

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 154

Session of
1987

INTRODUCED BY MADIGAN, HESS, JUBELIRER, RHOADES, REIBMAN,
FISHER, AFFLERBACH, ANDREZESKI, ARMSTRONG, CORMAN, JONES,
LEWIS, MUSTO, ROSS, SALVATORE, STAPLETON, STOUT, WILLIAMS AND
LEMMOND, JANUARY 15, 1987

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 16, 1988

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," ~~increasing reimbursement for school~~ <—
6 ~~building construction; and making editorial changes.~~ <—
7 PROVIDING FOR HOME EDUCATION AND TUTORIAL PROGRAMS.

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

10 ~~Section 1. Section 2574(c) of the act of March 10, 1949~~ <—
11 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~
12 ~~amended June 12, 1968 (P.L.192, No.96), is amended and~~
13 ~~subsections (b) and (c) are amended by adding clauses to read:~~

14 ~~Section 2574. Approved Reimbursable Rental for Leases~~
15 ~~Hereafter Approved and Approved Reimbursable Sinking Fund~~
16 ~~Charges on Indebtedness. * * *~~

17 ~~(b) For new school buildings the approved building~~
18 ~~construction cost shall be the lesser of~~

1 * * *

2 ~~(3.1) For school buildings for which the general~~
3 ~~construction contract is awarded subsequent to July 1, 1984, and~~
4 ~~for approved school building projects for which the general~~
5 ~~construction contract was awarded but for which a lease or~~
6 ~~general obligation bond resolution was not approved by the~~
7 ~~Department of Education prior to July 1, 1984, the product of~~
8 ~~the rated pupil capacity as determined by the Department of~~
9 ~~Education at the time the project is approved and (i) five~~
10 ~~thousand five hundred dollars (\$5,500) in the case of elementary~~
11 ~~schools, (ii) seven thousand two hundred dollars (\$7,200) in the~~
12 ~~case of secondary schools, (iii) an amount in the case of~~
13 ~~combined elementary secondary schools obtained by multiplying~~
14 ~~the rated elementary pupil capacity by five thousand five~~
15 ~~hundred dollars (\$5,500) and the rated secondary pupil capacity~~
16 ~~by seven thousand two hundred dollars (\$7,200) and dividing the~~
17 ~~sum by the total rated pupil capacity.~~

18 ~~(c) For additions or alterations to existing buildings~~
19 ~~approved building construction cost shall be the lesser of~~

20 * * *

21 ~~(3.1) For school buildings for which the general~~
22 ~~construction contract is awarded subsequent to July 1, 1984, and~~
23 ~~for approved school building projects for which the general~~
24 ~~construction contract was awarded but for which a lease or~~
25 ~~general obligation bond resolution was not approved by the~~
26 ~~Department of Education prior to July 1, 1984, the difference~~
27 ~~obtained by subtracting the appraisal value of the existing~~
28 ~~building from the product of the rated pupil capacity of the~~
29 ~~altered or expanded building as determined by the Department of~~
30 ~~Education at the time the project is approved and (i) five~~

~~thousand five hundred dollars (\$5,500) in the case of elementary schools, (ii) seven thousand two hundred dollars (\$7,200) in the case of secondary schools, (iii) an amount in the case of combined elementary secondary schools obtained by multiplying the rated elementary pupil capacity by five thousand five hundred dollars (\$5,500) and the rated secondary pupil capacity by seven thousand two hundred dollars (\$7,200) and dividing the sum by the total rated pupil capacity of the altered or expanded building.~~

~~* * *~~

~~(c) For area vocational technical school and technical institute projects leased subsequent to July 1, 1964, by or for lease to a board of school directors authorized to operate such a school, the Department of [Public Instruction] Education shall calculate an approved reimbursable rental charge.~~

~~For area vocational technical school and technical institute projects constructed or purchased subsequent to July 1, 1964, by a board of school directors authorized to operate such a school, the Department of [Public Instruction] Education may calculate an approved reimbursable sinking fund charge.~~

~~Approved reimbursable rental or sinking fund charge shall consist of that part of the annual rental or sinking fund attributable to:~~

~~(1) Cost of acquiring land and preparing it for use to the extent that such costs are deemed reasonable by the Department of [Public Instruction] Education and the interest on such cost of acquisition, cost of preparation and the cost of sewage treatment and the interest on such costs.~~

~~(2) Machinery, apparatus, furniture and equipment and all other necessary expenses and interest charges, but excluding~~

~~architects' fees in excess of six percent of the construction cost.~~

~~The approved building construction cost and the interest on such construction cost shall not exceed the product of the rated full time pupil capacity, as determined by the Department of [Public Instruction] Education at the time the project is approved and two thousand two hundred dollars (\$2,200).~~

~~The provisions of the foregoing paragraph shall apply to all school building projects for which the general construction contract is awarded prior to July 1, 1966, and for approved school building projects for which a lease was approved by the Department of [Public Instruction] Education prior to July 1, 1966. For school buildings for which the general construction contract is awarded subsequent to July 1, 1966, and for approved school building projects for which the general construction contract was awarded but for which a lease was not approved by the Department of [Public Instruction] Education prior to July 1, 1966, the approved building construction cost and the interest on such construction cost shall not exceed the product of the rated full time pupil capacity, as determined by the Department of [Public Instruction] Education at the time the project is approved, and three thousand seven hundred dollars (\$3700).~~

~~For school buildings for which the general construction contract is awarded subsequent to July 1, 1984, and for approved school building projects for which the general construction contract was awarded but for which a lease or general obligation bond resolution was not approved by the Department of Education prior to July 1, 1984, the approved building construction cost and the interest on such construction cost shall not exceed the~~

