

ARKANSAS CODE ANNOTATED
§ 6-15-501 through § 6-15-508
Current through the Second Extraordinary Session
of the 84th General Assembly
(2003-2004)
Home School Law

6-15-501. Definition.

As used in this subchapter unless the context otherwise requires, "home school" means a school primarily conducted by parents or legal guardians for their own children.

History. Acts 1985(1st Ex. Sess.), No. 40, 2; 1985(1st Ex. Sess.), No. 42, 2; A.S.A. 1947, 80-1503.5.

6-15-502. Rules, regulations, and procedures for monitoring and enforcing provisions.

(a) The provisions of § 6-18-201(a) shall be self-executing, and the State Board of Education shall have no authority to promulgate rules, regulations, or guidelines for the enforcement or administration thereof.

(b) The board is empowered to make such reasonable rules and regulations required for the proper administration of this subchapter which are not inconsistent with the intent of this subchapter.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 7; 1985 (1st Ex. Sess.), No. 42, § 7; A.S.A. 1947, § 80-1503.10; Acts 1995, No. 1296, § 15; 1997, No. 400, § 1.

6-15-503. Prerequisites to home schooling.

(a)(1) Parents or guardians desiring to provide a home school for their children must give written notice to the superintendent of their local school district of their intent to provide a home school for their children and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time that the parents choose to home school:

(A) At the beginning of each school year but no later than August 15; or

(B) By December 15 for parents who decide to start home schooling at the beginning of the spring semester; or

(C) Subject to the provisions of subsection (d) of this section, fourteen (14) calendar days prior to withdrawing the children from the local school district and at the beginning of each school year thereafter. The superintendent or the local school board may waive the fourteen-day waiting period.

(2) Within thirty (30) calendar days of establishing residency within the district, parents or guardians moving into the school district during the school year must give written notice to the superintendent of their local school district of their intent to provide a home school for their children and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time that the parents choose to home school.

(3) The notice must include:

(A) The name, date of birth, grade level, and the name and address of the school last attended, if any, of each student involved;

(B) The location of the home school;

(C) The basic core curriculum to be offered;

(D) The proposed schedule of instruction; and

(E) The qualifications of the parent-teacher.

(4) Parents or guardians shall deliver written notice in person to the superintendent of their local school district the first time such notice is given.

(b) This information may be used only for statistical purposes and test administration.

(c) Each local school district shall report the statistical data required by this section to the Department of Education each year.

(d)(1) No public school student shall be eligible for enrollment in a home school if the student is currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive unexcused absences.

(2) Public school students who are under disciplinary action by the local school district shall be eligible for enrollment in a home school if:

(A) The superintendent or local school board chooses to allow the child to enroll in a home school;

(B) The disciplinary action against the student has been completed or the school semester has ended, whichever occurs first; or

(C) The student has been expelled.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 3; 1985 (1st Ex. Sess.), No. 42, § 3; A.S.A. 1947, § 80-1503.6; Acts 1987, No. 260, § 1; 1995, No. 522, § 1; 1997, No. 400, § 2; 1999, No. 1117, §§ 1, 2.

6-15-504. Home-schooled students - Achievement tests - Enrollment or reenrollment in local schools.

(a) Each student enrolled in a home school program who is considered to be at grade level or no more than two (2) years beyond the normal age for the appropriate grade for which the state mandates norm-referenced tests for public school students shall be tested using a nationally recognized norm-referenced achievement test selected by the State Board of Education.

(b)(1)(A) The administration of the tests required of home-schooled students shall be by the directors of the education service cooperatives established under § 6-13-1001 et seq. or as otherwise designated by the Department of Education.

(B) For the purposes of this section, the superintendents of the Little Rock School District, North Little Rock School District, and Pulaski County Special School District shall act in lieu of an education service cooperative director.

(2) The directors of the education service cooperatives shall establish a common set of procedures approved by the Director of the Department of Education for the proper administration of the tests required by this section.

(3) The administration shall include purchasing the test materials, giving the tests, scoring and interpreting the tests, and reporting test results.

(c) The cost of testing required by this section shall be the responsibility of the department when the tests are administered by the directors of the education service cooperatives or other department designees.

(d)(1) Alternate testing procedures may be approved by the director of an education service cooperative after consultation with the parents of a home-schooled student.

(2) However, any costs associated with an alternate testing procedure shall be the responsibility of the parents.

(e)(1)(A) Any student who refuses to participate in the testing program or the alternate testing program required by this section has not met the statutory prerequisites for home schooling and, as any other student, shall be subject to the applicable Arkansas laws regarding truancy.

(B) After a student corrects any refusal to participate in the testing program or the alternate testing program as determined by the department and required by this subsection, the student shall be restored to home school status after his or her parent or guardian has complied with all requirements of § 6-15-503.

(2) This subsection shall not be applicable to any parent who can present written acknowledgement that the child has been enrolled in a public, private, or parochial school within thirty (30) days of the administration of the state-mandated achievement test.

(f)(1) Each local school district may assess any home-schooled student who enrolls or reenrolls in the district in order to determine proper educational placement.

(2) Among other means of assessment, the local school district shall utilize the norm-referenced test approved by the board to assess the student and shall determine placement in the appropriate grade level as indicated by the test results.

(g) Any home-schooled student who enrolls or reenrolls in a local school district must attend classes for at least nine (9) months immediately before graduation before the student can become eligible to receive a high school diploma from the district.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 4; 1985 (1st Ex. Sess.), No. 42, § 4; A.S.A. 1947, § 80-1503.7; Acts 1995, No. 522, § 2; 1997, No. 400, § 3; 1999, No. 1117, § 3; 2003, No. 1793, § 1.

6-15-505. [Repealed.]

Repealed.

6-15-506. [Repealed.]

Repealed.

6-15-507. Ineligibility of home schools for local, state, or federal funds.

(a)(1) Home schools authorized by this subchapter are not entitled to local, state, or federal funds allocated to a public school district.

(2) For purposes of this section, eligible children with disabilities identified under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., in home school settings shall be given the same consideration afforded to students in private school settings for special education services as provided for in that act.

(b) School districts providing services to home school students shall be eligible for local, state, or federal funds allocated or approved for such services.

History. Acts 1985 (1st Ex. Sess.), No. 40, § 8; 1985 (1st Ex. Sess.), No. 42, § 8; A.S.A. 1947, § 80-1503.11; Acts 1997, No. 400, § 6; 2003, No. 1793, § 2.

6-15-508. Home schooling prohibited if a sex offender resides in the home.

(a) No child may be home schooled if any person residing in the home with the child is required to register under the Sex and Child Offender Registration Act of 1997, § 12-12-901 et seq.

(b) Upon petition to the sentencing court from the child's parent or guardian, the sentencing court may enter a written order specifically waiving the restriction in subsection (a) of this section.

(c) This section shall not apply if the child to be home schooled is the person registered under the Sex and Child Offender Registration Act of 1997, § 12-12-901 et seq.

History. Acts 2001, No. 1787, § 1.