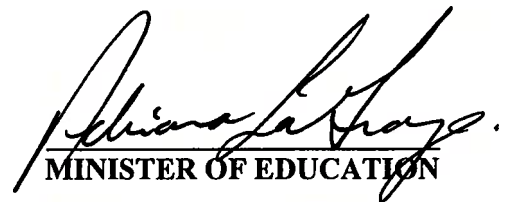


ALBERTA REGULATION 145/2020
FILED ON July 29 2020

GOVERNMENT OF ALBERTA
DEPARTMENT OF EDUCATION
MINISTERIAL ORDER (# 023 / 2020)

I, Adriana LaGrange, Minister of Education, pursuant to section 20(3) of the **Education Act**, make the Order set out in the attached Appendix, being the *Home Education Amendment Regulation*.

DATED at Edmonton, Alberta July 28, 2020.


MINISTER OF EDUCATION

APPENDIX
Education Act
HOME EDUCATION
AMENDMENT REGULATION

1 The *Home Education Regulation* (AR 89/2019) is amended by this Regulation.

2 Section 1 is amended

(a) by adding the following after clause (a):

- (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) by adding the following after clause (b):

- (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) by adding the following after clause (d):

- (d.1) “investigator” means the Director or an individual authorized by the Director to conduct an investigation under section 1.2;

(d) by repealing clause (e);

(e) by adding the following after clause (f):

- (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;

3 The following is added after section 1:

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.

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.

4 Section 2 is amended

(a) **by repealing subsections (1) and (2) and substituting the following:**

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.

(b) **in subsection (3)(b) by striking out “in writing” and substituting “in the form and manner approved by the Minister”;**

(c) **in subsection (4) by adding “supervised” before “home education program”.**

5 Section 3 is amended

(a) **in subsection (2) by striking out “outcomes that are appropriate to that program” and substituting “applicable outcomes”;**

(b) **in subsection (3) by striking out “outcomes referred to in subsection (2)” and substituting “applicable outcomes”;**

(c) **in subsection (5)**

(i) in the portion preceding clause (a) by adding “supervised” before “home education program”;

(ii) in clause (a)

(A) by striking out “using the form approved” and substituting “in the form and manner approved”;

(B) by striking out “outcomes referred to in subsection (2)” and substituting “applicable outcomes”;

(iii) in clause (b) by striking out “in writing” and substituting “in the form and manner approved by the Minister”;

(d) in subsection (6)

(i) by striking out the portion preceding clause (a) and substituting the following:

(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

(ii) in clause (a) by striking out “outcomes referred to in subsection (2)” and substituting “applicable outcomes”;

(e) in subsection (7) by adding “supervised” before “home education program”;

(f) in subsection (8) by striking out “A teacher” and substituting “In the case of a supervised home education program, a teacher”.

6 Section 4 is amended

(a) in subsection (1)(c) and (d) by adding “, in the case of a supervised home education program,” before “must”;

(b) in subsection (2) by adding “supervised” before “home education program”.

7 Section 5 is amended

- (a) in the portion preceding clause (a) by adding “one or more supervised” before “home education programs”;**
- (b) in clause (a) by adding “supervised” before “home education programs”;**
- (c) in clause (b) by striking out “supportive of home education parents and students” and substituting “supportive of parents who are providing supervised home education programs and of students in the programs”;**
- (d) in clause (c)**
 - (i) by adding “supervised” before “home education programs”;**
 - (ii) by striking out “home education students” and substituting “students in the programs”;**
- (e) in clauses (d) and (e) by adding “supervised” before “home education programs”;**
- (f) in clause (f) by adding “supervised” before “home education program”.**

8 Section 7 is amended

- (a) in subsection (2) by adding “supervised” before “home education programs”;**
- (b) in subsection (3) by adding “who is providing a supervised home education program” after “a parent”.**

9 Section 8 is amended

- (a) by repealing subsection (1) and substituting the following:**

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.

(b) in subsections (4) and (6) by adding “supervised” before “home education program”.

10 Section 10 is amended by striking out “August 31, 2029” and substituting “August 31, 2025”.

11 This Regulation has effect on September 1, 2020.