

# ALLENTOWN SCHOOL DISTRICT

SECTION: PROGRAMS  
 TITLE: HOME SCHOOLING  
 ADOPTED: 2/1986  
 REVISED: 11/19/98, 7/24/03

## 137. HOME SCHOOLING

1. Purpose

The Board shall approve a program of home schooling, pursuant to the School Code, permitting students to study at home in accordance with the following regulations.

2. Definitions  
 SC 1327.1

Home Schooling Program - a program conducted in compliance with this policy and applicable law, by the parent or guardian or such person having legal custody of the child or children. A home schooling program shall not be considered a nonpublic school under the provisions of this act.

Supervisor - 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 General Education Development Diploma (G.E.D.).

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

Appropriate Education - a program consisting of instruction in the required subjects for the time required in this Act and in which the student demonstrates sustained progress.

Extracurricular Activity - a school activity not taught in the classroom or related to the curriculum, though functioning under the guidance of the school's personnel, as for example, a sport or a club. A field trip related to the curriculum shall not be considered an extracurricular activity.

3. Affidavit  
 Process

A parent, guardian or legal custodian is permitted to educate her/his child(ren) on a full-time program basis only, if she/he possesses a high school diploma or G.E.D. The home schooling program must provide 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. The parent, guardian or legal custodian who will be providing instruction is referred to as the "supervisor." She/He must file a notarized affidavit

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with the Superintendent prior to the initiation of home schooling and annually thereafter by August 1. Forms are available from the Community & Student Services Office. The affidavit must contain the following:

1. The name of the supervisor, the name, birthdate, age and grade of each child in the program, and the address and phone number of the program sites.
2. An outline of proposed educational objectives, by subject area, for the subjects required by law. These subjects include:

(1) Elementary Level

- a. English, to include spelling, reading, and writing;
- b. Arithmetic;
- c. Science;
- d. Geography;
- e. History of the United States and Pennsylvania;
- f. Civics;
- g. Safety, including regular and continuous instruction in the dangers and prevention of fires;
- h. Health and physiology;
- i. Physical education;
- j. Music and art.

(2) Secondary Level

- a. English, to include language, literature, speech, and composition;
- b. Science;
- c. Geography;
- d. Social Studies, to include Civics, World History, History of the United States and Pennsylvania;
- e. Health and safety education, including regular and continuous instruction in the dangers and prevention of fires;
- f. Mathematics;
- g. Art;
- h. Music;
- i. Physical Education.

(3) Such courses may include, at the discretion of the supervisor of the home schooling program:

- a. Economics;
- b. Biology;
- c. Chemistry;
- d. Foreign Languages;
- e. Trigonometry;
- f. Or other age appropriate courses as contained in Chapter 5 (Curriculum Requirements) of the State Board of Education.

(4) The following minimum courses in grades nine through twelve are established as a requirement for graduation from a home schooling program:

- a. Four years of English;
- b. Three years of mathematics;
- c. Three years of science;
- d. Three years of social studies;
- e. Two years of arts and humanities.

3. Evidence of the child's immunization and evidence that the child has received health services, unless exempted for religious or medical reasons.

4. Assurance that the education program meets the requirements of this act.

5. Certification that the supervisor and all adults living in the home and other custodial adults have not been convicted of criminal offenses listed in Section III (E) of Act 34, within the last five (5) years immediately preceding the date of the affidavit. An Act 34 Criminal History Record is not required.

6. Evidence that the supervisor possesses a high school diploma or G.E.D.

After the district receives the completed affidavit and supportive documentation, the supervisor will be notified by letter that the affidavit is complete. It is the responsibility of the supervisor to contact the building principal to make arrangements for the following, if desired:

1. Loan of textbooks (teacher's manuals and equipment are not available for loan);
2. Participation in the statewide testing program (grades five and eight);
3. Participation in the school health services program, as provided for in Article 14 of the School Code.

The school will cooperate in providing the supervisor with requested materials, as is feasible. The school will not be expected to provide any additional services beyond those required by law for a home schooling student.

#### **Participation in Interscholastic Sports and/or Extracurricular Activities**

A qualified home schooled student in good standing and in compliance with legal and school district requirements may be eligible to participate on interscholastic athletic teams in the school district and selected extracurricular activities as further provided in this policy. To request participation in an available activity, the custodial parent/guardian and home schooled student shall submit a written request to the principal, on a form approved by the school district. All references to the principal are to the school leader at the school the home schooled child would attend, if she/he were not home schooled but regularly enrolled.

Home schooled students admitted to interscholastic athletics or extracurricular activities shall be subject to all rules, regulations, and policies applicable to any

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other participant. Any act or omission that would cause ineligibility in interscholastic athletics or extracurricular activities, for a regularly enrolled student, shall be reason for removal of a home schooled student from that activity. Any misbehavior or violation of the Student Code of Conduct that would result in suspension of a regularly enrolled student from a team or from participation in an extracurricular activity shall likewise apply to the suspension or removal of a home schooled student from participation in interscholastic athletics or extracurricular activities.

A home schooled student requesting to participate in an interscholastic sport or extracurricular activity shall provide, in advance of said participation, evidence of required immunizations and other medical tests as required by law for students attending public schools.

