

EMIS Change 24-96

HB 33 (the budget bill of the 135th General Assembly) changed the terminology from "home instruction" to "home education". (Note that in the EMIS Manual, the term "homeschooling" has been used.) The bill also changed what is required of a student to leave school for home education. The bill requires that the school be notified within 5 days of a student starting home education and annually thereafter. There will no longer be requirements regarding superintendent approval.

SECTION 2.1.1: STUDENT ENROLLMENT OVERVIEW

Withdrawal Code	Preferred Documentation	Other Documentation
43 – Transferred to Homeschooling Home Education	Notification from the parent. Appropriate approval documentation. Students must have the appropriate documentation and approval from the district superintendent on file. For additional information, refer to HOME EDUCATION SCHOOLING . ORC §3321.04 2(A)(2) , OAC §3301-34-3	NA

COMPULSORY EDUCATION

ORC/OAC

- The child is excused per ORC §3321.04, which allows for the following:
 - ~~A superintendent may excuse a child if the child is being homeschooled. Documentation of the determination of the home instructor’s qualifications and other information must be on file (ORC §3321.04(A)(2); OAC §3301-34-03). Such an excuse must be in writing and include the reason for the excuse, and a copy must be sent to the child’s parent or legal guardian (ORC §3321.04(B)).~~

ODE Policy

Of the reasons listed in the ORC section above that allow a child to be excluded from compulsory attendance, the following are withdrawal situations: physician’s excuse, ~~homeschooling~~, and excused for necessary work. The last of these may involve a limited period of time in which the student is not participating in an educational activity. Other “good and sufficient reasons” require that the district continues to report the student as enrolled; however, the absences may be reported as excused.

HOME [EDUCATION](#) ~~SCHOOLING~~

ORC/OAC

~~The superintendent of a city or exempted village school district can excuse a child for the remainder of the current school year if it has been shown that the child is being instructed at home by someone qualified to teach the required subjects; this includes any additional subjects that the superintendent believes the particular child needs.~~

~~The superintendent must have the following on file:~~

- ~~A copy of the excuse;~~

- ~~“Papers” showing how the home instructor’s qualifications were determined, and~~
- ~~“All other documents relating to the information and the actions thereon.” (See ORC §3321.04(A)(2); OAC §3301-34-03.)~~

~~If a superintendent refuses to issue such an excuse, the parents must be notified in writing within 14 days. The notification must include the reason for the denial and information about the parents’ right to a due process hearing before the superintendent. (See OAC §3301-34-03 (C)(2).)~~

~~If after this hearing the superintendent still denies the request to homeschool, the superintendent must inform the parents of their right to appeal the decision, within 10 days, to the juvenile judge of the county. The judge’s decision is final. (See OAC §3301-34-03 (D)(3); ORC §3331.08.)~~

~~If at any point the superintendent determines that the child is no longer receiving “proper” home instruction, the excuse is void. (See ORC §3321.04 (A)(2).) The superintendent must notify the parents of their right to a due process hearing. If the excuse is withdrawn after such a hearing, the superintendent must notify the parents in writing that they must enroll the child in school and that they have a right to appeal to the juvenile judge of the county within 10 calendar days. (See OAC §3301-34-03 (H).)~~

~~After the first year of homeschooling, the parents must provide the superintendent with an academic assessment report. This assessment must show “reasonable proficiency.” (See OAC §3301-34-04.)~~

~~The resident school district must enroll/re-enroll any child who has previously been homeschooled. Grade level in such cases is to be determined by the superintendent. (See OAC §3301-34-06.)~~

Home education is “the education of a child, between the ages of six and eighteen years of age, that is directed by the child’s parent” (ORC §3321.042(A)). Within five calendar days of starting home education, moving into a new school district, or withdrawing from a public or nonpublic school, the parent or guardian must notify the superintendent of the student’s district of residence. This notice must include the following (ORC §3321.042(C)).

- The parent’s or guardian’s name and address
- The child’s name
- An assurance that the child will receive education in the required subject areas.

Notice of ongoing home education must be provided to the superintendent of the child’s district of residence by August 30 of each year (ORC §3321.042(C)).

A student enrolling into a public school after a period of home education shall be placed into the appropriate grade level based on the district’s policies (ORC §3321.042(D)).

A child may be subject to ORC §3321.19 (regarding truancy) if at any time there is evidence that a child receiving home education is not receiving education in the required subject areas.

ODE Policy

Though the Ohio Revised Code refers to this as “home education,” the EMIS Manual refers to this as “homeschooling.” “Home education” is being used in this section and in the description of the related withdrawal code to align with the language in the Ohio Revised Code; “homeschooling” is being used in all other sections of the EMIS Manual. This is to clearly separate students being educated at home by a

parent or guardian from students who are enrolled in school and receiving instruction in their homes from district staff (i.e., home instruction).

The withdrawal date for students withdrawn with option 43 Transferred to Home Education should be the date of receipt of the parent's or guardian's notice to the district. Note that this date may not be the same as the student's last day of attendance at the district or the student's first day of home education.

SECTION 2.4: STUDENT STANDING (FS) RECORD

Withdrawal Reason Element

Record Field Number	FS100
Definition	The reason for the most recent withdrawal from the school district.

Valid Options

- 43 **Transferred to Home ~~Schooling~~ Education**
~~Superintendent's approval on file.~~ [Parent or guardian notice on file.](#)

SECTION 2.17: STUDENT WITHDRAWAL OVERRIDE (FC) RECORD

Withdrawal Reason Element

Record Field Number	FC070
Definition	The reason for the most recent withdrawal from the school district.

Valid Options

- 43 **Transferred to Home ~~Schooling~~ Education**
~~Superintendent's approval on file.~~ [Parent or guardian notice on file.](#)