

Eligibility for Special Education and Related Services for Homeschooled Students in Maryland

Federal law governs how special education and related services are provided to students with disabilities enrolled in their local school system (LSS). The **Individuals with Disabilities Education Act (IDEA)** requires an LSS to:

Identify, locate and evaluate students who may be eligible for special education and related services (a process known as “child find”).

Identify, assess and provide a free appropriate public education (FAPE) for students with disabilities.

How do I know if my child needs services?

- If a homeschooling parent or guardian suspects their child may be eligible for special education and related services, the parent or guardian may request a free evaluation through their LSS.

How do I request services?

- A request for a special education evaluation must be made in writing. **Here is a sample letter you may use to request an evaluation:**
[KennedyKrieger.org/sites/default/files/library/documents/community/maryland-center-for-developmental-disabilities-mcdd/project-heal/resources-for-parents/project-heal-sample_letter_requesting_evaluation.pdf](https://www.kennedykrieger.org/sites/default/files/library/documents/community/maryland-center-for-developmental-disabilities-mcdd/project-heal/resources-for-parents/project-heal-sample_letter_requesting_evaluation.pdf)
- The letter should include a specific statement of concerns. Framing concerns in educational language that school administrators understand will help facilitate an initial meeting.
 - Example: The student fails to read at grade level or to retain and apply math concepts.
 - Example: The student is unable to write legibly and coherently despite regular instruction.
 - Example: The student is facing problems with attention and organizational skills that prevent successful completion of assignments and tests.

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Where do I request services?

The written request may be sent to the student’s designated “home” school—the school a student would attend if they were enrolled in their LSS. The letter should be addressed to the school’s principal.

Is it likely that my child will receive services if my child is homeschooled?

It depends, but it is unlikely.

No direct federal or state laws require Maryland public schools to provide special education and related services to homeschooled students (other than child find evaluations). At the same time, no law prohibits schools from offering services, either. This leaves the decision for whether a homeschooled student receives special education and related services up to individual school’s principal.

The state of Maryland recognizes homeschooling as a form of private schooling, which means children with disabilities who are homeschooled must be treated in the same way as other parentally placed private school children with disabilities. Under these circumstances, a homeschooled student is unlikely to receive special education and related services. If a homeschooled student does receive special education and related services, it is unlikely they will receive the same services they would receive if enrolled in a public school.

Additional Resources

Contact your LSS to see if special education and related services are offered to homeschooled students: schoolchoiceweek.com/how-to-continue-your-iep-if-you-start-homeschooling/

For questions about homeschooling and special education and related services, contact your LSS’s homeschooling coordinator (2021–2022): marylandpublicschools.org/about/Documents/DSFS/S/SSSP/HomeInstruct/HomeSchoolContactList.pdf

Contact Information

For more information, please visit **ProjectHEAL.KennedyKrieger.org** or contact us at **443-923-4414**.

Location

716 North Broadway, Office 106
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