A home schooled student participating in an interscholastic activity or another extracurricular activity held at her/his school, which begins during regular daily school hours, shall report directly to the main office or other designated area and sign-in. If the activity concludes prior to the closing hour for the main office or designated area at which she/he signed-in, she/he shall sign-out at the same location. The home schooled student shall not dally in her/his travel within the school.

The school will not be responsible for the transportation of a home schooled student to or from any scheduled practice, meeting of a school's athletic team or any extracurricular activity held at the school, for which the principal has granted prior approval for the participation of the home schooled student. The home schooled student participating in athletics shall be responsible to secure and abide by all schedules for practices, meetings and games and all information regarding the alteration or cancellation of those activities. The home schooled student participating in an extracurricular activity shall be responsible to secure and abide by all scheduled times for the activity and all information regarding the alteration or cancellation of the activity.

### **Eligibility for Participation in Interscholastic Athletics**

The home schooled student shall meet the following requirements to be considered eligible for participation in Allentown School District interscholastic athletic programs:

1. Meet and maintain all PIAA eligibility requirements applicable to any interscholastic athlete. The parent/guardian of a home schooled student shall verify the home schooled student's academic, attendance, and course eligibility requirements as often as may be required for a regularly enrolled student. These requirements shall be identical to those established by the Pennsylvania Interscholastic Athletic Association (PIAA) for the participation of students in interscholastic sports.

2. Shall not have been expelled or withdrawn from public school for academic reasons.
3. Shall not have been withdrawn from school to avoid prosecution under the laws for compulsory school attendance.
4. Meet the same coach's criteria for athletic ability as would apply to any regularly enrolled student.
5. Meet all physical and medical requirements as would be required of a regularly enrolled student, including the documentation of the completion of a required physical examination which shall be completed prior to participation in a sport's first scheduled practice.
6. Submit a request for participation to the school's principal, at least seven (7) days prior to the first day athletes for the desired sport are scheduled by the school district to undergo their physical examinations. This requirement may be waived to provide for the participation of a home schooled student whose enrollment is impacted by the transfer of that student to the Allentown School District, at a time when notice prior to the scheduled physical examinations' could not be provided; however, a physical examination is a prerequisite for the participation of any athlete.

Eligibility will be dependent upon the number of participants, the availability of positions, and the impact on the total program as determined by the coach and school district administration.

#### **Eligibility for Extracurricular Activities Other Than Interscholastic Sports**

Within ten (10) days prior to the beginning of each school term, the principal of each school shall finalize a list of extracurricular activities available for participation by home schooled students. Said list shall be maintained at the administrative offices of the school, as well as the administrative offices of the school district, and shall be available upon request by any home schooled student, parent/guardian, or citizen. Eligibility for a home schooled student's participation in extracurricular activities shall be based upon the age appropriateness of the home schooled student for the activity, any eligibility requirement applicable to regularly enrolled students, and the availability of resources, space, and personnel to supervise the extracurricular activity.

#### **Non-Applicability to Academic Courses**

This policy shall not be construed to permit home schooled students to audit or enroll in any course offering academic credit. It also shall not permit a home schooled student to participate in an extracurricular activity which is an integral part of an academic course. An example of an activity which would be considered an integral part of an academic course would be marching band as part of the academic course known as band.

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### **Covenant**

Home schooled students and their parents/guardians will be required to sign a covenant that they will abide by the specific requirements of this policy. This covenant shall also require the home schooled student to abide by the Student Code of Conduct and the rules and regulations for their chosen activity. A copy of the covenant is included on the last page of this policy.

### **Handicapped Students**

Section 1327 provides that a home schooling program meets the compulsory attendance requirements for students identified as handicapped only when the program addresses the specific needs of the exceptional student and is approved by a licensed clinical or certified school psychologist or a teacher with a valid certificate from the Commonwealth of Pennsylvania to teach special education. Written notice of such approval must be submitted with the notarized affidavit. The supervisor of a home schooling 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 schooling 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.

### **Portfolio**

After filing the affidavit and commencing home schooling, the home schooling supervisor has a duty to demonstrate that appropriate education is occurring. In order to make this demonstration, the home schooling supervisor must provide and maintain on file a detailed portfolio of records and materials for each student in home schooling. The portfolio must contain the following:

1. A contemporaneous log of instructional activity which identifies by title the reading materials used by the supervisor;
2. Sample of writings, worksheets, workbooks, or creative materials used or developed by each child;
3. For each child in grades three, five, and eight, the results obtained on a "nationally normed standardized achievement test" approved by the Pennsylvania Department of Education for home schooling supervisors to choose. The nationally normed standardized tests shall not be administered by the child's parent or guardian. The Pennsylvania Department of Education has approved seven (7) nationally normed standardized tests for home schooling use.

They are:

- (1) Iowa Test of Basic Skills,
- (2) California Achievement Test,
- (3) Stanford Achievement Test,
- (4) Metropolitan Achievement Test,
- (5) Science Research Associates,
- (6) Comprehensive Test of Basic Skills,
- (7) Comprehensive Testing Program (CTPII).