~~product of the rated full time pupil capacity, as determined by
the Department of Education at the time the project is approved,
and eight thousand nine hundred dollars (\$8,900).~~

~~The Department of [Public Instruction] Education shall not
approve the expenditure of any funds borrowed or obtained by the
sale of bonds by any authority, nonprofit corporation, profit
corporation, company or individual for construction of area
vocational technical schools or technical institutes for
bleachers, athletic field, lighting equipment or apparatus used
to promote and conduct interscholastic athletics.~~

~~* * *~~

~~Section 2. The Commonwealth shall be obligated to reimburse
school districts at the rates provided for in section 1 of this
amendatory act only for payments due on or after July 1, 1987.
In no event shall school districts be entitled to increased
reimbursements as a result of this amendatory act for payments
made by the Commonwealth between July 1, 1984, and June 30,
1987.~~

~~Section 3. This act shall take effect July 1, 1987.~~

SECTION 1. SECTION 1327(A) OF THE ACT OF MARCH 10, 1949
(P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
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

1 SCHOOL ATTENDANCE, ANY CHILD FIFTEEN YEARS OF AGE WITH THE
2 APPROVAL OF THE DISTRICT SUPERINTENDENT AND THE APPROVAL OF THE
3 SECRETARY OF EDUCATION, AND ANY CHILD SIXTEEN YEARS OF AGE WITH
4 THE APPROVAL OF THE DISTRICT SUPERINTENDENT OF SCHOOLS, MAY
5 ENROLL AS A DAY STUDENT IN A PRIVATE TRADE SCHOOL OR IN A
6 PRIVATE BUSINESS SCHOOL LICENSED BY THE DEPARTMENT OF EDUCATION,
7 OR IN A TRADE OR BUSINESS SCHOOL, OR DEPARTMENT OPERATED BY A
8 LOCAL SCHOOL DISTRICT OR DISTRICTS. SUCH MODIFIED PROGRAM
9 OFFERED IN A PUBLIC SCHOOL MUST MEET THE STANDARDS PRESCRIBED BY
10 THE STATE BOARD OF EDUCATION OR THE STATE BOARD FOR VOCATIONAL
11 EDUCATION. EXCEPT AS HEREINAFTER PROVIDED, EVERY PARENT,
12 GUARDIAN, OR OTHER PERSON HAVING CONTROL OR CHARGE OF ANY CHILD
13 OR CHILDREN OF COMPULSORY SCHOOL AGE IS REQUIRED TO SEND SUCH
14 CHILD OR CHILDREN TO A DAY SCHOOL IN WHICH THE SUBJECTS AND
15 ACTIVITIES PRESCRIBED BY THE STANDARDS OF THE STATE BOARD OF
16 EDUCATION ARE TAUGHT IN THE ENGLISH LANGUAGE. SUCH PARENT,
17 GUARDIAN, OR OTHER PERSON HAVING CONTROL OR CHARGE OF ANY CHILD
18 OR CHILDREN, FIFTEEN OR SIXTEEN YEARS OF AGE, IN ACCORDANCE WITH
19 THE PROVISIONS OF THIS ACT, MAY SEND SUCH CHILD OR CHILDREN TO A
20 PRIVATE TRADE SCHOOL OR PRIVATE BUSINESS SCHOOL LICENSED BY THE
21 DEPARTMENT OF EDUCATION, OR TO A TRADE OR BUSINESS SCHOOL, OR
22 DEPARTMENT OPERATED BY A LOCAL SCHOOL DISTRICT OR DISTRICTS.
23 SUCH MODIFIED PROGRAM OFFERED IN A PUBLIC SCHOOL MUST MEET THE
24 STANDARDS PRESCRIBED BY THE STATE BOARD OF EDUCATION OR THE
25 STATE BOARD FOR VOCATIONAL EDUCATION. SUCH CHILD OR CHILDREN
26 SHALL ATTEND SUCH SCHOOL CONTINUOUSLY THROUGH THE ENTIRE TERM,
27 DURING WHICH THE PUBLIC SCHOOLS IN THEIR RESPECTIVE DISTRICTS
28 SHALL BE IN SESSION, OR IN CASES OF CHILDREN OF MIGRANT LABORERS
29 DURING THE TIME THE SCHOOLS ARE IN SESSION IN THE DISTRICTS IN
30 WHICH SUCH CHILDREN ARE TEMPORARILY DOMICILED. THE FINANCIAL

