

homeschooling your  
**struggling  
learner**





Parents of struggling learners or children with special needs are finding that the rewards of homeschooling are many.



Dear Parent,

The decision to homeschool a struggling learner or a child with special learning needs is a weighty one. Parents may meet pressure from the school district, or even the state, to enroll their child in the “system.” Many encounter criticism from well-meaning family and friends, and most must deal with their own fears of inadequacy. Nevertheless, in record numbers, parents of children with special needs are choosing to home educate, and most are finding that the rewards far outweigh the costs.

Home School Legal Defense Association (HSLDA) exists to defend the right of all families to homeschool. This includes families who are homeschooling a struggling learner or a child with special needs. Should a member family’s homeschool encounter legal problems, HSLDA will provide the aid of an attorney. Additionally, HSLDA supplies our members with a list of resources and names of professionals qualified to assist in testing and/or setting up a plan for teaching.

We hope you will consider home education—it might be just what your child needs. If we can be of assistance, please contact us at 540-338-5600 or [info@hsllda.org](mailto:info@hsllda.org).

Sincerely,

Michael Smith  
President

**Note:** The information provided in this pamphlet is designed to assist families in establishing the safest legal environment possible for their homeschools. These recommendations do not constitute legal advice.




Your child  
deserves the  
best education  
possible.

HSLDA wants to provide you with practical information about legally protecting your homeschool and teaching your child with special needs or struggling learner at home.

A child who is working two or more years behind grade level in school subjects, a child who has been receiving special education services, or a child with any other disability that greatly impacts his/her ability to learn is generally considered a child with special needs.

Other children may not be considered “special needs,” but are working too hard to learn. They may exhibit difficulty in academics, behavior, or attention. These children are often known as “struggling learners.”

HSLDA's Homeschooling a Struggling Learner website provides a wealth of information for parents home educating children with special needs and struggling learners. Check it out at [www.hsllda.org/StrugglingLearner](http://www.hsllda.org/StrugglingLearner). You'll find help on teaching methods, learning difficulties, professional evaluations, and much more.

This booklet is only a starting place for information and resources on homeschooling a child with special needs or a struggling learner. We have compiled a list of many helpful websites and organizations for you on our online resource page at [www.hsllda.org/StrugglingLearnerResources](http://www.hsllda.org/StrugglingLearnerResources). Throughout this booklet, the  indicates related links on the resource page.

HSLDA believes that homeschooling may be the best way to meet most special learning needs, and we are delighted to assist dedicated parents in this endeavor. Our experience in defending homeschoolers and in monitoring legislation has shown us that the battlefield for homeschooling children with special learning needs is sometimes a heated one.

We recommend that our members take two steps to help us defend their homeschools. As you read through these suggestions, remember that it is best to choose a course of action that fits the severity of your child's special learning needs.

## 1) Arrange for regular evaluations and document your child's progress.

Whatever the severity of your child's special learning needs, it is important to keep accurate records demonstrating how you are meeting these needs and how your child is progressing. Much of your success in defending your homeschool against legal challenges may hinge upon your personal determination of what is best for your child and upon your keeping accurate records.

One of the most important elements of your recordkeeping should be documentation of periodic evaluations of your child's educational progress. As a general guide, the more severe the special learning need, the more frequent and thorough the evaluations should be.

There are several options for performing evaluations. You can download a sample evaluation form from [www.hslda.org/EvaluationForm](http://www.hslda.org/EvaluationForm).

It is best to keep all of your records concerning each child for a minimum of three years or until the child is beyond compulsory school age.

## 2) Obtain assistance in meeting your child's special needs.



If any of the following are true of your child, we suggest that you obtain some form of outside assistance.

Your child:

- has received special education services in the current school year,
- has been enrolled in special education services for the coming school year,
- has been evaluated and diagnosed as having a special learning need,
- is functioning substantially below grade level (two or more years below grade level in reading, language, or math),
- has a physical disability that significantly hinders his ability to learn, or
- has significant academic difficulties that have been observed but not professionally diagnosed.

