AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "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," increasing reimbursement for school building construction; and making editorial changes. FURTHER PROVIDING FOR HOME EDUCATION AND TUTORIAL PROGRAMS AND FOR THE SALE OF UNUSED AND UNNECESSARY LANDS AND BUILDINGS.

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

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

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.

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

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(3.1) 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 product of the rated pupil capacity as determined by the Department of 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.

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

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(3.1) 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 difference obtained by subtracting the appraisal value of the existing building from the product of the rated pupil capacity of the altered or expanded building as determined by the Department of...
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.

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(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.

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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 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.

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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 AN
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.

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(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 2.3. 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 EACH SUBJECT. THE OVERALL PROGRAM.

"HEARING EXAMINER" SHALL NOT BE AN OFFICER, EMPLOYEE OR AGENT OF THE DEPARTMENT OF EDUCATION OR OF THE SCHOOL DISTRICT OR INTERMEDIATE UNIT OF RESIDENCE OF THE CHILD IN THE HOME EDUCATION PROGRAM.

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

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

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

(1) A NOTARIZED AFFIDAVIT OF THE PARENT OR GUARDIAN OR OTHER PERSON HAVING LEGAL CUSTODY OF THE CHILD OR CHILDREN, FILED PRIOR TO THE COMMENCEMENT OF THE HOME EDUCATION PROGRAM AND ANNULLY 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 EFFECTIVE DATE OF THIS ACT DATE
OF THE AFFIDAVIT.

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


(III) UPON RECEIPT OF THE LETTER FROM THE CURRENT DISTRICT OF RESIDENCE SUPERINTENDENT, THE HEARING OFFICER WILL HAVE FIFTEEN (15) DAYS TO RENDER A DECISION ON THE CURRENT PROCEEDING AND NOTIFY THE HOME EDUCATION PROGRAM SUPERVISOR, THE CURRENT DISTRICT OF RESIDENCE SUPERINTENDENT AND THE SUPERINTENDENT OF THE DISTRICT TO WHICH THE HOME EDUCATION PROGRAM IS RELOCATING.

(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 GRADES NINE THROUGH TWELVE ARE ESTABLISHED AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION IN A HOME EDUCATION PROGRAM:

(1) FOUR YEARS OF ENGLISH.
(2) THREE YEARS OF MATHEMATICS.
(3) THREE YEARS OF SCIENCE.
(4) THREE YEARS OF SOCIAL STUDIES.
(5) TWO YEARS OF ARTS AND HUMANITIES.

(D) THE FOLLOWING MINIMUM COURSES IN GRADES NINE THROUGH TWELVE ARE ESTABLISHED AS A REQUIREMENT FOR GRADUATION IN A HOME EDUCATION PROGRAM:

(1) FOUR YEARS OF ENGLISH.
(2) THREE YEARS OF MATHEMATICS.
(3) THREE YEARS OF SCIENCE.
(4) THREE YEARS OF SOCIAL STUDIES.
(5) TWO YEARS OF ARTS AND HUMANITIES.

(E) (D) (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 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

(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.

(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.

(3) (E) (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.

(4) (E) (G) WHEN DOCUMENTATION IS REQUIRED BY THIS SECTION
TO BE SUBMITTED TO THE DISTRICT OF RESIDENCE SUPERINTENDENT OR
THE HEARING OFFICER OR THE HEARING EXAMINER, THE SUPERINTENDENT
OR THE HEARING OFFICER 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 OFFICER OR HEARING EXAMINER 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) (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) (D)(1) (E)(1) TO BE SUBMITTED TO THE DISTRICT WITHIN FIFTEEN (15) DAYS; AND DOCUMENTATION PERTAINING TO SUBSECTION (E)(1) (I) OR (II) (D)(1) AND (2) (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 and indicating that the department of education is being informed by copy of the letter.

(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 OR STUDENTS 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 EITHER
SHE WILL ALLOW THE SUPERVISOR OF THE HOME EDUCATION PROGRAM THIRTY
(30) DAYS FROM RECEIPT OF SUCH LETTER IN WHICH TO CORRECT THE
DEFICIENCIES AND SUBMIT FURTHER DOCUMENTATION TO THE
SUPERINTENDENT OR SHE WILL DECLARE THE HOME EDUCATION PROGRAM TO BE
OUT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION AND
SECTION 1327, AND, UNLESS A DUE PROCESS HEARING IS REQUESTED AS
PROVIDED IN SUBSECTION (K), THE STUDENT OR STUDENTS SHALL BE
WITHIN TEN (10) DAYS ENROLLED IN THE PUBLIC SCHOOL DISTRICT OF
RESIDENCE OR A NONPUBLIC SCHOOL OR A LICENSED PRIVATE ACADEMIC
SCHOOL. IF THE SUPERVISOR OF THE HOME EDUCATION PROGRAM IS
ALLOWED AN ADDITIONAL THIRTY (30) DAYS TO CORRECT THE
DEFICIENCIES AND FAILS TO DO SO TO THE SATISFACTION OF THE
SUPERINTENDENT, THE SUPERINTENDENT SHALL DECLARE THE HOME
EDUCATION PROGRAM TO BE OUT OF COMPLIANCE WITH THE REQUIREMENTS
OF THIS SECTION AND SECTION 1327, AND, UNLESS A DUE PROCESS
HEARING IS REQUESTED AS PROVIDED IN SUBSECTION (K), THE STUDENT
OR STUDENTS SHALL BE WITHIN TEN (10) DAYS ENROLLED IN THE PUBLIC
SCHOOL DISTRICT OF RESIDENCE OR A NONPUBLIC SCHOOL OR A LICENSED
PRIVATE ACADEMIC SCHOOL.