1 RESPONSIBILITY FOR THE EDUCATION OF SUCH CHILDREN OF MIGRANT
2 LABORERS SHALL REMAIN WITH THE SCHOOL DISTRICT IN WHICH SUCH
3 CHILDREN OF MIGRANT LABORERS ARE TEMPORARILY DOMICILED; EXCEPT
4 IN THE CASE OF SPECIAL SCHOOLS OR CLASSES CONDUCTED BY AN
5 INTERMEDIATE UNIT AND APPROVED BY THE DEPARTMENT OF EDUCATION OR
6 CONDUCTED BY THE DEPARTMENT OF EDUCATION. THE CERTIFICATE OF ANY
7 PRINCIPAL OR TEACHER OF A PRIVATE SCHOOL, OR OF ANY INSTITUTION
8 FOR THE EDUCATION OF CHILDREN, IN WHICH THE SUBJECTS AND
9 ACTIVITIES PRESCRIBED BY THE STANDARDS OF THE STATE BOARD OF
10 EDUCATION ARE TAUGHT IN THE ENGLISH LANGUAGE, SETTING FORTH THAT
11 THE WORK OF SAID SCHOOL IS IN COMPLIANCE WITH THE PROVISIONS OF
12 THIS ACT, SHALL BE SUFFICIENT AND SATISFACTORY EVIDENCE THEREOF.
13 REGULAR DAILY INSTRUCTION IN THE ENGLISH LANGUAGE, FOR THE TIME
14 HEREIN REQUIRED, BY A PROPERLY QUALIFIED PRIVATE TUTOR, SHALL BE
15 CONSIDERED AS COMPLYING WITH THE PROVISIONS OF THIS SECTION[, IF
16 SUCH INSTRUCTION IS SATISFACTORY TO THE PROPER DISTRICT
17 SUPERINTENDENT OF SCHOOLS]. FOR THE PURPOSES OF THIS SECTION,
18 "PROPERLY QUALIFIED PRIVATE TUTOR" SHALL MEAN A PERSON WHO IS
19 CERTIFIED BY THE COMMONWEALTH OF PENNSYLVANIA TO TEACH IN THE
20 PUBLIC SCHOOLS OF PENNSYLVANIA; WHO IS TEACHING ONE OR MORE
21 CHILDREN WHO ARE MEMBERS OF A SINGLE FAMILY; WHO PROVIDES THE
22 MAJORITY OF THE INSTRUCTION TO SUCH CHILD OR CHILDREN; AND WHO
23 IS RECEIVING A FEE OR OTHER CONSIDERATION FOR SUCH INSTRUCTIONAL
24 SERVICES. NO PERSON WHO WOULD BE DISQUALIFIED FROM SCHOOL
25 EMPLOYMENT BY THE PROVISIONS OF SUBSECTION (E) OF SECTION 111
26 MAY BE A PRIVATE TUTOR, AS PROVIDED FOR IN THIS SECTION. THE
27 PRIVATE TUTOR MUST FILE A COPY OF HIS PENNSYLVANIA CERTIFICATION
28 AND THE REQUIRED CRIMINAL HISTORY RECORD WITH THE STUDENT'S
29 DISTRICT OF RESIDENCE SUPERINTENDENT.

30 * * *

(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. § 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.

SECTION 2. 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

<—

1 PROGRESS IN EACH SUBJECT.

2 "HOME EDUCATION PROGRAM" SHALL MEAN A PROGRAM CONDUCTED, IN
3 COMPLIANCE WITH THIS SECTION, BY THE PARENT OR GUARDIAN OR SUCH
4 PERSON HAVING LEGAL CUSTODY OF THE CHILD OR CHILDREN.

5 "SUPERVISOR" SHALL MEAN THE PARENT OR GUARDIAN OR SUCH PERSON
6 HAVING LEGAL CUSTODY OF THE CHILD OR CHILDREN WHO SHALL BE
7 RESPONSIBLE FOR THE PROVISION OF INSTRUCTION, PROVIDED THAT SUCH <—
8 PERSON HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

9 (B) THE REQUIREMENTS CONTAINED IN SECTIONS 1511 AND 1511.1,
10 EXCEPT AS PROVIDED FOR IN THIS SECTION, AND SECTION 1605 SHALL
11 NOT APPLY TO HOME EDUCATION PROGRAMS. A HOME EDUCATION PROGRAM
12 SHALL NOT BE CONSIDERED A NONPUBLIC SCHOOL UNDER THE PROVISIONS
13 OF THIS ACT.

14 (1) A NOTARIZED AFFIDAVIT OF THE PARENT OR GUARDIAN OR OTHER
15 PERSON HAVING LEGAL CUSTODY OF THE CHILD OR CHILDREN, FILED
16 PRIOR TO THE COMMENCEMENT OF THE HOME EDUCATION PROGRAM AND
17 ANNUALLY THEREAFTER ON AUGUST 1 WITH THE SUPERINTENDENT OF THE
18 SCHOOL DISTRICT OF RESIDENCE AND WHICH SETS FORTH: THE NAME OF
19 THE SUPERVISOR OF THE HOME EDUCATION PROGRAM WHO SHALL BE
20 RESPONSIBLE FOR THE PROVISION OF INSTRUCTION; THE NAME AND AGE
21 OF EACH CHILD WHO SHALL PARTICIPATE IN THE HOME EDUCATION
22 PROGRAM; THE ADDRESS AND TELEPHONE NUMBER OF THE HOME EDUCATION
23 PROGRAM SITE; THAT SUCH SUBJECTS AS REQUIRED BY LAW ARE OFFERED
24 IN THE ENGLISH LANGUAGE, INCLUDING AN OUTLINE OF PROPOSED
25 EDUCATION OBJECTIVES BY SUBJECT AREA; EVIDENCE THAT THE CHILD
26 HAS BEEN IMMUNIZED IN ACCORDANCE WITH THE PROVISIONS OF SECTION
27 1303(A) AND HAS RECEIVED THE HEALTH AND MEDICAL SERVICES
28 REQUIRED FOR STUDENTS OF THE CHILD'S AGE OR GRADE LEVEL IN
29 ARTICLE XIV; AND THAT THE HOME EDUCATION PROGRAM SHALL COMPLY
30 WITH THE PROVISIONS OF THIS SECTION AND THAT THE NOTARIZED

1 AFFIDAVIT SHALL BE SATISFACTORY EVIDENCE THEREOF. THE REQUIRED
2 OUTLINE OF PROPOSED EDUCATION OBJECTIVES SHALL NOT BE UTILIZED
3 BY THE SUPERINTENDENT IN DETERMINING IF THE HOME EDUCATION
4 PROGRAM IS OUT OF COMPLIANCE WITH THIS SECTION AND SECTION 1327.
5 THE AFFIDAVIT SHALL CONTAIN A CERTIFICATION TO BE SIGNED BY THE
6 SUPERVISOR THAT THE SUPERVISOR, ALL ADULTS LIVING IN THE HOME
7 AND PERSONS HAVING LEGAL CUSTODY OF A CHILD OR CHILDREN IN A
8 HOME EDUCATION PROGRAM HAVE NOT BEEN CONVICTED OF THE CRIMINAL
9 OFFENSES ENUMERATED IN SUBSECTION (E) OF SECTION 111 WITHIN FIVE
10 YEARS IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS ACT DATE <—
11 OF THE AFFIDAVIT.

