

New Bill Aims to Limit Superintendent Oversight

by Howard Richman

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On February 14, Republican Rep. Patrick Fleagle introduced House Bill 505 which, if passed, would limit superintendent oversight over homeschoolers. The bill is now in the House Education Committee.

The bill seeks to make five changes in the Pennsylvania home education law:

1. Only the evaluation (not the rest of the portfolio) would be turned in by homeschoolers to the local school superintendent.
2. Superintendents would no longer be able to dispute a positive evaluation which certified that an appropriate education was taking place.
3. There would be a firm deadline of June 30 for turning in the evaluation. If that deadline were missed, then the homeschooler would receive a reminder and would have 10 days to turn it in. If that deadline were missed, then a due process hearing would occur where the entire portfolio would be examined.
4. If at any time the superintendent has "probable cause" (replacing "reasonable belief") that an appropriate education is not occurring, he would give the family 30 days to turn in a positive evaluation. If that deadline is missed, then a due process hearing would occur where the entire portfolio would be examined.
5. If a family would lose a due process hearing, they would have an additional appeal option (an appeal to the local county court).

Susan and I support this bill, which would continue the child protection that the evaluator gives to homeschooled students in PA while protecting portfolio privacy and ending the fear that some homeschoolers have that the local superintendent might overrule the evaluator.

In the last issue I reported that Rep Fleagle was planning to initiate a new attempt to improve the Pennsylvania home education law, but I noted that he had several severe hurdles to cross. He has successfully overcome the first hurdle by bypassing the issues that divide homeschoolers. All of the groups involved in the negotiations that led to this bill (CHAP, Catholic Homeschoolers of PA, PA Home Education Association, Moderate Moms, HSLDA, and PA Homeschoolers) support it. Dee Black of HSLDA had first advocated this type of moderate law change in 2000, and he wrote the actual language of this new bill.

Rep. Fleagle's bill is still far from passage, and will most likely face many amendments along its course. It must first pass out of the House Education Committee, then the PA House, then the PA Senate, and last the Governor. Also, there is a strong danger that the legislative climate may worsen due to growing publicity of evidence that some child abusers are homeschooling in order to better hide the abuse.

We will be sponsoring a rally in support of this bill at our Homeschool Excellence Day in the East Wing of the Harrisburg Capitol Building on Wednesday October 19. Please plan to attend.