



# CHAP's Homeschooling Briefs

The Bare Bone Details of Home Educating in Pennsylvania  
CHAP - Christian Homeschool Association of PA  
231 North Chestnut Street  
Palmyra, PA 17078  
(717) 838-0980  
www.chaponline.com



## What is CHAP?

CHAP is an acronym for the Christian Homeschool Association of Pennsylvania. CHAP is a nonprofit corporation founded in 1985 to encourage and support families interested in home education. CHAP Board members are unpaid volunteers.

## CHAP Mission Statement

CHAP, the Christian Homeschool Association of Pennsylvania, exists to support and encourage home educators. It is a distinctly Christian organization with a statement of faith. CHAP seeks to nurture education that is Christian, and supports education that is in harmony with Christian principles.

## The CHAP Statement of Faith

The Bible is the inspired and infallible Word of God and constitutes His completed and final revelation to man. The Bible, in its original autographs, is without error in whole and in part. God has existed from all eternity in three persons: God the Father, God the Son, and God the Holy Spirit. Jesus Christ was God in human flesh being fully God and fully man, except without sin. All men are in violation of God's righteous requirements and His holy character both by nature and act, and are therefore under His wrath and just condemnation. The central purpose of the coming of Jesus Christ was to pay the penalty for man's sin through His substitutionary atoning death on the cross, the successful accomplishment of which was attested to by His subsequent visible, bodily resurrection. Salvation is offered as a gift, free to the sinner. This gift must be responded to by individual faith, not trusting in any personal works whatsoever, but in the sacrificial death of Jesus Christ alone.

## CHAP's Goal Statement

- To strengthen and equip home educators
- To inform current and potential homeschoolers of regulations which affect them
- To foster homeschooling by educating political leaders on the local, state, and federal levels
- To inform and educate the general public on the benefits of homeschooling
- To foster homeschooling in local churches
- To strengthen and equip support groups and their leaders

## Why Homeschool?

The reason many parents home educate (note home education and homeschooling are used interchangeably) is that God gives parents the responsibility to teach their children. A secondary reason is that they believe that they can do a better job of tailoring the educational program to the student than public or private schools can. In Scripture we are commanded to teach our children. Some of the references follow:

Deuteronomy 6: 4-7: "Hear, O Israel: The LORD our God, the LORD [is] one! You shall love the LORD your God with all your heart, with all your soul, and with all your strength. And these words which I command you today shall be in your heart. You shall teach them diligently to your children, and shall talk of them when you sit in your house, when you walk by the way, when you lie down, and when you rise up."

Deuteronomy 11: 18-19: "Therefore you shall lay up these words of mine in your heart and in your soul, and bind them as a sign on your hand, and they shall be as frontlets between your eyes. You shall teach them to your children, speaking of them when you sit in your house, when you walk by the way, when you lie down, and when you rise up."

Psalms 78:5: "For He established a testimony in Jacob, and appointed a law in Israel, which He commanded our fathers, that they should make them known to their children."

Malachi 4: 6: "And he will turn the hearts of the fathers to the children, and the hearts of the children to their fathers, lest I come and strike the earth with a curse."

Ephesians 5: 4: "And you, fathers, do not provoke your children to wrath, but bring them up in the training and admonition of the Lord."

In Deuteronomy we are even instructed as to when we are to teach. The inclusiveness of the Deuteronomy 6 reference almost seems to be an advertisement for home education. It would be hard to fulfill the command if your children are out of the house for school. Because the responsibility to teach the children is given specifically to the parents, it is therefore the parents' duty to accomplish it. This does not preclude the delegation of teaching responsibilities to others under the direction of the father and mother. If the teaching of the children in the ways of God is so important to God, can we possibly delegate it to nonbelievers? Can it be delegated to believers working in a system opposed to God?

## **When Must I Do What?**

### **ITEMS TO DO PRIOR TO STARTING HOMESCHOOL**

#### **When do I have to file documents with my school district?**

- \* For a child that has never been in a school situation - Nothing must be done until they turn legal school age (currently age 8).
- \* For a child that has been in a public school situation (not including kindergarten) - The documents must be filed prior to starting homeschooling.
- \* To continue homeschooling after filing once, you must file your new documents each year by August 1st to the superintendent or their designated representative of your local school district.