12 (2) IN THE EVENT THE HOME EDUCATION PROGRAM SITE IS
13 RELOCATING TO ANOTHER SCHOOL DISTRICT WITHIN THIS COMMONWEALTH
14 DURING THE COURSE OF THE PUBLIC SCHOOL TERM OR PRIOR TO THE
15 OPENING OF THE PUBLIC SCHOOL TERM IN THE FALL, THE SUPERVISOR OF
16 THE HOME EDUCATION PROGRAM MUST APPLY, BY REGISTERED MAIL,
17 THIRTY (30) DAYS PRIOR TO THE RELOCATION, TO THE SUPERINTENDENT
18 OF THE DISTRICT IN WHICH HE OR SHE CURRENTLY RESIDES, REQUESTING
19 A LETTER OF TRANSFER FOR THE HOME EDUCATION PROGRAM TO THE
20 DISTRICT TO WHICH THE HOME EDUCATION PROGRAM IS RELOCATING. THE
21 CURRENT SUPERINTENDENT OF RESIDENCE MUST ISSUE THE LETTER OF
22 TRANSFER THIRTY (30) DAYS AFTER RECEIPT OF THE REGISTERED MAIL
23 REQUEST OF THE HOME EDUCATION PROGRAM SUPERVISOR.

24 (I) IF THE HOME EDUCATION PROGRAM IS NOT IN COMPLIANCE WITH
25 THE PROVISIONS OF THIS SECTION, THE SUPERINTENDENT OF THE
26 CURRENT DISTRICT OF RESIDENCE MUST INFORM THE HOME EDUCATION
27 SUPERVISOR AND THE SUPERINTENDENT OF THE DISTRICT TO WHICH THE
28 HOME EDUCATION PROGRAM IS RELOCATING THE STATUS OF THE HOME
29 EDUCATION PROGRAM AND THE REASON FOR THE DENIAL OF THE LETTER OF
30 TRANSFER.

1 (II) IF THE HOME EDUCATION PROGRAM IS IN DUE PROCESS HEARING <—
2 PROCEDURES, AS CONTAINED IN THIS SECTION, THE SUPERINTENDENT OF
3 THE CURRENT DISTRICT OF RESIDENCE MUST INFORM THE HOME EDUCATION
4 SUPERVISOR, THE HEARING OFFICER AND THE SUPERINTENDENT OF THE <—
5 DISTRICT TO WHICH THE HOME EDUCATION PROGRAM IS RELOCATING THE
6 STATUS OF THE HOME EDUCATION PROGRAM AND THE REASON FOR THE
7 DENIAL OF THE LETTER OF TRANSFER.

8 (III) UPON RECEIPT OF THE LETTER FROM THE CURRENT DISTRICT <—
9 OF RESIDENCE SUPERINTENDENT, THE HEARING OFFICER WILL HAVE
10 FIFTEEN (15) DAYS TO RENDER A DECISION ON THE CURRENT PROCEEDING
11 AND NOTIFY THE HOME EDUCATION PROGRAM SUPERVISOR, THE CURRENT
12 DISTRICT OF RESIDENCE SUPERINTENDENT AND THE SUPERINTENDENT OF
13 THE DISTRICT TO WHICH THE HOME EDUCATION PROGRAM IS RELOCATING.
14 THE HEARING OFFICER MAY CLOSE THE PROCEEDINGS AND FORWARD ANY
15 FINDINGS TO THE HOME EDUCATION PROGRAM SUPERVISOR, THE CURRENT
16 DISTRICT OF RESIDENCE SUPERINTENDENT, THE SUPERINTENDENT OF THE
17 DISTRICT TO WHICH THE HOME EDUCATION PROGRAM IS RELOCATING AND
18 THE DEPARTMENT OF EDUCATION. ANY OTHER DETERMINATION BY THE
19 HEARING OFFICER MUST BE FORWARDED TO THE SAME INDIVIDUALS AND
20 ORGANIZATION AS SET FORTH IN PROCEEDINGS WHICH ARE CLOSED.

21 (3) THE LETTER OF TRANSFER, REQUIRED BY CLAUSE (2), MUST BE
22 FILED BY THE SUPERVISOR OF THE HOME EDUCATION PROGRAM WITH THE
23 SUPERINTENDENT OF THE NEW DISTRICT OF RESIDENCE. IN THE CASE OF
24 PENDING PROCEEDINGS, THE NEW DISTRICT OF RESIDENCE
25 SUPERINTENDENT SHALL CONTINUE THE HOME EDUCATION PROGRAM UNTIL
26 THE APPEAL PROCESS IS FINALIZED.

