



California Homeschool Network

Strengthening the Voice of California Homeschoolers™

Just the Facts

2010 Edition

A Step By Step Guide to Starting Your Homeschool

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Step 1: Legal Options

Depending on the legal option you choose,
you will go to **Step 2** (Options 2 & 3)
~ or ~ **Steps 3 & 4** (Option 1),
then continue with **Steps 5 through 8** for all options.
Start with **Step 5** if you choose Option 4.

- State law requires all children between the ages of 6 and 18 to be enrolled in a public school, unless they are attending a "full-time, private day school" or being instructed by a private tutor who holds a valid California teaching certificate. (*California Education Code §48222*)
- This allows homeschooling parents four options:
 1. Establish a home-based private school
 2. Enroll in a private school that offers independent study
 3. Enroll in a public school that offers independent study
 4. Utilize a credentialed tutor - or the parent, if so qualified

Option 1: Private School Affidavit (PSA, formerly known as R-4)

- Skip Step 2. Go to Steps 3 & 4 for instructions on setting up your own private school, then go to Steps 5 through 8.

Option 2: Private School Satellite Programs (PSPs)

- Go to Step 2 - Choosing a PSP (Private School Satellite Program), then Steps 5 through 8.

Option 3: Public School ISPs or Charter Schools

- Go to Step 2 - Choosing an ISP (Independent Study Program), then Steps 5 through 8.

Option 4: Credentialed Teacher/Tutor

A parent with a current California teacher's credential may teach his/her child under the private tutorial exemption. The parent can use this option only for the grades their credential covers. Parents may also hire a credentialed tutor for their child. No notification is required, but tutors are required to teach for a minimum of three hours each day, 175 days per school year, Monday through Friday, between the hours of 8:00 am and 4:00 pm.

These minimums do not apply to private schools.

- Skip to Steps 5 through 8 for information on withdrawing from school, requesting student records, and designing an individualized course of study.

**For a complete discussion of these options, please visit our
How To Homeschool section at www.CaliforniaHomeschool.net.**

Step 2: Choosing a PSP or an ISP

Option 2: Private School Satellite Programs (PSP)

Pros:

- Administrative matters are handled by the private school.
- Family anonymity is protected.
- Support systems are offered to varying degrees, depending on the school.

Cons:

- Tuition fees.
- Some measure of restriction through compliance with curriculum guidelines, administrative supervision, and/or record-keeping, depending on the school.

Locating a PSP:

- Local Contacts often are aware of PSPs in their communities.
- Check with site-based private schools to see if they offer independent study.
- Check internet websites for local support groups in your community.

Option 3: Public School ISP or Charter Schools

Pros:

- Materials are available on loan, and consumables are offered free of charge.
- Support systems are offered to varying degrees, depending on the school.

Cons:

- Subject to the dictates of state and local authorities.
- Moderate to heavy restrictions through compliance with curriculum guidelines, administrative supervision, and/or record-keeping, depending on the school.
- Public programs may not offer religious materials.

Locating a Public ISP:

- Ask your local high school or district office
- Ask your Local Contact or other homeschoolers in your area
- Check phone book yellow pages for local charter schools
- Check with the California Department of Education

The most important consideration in choosing an ISP is to find one that respects your authority as the parent and works with you to serve your student's individual educational needs. Ask questions before choosing, and remember that you can change your student's enrollment at any time.

Step 3: Setting Up a Private School

A "private school" is any school, whether conducted for profit or not, giving a Course of training similar to that given in a public school at or below the twelfth grade, including but not limited to schools owned or operated by any church.

California Vehicle Code §492

Option 1: Private School Affidavit (PSA, formerly known as R-4)

Pros:

- Great scope of independence and freedom to share your child's education.
- Financial outlays are controlled by you.

Cons:

- You bear responsibility to adhere to all private school laws and maintain records.
- Support systems are not automatically at hand, but must be sought out or created.

Setting Up Your Private School:

Step 1: Create your school records. ***You are never required to show these records to anyone, unless ordered by a court to do so.***

Three documents are required for each school to have on hand.

1. **Attendance Register** - you only need to keep track of instances where a student was absent at least 1/2 day while school is in session.
2. **Teacher Names, Addresses & Qualifications** - since there are no minimum qualifications, whatever you include here will suffice.
3. **Course of Study** - a list (however detailed you wish) of the courses your school offers and objectives for each course.

Note: For more information on Private School records, see our *How To Homeschool* section on the CHN website www.CaliforniaHomeschool.net. Sample forms for these records are included on our CHN Homeschool CD available for purchase on the web site.