#### **What documents must I file?**

- \* A completed affidavit that has been notarized (permission is granted to photocopy the enclosed affidavit)
- \* An outline of proposed educational objectives by subject areas for the level of instruction for each student. (If you have a child that has been labeled as special needs, then the program of a special needs child must address the child's needs and be approved by a certified special education teacher or a licensed clinical or certified school psychologist.)
- \* Evidence of the child's immunization and health and dental care OR an exemption due to religious beliefs or a medical exemption. (Visit the CHAP webpage for a printable religious exemption form.)

**Secure an evaluator** that will be willing to do your child's evaluation at the end of the year.

- \* Make sure he/she is in agreement with your philosophy of home education.

### **WHAT YOU MUST DO DURING THE SCHOOL YEAR**

- \* Keep a contemporaneous log – “A log, made contemporaneously with the instruction, which designates by title the reading material used” – Put simply: a listing of the titles of reading materials used and samples of work should be included as part of the portfolio.
- \* Keep track of EITHER the number of hours spent in schooling time (900 hours elementary - 990 hours secondary) OR the days spent in schooling (Must meet 180 days). You are required to complete either the hours requirement OR the days requirement, not both.

### **WHAT YOU MUST DO AT THE END OF THE SCHOOL YEAR BY JUNE 30.**

- \* Have a qualified evaluator of your choice give written substantiation that appropriate education is occurring. “Appropriate education” is defined in the law 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.”
- \* Submit the following items to the superintendent of your school district by June 30
  1. A copy of the evaluation
  2. A portfolio that includes samples of the student's work and a log of reading materials made contemporaneously with instruction.
  3. Any required standardized test scores required by the homeschool law. (Must be done in the 3rd, 5th, and 8th grade years.)

For more detailed information about homeschooling in Pennsylvania, teaching methods, curriculum ideas, and much more see the *Keys to Homeschooling in the Keystone State* - available on the CHAP website or in printed book form by contacting the CHAP office at the address below.

## **The CHAP Homeschool Convention**

The CHAP Homeschool Convention is held each May, on the Friday and Saturday of Mother's Day weekend, at the Farm Show Complex in Harrisburg, PA. The Convention is one of the largest in the United States with an attendance of over 7,500 homes educators and about 180 vendors. There are approximately 80 seminars and lectures on topics of interest to homeschoolers. For information on how to obtain a brochure call 717-838-0980 or visit the CHAP Convention web page at [www.CHAPonline.com](http://www.CHAPonline.com). We encourage you to attend the CHAP Homeschool Convention. The Convention will be one of the best opportunities you will have to see a wide variety of educational materials and obtain information about home educating.

## **List of contacts for additional information:**

#### **CHAP - Christian Homeschool Association of PA**

231 North Chestnut Street  
Palmyra, PA 17078  
(717) 838-0980  
[www.chaponline.com](http://www.chaponline.com)  
[chap@chaponline.com](mailto:chap@chaponline.com)

#### **HSLDA - Home School Legal Defense Association**

[www.hslda.org](http://www.hslda.org)  
Offensively and defensively protecting our God-given responsibility to homeschool our children.

#### **NHERI - National Home Education Research Institute**

[www.nheri.org](http://www.nheri.org)  
Research on how homeschoolers are doing during homeschool and after graduation.

#### **NATHHAN-National Challenged Homeschoolers Associated Network**

[www.nathhan.com](http://www.nathhan.com)  
“To encourage homeschooling families with special needs children, in ways that glorify the Lord Jesus Christ and to find Christian homes for children with special needs.”

# AFFIDAVIT OF THE SUPERVISOR OF A HOME EDUCATION PROGRAM

To the superintendent of the \_\_\_\_\_ School District:  
(name of school district)

1. I attest that I, \_\_\_\_\_, am the parent, guardian or legal custodian of (name and age of child(ren)):  
(name of supervisor)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

that I am the supervisor of the home education program and am responsible for the provision of instruction in the home education program, and that I have a high school diploma or its equivalent. The program will be conducted at

\_\_\_\_\_  
(address)

The telephone number at this site is \_\_\_\_\_.  
(telephone number)

2. I attest that the home education program will be in compliance with Section 13-1327.1 of Pennsylvania Statutes Annotated.

