



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

APR 20 2000

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Your letter addressed to Secretary Richard Riley, U.S. Department of Education, dated, September 15, 1999, regarding educational programming [REDACTED] was referred to the Office of Special Education Programs (OSEP) for reply. You specifically asked for clarity regarding including home-schooled children in the consideration for special needs services in the public school system.

The Department has been asked on multiple occasions to clarify whether children with disabilities who are home-schooled are included in the definition of "private school children with disabilities." State law determines whether home schools are "private schools." If the State recognizes home schools as private schools, children with disabilities in those schools must be treated the same way as other private school children with disabilities. If the State does not recognize home schools as private schools, children with disabilities who are home-schooled are still covered by the child find obligations of State educational agencies and local educational agencies, and these agencies must ensure that home-schooled children with disabilities are located, identified and evaluated, and that a free appropriate public education is available if their parents choose to enroll them in public schools.

Your State's definition of home-schooling can more appropriately be addressed by the Maryland State educational agency by contacting Ms. Carol Ann Baglin, Director of Special Education, at the following address and telephone number:

Ms. Carol Ann Baglin, Director
Division of Special Education
Maryland State Department of Education
200 West Baltimore Street
Baltimore, Maryland 21201-2595
Telephone Number: (410) 767-0249

I hope this information is helpful in responding to the issues you raised. If this Office can be of any further assistance regarding this matter, please feel free to contact

Mr. Michael F. Slade, OSEP's State contact person for Maryland, at (202) 205-8969.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kenneth R. Warlick".

Kenneth R. Warlick
Director
Office of Special Education
Programs