Step 2: Enroll your student(s)

It is at this point that your students are no longer required to attend their previous school. **See Step 5** for withdrawing your students.

Step 3: File Your Private School Affidavit (PSA)

From the website of the California Department of Education:

Who should file a Private School Affidavit?

Persons, firms, associations, partnerships, or corporations offering or conducting **full-time day school** at the elementary or high school level for **students between the ages of 6 and 18 years**.

As you can see, you file the Affidavit **after** you start your school, to notify the CDE that you are currently operating a private school.

California Education Codes

California Private School Requirements

Education Code sections §48222, §48415, §33190, §51210 and §51220 set the criteria for a private school. The following legal requirements apply to all private schools regardless of size:

- The administrator of every private school must file an affidavit with the Superintendent of Public Instruction between October 1st and October 15th of each year.
- Private school instructors must be "capable of teaching." There is, however, no requirement in the CA Education Code that mandates that teachers in a private school setting hold a state teaching credential or have the equivalent training.
- The names and addresses, including city and street, of the faculty must be kept on file, as must a record of the educational qualifications of each instructor.
- Instruction must be in English.
- Instruction must be offered "in the several branches of study required to be taught in the public schools." The materials and methods you use to teach these areas are up to you. Subjects required are as follows:
 - Grades 1-6: English, math, social sciences, science, fine arts, health and phys ed.
 - Grades 7-12: All that is included in the above plus: foreign language, applied arts, vocational ed and drivers ed.

Refer to: Education Code §51210 Areas of Study Grades 1-6 ~ and ~
Education Code §51220 Areas of Study Grades 7 to 12.

- California Educational Code §44237(b)(4), the fingerprinting requirement, does not apply to a "parent or legal guardian working exclusively with his or her own children."

ACCESS THE ENTIRE CALIFORNIA EDUCATION CODE HERE:

www.leginfo.ca.gov

How the Private School Affidavit Works

The State Department of Education, as well as any county or local public school district, lacks jurisdiction over the establishment or operation of private elementary and secondary schools. By filing an affidavit you are showing that you have established a private school. Parents have been legally using this provision for many years to conduct their own home-based private schools.

"There is nothing in current California law that prevents a parent without a teaching credential from filing a Private School Affidavit pursuant to Education Code section 33190. If a valid affidavit is on file, then a child attending that private school is exempt from public school attendance under Education Code section 48222."

CDE policy statement, 2004

Public school personnel have only two authorities with respect to private schools:

- ⇒ If you are contacted by an attendance officer, they may verify the enrollment of a particular student by inquiring about that student *by name*. You will then need to provide the name and address of the school your children are attending.
- ⇒ They may also verify that a private school has filed an affidavit as required by law, by contacting the California Department of Education. You may choose to offer a photocopy of your affidavit (make sure you keep your original copy).

The only school records they can request to see is a copy of your school's affidavit and a letter from you confirming that a named student is enrolled in your school.

Step 4: Filing a Private School Affidavit

When to File:

- State law requires all private schools in California, regardless of size, to file an annual affidavit between October 1 and October 15 of each school year.
- Schools that begin at the first of the school year will wait until October 1 to file their affidavit, even if it is their first filing.
- Schools that start after October 15, but before the end of the current school year, file their affidavit when their school is started.
- No truancy claims can be made against a student enrolled in a private school that is waiting until October 1 to file without also thereby claiming that every private school student is truant, since all private schools must wait until October 1 each year to file.

How To File:

1. Electronic PSA - Fill Out online at the CDE's website; print your file copy

Advantages:

- The CDE electronic PSA offers quick access to the standardized form.
- Using the CDE's standardized form keeps your affidavit looking like those used by more traditional private schools.

Disadvantages:

- This form is not consistently available all year; schools needing to file their affidavit mid-year may not have access.
- You must be able to print a confirmation page immediately after submitting information online.
- This form requests extra information not required by the Ed. Codes, mostly for statistical purposes.

How to file an Electronic PSA:

The Electronic PSA may be completed online at the California Department of Education website. You can access it from the CHN web site www.CaliforniaHomeschool.net by clicking on *How To Homeschool* and then on *Establishing Your School*. After submitting all required information, a confirmation page is created. This confirmation page needs to be printed out and kept for your records.

General instructions on filling out the Electronic PSA:

Only questions with an asterisk are required.

