless approved to discontinue
Vision Screen-Far Visual Acuity Test	X	X	X	X	X	X	X	X	X	X	X	X	X	
Vision Screen-Near Visual Acuity Test	X	X	X	X	X	X	X	X	X	X	X	X	X	
Vision Screen-Convex Lens Test (Plus Lens)		X												1st grade students meeting criteria & new students (any grade) not previously screened
Vision Screen-Color Vision Test		*	*											*1st or 2nd grade & new students (any grade) not previously screened
Vision Screen-Stereo/Depth Perception Test		*	*											*1st or 2nd grade & new students (any grade) not previously screened

Students receiving special education services are to receive screens and examinations according to the grade level on their IEP.

Growth screen = Height and weight

## Medical Exemption Notice

Date: \_\_\_\_\_

To the Superintendent of the \_\_\_\_\_ School District:

I am the parent of \_\_\_\_\_.

I object to the following procedures for my child(ren) on religious grounds or on the basis of strong moral or ethical conviction similar to a religious belief per Title 28 PA Code Subchapter C, § 23.84.

\_\_\_\_\_ immunizations

\_\_\_\_\_ medical examinations

\_\_\_\_\_ dental examinations

\_\_\_\_\_ other \_\_\_\_\_

Sincerely,

## Educational Objectives

Name: \_\_\_\_\_

Year: \_\_\_\_\_

To include but not limited to:

### English

- Utilize library
- Read a variety of books and other types of literature
- Continue to improve spelling, grammar, reading and writing skills

### Arithmetic

- Improve computation skills
- Introduction to new topics

### History

- Increase knowledge of American / Pennsylvania history
- Study historical topics of interest

### Geography

- Improve map skills
- Increase knowledge of US and world geography

### Civics

- Continue to explain the rights and responsibilities of citizens

### Science

- Continued exposure to concepts in science
- Read interesting books / articles on scientific topics

### Safety Education

- Continued instruction regarding safety issues including fire safety

### Health

- Continued instruction in areas relating to health and hygiene

### Physical Education

- Incorporate exercise into weekly routine
- Out-of-doors exercise whenever possible

### Music/Art

- Increase appreciation for music and art as forms of expression
- Listen to a variety of music and artists
- Complete art and/or craft projects relating to topics studied

# Home Education Log

Name: \_\_\_\_\_

School Year: \_\_\_\_\_

### **Titles of Reading Materials used**


# Home Education Program

## Attendance Chart

Name: \_\_\_\_\_ School Year: \_\_\_\_\_

	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75
76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100	101	102	103	104	105
106	107	108	109	110	111	112	113	114	115	116	117	118	119	120
121	122	123	124	125	126	127	128	129	130	131	132	133	134	135
136	137	138	139	140	141	142	143	144	145	146	147	148	149	150
151	152	153	154	155	156	157	158	159	160	161	162	163	164	165
166	167	168	169	170	171	172	173	174	175	176	177	178	179	180



## Standardized Testing

The PA Home Education law requires that “in grades three, five, and eight results of nationally normed standardized achievement tests in reading/language arts and mathematics or the results of Statewide tests administered in these grade levels” be included in the child’s portfolio. If you are you planning on having your child tested this year, here is some useful information:

- The only restriction by law on who may give the test to the student in grades 3, 5, and 8 is that it cannot be the parent. Any other family member may administer the test to the child – many families use an older sibling. (However, some test manufacturers may have their own rules – for example, a certain test may require someone with a college degree to administer it)
- The parent determines the grade of the child.
- The Pennsylvania Department of Education has provided a list of tests to choose from. They vary in scope and time length. See list below.
- Home educated children do NOT have to take the PSSA tests.
- Only scores in reading/language art and math testing are required to be included in the portfolio. Any other subject areas are optional.
- There are no “acceptable” test scores. The law only requires that they be taken.
- Anyone may order an achievement test from most of the test companies listed below. Not all suppliers have the same requirements for test administrators. For example, BJUP has more restrictions than other suppliers for the same test.
- Testing does not have to be done at a ‘testing site’, in a group setting, or in your support group or local public school. Studies have, in fact, shown that students do better being tested in familiar surroundings, and for homeschoolers, that would be home.
- The testing provided by homeschool service providers is not superior to the tests that a parent may order on their own, nor is participation in large group testing required by the Home Education Law in Pennsylvania.
- Testing can be less expensive when tests are ordered through the mail (or purchased and taken online) from a test supplier when compared with the costs of testing provided by a homeschooling achievement testing business.

