



# California Homeschool Network

*Strengthening the Voice of California Homeschoolers™*

# Just the Facts

*2014-2015 Edition*

## A Step By Step Guide to Starting Your Homeschool

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California Homeschool Network  
2166 W. Broadway #266  
Anaheim, CA 92804  
(800) 327-5339

CHN\_mail@CaliforniaHomeschool.net  
www.californiahomeschool.net

# Step 1: Legal Options

→ State law requires all children between the ages of 6 (by September 1st) 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, 48224*)

→ This allows homeschooling parents four options:

## 1. Establish a home-based private school by filing a private school affidavit

When you file the Private School Affidavit, you withdraw your children from school and request their school records. As the administrator/teacher, you must keep the required records, but the record-keeping requirements are not burdensome. When you file an affidavit, your school name and address are a matter of public record. You will be responsible for answering inquiries regarding your school. If you would like the companionship of other homeschoolers, identify and join a homeschooling support group. Although the state mandates that certain subjects such as reading, social studies, math and science be "taught," when you file the Private School Affidavit, you have freedom in deciding what specific topics are covered and how and when to cover them. If your elementary school aged child wants to learn a topic normally covered in high school, he or she can do it!

## 2. Enroll in a Private School Satellite Program (PSP)

A PSP is a private school which has filed an affidavit. When you sign up, you become a teacher in that school. Your name and address do not appear on the affidavit, but the PSP is required to keep a listing of each teacher and his/her qualifications. The administrator will remind you to turn in the required attendance records and course of study. Some PSPs offer a newsletter and activities like park days and field trips for their members. Some PSPs offer curriculum packages; guidance and requirements vary with each school.

## 3. Enroll in a public school that offers independent study or charter school

If you register with a public school ISP or Charter School, your child is still in public school. You are considered a teacher's aide and will be assigned a credentialed teacher to oversee your program. You will need to keep the records required by the program you enroll in. The amount of freedom you have in choosing what to study depends on the program's policies and your assigned teacher. Parents who choose this option frequently are planning to homeschool for only a year or two, or are planning to homeschool only one of their children while keeping the others registered in public school. The curriculum will be aligned with the Common Core, and testing is required.

## 4. Utilize a credentialed tutor- or the parent, if so qualified.

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.*

**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) or charter school, then Steps 5 through 8.

**Option 4: Credentialed Teacher/Tutor**

- 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  
[www.californiahomeschool.net/howTo/legOpt.htm](http://www.californiahomeschool.net/howTo/legOpt.htm)**

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# Step 2: Choosing a PSP or an ISP

**Option 2: Private School Satellite Programs (PSP)****Locating a PSP:**

- CHN 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.
- Search internet websites such as [a2zhomeschooling.com/regional/us/california/california\\_private\\_school\\_satellite\\_programs/](http://a2zhomeschooling.com/regional/us/california/california_private_school_satellite_programs/) PSPs vary in what they offer and require. As with all educational choices, it is up to the parent to investigate carefully to make sure the PSP is the best choice for their children. Questions to ask include: How long have you been in business? Did you homeschool your own children (and for how long)? Have you filed the PSA? What services do you offer? What are the requirements of your school?

**Option 3: Public School ISP and Charter Schools****Locating a Public ISP or Charter School**

- Ask your local high school or district office
  - Ask your CHN Local Contact or other homeschoolers in your area
  - Look online for lists of charter schools that offer home based learning at <http://www.homefires.com/charter/> and [http://a2zhomeschooling.com/regional/us/california/california\\_charter\\_list\\_homeschooling/](http://a2zhomeschooling.com/regional/us/california/california_charter_list_homeschooling/)
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***The most important consideration in choosing a public school program (ISP or Charter) 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

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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*

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### Setting Up Your Private School:

**Step 1:** File Your Private School Affidavit (PSA) See step 4.

**Step 2:** Create your school records. School records are considered confidential information and should never be relinquished unless a child transfers to another school. Although private schools are not required to submit records to the state, they are required to keep certain records in their files, as outlined in the California Education Code.

**The records a private school must keep on file include:**

- Copy of the completed Private School Affidavit (PSA).
- Attendance record, indicating days absent. Some homeschoolers use a calendar.
- Faculty qualifications and addresses. Private school teachers need not hold a teaching credential, but must be "capable of teaching".
- The courses of study offered by the institution. Some will do it for their entire school, and others for each child or grade taught.

Note: For more information on Private School records, see the CHN website: <http://californiahomeschool.net/howTo/records.htm>.

**Step 3:** Enroll your students and create student records (see Student Records in step 6.) If your child attended school, see Step 5 for withdrawing students.

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***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.

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# 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 existing 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. Just as in the public schools, a private school must offer subjects, but students may select which ones they want.

