

Notarized Affidavit or Unsworn Declaration

Which one should I submit?

The PA home education law has not changed. Based on [§ 6206](#), both are legal.

The Pennsylvania Department of Education says school districts can accept either one. You may have to explain the unsworn declaration it to your district, so be prepared to do that.

The decision is yours.

Notarized Affidavit

If you decide to submit a notarized affidavit make sure it contains all that is required in the PA home education law, that it says what you want it to say, and that it includes this wording at the bottom:

State of _____

County of _____

Signed and sworn to before me on this ____ day of _____, 20____ by _____.
(date) (month) (year) (signer)

_____ Signature of Notary Public

_____ Title of office

Unsworn Declaration

If you decide to submit an unsworn declaration, make sure it contains all that is required in the PA home education law, that it says what you want it to say, and that it includes this wording at the end:

I declare under penalty of perjury under the law of the Commonwealth of Pennsylvania that the foregoing is true and correct.

Signed on the ____ day of _____, 20____ at _____.
(date) (month) (year) (city, county or other location, and state)

Country _____

Printed Name _____

Signature _____

Here is a June 22, 2022 email from Home School Legal Defense Association (www.hsllda.org).

Trade Home Education "Affidavit" for "Unsworn Declaration"

Dear HSLDA Members and Friends:

Would you like to simplify your life a bit by skipping the notary stamp on your homeschool paperwork? Keep reading!

For many years, Pennsylvania allowed people in a few unusual situations to skip getting a notary stamp by using an "unsworn declaration" instead. But in 2020, Pennsylvania changed the law so it could be used in a wide variety of situations.

It now says: "...if a law of this Commonwealth requires ... a sworn declaration [which includes an affidavit], an unsworn declaration meeting the requirements of this chapter has the same effect..." 42 Pa.C.S. §6204(a)

BENEFICIAL CHANGE

The home education affidavit fits neatly into the category of documents that can be replaced by an unsworn declaration. Many state agencies are now "catching up" and letting folks know they can skip the notary stamp.

It is clear beyond any doubt that—if it is done correctly—a homeschool family can file an unsworn declaration (meaning no notary signature is required) rather than an affidavit. Of course an unsworn declaration must have the same substantive content as the familiar affidavit. It must also include certain additional mandatory language.

To assist families who want to use this option, HSLDA will soon post a new form on the Pennsylvania section of our website. It will be labeled "Unsworn Declaration of Home Education Program Supervisor in Lieu of Affidavit." We will, of course, keep the homeschool affidavit on our website as well for the convenience of members who want to use it.


Scott Woodruff
HSLDA SENIOR COUNSEL



42 Pa.C.S. §6204(a) and surrounding text.

<https://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=42&div=0&chpt=62>

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