After reading this list, you may determine that you do need assistance. If so, you will next need to determine what kind of assistance to obtain. As parents, you are intimately acquainted with your child's needs and are best able to determine what specific help may be most beneficial. In general, the more severe your child's special learning needs, the more assistance you should obtain to help meet those needs.

Check out the following possible options for assistance:

### **A. Educational consultants**

Because of the legal complexities involved in dealing with schools and government agencies, one of the safest things you can do to protect your

homeschool is to obtain the services of a special needs educational consultant.

This consultant can be anyone who has either credentials or experience in the same area as your child's special need. Preferably, this person should not be directly related to the child (e.g., parent, grandparent, aunt, or uncle). The consultant should be in contact with your family a minimum of three times during the school year to document your child's progress.

To find a consultant, try these sources:

- **HSLDA SPECIAL NEEDS COORDINATORS:** Our special needs coordinators may be able to assist you in finding someone in your area who can help you with the education of your child. HSLDA maintains a database of homeschool-friendly educational consultants and coaches who will work with parents in evaluating and planning the education of a child with special needs. Just call 540-338-5600 and request to speak to one of the special needs coordinators. (This service is available to HSLDA members only.)
- **SUPPORT GROUPS:** Contact your local or state homeschool support group for the names of individuals who work with families of children with special needs. This can be easily done via an internet search. Many times, support groups will provide online lists of consultants in their area. If not, you can email the group leader for a list of local educational consultants that their members use most often.
- **COLLEGES AND UNIVERSITIES:** Some colleges and universities have programs that could benefit families of children with special needs. Please be aware that they may request your permission to use the results of their work with your child in their research-related projects.

## B. Private educational programs

The next most beneficial thing you can do to protect your homeschool is to secure regularly scheduled assistance and/or evaluations for your child through a private program. Some private sources of help include speech therapists (in clinics, hospitals, or in-home settings); occupational therapists; physical therapists; and applied behavior analysis (ABA) therapists.

## C. Public school programs


These include any services funded by state or federal dollars through your local school district, whether the services are provided in your own home or at the school. Be aware that although county services seem independent of public school services, sometimes they share records with the school district when the child reaches school age.

*Considering public school programs:* In general, HSLDA has found that it is better if families do not use the services offered through their local public school. We have observed that many families find themselves mired in legal difficulties as a result of their involvement in public school services.

**Currently enrolled:** If your family is currently receiving public special education services, you may want to establish a goal of eventually meeting all of your child's special education needs through private sources. We are aware that many families have previously enrolled their child in their local public school's special education program and, now that they are homeschooling, they would like to retain these free public services. We understand that, as a matter of economics and ease of access, free public school services are very attractive. We also know, however, that regulatory strings are often attached to these programs. Generally, we find that the longer a family uses these programs, the tighter the strings of control become.

If your child is currently enrolled in public school special education services, with an active Individualized Education Plan (IEP), you will need to follow two steps to successfully withdraw your child from the school setting. First, send a letter of intent to the school district, notifying them that your child will be schooled privately. In addition, send the district a letter of withdrawal from your child's current IEP. You can obtain both of these forms from the special education office in your school district, or members can download HSLDA's sample letter from [www.hslda.org/IEPLetter](http://www.hslda.org/IEPLetter). This letter states that you would like your child's IEP to be terminated immediately and that you will provide "whatever special education services are needed through private resources."

HSLDA will do everything it can to protect our member families' right to homeschool children with special learning needs. HSLDA members are welcome to call our special needs coordinators for assistance in working with a child with special needs/struggling learner at home. They can help equip you with information to successfully homeschool your child.



## QUESTIONS AND ANSWERS FOR PARENTS OF CHILDREN WITH SPECIAL NEEDS AND STRUGGLING LEARNERS

### **What does HSLDA consider a special need?**

Generally, we define a child with special needs as one who is working two or more years below grade level in his subjects, a child who has been receiving special education services, or a child with any other disability that greatly impacts his ability to learn.