Excerpted from [www.phea.net](http://www.phea.net)

### List of Approved Standardized Tests

As of February 1, 2017, the department of education revised the list of approved tests as follows:

- California Achievement Test
- Iowa Test of Basic Skills
- Metropolitan Achievement Test
- Stanford Achievement Test
- Woodcock-Johnson IV
- Wechsler Individual Achievement Test III (WIAT-III)
- Comprehensive Testing Program (CTPIV)
- Measures of Academic Progress (MAP)
- Peabody Achievement Individual Test – Revised
- Terra Nova
- Woodcock-Johnson Revised Tests of Achievement III

## **Your Evaluator**

It is important to keep in mind that the evaluator is hired by the home school family and should support the family's goals, regardless of whether it is a certificated public school teacher or someone from the "home school community". I use the example of finding a physician – you ask around and find someone who will work with you on your own educational goals. Just like your doctor should support your health goals – he needs to be someone with whom you feel comfortable talking and sharing – you need to be able to hire an evaluator who matches your educational and family philosophy. Some public teachers will do this, while others know only what they were trained to do and can't think outside the classroom model. I like to find an evaluator who is open to any style of home education which would include all sort of learning options.

Our job as home school supervisors is to ask a lot of questions in order to find an evaluator who meets our needs, who accepts our type of education, who is knowledgeable about the wide range of home education styles, and who is supportive of us. If you have an appointment with your evaluator and you are nervous, then you have the wrong evaluator! You should not be scared. Know that the evaluator is only seeing your child once based on what you show him or her. Your evaluator should be your cheerleader!

The number one thing I look for in an evaluator is understanding – specifically the understanding that I, the supervisor of the home education program, make the final decisions for my family. I also like to talk with an evaluator who has home educated his or her own children as he or she has walked in these shoes. That is not to say that only homeschoolers can do evaluations; it depends on what you are looking for in the evaluation. Really, all you need is a report that you satisfied the provisions of the home education law and that the children are making progress.

If you are turning to your evaluator for advice or curriculum or learning issues, make sure that person knows all about your family. I find my comfort in talking with other home school moms who have encountered similar challenges, rather than only go with the single opinion of my evaluator. I try not to give my authority away to my evaluator, just as I do not give my authority over my children to the government.

I think we should all be very confident in who we choose for our evaluators. We pay them, and they offer a service that is required of us. A good evaluator also understands the law and what is required. Let's keep it simple and depend on each other for support, advice, and guidance.

The home education supervisor is in control of the home schooling, not the evaluator.

By Donna Botterbusch

Evaluator, Former YHSA Coordinator, Alumni Homeschool Mom

# PA Home Educator's Timeline

## Prior to Beginning Your Home Education Program

When to File: As of 2020, a notarized affidavit and objectives must be submitted when the child is 6 years old. If it is your first time filing, you must submit these prior to the start of school in your district. Start dates vary from district to district.

If you are withdrawing your child from a public or private school after the school year has begun, you must file your affidavit and objectives prior to keeping your child home from school. The affidavit serves as your withdrawal notice from a public school. If you are withdrawing your child from a private school or cyber school, you must follow the school's policy for withdrawal. However, once your affidavit and objectives have been received by your local district according to the law, you are legally home educating. (Be sure to get a receipt!) You do NOT have to wait for an "approval" letter from the district. School district approval is not required to commence home education programs.

What To File: A completed affidavit that has been notarized, such as the one from the [www.yhsa.org](http://www.yhsa.org) or from another reputable home education website. The school district may provide you with an affidavit; but use caution, as there could be information requested that is not in compliance with the law.

A list of educational objectives for each of the required subject areas for the level of instruction for each student. If you have a child who has been labeled special needs and has an IEP with your district, then your program must address the child's needs and be approved by a certified special education teacher or a licensed clinical or certified school psychologist.

NOTE: Since the affidavit attests that your child has received the appropriate health services, please be sure your child is receiving these mandated services each year. DO NOT submit your child's medical records to the school. If your affidavit attests to your child's immunization status, we recommend only submitting the actual immunization record or a Medical Exemption form if requested in writing.

Where to File: All home education program paperwork is submitted to the superintendent of the school district in which you reside, or their designated representative, usually located at the district administration building.

Check with your district to be sure you're submitting your paperwork to the appropriate office. **Be sure to keep copies and get a receipt for everything you submit.** Some district offices will provide a receipt, or you can be prepared with a receipt of your own for them to sign.

## As Soon as Possible After Beginning Your Program

Start interviewing and searching out an evaluator for your home school program. Find someone with a similar educational philosophy. Ask what they expect to see at your evaluation appointment. Do not choose an evaluator who asks for things the law does not require.