School Information

- Enter your school's name, physical address, mailing address (if different), phone number, email address, the county in which the school is located and your public school district.
- Enter your CDC number if you have one. Only schools with six or more students are issued this number.
- Choose "co-educational" as your type of school, "day-only" for school accommodations and "non religious" for classification of school.
- Range of grades offered is 1st through 12th and your school may offer a diploma, so mark "yes".
- If your school name has changed or you have changed districts, answer the appropriate questions.

Statistical Information

- Enter the range of ages of your enrolled students. If only one student, put that age in both boxes. Do not list children if they will not turn 6 years old by December 2nd of that school year.
- List number of students per grade, or choose ungraded elementary and/or secondary. Leave a zero in the kindergarten box.
- List number of previous year's graduates; if this is your first year, enter 0.
- List staff, counting each adult only once; one full-time teacher and no other staff is perfectly acceptable.

Step 4 (Continued)

How to fill out the Electronic PSA (continued)

Staff and School Records

- You must list one Administrator, one Director and one Custodian of Records
- this can all be the same person.

Tax Status

- Select "None of the Above."

Acknowledgements and Statutory Notices

- You'll need to check each of the boxes listed in this section indicating your understanding.

Section 9: Electronic Signature

- Enter all the information required for the "electronic signature", print a copy of this page for your records, then click "submit form." Your browser will show a "Confirmation" page, with a confirmation number and date / time filed. Print a copy of this confirmation for your records as well. You will not need to mail in a signed copy.

For more detailed instructions on filling out the PSA online, download our free step by step guide from the *How To Homeschool* section at www.CaliforniaHomeschool.net.

2. Request a Paper Affidavit from the CDE

Private schools may request a paper Affidavit by writing to the CDE no earlier than August 25. This is to accommodate those schools without internet access. Written requests may be e-mailed to the Elementary Education Office at privat-eschools@cde.ca.gov, faxed to 916-319-0126, or mailed to: Elementary Education Office Attn: Private School Affidavit California Department of Education 1430 N Street, Room 4401 Sacramento, CA 95814.

3. Statement In Lieu (SIL) - Use CHN's form or your own; mail signed copy

Advantages:

- If the state forms are not available for any reason, you always have the option to file your own SIL
- Filing a SIL ensures that you are providing only information legally required by the California Education Code.
- The CDE has reviewed CHN's SIL and verified that it meets all requirements for filing.

Disadvantages:

- The CDE prefers that we use their standardized form PSA (formerly known as R-4). A SIL may stand out.

How to file a Statement In Lieu

CHN has created two Statements In Lieu for your optional use. In addition, we have written Guidelines to assist you in creating and filing your own Statement in Lieu. These forms are available for free download at our web site www.CaliforniaHomeschool.net under the *How To Homeschool* section.

When your Statement In Lieu is complete, retain a copy for yourself and mail the signed original to the CDE:

Private Schools Affidavit
California Department of Education
1430 N Street, Suite 4401
Sacramento, CA 95814

Request a Statement In Lieu through the mail:

If you do not have internet access or cannot print the Statement in Lieu form at CHN's website, please call our Homeschool Hotline at 800-327-5339 and request that a printed form be mailed to you. Keep a photocopy of your completed form and mail the signed original to the CDE.

Step 5: Withdrawing Students

Regardless of the method chosen, you will need to formally withdraw your child from the previous school of enrollment. Until this is done, that school will consider your child to be absent or truant.

- If you have chosen an ISP or set up your own private school, you will need to call or write to the school and let them know your child will be attending another school.
- If you have chosen the tutor option, simply notify the previous school that this is what you are doing.
- If you do NOT withdraw your child formally, you will almost certainly be contacted by an attendance officer because the child will be considered truant.
- If your child has never been enrolled in any school, no notification is necessary.

Step 6: Student Records

Each school needs to keep a cumulative file for each enrolled student. This record is considered confidential, and should never be relinquished unless the child transfers to another school. You will be responsible for updating these records each year while the student is enrolled in your school.

If your children have never been enrolled in any school, you will need to create a cumulative file for each of your students. See **Step 6(a)** for the required information.

If your children previously attended any public or private school, those records will be transferred to your school. See **Step 6(b)** to request those records

Step 6 (a): Creating Student Records

The following information should be kept in a file for each enrolled student:

- 1) Legal name of student;
- 2) Date of birth, place of birth and verification of birth date
- 3) Sex of pupil
(A copy of the birth certificate should contain all information listed above.)
- 4) Name and address of parent of minor pupil
- 5) Entering and leaving date of each school year
- 6) Subjects taken during each year
- 7) Makes, grades or credits if given. Marks or credits toward high school graduation.
- 8) Date of high school graduation or CHSPE, GED equivalent.
- 9) Health and Immunization Records:

Option 1: Use Health Form PM286 OR sign the waiver on the back of the form

Option 2: Use Form PM 171A or sign the waiver for this form which is PM171B.