27 (C) A CHILD WHO IS ENROLLED IN A HOME EDUCATION PROGRAM AND
28 WHOSE EDUCATION IS THEREFORE UNDER THE DIRECT SUPERVISION OF HIS
29 PARENT, GUARDIAN OR OTHER PERSON HAVING LEGAL CUSTODY SHALL BE
30 DEEMED TO HAVE MET THE REQUIREMENTS OF SECTION 1327 IF THAT HOME

1 EDUCATION PROGRAM PROVIDES A MINIMUM OF ONE HUNDRED EIGHTY (180)
2 DAYS OF INSTRUCTION OR NINE HUNDRED (900) HOURS OF INSTRUCTION
3 PER YEAR AT THE ELEMENTARY LEVEL, OR NINE HUNDRED NINETY (990)
4 HOURS PER YEAR AT THE SECONDARY LEVEL:

5 (1) AT THE ELEMENTARY SCHOOL LEVEL, THE FOLLOWING COURSES
6 SHALL BE TAUGHT: ENGLISH, TO INCLUDE SPELLING, READING AND
7 WRITING; ARITHMETIC; SCIENCE; GEOGRAPHY; HISTORY OF THE UNITED
8 STATES AND PENNSYLVANIA; CIVICS; SAFETY EDUCATION, INCLUDING
9 REGULAR AND CONTINUOUS INSTRUCTION IN THE DANGERS AND PREVENTION
10 OF FIRES; HEALTH AND PHYSIOLOGY; PHYSICAL EDUCATION; MUSIC; AND
11 ART.

12 (2) AT THE SECONDARY SCHOOL LEVEL, THE FOLLOWING COURSES
13 SHALL BE TAUGHT: ENGLISH, TO INCLUDE LANGUAGE, LITERATURE,
14 SPEECH AND COMPOSITION; SCIENCE; GEOGRAPHY; SOCIAL STUDIES, TO
15 INCLUDE CIVICS, WORLD HISTORY, HISTORY OF THE UNITED STATES AND
16 PENNSYLVANIA; MATHEMATICS, TO INCLUDE GENERAL MATHEMATICS,
17 ALGEBRA AND GEOMETRY; ART; MUSIC; PHYSICAL EDUCATION; HEALTH;
18 AND SAFETY EDUCATION, INCLUDING REGULAR AND CONTINUOUS
19 INSTRUCTION IN THE DANGERS AND PREVENTION OF FIRES. SUCH COURSES
20 OF STUDY MAY INCLUDE, AT THE DISCRETION OF THE SUPERVISOR OF THE
21 HOME EDUCATION PROGRAM, ECONOMICS; BIOLOGY; CHEMISTRY; FOREIGN
22 LANGUAGES; TRIGONOMETRY; OR OTHER AGE APPROPRIATE COURSES AS
23 CONTAINED IN CHAPTER 5 (CURRICULUM REQUIREMENTS) OF THE STATE
24 BOARD OF EDUCATION.

25 ~~(D) THE FOLLOWING MINIMUM COURSES IN GRADES NINE THROUGH~~ <—
26 ~~TWELVE ARE ESTABLISHED AS A REQUIREMENT FOR HIGH SCHOOL~~
27 ~~GRADUATION IN A HOME EDUCATION PROGRAM:~~

28 ~~(1) FOUR YEARS OF ENGLISH.~~

29 ~~(2) THREE YEARS OF MATHEMATICS.~~

30 ~~(3) THREE YEARS OF SCIENCE.~~

~~(4) THREE YEARS OF SOCIAL STUDIES.~~

~~(5) TWO YEARS OF ARTS AND HUMANITIES.~~

~~(E)~~ (D) 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 SCHOOL 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, AND SAMPLES OF ANY WRITINGS, WORKSHEETS, WORKBOOKS OR

CREATIVE MATERIALS USED OR DEVELOPED BY THE STUDENT. AND EITHER

~~(I) RESULTS OF STANDARDIZED ACHIEVEMENT TESTS, COMPLETED BY
THE STUDENT WHICH THE SUPERVISOR SHALL ANNUALLY PROVIDE FOR; OR~~

(2) RESULTS OF STANDARDIZED ACHIEVEMENT TESTS AND/OR STATE
TESTS, THE SAME AS THOSE TAKEN BY STUDENTS OF THE SAME GRADE
LEVEL IN THE SCHOOL DISTRICT OF RESIDENCE. THE SUPERINTENDENT OF
THE SCHOOL DISTRICT OF RESIDENCE SHALL NOTIFY THE SUPERVISOR OF
THE HOME EDUCATION PROGRAM OF THE DATE OF THE TESTS. THE TESTS
SHALL BE ADMINISTERED BY THE SCHOOL DISTRICT OF RESIDENCE OR BY
A PERSON AUTHORIZED BY THE SUPERINTENDENT OF SCHOOLS: PROVIDED,
THAT THE CHILD'S PARENT OR GUARDIAN SHALL NOT ADMINISTER SUCH
TESTS. IF THE SUPERVISOR SO CHOOSES, TESTS NEED NOT BE
ADMINISTERED BY OR IN THE PUBLIC SCHOOLS. TEST RESULTS AND
EXPLANATORY MATERIALS SHALL BE GIVEN TO THE SUPERINTENDENT OF
SCHOOLS AND THE SUPERVISOR OF THE HOME EDUCATION PROGRAM.

~~(II) AN~~ (3) AT THE SUPERVISOR'S DISCRETION, AN ANNUAL
WRITTEN EVALUATION OF THE STUDENT'S EDUCATIONAL PROGRESS AS
DETERMINED BY A LICENSED CLINICAL OR SCHOOL PSYCHOLOGIST.

