



Province of Alberta

## SCHOOL ACT

# HOME EDUCATION REGULATION

### **Alberta Regulation 145/2006**

With amendments up to and including Alberta Regulation 136/2016

### Office Consolidation

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(Consolidated up to 136/2016)

**ALBERTA REGULATION 145/2006**

**School Act**

**HOME EDUCATION REGULATION**

*Table of Contents*

- 1 Definitions
- 2 Notice of intention to provide home education program
- 3 Home education program
- 4 Evaluation of student progress
- 5 Responsibilities of associate board or associate private school
- 6 High school credit eligibility
- 7 Funding
- 8 Termination of home education program
- 9 Ministerial review
- 10 Repeal
- 11 Expiry

Schedule

**Definitions**

**1** In this Regulation,

- (a) “Act” means the *School Act*;
- (b) “Alberta Programs of Study” means the courses of study, education programs and instructional materials prescribed, authorized and approved by the Minister under section 39(1)(a), (b) and (d) of the Act;
- (c) “associate board or associate private school” means
  - (i) the resident board,
  - (ii) the willing non-resident board, or
  - (iii) the private school accredited under section 28(2) of the Act

that is supervising or has agreed to supervise a home education program;

- (d) “evaluation” means a judgment as to the quality, worth or value of a response, product or performance of a student in a particular year, based on the activities selected by a parent to be focused on in a home education program for that year pursuant to section 3(3);
- (e) “home education program” means an education program provided by a parent to a student in accordance with this Regulation, but does not include any portion of an education program that is the responsibility of a board or an accredited private school to deliver;
- (f) “outcomes” means,
  - (i) with respect to a student receiving a home education program that follows the Alberta Programs of Study, the learning goals prescribed by the Minister, and
  - (ii) with respect to a student receiving a home education program that does not follow the Alberta Programs of Study, the learning goals set out in the Schedule;
- (g) “resident board” means the board of the district or division of which a student is a resident student;
- (h) “teacher” means a teacher as defined in the Act;
- (i) “willing non-resident board” means a board that is not the student’s resident board but has agreed to supervise a home education program.

#### **Notice of intention to provide home education program**

**2(1)** A parent who intends to provide a home education program to a student during a school year must notify the associate board or associate private school of that intention using the form set by the Minister.

**(2)** A parent who is providing a home education program to a student during a school year and intends to continue doing so during the next school year must notify the associate board or associate private school of that intention using the form set by the Minister.

**(3)** An associate board or associate private school that receives a notice under subsection (1) or (2)

- (a) must complete its portion of the form referred to in subsection (1) or (2), and

- (b) must notify the parent in writing within 15 school days after receiving the notice that it agrees to supervise or continue to supervise the home education program.

**(4)** An associate board or associate private school must notify the parent of any implications that a home education program may have on the student's eligibility to be granted high school credits under section 6.

#### **Home education program**

**3(1)** A parent who intends to provide a home education program must develop the program.

**(2)** A home education program must enable a student to achieve outcomes that are appropriate to that program.

**(3)** Each year a parent who intends to provide a home education program must select activities to be focused on in the year that will enable the student to achieve the ultimate goal set out in subsection (2).

**(4)** A home education program may follow the Alberta Programs of Study.

**(5)** Where a home education program does not follow the Alberta Programs of Study,

- (a) the parent providing the program must certify, using the form set by the Minister, that the activities selected by the parent for the year under subsection (3) will enable the student to achieve the ultimate goal set out in subsection (2), and
- (b) the associate board or associate private school that will supervise the program must accept the program, including the selection of activities, in writing.

**(6)** A parent referred to in subsection (5) must provide to the associate board or associate private school a written description of the program which must include

- (a) a list of the activities selected by the parent under subsection (3) and an explanation as to how those activities will enable the student to achieve the ultimate goal set out in subsection (2),
- (b) the instructional methods and resources to be used,
- (c) the means of conducting evaluations of the student's progress, and

(d) the name of the person instructing the home education program, if not the parent.