In grades 5 and 8, the supervisor may choose to have the student be administered the statewide test rather than a standardized nationally normed achievement test.

### **Review, Interview And Written Evaluation**

At least annually, one of the following persons must review the work in the portfolio, interview the student, and prepare an annual written evaluation of each student's educational progress. Those persons are:

1. a licensed clinical or school psychologist;
2. a teacher certified by the Commonwealth of Pennsylvania who possesses experience at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students.
3. a nonpublic school teacher or administrator with at least two (2) years experience within the past ten (10) years in a Pennsylvania public or nonpublic school who possesses experience at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students.

### **Certification After Review And Interview**

The written evaluation must contain a certification of whether "an appropriate education is occurring" based upon the interview of the child and the results of the portfolio review. Any person selected by the supervisor can conduct the annual review and evaluation, as long as she/he satisfies the above listed statutory requirements or has the prior approval of the Superintendent and is not the supervisor or her/his spouse. The district will not reimburse the parent/guardian for costs associated with obtaining the evaluation.

### **Submission To Superintendent**

The portfolio and the annual written evaluation shall be provided to the Superintendent of the district of residence or her/his designee at the conclusion of each public school year. The Superintendent or her/his designee must then determine whether the child is receiving an "appropriate education," defined in Section 1327.1 as "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." Any time during the school year that the Superintendent has reasonable belief that appropriate education may not be

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occurring in the home schooling program, the Superintendent may by certified mail, return receipt requested, require submission of the portfolio within fifteen (15) days and written evaluation within thirty (30) days.

### **Notice Of Hearing**

Based on the documentation provided, the Superintendent may determine that appropriate education is not taking place. If that occurs, the Superintendent shall send a certified letter, return receipt requested, to the supervisor stating her/his opinion that an appropriate education is not taking place. All documentation shall be returned to the supervisor specifying what aspect or aspects of the documentation are inadequate. The Superintendent may retain a copy of the documentation if she/he so chooses.

Upon receipt of the certified letter, the supervisor of the home schooling program shall have twenty (20) days to submit additional documentation demonstrating that appropriate education is taking place for the child in the home schooling program. If documentation is not submitted within that time, the home schooling program for the child shall be out of compliance with the compulsory attendance requirements and the student shall be promptly enrolled in the public school district of residence or a nonpublic school or a licensed private academic school.

If additional documentation is submitted and the Superintendent determines that the additional documentation submitted still does not demonstrate that appropriate education is taking place in the home schooling program, she/he shall so notify the supervisor of the home schooling program by certified mail, return receipt requested, and the Board shall provide for a proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The "Hearing Examiner" shall not be an officer, employee, or agent of the Department of Education or the school district or intermediate unit of residence of the child in the home schooling program. A solicitor or Superintendent from another district could, if impartial, carry out this function. The examiner shall render a decision within fifteen (15) days of the hearing except that she/he may require the establishment of a remedial education plan mutually agreed to by the Superintendent and supervisor of home schooling program. The decision of the examiner may be appealed by either the supervisor or the Superintendent to the Secretary of Education or the Commonwealth Court.

If the hearing examiner finds that the documentation does not indicate that appropriate education is taking place in the home schooling program and there is n appeal, the home schooling program for the child shall be out of compliance with the requirements of Section 1327.1 and Section 1327 of the Public School Code, and the student shall be promptly enrolled in a public school district of residence or a nonpublic school or a licensed private academic school. At such time as the child's home schooling program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home schooling program shall be ineligible to supervise a home schooling program for that child for a period of twelve (12) months from the date of such determination.

### **Transfers**

When a home schooling program site is relocating to another school district within this Commonwealth, the supervisor of the home schooling program must apply, by registered mail, thirty (30) days prior to the relocation, to the Superintendent of the district in which she/he currently resides, requesting a letter of transfer for the home schooling program to the district to which the home schooling program is relocating. The current Superintendent of residence must issue the letter of transfer no later than thirty (30) days after receipt of the registered mail request of the home schooling program supervisor. If the home schooling program is not in compliance with Section 1327.1, the Superintendent of the current district of residence must inform the home schooling supervisor and the Superintendent of the district to which the home schooling program is relocating, the status of the home schooling program and the reason for the denial of the letter of transfer. If the home schooling program is in hearing procedures, the Superintendent of the current district of residence must inform the home schooling supervisor, the assigned hearing examiner and the Superintendent of the district to which the home schooling program is relocating, the status of the home schooling program and the reason for the denial of the letter of transfer.

The letter of transfer must be filed by the supervisor of the home schooling 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 schooling program until the appeal process is complete.

### **Awarding Of Diploma**

The Allentown School District will not award a diploma to a child who has completed a home schooling program.

### **Enrollment Or Reenrollment In Public School**

If the parent/guardian, or hearing examiner, returns the student to the public school, the district will evaluate the student's educational levels to determine an appropriate placement. Students who are home schooled in ninth, tenth, eleventh, and/or twelfth grade(s) and enroll or reenroll in public school will not have a cumulative grade point average computed.

### **Effective Date**

This policy revision shall become effective for the 2003-04 school year.