



GUIDE TO
School Legislation
in British Columbia

PART XI
HOME
SCHOOLING

BCSTA

British Columbia
School Trustees
Association

GUIDE TO SCHOOL LEGISLATION IN BRITISH COLUMBIA

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PART XI

HOME SCHOOLING

Following is an overview of the legislation applicable to home education or schooling in BC, as contained in the *School Act* and *Independent School Act*. It provides statutory recognition of a parental right to educate children at home.

110.0 Purpose of Legislation

The legislation provides for the registration of all home schoolers, for all such children to receive an educational program, and for certain educational resource materials and services to be made available to them. To help effect these purposes, public schools, and group 1 and 2 independent schools that register and service home schoolers, receive additional funding from the province.

110.1 What is Home Schooling?

There is no definition in the *School Act* or the *Independent School Act* of “home education” or “the home-schooled child,” though *School Act* section 12 states that a parent may educate a school-age child “at home or elsewhere... and shall provide that child with an educational program.” Presumably this legitimizes a situation where children of two or more families receive home schooling at the same location, though section 19(2) of the *Independent School Act* effectively prohibits home schooling at one location for 10 or more children.

Parent Approves Educational Program

The educational program requirement is that the child receives an organized set of learning activities that, in the opinion of the parent (not the minister of education or the board of education), is “designed to enable learners to develop their individual potential and to acquire the knowledge, skills and attitudes needed to contribute to a healthy, democratic and pluralistic society and a prosperous and sustainable economy” (section 1(1) *School Act*).

110.2 Registration Requirements

A parent who elects for home schooling must register the child on or before September 30 of each year with:

- a public school in British Columbia, or a francophone school in the francophone district where the parent resides; or with
- a distributed learning school operated by a board or a provincial resource program; or
- any independent school in BC.

The board responsible for the public school selected must ensure that the school principal registers the child, while an independent school “may register a child who is being educated at home” (section 13(1)(2) *School Act*, and section 10(1) *Independent School Act*).

Sections 1(1) of the *School Act* and the *Independent School Act* make it clear that registration does not amount to enrollment in the school.

110.3 Student Entitlements

The school that registers a home-schooled child must provide “access to educational services in accordance with the regulations” (section 13(3) *School Act* and section 10(2) *Independent School Act*).

Registration at Public School

School Regulation section 3(1) requires a public school to offer to provide, free of charge, evaluation and assessment services that enable the parents to determine the child’s educational progress, and to lend necessary educational resource materials on a similar basis as they are offered to the school’s students. Also, section 3(2) School Regulation empowers boards of education to permit a registered home-school child to

audit educational programs offered by the board, under terms and conditions set by the board, including payment of fees. Section 97(3) *School Act* requires the board to keep records for each child registered.

Registration at Independent School

Section 6 of the Independent School Regulation requires an independent school to offer to provide, free of charge, to a registered home-schooled child the same evaluation and assessment services it provides to its own students. Also, the independent school may lend educational resource materials to the child and may require a deposit.

110.4 Grants to Schools that Register Home Schoolers

Public schools that register a home-schooled child receive an extra flat fee per student (\$250 in 2017-18). An independent school in group 1 or 2 that registers a home-schooled child receives \$175 per home-schooled student (section 10(3) *Independent School Act*; Grant for Home Schooled Children Order, Minister's Order 383/03).

110.5 Enforcing Registration and Programs

A parent who fails to register their home-schooled child commits an offence.

Any person who believes that a school-age child is neither enrolled at a school nor registered as a home-schooled child, or that the child when registered is not receiving an educational program, may report their belief to the local school district's superintendent (section 14(1) *School Act*). The superintendent must then take the actions required by the minister of education (section 14(2) *School Act*).

Minister's Order 151/89, The Investigation by Superintendent Order, requires the superintendent first to investigate the report and discuss it with the parents. If the parents refuse to register, the superintendent must report this to the local police. If they are registered but an educational program is still not being provided and the superintendent believes the child is in need of protection, then the superintendent must report to the director under the *Child, Family and Community Services Act*. (See Guide Appendix.)

110.6 Graduation

Home-schooled children may write provincial examinations at the public or independent school in which they are registered, but do not receive a provincial (Dogwood) graduation certificate.

110.7 Distributed Learning

Home-schooled senior students may enroll in distributed learning programs offered by a board or independent school, but if they enroll in an educational program offered by a board that is not delivered through distributed learning, they stop being considered home-schooled students and are considered students enrolled with the board. The amendments make this rule apply to home-schooled students registered with francophone schools and independent schools, as well as those registered with a board of education.

See Guide 2.9 for more information on Distributed Learning.

More information

BC Ministry of Education Homeschooling

<https://www2.gov.bc.ca/gov/content/education-training/k-12/support/classroom-alternatives/homeschooling>

BC Ministry of Education Homeschooling Policy

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/distributed-learning-policy-for-homeschoolers>

BC Ministry of Education Distributed Learning Policy

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/distributed-learning-general>

BC Ministry of Education

K-12 Operating Grants Manual

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/resource-management/k-12-funding-and-allocation/operating-grants/k12funding-19-20>

Distributed Learning Schools and Courses

<https://www2.gov.bc.ca/gov/content/education-training/k-12/support/classroom-alternatives/online-distributed-learning>

BC Home Educators' Association

<http://bchea.ca/>