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Sens. Lawson, Lopez, Pettyjohn, Richardson; Reps.  
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DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE BILL NO. 106

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SERVICES FOR CHILDREN WITH DISABILITIES IN HOMESCHOOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2703A, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2703A. Homeschools defined.

(a) For purposes of this chapter, a “homeschool” ~~shall be is~~ considered a nonpublic school ~~and there shall be three types of homeschools~~ school, except that students enrolled in homeschools are deemed to be parentally-placed private school children for purposes of providing equitable services using proportionate share funds under the Individuals with Disabilities Education Act, 20 U.S.C.A § 1400, et. seq.

(b) The 3 types of homeschools are defined as follows:

(1) “Multi-family homeschool” means the education of children, primarily by the ~~parents(s)~~ parents or legal ~~guardian(s)~~ guardians of ~~such the~~ children mainly in ~~one or several~~ 1 or more residences, or other facilities, when ~~such the~~ children are not all related to each other as brother or sister. A person shall act as a liaison to the Department of Education for reporting enrollment and attendance information for all families involved.

(2) “Single-family homeschool” means the education of ~~one’s own child(ren)~~ an individual’s own child, primarily by the ~~parent(s)~~ parent or legal ~~guardian(s) of such child(ren)~~ guardian of the child, mainly in their own residence.

(3) “Single-family homeschool coordinated with the local school district” means the education of ~~child(ren)~~ a child primarily by the ~~parent(s)~~ parent or legal ~~guardian(s) of such child(ren)~~ guardian of the child, mainly in their own ~~residence~~ residence, using a curriculum approved by the local superintendent or the local superintendent’s designee. The local superintendent shall determine in writing that the student is or will be provided with regular and thorough instruction by the student’s ~~parent(s)~~ parent or legal ~~guardian(s)~~ guardian in the subjects prescribed for the public schools of the State and in a manner suitable to children of the same age and stage of advancement.

### SYNOPSIS

This Act makes students who attend homeschools eligible for the same services for children with disabilities as students who attend private schools in a manner that allows federal funds to pay for the services. This Act is the result of discussions regarding Senate Bill No. 19, which would make homeschool students eligible for speech therapy services, and accomplishes the goal of Senate Bill No. 19 because through meaningful consultation, speech therapy services are often included in the services provided to students who attend private schools.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Wilson