



Province of Alberta

## EDUCATION ACT

# HOME EDUCATION REGULATION

### **Alberta Regulation 89/2019**

With amendments up to and including Alberta Regulation 145/2020

Current as of September 1, 2020

### Office Consolidation

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(Consolidated up to 145/2020)

## **ALBERTA REGULATION 89/2019**

### **Education Act**

## **HOME EDUCATION REGULATION**

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### Schedule

### **Definitions**

**1** In this Regulation,

- (a) “Alberta Programs of Study” means the courses and programs of study prescribed by the Minister under section 18(1)(a) of the Act;
- (a.1) “applicable outcomes” means,
  - (i) in respect of a home education program that follows the Alberta Programs of Study, the goals adopted or approved by the Minister under section 18(2)(b) of the Act, and
  - (ii) in respect of a home education program that does not follow the Alberta Programs of Study, the learning outcomes set out in the Schedule;

- (b) “associate board or associate private school” means
  - (i) the resident board,
  - (ii) the willing non-resident board, or
  - (iii) the person responsible for the operation of the private school accredited under section 29(2) of the Actthat is supervising or has agreed to supervise a home education program;
- (b.1) “Department” means the Department administered by the Minister;
- (b.2) “Director” means the individual who occupies the role of Executive Director of Field Services within the Department;
- (c) “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);
- (d) “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;
- (d.1) “investigator” means the Director or an individual authorized by the Director to conduct an investigation under section 1.2;
- (e) repealed AR 145/2020 s2;
- (f) “resident board” means the board of the school division of which a student is a resident student;
- (f.1) “supervised home education program” means a type of home education program that is under the supervision of an associate board or associate private school;
- (g) “teacher” means a teacher as defined in the Act;
- (h) “willing non-resident board” means a board that is not the student’s resident board but has agreed to supervise a home education program.

AR 89/2019 s1;145/2020

**Notification of intention to provide home education program that is not a supervised home education program**

**1.1(1)** A parent who intends to provide a home education program that is not a supervised home education program to a student in respect of a school year must notify the Minister of that intention.

**(2)** A parent who is providing a home education program that is not a supervised home education program to a student during a school year and who intends to continue doing so during the next school year must notify the Minister of that intention.

**(3)** A notification under subsection (1) or (2) must be given in a form and manner approved by the Minister and within the time required by the Minister.

AR 145/2020 s3

**Investigation and notice**

**1.2(1)** Where a notification has been given under section 1.1(1) or (2) in respect of a school year and at any time during the school year and there is, in the opinion of the Director, reason to believe that the home education program is not being provided in accordance with this Regulation or does not provide a reasonable opportunity for the student to achieve the applicable outcomes, the Director may conduct, or may authorize another person to conduct, an investigation into the matter.

**(2)** If the parent providing the home education program does not cooperate fully with the investigation, including by providing all information, documents and other records requested by the investigator, or if after the investigation is complete the Director is not satisfied that the program is being provided in accordance with this Regulation and provides a reasonable opportunity for the student to achieve the applicable outcomes, the Director may, by notice in writing to the parent, terminate the home education program.

**(3)** A notice under subsection (2) must state the date on which the termination takes effect, which must be at least 14 days after the date on which the notice is given.

**(4)** An investigator may collect, directly or indirectly, use and disclose information, including personal information, for the purposes of this section.

AR 145/2020 s3

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

**2(1)** A parent who intends to provide a supervised home education program to a student during a school year must notify the associate

board or associate private school of that intention in the form and manner approved by the Minister.

**(2)** A parent who is providing a supervised home education program to a student during a school year and who intends to continue doing so during the next school year must notify the associate board or associate private school of that intention in the form and manner approved 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 the form and manner approved by the Minister, within 15 school days after receiving the notice, of its decision with respect to supervising or continuing to supervise the home education program.

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

AR 89/2019 s2;145/2020

#### **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 applicable outcomes.

**(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 applicable outcomes.

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

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

- (a) the parent providing the program must certify, in the form and manner approved by the Minister, that the activities selected by the parent for the year under subsection (3) will enable the student to achieve the applicable outcomes, and

- (b) the associate board or associate private school that will supervise the program must accept the program, including the selection of activities, in the form and manner approved by the Minister.

**(6)** Where a parent referred to in subsection (5) is providing a supervised home education program, the parent must provide to the associate board or associate private school, in the form and manner approved by the Minister, a description of the program that includes

- (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 applicable outcomes,
- (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 supervised 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)** In the case of a supervised home education program, 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.

AR 89/2019 s3;145/2020

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

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

- (a) must conduct an evaluation of the progress of the student at regular intervals and maintain a record of the methods and dates of those evaluations,
- (b) must maintain dated samples of student work and a general record of the student's activities,

- (c) in the case of a supervised home education program, 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
  - (d) in the case of a supervised home education program, 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 supervised home education program
- (a) must ensure that a student is given the opportunity to write,
    - (i) at the time designated by the Minister, and
    - (ii) under the supervision of the associate board or associate private school,the applicable provincial assessments under programs established by the Minister,
  - (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 provincial assessments 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.

AR 89/2019 s4;145/2020

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

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

- (a) facilitate student learning by offering assistance and advice to parents providing supervised home education programs,
- (b) assign teachers to home education who are supportive of parents who are providing supervised home education programs and of students in the programs,
- (c) provide parents providing supervised home education programs with access to a copy of all policies of the associate board or associate private school respecting the supervision of students in the programs and notify parents of any changes in those policies,
- (d) advise parents providing supervised 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 supervised home education programs that they may view those records, and
- (f) advise a parent providing a supervised home education program of entries made in the records maintained under clause (e) relating to the progress of the student.

AR 89/2019 s5;145/2020

**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 learning outcomes set out in the Alberta Programs of Study.

**Funding for supervised home education programs**

**7(1)** The Minister must provide funding in accordance with the regulations made under the Act or the *Government Organization 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 supervised 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 who is providing a supervised home education program chooses to use distance learning materials, 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 in a 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.

AR 89/2019 s7;145/2020

#### **Termination of supervised 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 applicable outcomes, or

- (b) the parent providing the supervised home education program has not met the requirements of this Regulation.
- (2)** A notice under subsection (1)
  - (a) must be in writing, and
  - (b) must contain reasons for the termination.
- (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 supervised 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 in a private school.
- (5)** Where a student is enrolled in a school operated by a board or in a 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 supervised home education program under subsection (1) when the student has the right of access to an education program under section 3 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.

AR 89/2019 s8;145/2020

**Repeal**

- 9** The *Home Education Regulation* (AR 145/2006) is repealed.

**Expiry**

**10** 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, 2025.

AR 89/2019 s10;145/2020

**Coming into force**

**11** This Regulation comes into force on September 1, 2019.

**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 lifelong learning.







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