



Home School Legal Defense Association

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April 29, 2024

SENT VIA CERTIFIED MAIL AND ELECTRONIC MAIL (gzahn@ccps.org)

Pupil Personnel Worker
Cecil County Public Schools
201 Booth Street
Elkton, MD 21921

Re: Your Office Contacting Maryland Home Education Families

Dear Officials:

By way of introduction, the Home School Legal Defense Association (“HSLDA”) was founded in 1983 to defend, advance, and promote homeschooling. As a public interest advocacy organization, HSLDA works to encourage local agencies and school districts to align their activities with the requirements of state homeschool laws, as well as federal anti-discrimination statutes, for the general benefit of homeschool families nationwide. We currently have over 100,000 families who are members of our association across the nation. These families have chosen to stand with us in this work as we seek to advocate for homeschool freedom and related Constitutional rights.

When necessary, we engage local counsel to provide legal representation for individual member families. This letter does not constitute legal advice to you, your agency, or any person. We encourage you to direct any questions you may have to an attorney who represents you or your school district.

I am in receipt of your email to families who are educating their children at home under Maryland law regarding scheduling their portfolio reviews. We appreciate the cordial relationship that your office has had with Cecil County home educators. However, we wish to point out two issues in your email, namely, regarding your request in the email for a date of birth of the child, and your request in the email that families use an “Annual Verification form.”

First, regarding the date of birth, Maryland law only requires home education families to provide the Home Instruction Notification “15 days before the beginning of a home instruction program.” Md. Regs. Code tit. 13A, § 10.01.01.B(1)(b). This is a one-time notice, not an annual notice. Furthermore, this form only requires the Month and Year of the student, not their full date of birth. Therefore, there is no need for home education families to provide the full date of birth at any time, and they only need to provide the month and year of the student’s birth when they first begin home education.



Second, regarding the annual verification, Maryland law states that if a home education family chooses to homeschool their children in subsequent years, all that is required is that the family provide annual verification “with the local school superintendent or with the supervising nonpublic school or institution described in Regulation .05 of this chapter.” Md. Regs. Code tit. 13A, § 10.01.01.B(2). No particular form or manner of notification is required for this annual verification. And, importantly, if a family is educating their children under Md. Regs. Code tit. 13A, § 10.01.05, which would be under the supervision of a “[s]chool or institution offering an educational program operated by a bona fide church organization,” or a “[n]onpublic school with a certificate of approval from the State Board of Education,” then the family would not provide any annual verification to your office. Md. Regs. Code tit. 13A, § 10.01.05.C. gives that annual verification responsibility to “[t]he supervising nonpublic school or institution.”

We trust that you and your staff are aware of Md. Regs. Code tit. 13A, § 10.01.01.F which states “[a] local school system may not impose additional requirements for home instruction programs other than those in these regulations[,]” so we appreciate your assistance in resolving this issue without any need for us to retain local counsel to represent any of our member families in Maryland.

Please confirm that your office will cease seeking information from home education families that is not required under Maryland law.

I trust that this information is helpful to you and your office. If you have any additional questions, or if I may assist you in any way, please do not hesitate to contact me. I can be reached via phone at (540) 338-5600, or via email at will.estrada@hsllda.org.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Wid", written in a cursive style.

William A. Estrada
Senior Counsel

cc: Maryland Association of Christian Home Educators (MACHE)
Maryland Association of Christian Home Educators (MACHE) Home
Education Families in Cecil County Public School District