You may opt to sign the waiver rather than fill out the form for either medical reasons or personal beliefs.

These forms and information flyers are available online at the Department of Health www.dhs.ca.gov under *Publications* and on the CHN web site www.CaliforniaHomeschool.net under *How To Homeschool* and *School Records*.

Step 6 (b): Requesting Student Records

- As a private school administrator, you send a letter from your school to the prior school, requesting your students' records.

Ed Code Section §49068: Whenever a pupil transfer from one school district to another or to a private school, or transfers from a private school to a school district within the state, the pupil's permanent record or a copy thereof shall be transferred by the former district or private school upon a request from the district or private school where the pupil intends to enroll.

- As a parent, you also have the right to a copy of your child's records, just by requesting them.

Ed Code Section §49069: Parents of currently enrolled or former pupils have an absolute right to access to any and all pupil records to their children which are maintained by school districts or private schools. The editing or withholding of any such records, except as provided for in this chapter, is prohibited.

- Records are often slow in arriving and sometimes they never do come. Your private school has met its obligation by requesting the records, and you are not responsible for another school not sending them.

Sample Letter Requesting Student Records

- Copy and paste the below sample letter into any word processing program to create your school's letter. Be sure to change the sections that are *(italicized and in parentheses)* to include the specific information for your school and student. While it is not required, you may choose to create a letter-head form for your school, if you wish. Print your letter, sign it, and mail it to your child's previous school.

(date)

(name and address of previous school)
(address of school)

Re: *(student's name)*
DoB: *(student's date of birth)*

Dear Registrar:

This letter is to inform you that *(student name)*, date of birth *(xx/xx/xx)*, has enrolled at *(name of your private school)* for the remainder of the current school year. Please send *(his/her)* cumulative file to this school at the address below, pursuant to California Education Code section 49068.

Thank you for your assistance.

Sincerely,

(Your name)
(Your title, such as: School Secretary or School Administrator)
(Your private school's name, unless included in letterhead)
(Your private school's mailing address, unless included in letterhead)

Step 7: Designing a Course of Study

If you are enrolled with an ISP or PSP, they will offer varying degrees of requirements and suggestions. If you are operating your own private school, curriculum decisions are left entirely up to you. The choice of a curriculum is based on your educational philosophy and the learning styles and developmental stages of each child.

Questions to consider:

- What are my children's learning styles?
- Where are they developmentally?
- Are they far ahead in certain subjects, while lagging behind in others?
- How much freedom do I think children should have to follow their own interests?
- What does "well-educated" mean to me? To my children?
- Determine which skills and content areas are important to you - set your own standards!

Customizing for your children's needs: When you choose your curriculum it is beneficial to be familiar with one or more of the learning style modalities so that you can decide what materials best mesh with your child's learning styles. Search the internet for books on Learning Styles or ask your local and online support groups for help.

In curriculum, as in other areas of homeschooling decisions, your approach may change over time. Some new homeschoolers start with a packaged curriculum because the parents are concerned about their abilities, or because it is what their child has been used to in school. Later some find the pre-packaged curriculum too restrictive and time-consuming, and opt for a more individualized approach.

Correspondence Schools:

Several correspondence schools and distance learning schools are available throughout the country.

- If the school files a private school affidavit in California, then the school functions as a PSP.
- If the school does not file an affidavit in California, then enrollment in their program will only provide the curriculum and course of study, but will not meet the requirements for compulsory attendance in California. Your child will still need to be enrolled in a PSP, a home based private school, or covered by the tutor option.

Where to Find Curriculum Resources:

Resources for finding curriculum gems are local support group members, online support loops, curriculum fairs, and exhibit halls at homeschool conferences.

Online, use your favorite "search" engine with the terms "Homeschool Resources" or "Homeschool Curriculum" for a wide variety of options.

In the beginning, spend more TIME than MONEY. You'll end up saving both!

Step 8: The Homeschool Community

What about socialization?

There are plenty of opportunities for homeschoolers to socialize. There are homeschool support groups, community activities like sports or Scouts, specialty classes in music, and after-school play with public schooled friends. Because they have continual interaction and modeling from adults, homeschooled children are less peer-dependent and more comfortable with all age groups than their public school counterparts.