### **Do I have the right to homeschool my child with special needs?**

Parents who wish to homeschool a child with special needs have the right to do so under the protection of the First and Fourteenth Amendments of the United States Constitution. This includes parents who presently have their child under an Individualized Education Plan (IEP) set up by their public school's special education department.

Parents may feel intimidated by school officials and teachers and are often led to believe that they have fewer constitutional rights to homeschool a child with special needs than any other child.

Even though the Constitution protects the right of parents to homeschool, most state legislatures have passed statutes regarding homeschooling. These



laws typically come under the compulsory school attendance statutes for the state and may contain stricter provisions for families homeschooling children with special needs.

### **Do I have the right to therapeutic services offered through the public school?**

It depends on the state you live in, your family's financial need, and the severity of your child's need. Please be aware, however, that HSLDA generally recommends that families obtain services provided by private organizations or individuals.

### **What if our family cannot afford to have services done privately?**

The most important consideration is that the special needs of your child are being met. HSLDA members who cannot afford private services are encouraged to contact one of our special needs coordinators to discuss this.

### **Does HSLDA require families to use a consultant?**

No. However, HSLDA does recommend regular contact (at least three times a year) with a consultant if the child's needs are severe enough to warrant assistance.

### **How long should families retain the assistance of a consultant or educational program?**

It depends. In general, if the special learning need is remediable through homeschooling, you should maintain this assistance until your child is functioning close to grade level. Sometimes the special learning need will require you to receive assistance throughout your child's homeschooling experience, or until he is no longer of compulsory school age. The answer to this question may also vary depending upon the specific statutes and regulations in your particular state.

## **Must my consultant be currently certified?**

No. Parents should not be concerned about whether the consultant is currently certified or certified in their state. It is important, however, that the consultant has credentials or experience in the area of the child's special need.

## **What if my consultant is making too few or too many recommendations for me to follow?**

It is important to communicate your expectations to your consultant at your initial meeting. If you are a beginning homeschooler, you might want a significant amount of oversight and a greater number of recommendations from your consultant. If you are an experienced homeschooler, however, you might want a consultant who has a hands-off philosophy. If you find that you are not compatible with the consultant you have chosen, you can locate someone else.

## **Can I obtain the services of a consultant from another state?**

Yes. However, it is best to have a consultant who has met you and your child and is able to meet with you in person. If you choose someone in another state, consider periodically sending samples of your child's work to that person and then having follow-up telephone consultations.

## **What kind of contacts/evaluations are necessary?**

We do not specify what the evaluation should involve. However, there should be a review of the child's progress. The evaluation should demonstrate that the parent and consultant are aware of the child's skill levels and how he is progressing in them. An achievement test is only one of many ways to evaluate progress. For instance, if you have written down some domestic goals for your child, such as putting away clean clothes, maintain a checklist to evaluate whether he is doing this independently. If he is not, make notes of what he is unable to accomplish and what steps he is failing to understand. You can share this information with your consultant when you meet. (HSLDA recommends meeting with your consultant at least three times a year.) The two of you can brainstorm ways to facilitate his progress through these steps.

## **Should I send the evaluations to HSLDA?**

No. Just keep copies in your files at home. If your homeschool is ever in jeopardy, we will request these records from you.

## **Are these evaluations required by the state?**

No. HSLDA requests these evaluations for the benefit of the family should you encounter legal problems as a result of homeschooling your child with special needs.

*Please remember:* Each state has its own requirements separate from these recommendations.

## Am I legally required to have an Individualized Education Plan (IEP) for homeschooling?

The public school system uses IEPs to set up individual teaching plans, obtain related therapeutic services, and make necessary transportation arrangements. Homeschooling is a different educational arena. Children no longer have to be transported to class, therapeutic services are done privately, and homeschooling offers individualized education for all students—not just children with special needs.