(K) WHEN UNDER THE PROVISIONS OF SUBSECTION (J) A
SUPERINTENDENT DECLARES A HOME EDUCATION PROGRAM TO BE OUT OF
COMPLIANCE WITH THE PROVISIONS OF THIS SECTION, HE SHALL SO
NOTIFY THE SUPERVISOR OF THE PROGRAM, BY CERTIFIED MAIL, RETURN
RECEIPT REQUESTED, OF HIS DETERMINATION AND OF THE SUPERVISOR'S
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
1  BE REQUESTED SHALL ACCOMPANY THE LETTER TO THE SUPERVISOR OF THE
2  HOME EDUCATION PROGRAM. IF, TEN (10) DAYS AFTER RECEIPT OF THIS
3  CERTIFIED LETTER, THE SUPERVISOR OF THE HOME EDUCATION PROGRAM
4  HAS NOT REQUESTED A DUE PROCESS HEARING, THE HOME EDUCATION
5  PROGRAM SHALL BE OUT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS
6  SECTION AND SECTION 1327, AND THE STUDENT OR STUDENTS SHALL BE
7  PROMPTLY ENROLLED IN THE PUBLIC SCHOOL DISTRICT OF RESIDENCE OR
8  A NONPUBLIC SCHOOL OR A LICENSED PRIVATE ACADEMIC SCHOOL.
9     (L) IF THE SUPERVISOR OF THE HOME EDUCATION PROGRAM REQUESTS
10  A DUE PROCESS HEARING, IT SHALL BE SCHEDULED BY THE DEPARTMENT
11  NO SOONER THAN FIFTEEN (15) DAYS NOR LATER THAN THIRTY (30) DAYS
12  AFTER RECEIPT OF THE REQUEST BY THE DEPARTMENT: PROVIDED,
13  HOWEVER, THAT UPON SHOWING GOOD CAUSE, A REASONABLE EXTENSION OF
14  TIME MAY BE GRANTED AT THE REQUEST OF THE SUPERVISOR OF THE HOME
15  EDUCATION PROGRAM. THE HEARING SHALL BE HELD AT A PLACE
16  REASONABLY CONVENIENT TO THE SUPERVISOR OF THE HOME EDUCATION
17  PROGRAM AND MAY BE HELD IN THE EVENING IF SO SPECIFIED BY THE
18  SUPERVISOR OF THE HOME EDUCATION PROGRAM ON THE FORM REQUESTING
19  THE HEARING.
(M) AN IMPARTIAL HEARING OFFICER SHALL BE ASSIGNED BY THE
20  SECRETARY OF EDUCATION, OR HIS DESIGNEE. THIS HEARING OFFICER
21  SHALL NOT BE AN OFFICER, EMPLOYEE OR AGENT OF THE DEPARTMENT OF
22  EDUCATION OR OF THE SCHOOL DISTRICT OR INTERMEDIATE UNIT OF
23  RESIDENCE.
(N) THE IMPARTIAL HEARING OFFICER MAY ORDER, AT ANY TIME
24  DURING THE DUE PROCESS HEARING, THE SUPERVISOR OF THE HOME
25  EDUCATION PROGRAM TO HAVE THE CHILD OR CHILDREN TAKE THE
26  STATEWIDE TESTS AS CONTAINED IN SECTION 1511.1, AS PART OF THE
27  EVALUATION. IF THE STUDENT RECEIVES AN UNSATISFACTORY SCORE, THE
28  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

(K) IF THE BOARD OF SCHOOL DIRECTORS (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 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) (M) AT SUCH TIME AS THE CHILD'S HOME EDUCATION PROGRAM HAS BEEN DETERMINED TO BE OUT OF COMPLIANCE WITH THE
PROVISIONS OF THIS SECTION AND SECTION 1327, THE SUPERVISOR OR
SPOUSE OF THE SUPERVISOR OF THE HOME EDUCATION PROGRAM SHALL NOT
BE ELIGIBLE TO SUPERVISE A HOME EDUCATION PROGRAM FOR THAT
CHILD, AS PROVIDED FOR IN SubSECTION (B)(1) OF THIS SECTION, FOR
A PERIOD OF TWELVE (12) MONTHS FROM THE DATE OF SUCH
determination.

SECTION 3 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 4 5. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.