

6. How does the school district home education contact develop a list of eligible home educators?

The home education contact may wish to send a letter to all parents who have conducted a home education program for at least three years, inviting them to submit their names as possible candidates for a home education review committee. The list will be made up of those parents who indicate a willingness to serve on such a committee.

7. What will happen if the home education review committee determines that the home education program is in compliance with the statute?

Once the committee determines that the home education program is in compliance, the parent will no longer be required to submit a portfolio to the home education review committee. The parent will be required to comply with the requirements of a home education program pursuant to Section 1002.41, F.S., as is any parent involved in a home education program.

8. What will happen if the parent of a student who has been found to exhibit a pattern of nonattendance, and who has been enrolled in home education, fails to provide a portfolio for review by the committee?

The committee shall notify the superintendent of schools who shall then terminate the home education program and require the parent to enroll the student in an attendance option provided under s. 1003.01(13)(a), (b), (c), or (e), F.S., within three days. Failure of a parent or guardian to enroll a student in an attendance option after such termination of a home education program shall constitute non-compliance with the compulsory attendance requirement and may result in criminal prosecution of the parent under Section 1003.27(2), F.S.

Interscholastic Extracurricular Activities

1. May home education students participate in "interscholastic extracurricular activities" offered at public schools?

Yes. Section 1006.15 F.S., requires that home education students be given the same opportunity to participate in "inter-scholastic extracurricular activities" as public school students. The law prohibits any requirements that would make participation less accessible for home education students. The law also allows for home education students to develop an agreement to participate in "interscholastic extracurricular activities" at a non-public school.

2. How is the term "interscholastic extracurricular activity" defined by the law?

An "interscholastic" activity is one that is conducted between or among different schools. An "extracurricular activity" is defined as "any school-authorized or education-related activity occurring during or outside the regular instructional day," Section 1006.15, F.S.

For example, districts may not exclude home education students from interscholastic musical ensembles by stating that the performance groups are part of curricular instruction and outside of the realm of extracurricular activities. The 1997 amendment clarifies that a district may not define "extracurricular" in such narrow way. District policies that apply a more narrow interpretation of "extracurricular," and exclude students on this basis, are contrary to the law and legislative intent.

3. What grade levels are allowed to participate in interscholastic extracurricular activities?

Section 1006.15, F.S., primarily addresses students in grades 9-12 but does not prohibit students in lower grades from participation. The by-laws of the governing organization regulate which students, and under what circumstances those students may participate in the interscholastic extracurricular activity.

For example, Section 1006.20, F.S., designated the Florida High School Activities Association as the governing organization for athletics. For the purpose of athletics, the Association defines "high school" as grades 6-12. If athletics are offered in a grade 6-8 school that is governed by this Association, the athletic program must be made available upon request to home education students at that grade level. Section 1006.15, F.S., states that public schools may not belong to any governing organization that discriminates against an eligible home education student.

4. What if the interscholastic extracurricular activity requires a class to be taken in order to participate?

If a class is required in order to take part in the interscholastic extracurricular activity, such as band class during the day in order to take part in the school's marching band, the district must afford the home education student the opportunity to enroll for that class, pursuant to Section 1006.15(5), F.S.

5. Do districts receive any funding when home education students participate in interscholastic extracurricular activities?

No, unless the home education student enrolls in a class required to participate in the interscholastic extracurricular activity. The district may report that student for FTE purposes. Additionally, home education students may be required to pay any of the fees or costs that are required of all participating students.

6. **May a district develop policies that restrict the access of home education students to interscholastic extracurricular activities?**

No. Districts may establish policies for participation that apply to all students, such as evidence of required immunizations, medical clearance for sports activities, auditions and class participation. However, the district may not enact policies that would apply different standards to home education students or make it more difficult for them to participate.

7. **Must home education students who participate in interscholastic extracurricular activities offered at public schools comply with school entry immunization requirements?**

Yes. If the home education student is participating in interscholastic extracurricular activities under Section 1006.15, F.S., the student must meet the same immunization requirements as students attending any non-home education program.

8. **How are grade point average requirements applied to interscholastic extracurricular activities?**

In order to participate in interscholastic extracurricular activities, a home education student must have the required 2.0 or better grade point average in academic courses. This applies to both public and home education students. The law allows for a method of evaluation of the student's progress to be agreed upon by the parent and the principal. The evaluation may be based on a teacher's review of the student's work, grades earned through correspondence or at a postsecondary school, standardized test scores, or other method as allowed by Section 1002.41, F.S.

9. **How does the district determine at which school the home education student may participate in interscholastic extracurricular activities?**

Under Section 1006.15, F.S., "an individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions." The home education student must meet the same residency requirements as other students to participate in interscholastic extracurricular activities.

Exceptional Student Education

- 1. If a home education parent suspects that their child has a disability, is the school district required to evaluate the child?**

Yes. The school district is obligated to “identify, locate, and evaluate” all children with disabilities, including those attending private schools and home education programs, in accordance with the Individuals with Disabilities Education Act (IDEA). This evaluation must be at no cost to the parent.

- 2. In this circumstance, how would a home education parent access evaluation services?**

The parent should contact the exceptional student education administrator in the school district in which they reside.

- 3. What would be required of the home education parent?**

The school district would require that the parent sign a written consent for the evaluation. The district is also required to review existing information on the child before conducting an evaluation. The parent may be asked to provide information from the child’s portfolio and may also be asked to complete checklists and/or informal observations.

- 4. After the evaluation is conducted, what will occur?**

The parents will be invited to attend a meeting in which school district staff will review the outcome of their child’s evaluation. Following that review, a determination will be made regarding whether or not the child is considered an eligible child with a disability as defined by Florida State Board of Education Rules.

- 5. What is the school district’s obligation, if the child is eligible?**

If the home education parent chooses to enroll the child in public school, the school district must ensure that a free and appropriate education is made available to the child.

- 6. What if the parent does not elect this option?**

The district may propose to provide some level of service to the child. For instance, if it is determined that the child needs speech/language therapy services, the school district may allow the child to come to a public school near the child's home for those services during the week.

Dual Enrollment

1. **Does a home education student have to receive permission from the school district to participate in dual enrollment on the postsecondary campus?**

No. However, a home education student must provide proof of enrollment in a home education program. Upon request, the school district must provide parents with annual verification of student enrollment in a home education program or provide that information directly to the postsecondary institution.

2. **May home education students take dual enrollment courses at district high schools?**

Yes. Districts that have a part-time enrollment policy may enroll home education students in the school district and receive FTE for the student. This is a local decision that is articulated in the district pupil progression plan.

3. **Does a postsecondary institution have to provide instructional materials /textbooks for home education students?**

No. The law specifically states home education students are responsible for providing their own instructional materials. However, this section of statute does not prohibit a postsecondary institution from providing dual enrollment materials/books to home education students.

4. **Is the school district responsible for the transportation of a home education student to a dual enrollment course?**

No.

5. **Is a home education student limited to the same course options as a public school student?**

No. Pursuant to s. 1007.271(10), F.S., postsecondary institutions shall delineate courses and programs available for home education students. Courses may be added, revised, or deleted at any time.

6. **Should the postsecondary institution report course grades to the student's school district?**

No. The school district has no record-keeping responsibility for home educated students.

7. **Is there a minimum age or grade level required of a home education student for participation in dual enrollment?**

Each postsecondary institution is authorized by s. 1007.271(10) F.S. to establish eligibility criteria for dual enrollment to ensure college readiness. The criteria for home education students may not exceed those required of other dually enrolled students.

8. **Is there a minimum GPA for home education students to participate in dual enrollment?**

No.