Schedule medical/dental services required for your child's grade.

## During the School Year

Provide 180 days of instruction (or 900 hours for elementary/990 for secondary). If you bring your child home during the school year, find out how many days they have completed in school and subtract that from 180 to determine how many days you must log by June 30. You, as the supervisor of the program, determine what constitutes a "day".

Keep a log of reading materials used, including textbooks, other books, videos, web sites, games, apps, etc. If you do not use many books, you may also want to include a resource list of videos, games, apps and other learning materials.

Keep some samples of writings, paperwork, or creative materials developed by your child. For learning that doesn't generate paper, such as sports, theater, field trips, projects, etc., a photograph and brief description describing the activity is a great way to provide a sample.

during the school year but should be completed before your evaluation appointment.

### **At some point during the year (usually springtime)**

Book your evaluation appointment with your evaluator. Make sure you have enough time to get your Evaluator's Certification letter prior to June 30.

Schedule the required testing for children in grades 3, 5, and 8. Testing can be completed any time

### **At the End of Your School Year**

Meet with your evaluator. Bring the following items:

- Work samples
- Log of reading materials/resources used and attendance information
- Results of standardized testing if your child is in grade 3, 5, or 8

Submit your Evaluator's Certification letter to your district by June 30. If you choose to hand deliver your letter, be aware that district offices may have different or shortened hours during the summer months. You may choose to mail the letter. If so, consider mailing Certified and Return Receipt Requested, and be sure it will be received by June 30. **Be sure to keep copies and get a receipt for everything you submit.** DO NOT submit your portfolio – this is no longer required by the Law.

To continue home schooling, you must file your new documents each year by August 1st. However, it is advantageous to file your paperwork by July 1st. This will allow you to begin logging your school days starting July 1. A Pennsylvania school year runs from July 1 through June 30.

## Helpful Homeschooling Web Sites

Facebook Groups for Support and Encouragement [www.facebook.com](http://www.facebook.com)

York Home School Assoc, Inc (Must be a YHSA member to join this group)

Homeschooling in York, PA (Open to anyone interested in homeschooling)

Homeschooling Outside the Box (Alternatives to the “school at home” method)

PA Home Education Law

[www.phea.net](http://www.phea.net)

[www.hslda.org](http://www.hslda.org)

Educational Learning Games

[www.academicsskillbuilders.com](http://www.academicsskillbuilders.com)

[www.learningplanet.com](http://www.learningplanet.com)

[www.playkidsgames.com](http://www.playkidsgames.com)

[www.sheppardsoftware.com/](http://www.sheppardsoftware.com/)

FREE Online Curriculum

[www.allinonehomeschool.com](http://www.allinonehomeschool.com)

(Easy Peasy All-in-One Homeschool – ALL grades)

[www.khanacademy.org/](http://www.khanacademy.org/)

(Khan Academy – Many subjects, videos & courses)

<http://amblesideonline.org/>

(Charlotte Mason approach)

<http://oldfashionededucation.com/>

(Full curriculum, books, and more)

New Curriculum

[www.educents.com](http://www.educents.com)

[www.libraryanded.com/](http://www.libraryanded.com/)

[www.cbd.com](http://www.cbd.com) Christian Book Distributors (Christian books & textbooks)

[www.mfwbooks.com](http://www.mfwbooks.com) (Multi-age Christian curriculum)

[www.answersingenesis.com](http://www.answersingenesis.com) (Creation science resources & curriculum)

<https://www.homeschoolbuyersco-op.org/> (Group buys on curriculum and programs)

Used Curriculum

PA Curriculum Exchange, 25 Ridge Rd, Dillsburg, PA <https://pacurriculumexchange.com/>

[www.homeschoolclassifieds.com](http://www.homeschoolclassifieds.com)

[www.vegsource.com](http://www.vegsource.com)

[www.usedhomeschoolbooks.com](http://www.usedhomeschoolbooks.com)

[www.ebay.com](http://www.ebay.com)

Teaching Helps

[www.readinga-z.com](http://www.readinga-z.com)

[www.educationworld.com](http://www.educationworld.com)

[www.homeschoolshare.com](http://www.homeschoolshare.com) (all kinds of lapbooks, great for hands-on learners)

[www.unschoolrules.com](http://www.unschoolrules.com) (information on unschooling)

Free Printable Forms

[www.donnayoung.org](http://www.donnayoung.org)

<https://www.homeschool-life.com/1183/custom/15227> General

<https://www.homeschool-life.com/1183/custom/15224> High School specific

Support Groups

[www.yhsa.org](http://www.yhsa.org)

## **Criminal Offenses**

All adults living in the home and persons having legal custody of a child or children in a home education program can not have been convicted of the criminal offenses enumerated in subsection (e) of section 111 within five years immediately preceding the date of the affidavit.