We suggest that parents exercise responsible homeschooling by planning and evaluating each child's progress. For clarification purposes, we call an IEP for home educators a Student Education Plan (SEP).

Brigance Diagnostic Inventories are tests that parents or professionals may administer to determine what skills a child has or has not mastered. These tests are one of the many sources used in public and private schools for developing IEPs. Members who want to give their child a test at home may rent the following Brigance Diagnostic Inventories from HSLDA:

- ***Inventory of Early Development*** (yellow)—birth through developmental age 7
- ***Comprehensive Inventory of Basic Skills*** (green)—pre-K through grade 9 functioning level



# PRACTICAL HELP FOR HOMESCHOOLING

According to homeschool leaders across the United States, struggling learners and children with special needs constitute the fastest-growing group of children being homeschooled today. Each year, with much trepidation, many parents are pulling their children out of public school to teach their struggling learner or child with special needs at home. We at HSLDA feel that we are called by God to come alongside these families.

## **Help for homeschooling a struggling learner**

Check out HSLDA's resources for parents, where you'll find:

### **1. Online resources** 🔍

On HSLDA's Homeschooling a Struggling Learner website, you'll find checklists to help you identify areas of struggle for your child, and you'll learn about the four learning gates that can be blocked for a child, making it hard for him to learn easily. Find nutritional tips to help improve your child's behavior and attention span. And take advantage of the extensive list of resources for homeschooling, including the following topics:

- General information sites helpful to families homeschooling children with special needs
- ADD/ADHD
- Asperger syndrome
- Autism
- Developmental delays
- Down syndrome
- Dyslexia
- Giftedness
- Sensory processing disorder
- Speech disorders
- Visual impairments

### **2. Special needs coordinators**

HSLDA's special needs coordinators specialize in children's learning problems and in helping you find solutions. We don't want you to feel that you are alone. Our coordinators can help you find resources to aid you in teaching your child, and they can give you practical, everyday tips. If you have specific questions about your child, call HSLDA's main number (540-338-5600) and ask to speak to one of the special needs coordinators. (This service is available to HSLDA members only.)

### **3. Struggling learner e-newsletter**

HSLDA's special needs coordinators prepare a monthly e-newsletter full of teaching tips and encouragement for parents who are homeschooling struggling learners.

Sign up at [www.hslda.org/StrugglingLearner](http://www.hslda.org/StrugglingLearner).

# Meet the coordinators



**Betty Statnick** received her BA in Biblical Education and later earned 80 additional credit hours in elementary and special education (including diagnostic and remedial reading, and reading clinic experience) from the University of Virginia and Misericordia University. She was awarded an MEd with an emphasis in learning disabilities from Marymount University in Virginia. Betty taught for more than 20 years at elementary through adult levels in both public and private

school settings. Since 1990, she has worked exclusively with homeschool families as an educational diagnostician, consultant, and tutor. She has been a Special Needs Coordinator for HSLDA since 1995.




**Dianne Craft**, a former homeschool mom with 25 years' experience teaching children who struggle with learning, earned a bachelor's degree in Special Education from St. Cloud State University and a master's degree in Special Education from the University of Northern Colorado. Since 1997, Dianne has been working as an educational diagnostician and homeschool consultant in her private practice, Child Diagnostics, Inc. She is the author of the *Brain*

*Integration Therapy Manual* and the *Right Brain Phonics Reading Book*, and other teaching tools that make learning easier for children. Dianne has been an HSLDA Special Needs Coordinator since 2006.



**Faith Berens** has 13 years of teaching experience in both public and private Christian schools, serving as a Reading Recovery® teacher, reading specialist, and educational therapist. Her areas of expertise are early childhood literacy, reading assessment, and the identification and remediation of reading difficulties. She recently earned her master's degree in reading from Shenandoah University. Faith joined the HSLDA team of Special Needs Coordinators in 2008 and also works as a private educational consultant, evaluator, and tutor.



Consider home  
education—it  
might be just  
what your child  
needs!

