

Section 14

Home Schooling and Special Education¹

I. District Notices

- A. As soon as the district learns of the parent's intent to home school a student with disabilities or that a resident student with disabilities is home schooled, the Special Education Case Manager will send a written home schooling notice to the parent which states that the district:
 - 1. Stands ready to provide a free appropriate public education if the student enrolls (or re-enrolls) in the district; and
 - 2. Offers an IEP meeting to consider special education and related services in conjunction with home schooling.
- B. The Special Education Department Data Manager provides annual notice that it is ready to provide a free appropriate public education if the student enrolls in the district as long as the student is exempt from compulsory education as a home schooled student, the student remains eligible for special education, and the student is not receiving special education and related services from the district.
- C. A staff person who learns that a parent has withdrawn a student with an IEP from school with the intention of home schooling must notify the special education data clerk and ensure the special education case manager sends prior written notice.
- D. The Special Education Data Manager will review MESD's monthly list of registered home schooled students and send a written notice to any new special education students that appear on the list.
- E. For Annual Notice template, see page 5. Template may be modified to address individual circumstances.
- F. All home schooling notices are maintained in the student's Special Education File ("green file") and scanned into the electronic records system.

¹ In Oregon, students who are home schooled have rights that are somewhat different than private school students. See OAR 581-021-0029.

II. Consideration of Special Education and Related Services in Conjunction with Home Schooling

- A. If a home-schooling parent requests an IEP meeting to consider the provision of special education services in conjunction with home schooling, the IEP case manager will schedule the meeting following usual procedures with the following changes:
1. The student's parent is considered to be both the parent and student's regular education teacher, unless the parent designates another individual as the regular education teacher; and
 2. Under "extent of non-participation in regular education" the IEP states that the student is exempt from compulsory school attendance and regular education is provided through home schooling.
- G. The District develops an IEP for a student with a disability if the IEP team determines that a free appropriate public education (FAPE) can be provided in conjunction with home schooling.
1. FAPE has the same meaning for students who are home schooled as for students who are enrolled in public school.
 2. The team will consider in good faith whether the student's IEP can be implemented effectively in less than full time enrollment in school, and whether changes to the IEP would be consistent with provision of FAPE to the student.
- H. The IEP will state how "satisfactory educational progress" will be determined for the student.
1. A home-schooling parent may use a privately developed plan (PDP) to determine satisfactory progress. If so, the IEP indicates that satisfactory progress will be determined by the PDP team, at parent request.
 2. Unless stated otherwise, "satisfactory educational progress" is determined by the criteria and methods for measuring progress on the IEP.
- I. Services may be provided in the home only to the extent that special education or related services would be provided in the home if the student were not home schooled.
- J. Participation in non-special education classes, services and programs:

1. If the team anticipates that the student may participate in a general education class, the IEP team includes a regular education teacher.
2. Participation in non-special education classes, services and programs for home schooled students is at principal discretion. Principals must use neutral (non-discriminatory) factors in decisions about participation (such as space/capacity).

III. Reevaluation

- A. The district offers to evaluate students with disabilities who are home schooled at least every three years according to the requirements for evaluation and reevaluation.
- B. If the parent refuses consent for such evaluation, or refuses to make the student available, the district notifies the parent it stands ready to conduct the evaluation when the parent gives consent or makes the student available.
- C. If the district does not have sufficient evaluation information to determine eligibility or to develop an IEP, the district is not required to complete these activities. The district will provide prior written notice if the district terminates eligibility or services under these circumstances.
- D. For Three Year Reevaluation Notice template, see page 5. Template may be modified to address individual circumstances. The Special Education Data Clerk will send out this notice to all currently eligible home-schooled students who are not receiving services on an IEP.
- E. The IEP case manager will use the usual procedures for three year evaluations for home schooled students who are receiving services on an IEP.

IV. Testing and Reporting Requirements

- A. If a student with a disability is receiving IEP services from the district and the IEP includes a provision for IEP team assessment of satisfactory educational progress, the district:
 1. Completes the assessment; and,
 2. Provides the parent with a copy of the results, including a summary statement indicating whether the student has made satisfactory educational progress in light of the student's age and disability.

- B. If a home schooled student with a disability is receiving IEP services, the District must include the student in statewide assessments, unless an exemption is requested by the parent.

V. Child Find

- A. If the district suspects that a home schooled student has a disability, the district:
 - 1. Obtains parent consent for initial evaluation; and,
 - 2. Conducts an initial evaluation and determines the student's eligibility to receive special education and related services.
- B. If the student is eligible, the district notifies the parent and offers an opportunity for an IEP meeting to consider initiation of special education and related services to the student with a disability.
- C. If the parent refuses consent, does not respond, or refuses to make the student available, the district will notify the parent that it is ready to conduct the evaluation when the parent gives consent or makes the student available.

Links of Interest

[MESD Home Schooling Information](#)

[ODE Home Schooling Information](#)



**PORTLAND PUBLIC SCHOOLS
SPECIAL EDUCATION**

**501 N. Dixon / Portland, Oregon 97227
Mailing Address: P.O. Box 3107 / Portland, Oregon 97208-3107
Telephone: (503) 916-3152 Fax: (503) 916-3174**

ANNUAL NOTICE: Home Schooling and Special Education Services

DATE:

Student's Name: _____

Date of Birth: _____

Dear _____ :
(Parent's Name)

We were recently informed that you have chosen to home school your child. Your child has been identified as a student with a disability under Oregon law. This letter is to notify you that PPS stands ready to provide your child with a free appropriate public education, including special education and related services, if you decide not to home school your child and your child enrolls in PPS.

This letter is also to notify you that you may request an individualized education program (IEP) meeting to consider the provision of special education and related services to your child in conjunction with your home schooling. If you would like an IEP meeting, please contact the special education program administrator for your child's neighborhood school. Please see the enclosed list to find your special education program administrator. You may also visit our website to find this information at: <http://www.pps.k12.or.us/departments/special-education/1625.htm>.

Best wishes for a successful year.

Sincerely,

Ed Krankowski
Assistant Director

c: Student's File



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ANNUAL NOTICE: Home Schooling and Special Education Services – Three Year reevaluation

DATE:

Student's Name: _____ Date of Birth: _____

Three Year Re-evaluation Date: _____

Dear _____ :
(Parent's Name)

Your child's continuing eligibility for special education services must be reviewed every three years. If you would like your child to remain eligible for special education services, Portland Public Schools will invite you to an evaluation planning meeting to consider what additional evaluation is needed, if any, to determine your child's eligibility.

If you would like an evaluation planning meeting, please contact the special education program administrator for your child's neighborhood school **as soon as possible**. Please see the enclosed list to find your special education program administrator. You may also visit our website with this information at: <http://www.pps.k12.or.us/departments/special-education/1625.htm>.

If we do not hear from you within 10 business days, we will assume that you are not interested in continuing your child's eligibility for special education at this time. You may, at any time, request an evaluation for your child to consider your child's eligibility for special education services.

Sincerely,

Ed Krankowski
Assistant Director

c: Student's File, Special Education Program Administrator