3. I attest that the subjects listed in paragraph 4 below will be offered in the English language for a minimum of 180 days of instruction OR a minimum of the required hours (900 hours for elementary and 990 hours for secondary).

4. I attest that the following subjects will be taught at the elementary school level:

English, to include spelling, reading, and writing; arithmetic; science; geography; civics; history of the United States and Pennsylvania; art; music; physical education; health and physiology; and safety education, including regular and continuous instruction in the dangers and prevention of fires. Other courses may be included at my discretion.

I attest that the following subjects will be taught at the secondary school level:

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. Other courses may be included at my discretion.

5. I attest that the education objectives in the home education program are by subject area as attached to this affidavit.

6. I attest that the child(ren) named in paragraph 1 has/have been immunized against the following diseases or said child(ren) has/have a medical or religious exemption pursuant to Sections 1303a(c) and (d) of Pennsylvania Statutes Annotated:

- |                  |                             |                |
|------------------|-----------------------------|----------------|
| a. Diphtheria    | d. Measles (Rubeola)        | g. Hepatitis B |
| b. Tetanus       | e. German Measles (Rubella) |                |
| c. Poliomyelitis | f. Mumps                    |                |

7. I attest that the child(ren) named in paragraph 1 has/have received the health and medical services required by Article XIV of the Public School Code or has/have a religious exemption under Section 14-1419 of Pennsylvania Statutes Annotated.

Article XIV requires that every child of school age be given by methods established by the state’s Advisory Health Board, an annual vision test, a hearing test, a measurement of height and weight, tests for tuberculosis under medical supervision and other tests required by the Advisory Health Board. Children upon entry into school and in the 6th and 11th grades must have a medical examination and comprehensive appraisal of health by a physician. Children upon entry into school and in the 3rd and 7th grades must have a dental examination by a dentist.

8. I attest that no adult living in the home, including the supervisor, and no person having legal custody of the child(ren) named in paragraph 1 have been convicted within five years of today’s date of any of the following offenses listed under Section 1-111(e) of the Public School Code:

Chapter 25 (relating to criminal homicide)

- Section 2702 (relating to aggravated assault)
- Section 2709 (relating to harassment and stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- 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 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3127 (relating to indecent exposure)
- 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 (relating to corruption of minors)
- Section 6312 (relating to sexual abuse of children)

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.”

An out-of-State or Federal offense similar in nature to those crimes listed above.

Sworn to before me this

\_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
(supervisor’s signature)

\_\_\_\_\_  
(notary’s signature)

Notary Public for Pennsylvania:

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

Attachments:

- Education objectives by subject matter
- Certificate of Immunization or record of immunization

# Pennsylvania's Homeschool Law

SESSION OF 1988 Act 1988-169 1321

No. 1988-169

Because CHAP believes it is vitally important for every homeschooler to know the homeschool law when dealing with a school district, the following is the full text of the law

Amending the act of March 10, 1949 (P.L. 30, no. 14) "an act relating to the public school system, including certain provisions applicable as well to private and parochial schools: amending, revising, consolidating and changing the laws relating thereto," further providing for home education and tutorial programs and for the sale of unused and unnecessary lands and building.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 707(8) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended July 31, 1968 (P.L. 796, No. 242), is amended to read: Section 707. Sale of Unused and Unnecessary Lands and Buildings. - The board of school directors of any district is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings, by any of the following methods and subject to the following provisions:

(8) Notwithstanding the foregoing provisions of this section, any school district of the second, third or fourth class, upon approval of two-thirds (2/3) of the members of the board of school directors of such district, may convey any unused and unnecessary lands and buildings of the district to the city, borough, town or township, the boundaries of which are coterminous with or within those of the district or a volunteer fire company, volunteer ambulance service or volunteer rescue squad located within the district, without consideration, or for such consideration and on such terms of exchange or otherwise as may be agreed upon, without first complying with the requirements of the foregoing provisions of this section. All such conveyances to a city, borough, town or township shall contain a clause whereby the lands and buildings will revert to the school district if they are no longer being used for municipal or authority purposes[.], with the following exception. If the lands and buildings acquired from a former school district are conveyed to a city, borough, town or township, the boundaries of which are coterminous with or within those of the former school district, the conveyance need not contain a reverter clause. However, all conveyances to a volunteer fire company, volunteer ambulance service or volunteer rescue squad shall contain a clause whereby the lands and buildings will revert to the school district if they are no longer being used for fire, ambulance or rescue services.