### **List of offenses listed under Title 24 PS Education, Section 1-111(e) of the Public School Code:**

Chapter 25 (relating to criminal homicide).

Section 2702 (relating to aggravated assault).

Section 2709.1 (relating to stalking).

Section 2901 (relating to kidnapping).

Section 2902 (relating to unlawful restraint).

Section 2910 (relating to luring a child into a motor vehicle or structure).

Section 3121 (relating to rape).

Section 3122.1 (relating to statutory sexual assault).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3124.1 (relating to sexual assault).

Section 3124.2 (relating to institutional sexual assault).

Section 3125 (relating to aggravated indecent assault).

Section 3126 (relating to indecent assault).

Section 3127 (relating to indecent exposure).

Section 3129 (relating to sexual intercourse with animal).

Section 4302 (relating to incest).

Section 4303 (relating to concealing death of child).

Section 4304 (relating to endangering welfare of children).

Section 4305 (relating to dealing in infant children).

A felony offense under section 5902(b) (relating to prostitution and related offenses).

Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).

Section 6301(a)(1) (relating to corruption of minors).

Section 6312 (relating to sexual abuse of children).

Section 6318 (relating to unlawful contact with minor).

Section 6319 (relating to solicitation of minors to traffic drugs).

Section 6320 (relating to sexual exploitation of children).

(2) An offense designated as a felony under the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

(3) An offense similar in nature to those crimes listed in clauses (1) and (2) under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

## Special Education

Home educating the child who has been identified as Special Education carries an additional requirement. The Home Education Objectives must be approved by a teacher with a valid certificate from the Commonwealth to teach special education or a licensed clinical or certified school psychologist and the approval submitted with the affidavit. This is the only additional requirement. Your end of year evaluation may be obtained from anyone falling under the criteria of the law.

“(d) Instruction to children of compulsory school age provided in a home education program, as provided for in section 1327.1 of this act, shall be considered as complying with the provisions of this section, except that any student who has been identified pursuant to the provisions of the Education of the Handicapped Act (Public Law 91-230, 20 U.S.C. Pt. 1401 et seq.) as needing special education services, excluding those students identified as gifted and/or talented, shall be in compliance with the requirements of compulsory attendance by participating in a home education program, as defined in section 1327.1, when the program addresses the specific needs of the exceptional student and is approved by a teacher with a valid certificate from the Commonwealth to teach special education or a licensed clinical or certified school psychologist, and written notification of such approval is submitted with the notarized affidavit required under section 1327.1(b). The supervisor of a home education program may request that the school district or intermediate unit of residence provide services that address the specific needs of the exceptional student in the home education program. 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. ((d) added Dec. 21, 1988, P.L. 1321, No. 169) (1327 amended Dec. 15, 1986, P.L. 1602, No. 178)”

For more information about removing a special education student from public school, visit <https://phea.net/home-education-and-special-education/>

## **Private Tutor Option**

"...Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, shall be considered as complying with the provisions of this section.

For the purposes of this section, "properly qualified private tutor" shall mean a person who is certified by the Commonwealth of Pennsylvania to teach in the public schools of Pennsylvania; who is teaching one or more children who are members of a single family; who provides the majority of the instruction to such child or children; and who is receiving a fee or other consideration for such instructional services.

No person who would be disqualified from school employment by the provisions of subsection (e) of section 111 may be a private tutor, as provided for in this section.

The private tutor must file a copy of his Pennsylvania certification and the required criminal history record with the student's district of residence superintendent.

((a) amended Dec. 21, 1988, P.L. 1321, No.169)"

Section 1327. Compulsory School Attendance



## **Compulsory School Age**

Through the enactment of Act 16, the definition of compulsory school age was changed to “the period of a child’s life from the time the child’s parents elect to have the child enter school and which shall be no later than 6 years of age until the child reaches 18 years of age. The term does not include a child who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.” 24 P.S. §13-1326.

Effective with the 2020-2021 school year, a child must comply with compulsory attendance requirements from age 6 to age 18. Specifically, a child who has attained the age of 6 on or before September 1 must enroll and attend school or begin a home school program that year. Additionally, any student less than 18 years of age must comply with compulsory school age requirements.

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