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.  
<http://leginfo.legislature.ca.gov/faces/codes.xhtml>

- 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:

<http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=1eadee2d845a60a1fe25a7a30848>

## How the Private School Affidavit Works

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.

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*"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

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### 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), or give them the confirmation link that was emailed to you when you filed.
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***The only school records they can request to see are a copy of your school's affidavit and a letter from you confirming that a named student is enrolled in your school. They may not ask to see your curriculum or proof of learning.***

## 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. You do need to have withdrawn your child from his/her former school before school starts or they will consider your child to be truant.

### How To File:

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

##### How to file an Electronic PSA:

The Electronic PSA may be completed online at no charge at the California Department of Education website [<http://www.cde.ca.gov/sp/ps/rq/affidavit.asp>]. After submitting all required information, a confirmation page is created. This confirmation page needs to be printed out and kept for your records. Schools do not need to mail in a signed copy. If you provide your email, the CDE will give you a permanent link to your online PSA.

#### **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 September 1st 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](http://www.CaliforniaHomeschool.net).**

## 2. Request a Paper Affidavit from the CDE

Private schools may request a paper affidavit by calling the CDE at 916-445-7331 no earlier than August 25. This is to accommodate those schools without internet access. If you don't have internet access, consider filing online at a friend's home or at your library because you will not receive a confirmation if you file this way.

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

CHN has a written Statement in Lieu which has been approved by the CDE, and over the last decade has been used by many homeschoolers in lieu of the State's affidavit. At one time, we recommended using it because of security concerns and difficulty obtaining the affidavit. That is no longer a problem. CHN now recommends filing the online PSA. It is fast, and if you provide an email, you will receive a confirmation and also a link so that you or a school trying to verify enrollment can immediately access it online. This helps resolve conflicts with schools! If you prefer using the SIL, please email CHN and request it. We will keep it ready for immediate use should the CDE ever make it difficult for homeschoolers again. We consider it to be a very positive thing that the SIL may not be needed as it once was!

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

***". . .any private school that files a Private School Affidavit, regardless of the size of the student enrollment, is registered with the California Department of Education (CDE) and the Affidavit is permanently included in the data base for the applicable school year."***  
***CDE correspondence with CHN, May 2014***

## 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 your child is attending school, go to the school in person or call and let them know your child has been enrolled in 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) Marks, 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:

If you immunize, an immunization "blue card" must be filled out. You may print a copy at <http://www.shotsforschool.org/laws/records-forms/>. If your child is not fully immunized, a waiver is needed. Immunization waiver law changed in January 2014 for newly enrolled students. Information about getting a waiver is at <http://www.shotsforschool.org/laws/exemptions/>. If you need this form, print it out and take it to a qualified health professional for signing. Parents may no longer sign their own waiver.

## 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, but you should be requesting them as a school administrator because you want your child's file at that school closed, which won't happen if you exercise your right to a parent copy.

*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 have traditionally been slow in arriving and sometimes schools never sent them. A new law went into effect on January 1, 2013 that amended §49068 to require schools to forward a pupil's permanent record or a copy no later than 10 schooldays following the date the request is received. Unfortunately, there is no penalty for non-compliance, but if you request the records, then your private school has met its obligation, and you are not responsible for the other 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 letterhead form for your school, if you wish. Print your letter, sign it, and mail it to your child's previous school.

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*(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)*. 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)*

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# 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. You do not need to use State-approved textbooks.

## 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, exhibit halls at homeschool conferences and free homeschooling catalogs.

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!***

***In 2014, CHN celebrated 20 years of helping support and protect the rights of families who homeschool in California!***

# 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.

## CHN Social Media

CHN has sponsored informative e-mail lists for years! See the current list at <http://californiahomeschool.net/about/maillingLists.htm> . You'll also find CHN on Facebook at <https://www.facebook.com/CaliforniaHomeschoolNetwork>. CHN has some private members only lists and you will be invited to participate when you join CHN. It's one of our favorite benefits of membership!

## 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](http://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. And don't forget our toll free number - 800-327-5339!

***It has always been true that all private schools had the same status under California statutes but this was explicitly expressed by a California Appellate Court Decision in 2008 with its finding that "home schools" are a type of private school.***

**CDE correspondence with CHN, May 2014**

# 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 contacting CHN by phone at 800-327-5339 and also emailing the details to [legal@californiahomeschool.net](mailto:legal@californiahomeschool.net)

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! Email CHN's Legal team any time day or night and provide a phone number and convenient time for us to call you. Don't ignore letters. All must be responded to, and often CHN can do it on your behalf.

**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 [legal@californiahomeschool.net](mailto: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's 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.

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](http://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. 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**