Section 2. Section 1327(a) of the act, amended December 15, 1986 (P.L.1602, No. 178), is amended and the section is amended by adding a subsection to read: Section 1327. Compulsory School Attendance. -(a) Except as hereinafter provided, every child of compulsory school age having a legal residence in this Commonwealth, as provided in this article, and every migratory child of compulsory school age, is required to attend a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. In lieu of such school attendance, any child fifteen years of age with the approval of the district superintendent and the approval of the Secretary of Education, and any child sixteen years of age with the approval of the district superintendent of schools, may enroll as a day student in a private trade school or in a private business school licensed by the Department of Education, or in a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board for Vocational Education. Except as hereinafter provided, every parent, guardian, or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. Such parent, guardian, or other person having control or charge of any child or children, fifteen or sixteen years of age, in accordance with the provisions of this act, may send such child or children to a private trade school or private business school licensed by the Department of Education, or to a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board for Vocational Education. Such child or children shall attend such school continuously through the entire term, during which the public schools in their respective districts shall be in session, or in cases of children of migrant laborers during the time the schools are in session in the districts in which such children are temporarily domiciled. The financial responsibility for the education of such children of migrant laborers shall remain with the school district in which such children of migrant laborers are temporarily domiciled; except in the case of special schools or classes conducted by a intermediate unit and approved by the Department of Education or conducted by the Department of Education. The certificate of any principal or teacher of a private school, or of any institution for the education of children, in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof. 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[, if such instruction is satisfactory to the proper district superintendent of schools]. 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.

(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 91-239, U.S.C. { 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 participation 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.

Section 3. The act is amended by adding a section to read: Section 1327.1. 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.

"Hearing examiner" shall not be an officer, employe [sic] 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.

(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 non-public 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 (e) of section 111 within five years immediately preceding the date of the affidavit.

(2) In the event the home education program site is relocating to another school district with in 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 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 provision 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 reasons 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.

(c) 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 grade 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.

(e) 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.

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

(h) Such documentation required by subsection (e)(1) and (2) shall be provided to the public school district of residence superintendent at the conclusion of each public school year. In addition, if the superintendent has a reasonable belief that, at any time during the school year, appropriate education may not be occurring in the home education program, he may, by certified mail, return receipt requested, require documentation pertaining to the portfolio of records and materials required by subsection (e)(1) to be submitted to the district within fifteen (15) days; and documentation pertaining to subsection (e)(2) to be submitted to the district within thirty (30) days. If the tests as required in subsection (e)(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 and shall submit the test results with the documentation at the conclusion of the school year.

(i) If the superintendent of the public school district determines, based on the documentation provided, at the end of or during the school year, that appropriate education is not taking place for the child in the home education program, the superintendent shall send a letter by certified mail, return receipt requested, to the supervisor of the home education program stating that in his opinion appropriate education is not taking place for the child in the home education program and shall return all documentation, specifying what aspect or aspects of the documentation are inadequate.

(j) Upon receipt of the certified letter required by subsection (i), the supervisor of the home education program shall have twenty (20) days to submit additional documentation demonstrating that appropriate education is taking place for the child in the home education program. If documentation is not submitted within that time, 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.

(k) If the superintendent determines that the additional documentation submitted still does not demonstrate that appropriate education is taking place in the home education program, he shall so notify the supervisor of the home education program by certified mail, return receipt requested, and 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 or Commonwealth Court.

(l) If the hearing examiner finds that the documentation 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.

(m) At such time as the child's home education program has been determined to be out of compliance with the provision 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 the period of twelve (12) months from the date of such determination.

Section 4. A supervisor conducting a home education program for the 1988-1989 school year that has been considered acceptable by the district superintendent for meeting the requirements of compulsory attendance shall not be affected by the provisions of this amendatory act until the conclusion of the 1988-1989 school year.

Section 5. This act shall take effect immediately.

APPROVED--- The 21st day of December, A.D.1988