(7) A parent who has provided a description of a home education program under subsection (6) may alter the program, and must notify the associate board or associate private school of any significant changes to the program.

(8) A teacher employed by the associate board or associate private school must, at the request of a parent, advise and provide assistance to the parent in the preparation of the written description of a home education program.

(9) A parent providing a home education program must administer and manage the home education program.

#### **Evaluation of student progress**

**4(1)** A parent providing a home education program to a student

- (a) must, at regular intervals, conduct an evaluation of the progress of the student
  - (i) by maintaining dated samples of student work and a general record of the student's activities, and
  - (ii) by maintaining a record of the methods and dates of those evaluations,
- (b) must be available for a regular review of the student's achievement with the associate board or associate private school at a time and place mutually agreeable to the parent and the associate board or associate private school, and
- (c) must ensure that the student is available in order that the associate board or associate private school may conduct an evaluation of the progress of the student
  - (i) at a time and place mutually agreeable to the parent and the associate board or associate private school, and
  - (ii) in the presence of the parent, if the parent chooses to be present.

**(2)** An associate board or associate private school supervising a home education program

- (a) must ensure that a student at a level equivalent to grade 3, 6 or 9 is given the opportunity to write the grade 3, 6 or 9 provincial achievement test, as the case may be,
  - (i) at the time designated by the Minister, and
  - (ii) under the supervision of the associate board or associate private school,
- (b) must arrange for teachers employed by the associate board or associate private school to conduct at least 2 evaluations of the progress of the student in each school year,
- (c) must record in the records maintained under section 5(e) the results of the tests, if written, referred to in clause (a) of this subsection and of the evaluations referred to in subsection (1)(c),
- (d) must advise the student's parent as to the progress of the student, and
- (e) must make recommendations to the student's parent on any matter that may assist the student in attaining a higher level of achievement, where necessary.

**Responsibilities of associate board or associate private school**

**5** An associate board or associate private school supervising home education programs must

- (a) facilitate student learning by offering assistance and advice to parents providing home education programs,
- (b) assign teachers to home education who are supportive of home education parents and students and who are informed about the special characteristics of tutorial learning,
- (c) provide parents providing home education programs with access to a copy of all policies of the associate board or associate private school respecting the supervision of home education students and notify parents of any changes in those policies,
- (d) advise parents providing home education programs of the services and resources of the associate board or associate private school that are available for use by the parents and students,

- (e) provide for and maintain student records and advise parents providing home education programs that they may view those records, and
- (f) advise a parent providing a home education program of entries made in the records maintained under clause (e) relating to the progress of the student.

#### **High school credit eligibility**

**6** On the recommendation of a school principal, a student receiving a home education program that follows the Alberta Programs of Study is eligible to receive high school credits if the student achieves the course standards and outcomes prescribed by the Minister.

#### **Funding**

**7(1)** The Minister must provide funding in accordance with the regulations made under the *Government Organization Act* or the *School Act* to an associate board or associate private school that supervises a home education program.

**(2)** An associate board or associate private school must offer not less than 50% of the home education program funding received under subsection (1) to the parents who are providing home education programs to students.

**(3)** Notwithstanding subsection (2), if a parent chooses to use distance learning materials approved by the Minister, the associate board or associate private school is entitled to use the portion attributed to the parent under subsection (2) to pay for those materials.

**(4)** A parent who receives funding under subsection (2)

- (a) must
  - (i) use the funding only to defray the costs incurred by the parent for programs of study, instructional materials or other resources related to the home education program, and
  - (ii) provide the associate board or associate private school with receipts showing how the funding was spent,

and

- (b) must not use the funding



- (i) as a form of personal remuneration, or
- (ii) to pay for travel costs or other expenses usually required to be paid by a parent of a student who is enrolled in a school operated by a board or private school.

**(5)** A parent may decline all or part of any funding offered by an associate board or associate private school under subsection (2).

