

Homeschooling Under a Private School Umbrella

by Howard Richman

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The compulsory education law in Pennsylvania (Section 1327 of the school code) specifies five legal alternatives: (1) public schools, (2) private schools, (3) church schools, (4) private tutoring, and (5) home education programs.

Most homeschooling families in Pennsylvania form home education programs by filing a home education affidavit for their family. However, a growing number of Pennsylvania families are homeschooling under a church school umbrella instead.

The Home School Legal Defense Association (HSLDA) which provides legal services for homeschooling families now lists the church school as a legal alternative for homeschooling in Pennsylvania.

I recently interviewed Attorney Dee Black who handles Pennsylvania affairs for the HSLDA. He noted that the legality of homeschooling under a church school umbrella is still a "gray" area in the law. It is possible that a court decision could go against it. In that case, the family who was homeschooling under the church school alternative would have to switch to the home education program option. He didn't think that the school itself would get into trouble because complying with the compulsory attendance law is the parent's responsibility, not the school's responsibility.

The church school option requires that the church school comply with the church school law in several ways. First, according to that law, the church school must be "a day school which is operated by a bona fide church or other religious body." Therefore it can't just be started by an individual family, but must be sponsored by a church.

Also the school must file an affidavit with the PA Department of Education letting the state know of their existence and that the required courses are being taught for the required time. Then at the beginning of each year they have to notify the local school district about which students are enrolled in the school and then as the year progresses let the district know when students drop out or have three unexcused absences. Also, although not required by law, the church school should assign an administrator to supervise the homeschoolers.

The easiest way for homeschoolers to come under this option would be to enroll their children in a homeschool program of an already established church school. The school would provide supervision to the homeschoolers and opportunities for the homeschoolers to participate in school classes and/or activities.

It is also possible for a church to establish a school specifically to supervise homeschoolers. That is exactly what Pastor Bill Day's Susquehanna Bible Church did when they founded Susquehanna Bible Academy in 1987 to provide supervision and activities for

homeschooling families. When the Warrior Run School District challenged the attendance of one of their students in the fall of 1994, the school district backed down after a letter from the Home School Legal Defense Association.

Susquehanna Bible Academy has a school handbook which specifies school and parental responsibilities. Pastor Bill Day and his wife Tina visit families in their homes several times each year and especially help new families get started. They also help families with curriculum selection. The academy started small but now includes families in five school districts. Bill invites those interested in starting such a school in their own area to call him (717-271-1722). [Note: Since this article was written area codes in this region of Pennsylvania have been changed from 717 to 570.]

Our hats are off to the Home School Legal Defense Association for working to make this new option a choice for homeschoolers in Pennsylvania. Those who choose to do so should keep in mind that it is still a "gray" area in the law that could be challenged in court and that a court decision could eventually eliminate the option. I recommend that those who choose it also join the Home School Legal Defense Association (540-338-5600) for legal protection so that if their choice of this option is challenged, they will have the best possible chance of winning in court.

Those with high school age students should also keep in mind that they could not use this option and still get diplomas through one of the diploma programs such as PHAA (Pennsylvania Homeschoolers Accreditation Agency) which can only give diplomas to graduates of home education programs. On the other hand, they would not need a PHAA diploma, they could get their diploma from the church school!