~~(2) THE PORTFOLIO REQUIRED IN CLAUSE (1) AND EITHER THE TEST
RESULTS AS PROVIDED IN CLAUSE (1)(I) OR THE WRITTEN EVALUATION~~

~~AS PROVIDED IN CLAUSE (1)(II) SHALL BE REVIEWED BY A PERSON WITH QUALIFICATIONS LISTED IN CLAUSE (1)(II), WHO SHALL CERTIFY WHETHER OR NOT AN APPROPRIATE EDUCATION IS OCCURRING. A PERSON MAKING THE WRITTEN EVALUATION UNDER CLAUSE (1)(II) MAY ALSO MAKE THIS CERTIFICATION.~~

~~(3) (E) 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.~~

~~(4) (F) WHEN DOCUMENTATION IS REQUIRED BY THIS SECTION TO BE SUBMITTED TO THE DISTRICT OF RESIDENCE SUPERINTENDENT OR THE HEARING OFFICER, THE SUPERINTENDENT OR THE HEARING OFFICER SHALL RETURN, UPON COMPLETION OF HIS REVIEW, ALL SUCH DOCUMENTATION TO THE SUPERVISOR OF THE HOME EDUCATION PROGRAM. THE SUPERINTENDENT OR HEARING OFFICER MAY PHOTOCOPY ALL OR PORTIONS OF THE DOCUMENTATION FOR HIS FILES.~~

~~(F) THE SUPERVISOR OF THE HOME EDUCATION PROGRAM MAY APPLY TO THE DISTRICT OF RESIDENCE SUPERINTENDENT FOR PARTICIPATION IN THE STATEWIDE TESTING PROGRAM AS PROVIDED FOR IN SECTION 1511.1 OF THIS ACT. THE SUPERVISOR SHALL INCLUDE SUCH REQUEST OF THE AFFIDAVIT REQUIRED BY THIS SECTION OR SHALL NOTIFY THE DISTRICT OF RESIDENCE SUPERINTENDENT BY REGISTERED MAIL AT LEAST FORTY-FIVE (45) DAYS PRIOR TO THE SCHEDULED DATE OF SUCH TEST. THE SUPERINTENDENT SHALL NOTIFY THE SUPERVISOR OF THE HOME EDUCATION PROGRAM OF THE TESTING DATE, TIME AND LOCATION THIRTY (30) DAYS PRIOR TO THE SCHEDULED DATE.~~

~~(G) SUCH DOCUMENTATION REQUIRED BY SUBSECTION (E)(1) (D)(1) AND (2) SHALL BE PROVIDED TO THE PUBLIC SCHOOL DISTRICT OF RESIDENCE SUPERINTENDENT AT THE CONCLUSION OF EACH PUBLIC SCHOOL~~

1 YEAR. IN ADDITION, IF THE SUPERINTENDENT HAS A REASONABLE BELIEF
2 THAT, AT ANY TIME DURING THE SCHOOL YEAR, APPROPRIATE EDUCATION <—
3 MAY NOT BE OCCURRING IN THE HOME EDUCATION PROGRAM, HE MAY, BY
4 CERTIFIED MAIL, RETURN RECEIPT REQUESTED, REQUIRE DOCUMENTATION
5 PERTAINING TO THE PORTFOLIO OF RECORDS AND MATERIALS REQUIRED BY
6 SUBSECTION ~~(E)(1)~~ (D)(1) TO BE SUBMITTED TO THE DISTRICT WITHIN <—
7 FIFTEEN (15) DAYS; AND DOCUMENTATION PERTAINING TO SUBSECTION
8 ~~(E)(1)(I) OR (II)~~ (D)(1) AND (2) TO BE SUBMITTED TO THE DISTRICT <—
9 WITHIN THIRTY (30) DAYS.

10 (H) IF THE SUPERINTENDENT OF THE PUBLIC SCHOOL DISTRICT
11 DETERMINES, BASED ON THE DOCUMENTATION PROVIDED, AT THE END OF
12 OR DURING THE SCHOOL YEAR, THAT APPROPRIATE EDUCATION IS NOT <—
13 TAKING PLACE IN THE HOME EDUCATION PROGRAM, THE SUPERINTENDENT
14 SHALL SEND A LETTER BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,
15 TO THE SUPERVISOR OF THE HOME EDUCATION PROGRAM STATING THAT IN
16 HIS OPINION APPROPRIATE EDUCATION IS NOT TAKING PLACE IN THE <—
17 HOME EDUCATION PROGRAM AND SHALL RETURN ALL DOCUMENTATION,
18 SPECIFYING WHAT ASPECT OR ASPECTS OF THE DOCUMENTATION ARE
19 INADEQUATE AND INDICATING THAT THE DEPARTMENT OF EDUCATION IS <—
20 BEING INFORMED BY COPY OF THE LETTER.

21 (I) UPON RECEIPT OF THE CERTIFIED LETTER, THE SUPERVISOR OF
22 THE HOME EDUCATION PROGRAM SHALL HAVE TWENTY (20) DAYS TO SUBMIT
23 ADDITIONAL DOCUMENTATION DEMONSTRATING THAT APPROPRIATE <—
24 EDUCATION IS TAKING PLACE IN THE HOME EDUCATION PROGRAM. IF
25 DOCUMENTATION IS NOT SUBMITTED WITHIN THAT TIME, THE HOME
26 EDUCATION PROGRAM SHALL BE OUT OF COMPLIANCE WITH THE
27 REQUIREMENTS OF THIS SECTION AND SECTION 1327, AND THE STUDENT
28 OR STUDENTS SHALL BE PROMPTLY ENROLLED IN THE PUBLIC SCHOOL
29 DISTRICT OF RESIDENCE OR A NONPUBLIC SCHOOL OR A LICENSED
30 PRIVATE ACADEMIC SCHOOL.