How can I find other homeschoolers?

CHN Local Contacts can tell you about support groups and activities in their areas. You may also find that online support groups are useful and can help you connect with homeschoolers in your area. A support group is a great place for new homeschoolers. Parents can get encouragement and information from more experienced homeschoolers. The whole family can enjoy field trips, projects, cooperative classes and friendships available through a local support group.

Check out our website for listings of Local Contacts and Support Groups www.CaliforniaHomeschool.net

CHN E-Mail Lists

California Homeschool Network's public email lists are an excellent way to interact with others homeschoolers and keep abreast of events and issues affecting homeschooling in our state. The CAHomeschool List is a high-volume list where homeschoolers from around the state can ask questions, share stories, have fun and gain support. The Calendar List is relatively low in volume and allows members to post events of interest happening throughout the state and the Preschool List is for parents of young children. All important items such as Legislative alerts, CDE issues, etc. are posted by the moderators. You can subscribe to any or all of these lists on our website www.CaliforniaHomeschool.net

Can I really do this?

Thousands of other parents of all educational backgrounds are successfully homeschooling. Fortunately, whatever decision you make is yours to change.

- There is no homeschooling bureaucracy;
- There are no committees to pass judgment;
- There are no forms to fill out in triplicate

Help is Available

Our web site www.CaliforniaHomeschool.net will provide you with information on all aspects of homeschooling. Through our people and our publications, the California Homeschool Network is ready to help you get off to a great start in homeschooling.

Step 9: Legal Assurance - What to Do if Contacted by Authorities

Rule #1 is don't panic! This is the homeschool version of stop, drop and roll. Whether someone shows up at your door, or you get a letter or phone call, stay calm, deal with the immediate situation, and then follow up with the homeschool version of 911 by calling CHN.

CHN's Homeschool Hotline: 800-327-5339

Your encounter will be by phone, at the door or by letter. Please remember that they are rare, and the odds are in your favor that you will never be approached. CHN does not want to scare anyone, but we also want you to be strong and fully informed so that you do the right thing. Here are some suggestions for various scenarios:

By letter: CHN's Legal Team would like to see a copy of this letter as soon as possible. Don't panic! Let us read it and talk to you about it! Most are not as serious as they seem when first read, and you don't need to pack up and move out of state. Yes, we've had people contact us who were ready to move just because a letter showed up in their mailbox! Please FAX the letter to CHN's Legal Team any time, day or night. Don't ignore letters. All must be responded to, and often CHN can do it on your behalf.

CHN's Legal Team Fax: 866-381-8239

By phone: Ask what it is in regard to and then take a message, either because "school is in session" or because your children need you or you are busy. Be professional and courteous, but firm, remembering that it is your home they are calling, and any call can be returned at your convenience. Then call CHN's Homeschool Hotline (above) or email CHN's Legal Team at chn_legal@californiahomeschool.net to notify us and discuss what you should do next.

At the door: The easiest way to handle this is to have a family policy that you never open your door to uninvited guests. That's not a homeschooling rule; that a "we no longer live in the safe olden days" rule. Thanks to CHN, many families now have "we don't answer our door if we aren't expecting you" laminated notes on their front doors. You can see samples that you can print on CHN's CD available for purchase on the web site www.CaliforniaHomeschool.net.

If someone does open the door, and you have a face-to-face meeting, leave your children inside. Step outside, and close the door, keeping the following information in mind:

- A warrant is needed to enter your home.
- No one is authorized to visit and evaluate your school.

Then, when the meeting is over, call the Homeschool Hotline or email CHN's Legal Team. We're here to help.

Step 10: Keep CHN In Your Corner

Download a copy of this publication for FREE!

Visit CHN's web site www.CaliforniaHomeschool.net and print out your free copy for reference.

Call CHN's Homeschool Hotline - 800-327-5339

Call us, if you have any questions or concerns about your homeschooling. Leave your name, phone number, and question, and a volunteer will return your call.

Your Membership in CHN Supports California Homeschooling

The California Homeschool Network was founded to aid you in having a successful homeschool experience. We are the only inclusive statewide organization with an elected board of trustees. It is through our combined group efforts that we can help California's homeschoolers with our statewide support lists, annual Family Expo, legal support, legislative monitoring, camping trips, publications and outreach efforts. Please consider joining CHN and help us continue fulfilling our motto:

Strengthening the Voice of California Homeschoolers