

## THE EDUCATION ACT – 1996

### Home Education

#### **Provision of home education**

- 128** (1) A parent may provide a home education program to a child of the parent centered in the child's home.
- (2) A parent providing a home education program to a child shall
- (a) register the child for each school academic year with the Minister; and
  - (b) report the child's progress to the Minister, as prescribed by the regulations.
- (3) With the approval of the school board, a child in a home education program may attend courses offered by a school board, subject to any terms and conditions prescribed by the school board.
- (4) The Minister may require the parent of a child in a home education program to provide evidence of the child's educational progress by providing one or more of the following as the parent determines:
- (a) results of a standardized test;
  - (b) an assessment from a qualified assessor;
  - (c) a portfolio of the child's work, as prescribed by the regulations.
- (5) Notwithstanding subsection (4), where, in the Minister's opinion, further evidence of a child's educational progress is required, the Minister may appoint an independent assessor, as prescribed by the regulations, to assess and report to the Minister whether
- (a) the child is making reasonable educational progress;
  - (b) the home education program is adequately addressing the child's needs; and
  - (c) the available public school program will do more to further the child's educational progress than the home education program.
- (6) A parent may request that a child in a home education program be assessed through an assessment instrument authorized by the Minister in order to determine the child's educational progress, in accordance with the regulations.
- (7) When, following participation in a home education program, a child enrolls in a public school, the school board shall determine the child's grade placement.

## **Termination of right to provide home education**

- 129** (1) A parent may not provide or continue to provide a home education program to a child if, based on the evidence provided pursuant to subsection 128(4) and the report made pursuant to subsection 128(5), the Minister determines that
- (a) the home education program does not meet the requirements of this Act and the regulations; or
  - (b) the child is not making reasonable educational progress as determined by the child's performance as measured pursuant to subsection 128(4).
- (2) Before making a determination pursuant to subsection (1), the Minister shall
- (a) notify the parent, in writing, by registered mail of the Minister's intent to make the determination; and
  - (b) give the parent an opportunity to make representation to the Minister in writing as to why the home education program should be provided or continued.