1 (J) IF THE SUPERINTENDENT DETERMINES THAT THE ADDITIONAL
2 DOCUMENTATION SUBMITTED STILL DOES NOT DEMONSTRATE THAT
3 APPROPRIATE EDUCATION IS TAKING PLACE IN THE HOME EDUCATION <—
4 PROGRAM, HE SHALL SO NOTIFY THE SUPERVISOR OF THE HOME EDUCATION
5 PROGRAM BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND EITHER <—
6 SHALL ALLOW THE SUPERVISOR OF THE HOME EDUCATION PROGRAM THIRTY
7 (30) DAYS FROM RECEIPT OF SUCH LETTER IN WHICH TO CORRECT THE
8 DEFICIENCIES AND SUBMIT FURTHER DOCUMENTATION TO THE
9 SUPERINTENDENT OR SHALL DECLARE THE HOME EDUCATION PROGRAM TO BE
10 OUT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION AND
11 SECTION 1327, AND, UNLESS A DUE PROCESS HEARING IS REQUESTED AS
12 PROVIDED IN SUBSECTION (K), THE STUDENT OR STUDENTS SHALL BE
13 WITHIN TEN (10) DAYS ENROLLED IN THE PUBLIC SCHOOL DISTRICT OF
14 RESIDENCE OR A NONPUBLIC SCHOOL OR A LICENSED PRIVATE ACADEMIC
15 SCHOOL. IF THE SUPERVISOR OF THE HOME EDUCATION PROGRAM IS
16 ALLOWED AN ADDITIONAL THIRTY (30) DAYS TO CORRECT THE
17 DEFICIENCIES AND FAILS TO DO SO TO THE SATISFACTION OF THE
18 SUPERINTENDENT, THE SUPERINTENDENT SHALL DECLARE THE HOME
19 EDUCATION PROGRAM TO BE OUT OF COMPLIANCE WITH THE REQUIREMENTS
20 OF THIS SECTION AND SECTION 1327, AND, UNLESS A DUE PROCESS
21 HEARING IS REQUESTED AS PROVIDED IN SUBSECTION (K), THE STUDENT
22 OR STUDENTS SHALL BE WITHIN TEN (10) DAYS ENROLLED IN THE PUBLIC
23 SCHOOL DISTRICT OF RESIDENCE OR A NONPUBLIC SCHOOL OR A LICENSED
24 PRIVATE ACADEMIC SCHOOL.

25 (K) WHEN UNDER THE PROVISIONS OF SUBSECTION (J) A
26 SUPERINTENDENT DECLARES A HOME EDUCATION PROGRAM TO BE OUT OF
27 COMPLIANCE WITH THE PROVISIONS OF THIS SECTION, HE SHALL SO
28 NOTIFY THE SUPERVISOR OF THE PROGRAM, BY CERTIFIED MAIL, RETURN
29 RECEIPT REQUESTED, OF HIS DETERMINATION AND OF THE SUPERVISOR'S
30 RIGHT TO WITHIN TEN (10) DAYS REQUEST OF THE DEPARTMENT OF

~~EDUCATION A DUE PROCESS HEARING IN THE PRESENCE OF AN IMPARTIAL
HEARING OFFICER TO HEAR ARGUMENTS PERTAINING TO THE
SUPERINTENDENT'S DECLARATION THAT THE HOME EDUCATION PROGRAM
DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION AND
SECTION 1327. A FORM THROUGH WHICH THE DUE PROCESS HEARING MAY
BE REQUESTED SHALL ACCOMPANY THE LETTER TO THE SUPERVISOR OF THE
HOME EDUCATION PROGRAM. IF, TEN (10) DAYS AFTER RECEIPT OF THIS
CERTIFIED LETTER, THE SUPERVISOR OF THE HOME EDUCATION PROGRAM
HAS NOT REQUESTED A DUE PROCESS HEARING, THE HOME EDUCATION
PROGRAM SHALL BE OUT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS
SECTION AND SECTION 1327, AND THE STUDENT OR STUDENTS SHALL BE
PROMPTLY ENROLLED IN THE PUBLIC SCHOOL DISTRICT OF RESIDENCE OR
A NONPUBLIC SCHOOL OR A LICENSED PRIVATE ACADEMIC SCHOOL.~~

~~(L) IF THE SUPERVISOR OF THE HOME EDUCATION PROGRAM REQUESTS
A DUE PROCESS HEARING, IT SHALL BE SCHEDULED BY THE DEPARTMENT
NO SOONER THAN FIFTEEN (15) DAYS NOR LATER THAN THIRTY (30) DAYS
AFTER RECEIPT OF THE REQUEST BY THE DEPARTMENT: PROVIDED,
HOWEVER, THAT UPON SHOWING GOOD CAUSE, A REASONABLE EXTENSION OF
TIME MAY BE GRANTED AT THE REQUEST OF THE SUPERVISOR OF THE HOME
EDUCATION PROGRAM. THE HEARING SHALL BE HELD AT A PLACE
REASONABLY CONVENIENT TO THE SUPERVISOR OF THE HOME EDUCATION
PROGRAM AND MAY BE HELD IN THE EVENING IF SO SPECIFIED BY THE
SUPERVISOR OF THE HOME EDUCATION PROGRAM ON THE FORM REQUESTING
THE HEARING.~~

~~(M) AN IMPARTIAL HEARING OFFICER SHALL BE ASSIGNED BY THE
SECRETARY OF EDUCATION, OR HIS DESIGNEE. THIS HEARING OFFICER
SHALL NOT BE AN OFFICER, EMPLOYEE OR AGENT OF THE DEPARTMENT OF
EDUCATION OR OF THE SCHOOL DISTRICT OR INTERMEDIATE UNIT OF
RESIDENCE.~~