**(6)** Any instructional materials, other than materials that cannot be used again, purchased by a parent with funding received under subsection (2), must be returned to the associate board or associate private school within one year following the student's completion of the course to which the materials relate if the associate board or associate private school requests those materials within that year.

#### **Termination of home education program**

**8(1)** During the school year, an associate board or associate private school supervising a home education program may terminate the home education program by notice to the parent if

- (a) the associate board or associate private school determines that the student is not making reasonable progress in the activities selected by the parent under section 3(3) or in achieving the ultimate goal set out in section 3(2), or
- (b) the parent providing the home education program has not met the requirements of this Regulation.

**(2)** A notice under subsection (1)

- (a) must be in writing,
- (b) must contain reasons for the termination, and
- (c) must inform the parent of the parent's right under section 124 of the Act to ask the Minister to review the decision to terminate the home education program.

**(3)** A termination under subsection (1)(a)

- (a) must be made in consultation with the parent, and
- (b) must give due consideration to
  - (i) the age, grade level and abilities of the student, and
  - (ii) the evaluations of the progress of the student conducted by the associate board or associate private school and the parent under section 4.

- (4) A parent may terminate a home education program by
- (a) providing notice of the termination in writing to the associate board or associate private school, and
  - (b) enrolling the student in a school operated by a board or private school.
- (5) Where a student is enrolled in a school operated by a board or private school under subsection (4)(b), the board or private school may assess the student for the purpose of determining the student's appropriate grade or high school course placement.
- (6) If an associate board or associate private school terminates a student's home education program under subsection (1) when the student has the right of access to an education under section 8 of the Act, the associate board or associate private school
- (a) continues to be responsible for the student's education program for the remainder of the school year, and
  - (b) must ensure that the student has access to an appropriate education program for the remainder of the school year.

**Ministerial review**

**9** A decision made by an associate board or associate private school under this Regulation may be reviewed by the Minister in accordance with section 124 of the Act and the Minister may exercise the powers set out in section 125 of the Act when reviewing the decision.

**Repeal**

**10** The *Home Education Regulation* (AR 126/99) is repealed.

**Expiry**

**11** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on August 31, 2018.

AR 145/2006 s11;164/2011;231/2012;133/2015;136/2016

## Schedule

### **Learning Outcomes for Students Receiving Home Education Programs That Do Not Follow the Alberta Programs of Study**

**1** A basic education must provide students with a solid core program including language arts, mathematics, science and social studies.

**2** Students are expected to develop the knowledge, skills and attitudes that will prepare them for life after high school. A basic education will allow students to

- (a) read for information, understanding and enjoyment,
- (b) write and speak clearly, accurately and appropriately for the context,
- (c) use mathematics to solve problems in business, science and daily life situations,
- (d) understand the physical world, ecology and the diversity of life,
- (e) understand the scientific method, the nature of science and technology and their application to daily life,
- (f) know the history and geography of Canada and have a general understanding of world history and geography,
- (g) understand Canada's political, social and economic systems within a global context,
- (h) respect the cultural diversity, the religious diversity and the common values of Canada,
- (i) demonstrate desirable personal characteristics such as respect, responsibility, fairness, honesty, caring, loyalty and commitment to democratic ideals,
- (j) recognize the importance of personal well-being and appreciate how family and others contribute to that well-being,
- (k) know the basic requirements of an active, healthful lifestyle,
- (l) understand and appreciate literature, the arts and the creative process,

- (m) research an issue thoroughly and evaluate the credibility and reliability of information sources,
- (n) demonstrate critical and creative thinking skills in problem solving and decision making,
- (o) demonstrate competence in using information technologies,
- (p) know how to work independently and as part of a team,
- (q) manage time and other resources needed to complete a task,
- (r) demonstrate initiative, leadership, flexibility and persistence,
- (s) evaluate their own endeavours and continually strive to improve, and
- (t) have the desire and realize the need for life-long learning.









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