

Old Capitol Building
PO Box 47200
Olympia, WA 98504-7200



Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

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BULLETIN NO. 025-23 SECONDARY EDUCATION AND PATHWAY PREPARATION

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
School Principals

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Home-Based Instruction and Public Education

CONTACT: Rhett Nelson, Director of Learning Options
360-725-6229, rhett.nelson@k12.wa.us

Anissa Sharratt, Alternative Learning Experience Program Manager
360-725-6229, anissa.sharratt@k12.wa.us

PURPOSE/BACKGROUND

Many more families are continuing to participate in home-based instruction since the pandemic. As districts seek to reengage these families through new programs, the Office of Superintendent of Public Instruction (OSPI) wants to ensure districts understand state regulations for providing these alternative public education programs. While many of these programs have robustly provided public education to families with more family involvement through alternative learning experience (ALE) Parent Partnership-type programs, there have been numerous audit findings and additional legislation related to concerns that some programs are not meeting public education expectations. The legislature and State Auditor's Office have been clear that all models of public education are aligned to state regulation.

Table 1: Headcount of Students Registered as Home-based Instruction by Year

School Year	Headcount of Students with Declaration of Intent on File by October 1
2019-20	20,844
2020-21	39,843
2021-22	32,056
2022-23	29,798

Source: Education Data System Home-based Instruction Report

Differences Between Home-Based Instruction and Public Education

Home-based instruction (HBI) and enrollment in a district Parent Partnership program funded through alternative learning experiences (ALE) are different educational models. Washington Administrative Code (WAC) [392-121-107](#) defines the courses of study eligible for student enrollment and apportionment. Home-based instruction is excluded from being a course of study eligible for apportionment. ALE is an approved course of study when it is provided in compliance of state education regulations.

When families have filed a declaration of intent to provide HBI, they disenroll from public school and commit to being the provider and decision-maker of their child’s instructional program. The family may access information, resources, and any instructional support provided by their local school district, if available, or other organizations available statewide or nationally. Ultimately, the parent is responsible for designing instruction and monitoring progress, and the district has no obligation to provide support.

When families enroll in an ALE Parent Partnership program, they are enrolling in public education where the certificated teacher and school district are the primary decision-makers of an instructional program. The teacher and/or program may develop systems and practices that encourage high levels of family involvement in the decision-making process and students may have significant portions of instructional time taking place away from the school setting supported by a parent. However, in an ALE, the district and certificated teacher are ultimately responsible for designing and supervising instruction and assessing student progress toward state learning standards.

Roles and Responsibilities

Programs may find more success when all stakeholders have a clear vision of their roles and responsibilities.

Responsibility for...	Public Education	Home-based Instruction
Education decisions and activities	The certificated teacher, school, and school district in-line with state regulations and district policy and procedure.	The parent makes decisions on education and activities.
Curriculum selection	The certificated teacher in-line with state regulations and district policy and procedure.	The parent makes decisions related to curriculum.
Decisions on allocations and expenditures	The school and school district make decisions on how district money is allocated and spent in-line with state	Not state-funded. The parent is responsible for paying for all educational materials and experiences.

Responsibility for...	Public Education	Home-based Instruction
	regulations and district policy and procedure.	
Student evaluation	The teacher and school in-line with state regulations and district policy and procedure.	The parent evaluates their child’s progress and ensures participation in a qualifying annual assessment.
Regulations	The district remains in compliance with all federal, state, and district education expectations.	The parent remains in compliance with home-based instruction laws only.

What can school districts provide home-based instruction families?

- Funded services: Students in home-based instruction are entitled to part-time enrollment and ancillary services. This is publicly funded and must comply with state education requirements and be provided in the same manner and combination as a full-time student can access.
 - [RCW 28A.150.350](#), Part-time Enrollment
 - Chapter [392-134](#) WAC, Financial Part-time Enrollment
- Unfunded resources: Some school districts choose to provide supports or resources for students and families in home-based instruction. Examples include:
 - Access to a curriculum library or at-cost purchasing of district instructional materials
 - Collaboration space
 - Instructional support

What are school districts not able to provide home-based instruction families?

- Districts cannot market or advertise their education options directly to home-based instruction families per [RCW 28A.320.092](#).
- Districts should not purchase, or provide services and materials, to students in home-based instruction or the ALE setting that aren’t available to full-time students and students enrolled in the regular setting.
- Districts should avoid anything that appears to be an incentive to enroll in ALE programs such as allotments, services, or courses that are not similar to what is provided to students enrolled full-time or in the regular setting.
- Districts should not require families to file the declaration of intent form to participate in public education options. The declaration of intent form is for families choosing to enroll their school-age child in home-based instruction.

Resources

Resources on HBI

- [OSPI HBI website](#)
- [Pink Book: Washington State's Laws Regulating Home-based Instruction](#)
- [RCW 28A.200](#), Home-based instruction
- [RCW 28A.225.010](#) (4) and (5), Mandatory attendance exceptions
- [RCW 28A.150.350](#), Part-time students
- [WAC 392-134](#), Finance – part-time enrollment

Resources on ALE

- [OSPI ALE website](#)
- [Guide to Offering ALE](#)
 - o New Program Development Tool – Appendix E
 - o Commonly Misinterpreted Regulations in ALE – Appendix F
- [RCW 28A.232](#), Alternative learning experience
- [WAC 392-121-182](#), Apportionment – alternative learning experience
- [WAC 392-550](#), Program requirements for alternative learning experiences
- [WAC 392-121-107](#), Definition – course of study

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Anissa Sharratt, ALE Program Manager, at 360-725-6229 or anissa.sharratt@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
Deputy Superintendent

Rebecca Wallace
Assistant Superintendent
Secondary Education and Pathway Preparation

Rhett Nelson
Director
Learning Options

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BULLETIN NO. 025-23 SEPP

May 11, 2023

Page 5

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