

EDWARDS AFB SCHOOL LIAISON CALIFORNIA HOMESCHOOL INFORMATION

The California Education Code provides that "all children between the ages of 6 and 16 must attend a public full-time day school unless otherwise exempted." (section 48200) This "compulsory schooling law" has two statutory exemptions:

1. The private tutoring exemption (section 48224) for children who are instructed for at least three hours each day, 175 days a year by a teacher who holds a valid California teaching credential for the grade taught, and
2. The private school exemption (section 48222) for children who are enrolled in a full-time private school. There are no laws that establish the minimum standards for the teachers or curricula of private schools. The only legal requirement for private schools is that they file a Private School Affidavit (section 33190) with their local County Superintendent of Schools.

Those four sections of the Education Code are the entire law of homeschooling in California. As you can see by reviewing the Code, homeschooling is not explicitly forbidden or allowed in California. Practically speaking the vagueness of the law affects few of California's 60,000 or more homeschooling kids. These families are confident in their legal right to homeschool their children.

How do homeschooling families comply with the Education Code, if it does not mention homeschooling?

1. They comply with the compulsory school law in one of four ways.
2. They establish a private school in their own home.
3. They enroll their children in a private school that offers a satellite program for homeschooling (PSP).
4. They employ a private tutor or hold a California teaching credential themselves.
5. They send their children to a public school that offers independent study.

How do homeschooling families establish a private school?

Many California families choose to comply with the state's compulsory attendance law by establishing a private school in their own home. These families file the private school affidavit (see section 33190) with their local county board of education just like their local Waldorf, Catholic or college-preparatory school does. Since the Education Code allows anyone to establish a private school of any size, with any philosophy, employing whatever teachers they choose, parents use this legal provision to homeschool. Many years ago, the California Department of Education used to question the legality of these very small private schools, but for the last five years has explicitly agreed with our interpretation that the law permits parents to form these schools.

Homeschooling Laws and Regulations by State: www.hslda.org/laws/default.asp

Homeschooling Organizations across the world: www.hslda.org/orgs/default.asp

HomeSchool Association of California: www.hsc.org