~~(N) THE IMPARTIAL HEARING OFFICER MAY ORDER, AT ANY TIME~~

~~DURING THE DUE PROCESS HEARING, THE SUPERVISOR OF THE HOME
EDUCATION PROGRAM TO HAVE THE CHILD OR CHILDREN TAKE THE
STATEWIDE TESTS AS CONTAINED IN SECTION 1511.1, AS PART OF THE
EVALUATION. IF THE STUDENT RECEIVES AN UNSATISFACTORY SCORE, THE
HEARING OFFICER MAY REQUIRE THE SUPERINTENDENT AND HOME
EDUCATION PROGRAM SUPERVISOR TO ESTABLISH A REMEDIAL EDUCATION
PLAN FOR A PERIOD OF SIX (6) MONTHS. THE SUPERINTENDENT SHALL
DETERMINE THE SUBJECT MATTER OF THE REMEDIATION PROGRAM AND
APPROPRIATE EVALUATION OF THE PROGRAM AT SPECIFIC TIME INTERVALS
DURING THE SIX (6) MONTH PERIOD. A REVIEW OF THE REMEDIAL PLAN
BY THE HEARING OFFICER AFTER THE SIX (6) MONTH PERIOD SHALL BE
MADE AND A DETERMINATION MUST BE SET FORTH WHICH MAY INCLUDE
RETESTING OR ADDITIONAL REMEDIATION.~~

~~(O) AT THE DUE PROCESS HEARING, THE SUPERINTENDENT, OR HIS
DESIGNEE, SHALL BE LIMITED TO PRESENTING EVIDENCE AND TESTIMONY
THAT THE DOCUMENTATION DOES NOT DEMONSTRATE THAT EDUCATION IS
TAKING PLACE IN THE HOME EDUCATION PROGRAM. THE SUPERVISOR OF
THE HOME EDUCATION PROGRAM, OR HIS REPRESENTATIVE, SHALL HAVE
THE RIGHT TO PRESENT EVIDENCE AND TESTIMONY INDICATING THAT THE
DOCUMENTATION DOES DEMONSTRATE THAT EDUCATION IS TAKING PLACE IN
THE HOME EDUCATION PROGRAM.~~

~~(P) AT ANY POINT DURING THE HEARING, IF THE HEARING OFFICER
BELIEVES THAT EDUCATION IS TAKING PLACE IN THE HOME EDUCATION
PROGRAM BUT THAT THE DOCUMENTATION IS NOT ADEQUATE, HE MAY
ADJOURN THE HEARING AFTER SUGGESTING SPECIFIC WAYS IN WHICH THE
DOCUMENTATION MAY BE IMPROVED AND RESUBMITTED TO THE
SUPERINTENDENT, AND SPECIFYING A DATE FOR CONTINUATION OF THE
HEARING IN THE EVENT THAT THE SUPERINTENDENT STILL MAINTAINS
THAT THE DOCUMENTATION IS INADEQUATE.~~

~~(Q) NO LATER THAN TWENTY (20) DAYS AFTER THE CONCLUSION OF~~

~~THE HEARING, THE HEARING OFFICER SHALL RENDER A DECISION, IN
WRITING, WHICH SHALL BE ACCOMPANIED BY WRITTEN FINDINGS OF FACT
AND CONCLUSIONS, AND WHICH SHALL BE SENT BY CERTIFIED MAIL,
RETURN RECEIPT REQUESTED, TO THE SUPERVISOR OF THE HOME
EDUCATION PROGRAM AND THE DISTRICT OF RESIDENCE SUPERINTENDENT.
IF THE HEARING OFFICER FINDS THAT THE DOCUMENTATION DEMONSTRATES
THAT EDUCATION IS TAKING PLACE WITHIN THE HOME EDUCATION
PROGRAM, THE PROGRAM SHALL BE IN COMPLIANCE WITH THE
REQUIREMENTS OF THIS SECTION AND SECTION 1327. IF THE HEARING
OFFICER THE BOARD OF SCHOOL DIRECTORS SHALL HOLD A PROPER
HEARING. THIS MAY BE CONDUCTED BY A DULY AUTHORIZED COMMITTEE OF
THE BOARD OR A DULY QUALIFIED HEARING EXAMINER WHOSE
ADJUDICATION MUST BE APPROVED BY THE BOARD. THE DECISION OF THE
BOARD MAY BE APPEALED BY EITHER THE SUPERVISOR OF THE HOME
EDUCATION PROGRAM OR THE SUPERINTENDENT TO THE SECRETARY OF
EDUCATION OR COMMONWEALTH COURT.~~

~~(K) IF THE BOARD OF SCHOOL DIRECTORS FINDS THAT THE
DOCUMENTATION DOES NOT INDICATE THAT APPROPRIATE EDUCATION IS
TAKING PLACE IN THE HOME EDUCATION PROGRAM, THE HOME EDUCATION
PROGRAM SHALL BE OUT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS
SECTION AND SECTION 1327, AND THE STUDENT OR STUDENTS SHALL BE
PROMPTLY ENROLLED IN THE PUBLIC SCHOOL DISTRICT OF RESIDENCE OR
A NONPUBLIC SCHOOL OR A LICENSED PRIVATE ACADEMIC SCHOOL.~~

~~(R) (L) AT SUCH TIME AS THE HOME EDUCATION PROGRAM HAS BEEN
DETERMINED 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, AS PROVIDED FOR IN SUBSECTION (B)(1) OF
THIS SECTION, FOR A PERIOD OF TWELVE (12) MONTHS FROM THE DATE
OF SUCH DETERMINATION.~~

1 SECTION 3. A SUPERVISOR CONDUCTING A HOME EDUCATION PROGRAM
2 FOR THE 1988-1989 SCHOOL YEAR THAT HAS BEEN CONSIDERED
3 ACCEPTABLE BY THE DISTRICT SUPERINTENDENT FOR MEETING THE
4 REQUIREMENTS OF COMPULSORY ATTENDANCE SHALL NOT BE AFFECTED BY
5 THE PROVISIONS OF THIS AMENDATORY ACT UNTIL THE CONCLUSION OF
6 THE 1988-1989 SCHOOL YEAR.

7 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.