

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Wren**

# A Bill

**ACT 522 OF 1995**  
**HOUSE BILL 1143**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE §§ 6-15-503 THROUGH 6-15-505 SO  
9 THAT CERTAIN STUDENTS ENROLLED IN HOME SCHOOLS ARE NO  
10 LONGER REQUIRED TO TAKE THE ARKANSAS MINIMUM PERFORMANCE  
11 TEST CURRENTLY BEING PHASED OUT BY THE DEPARTMENT OF  
12 EDUCATION; AND TO DECLARE AN EMERGENCY; AND FOR OTHER  
13 PURPOSES."

## Subtitle

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15 "TO AMEND THE ARKANSAS CODE SO THAT  
16 CERTAIN HOME SCHOOL STUDENTS ARE NO  
17 LONGER REQUIRED TO TAKE THE MINIMUM  
18 PERFORMANCE TEST."  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code Annotated § 6-15-503 is hereby amended to read  
24 as follows:

25 "6-15-503. Prerequisites to home schooling.

26 Parents or guardians desiring to provide a home school for their  
27 children must comply with the following requirements:

28 (1) (A) Give written notice to the superintendent of their local school  
29 district by August 15, or by December 15 for the spring semester, of each  
30 school year of their intent to provide a home school for their child. Notice  
31 must include:

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

34 (ii) The location of the home school;

35 (iii) The basic core curriculum to be offered;

36 (iv) The proposed schedule of instruction; and

- 1 (v) The qualifications of the parent/teachers.
- 2 (B) This information may be used only for statistical purposes.
- 3 (2) Agree for students enrolled in the home school who are seven (7)
- 4 years old or older on the date of the test to be tested annually by May 1
- 5 using a nationally recognized standardized achievement test chosen by the
- 6 parents from a list of such tests provided by the State Board of Education.
- 7 (3) Provide information about any student to be enrolled in the home
- 8 school which might indicate the need for special education services."

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10 SECTION 2. Arkansas Code Annotated § 6-15-504 is hereby amended to read  
11 as follows:

12 "6-15-504. Annual achievement tests - Requirement and procedure.

13 (a) Each student enrolled in a home school program who is seven (7)

14 years of age through seventeen (17) years of age on October 1 of each school

15 year shall be tested annually by May 1 using a nationally recognized

16 standardized achievement test chosen by the parents from a list of such tests

17 provided by the State Board of Education.

18 (b) The test administered to a student who is seven (7) years of age

19 shall be for the purpose of obtaining educational baseline data on the

20 student.

21 (c) The administration of the test required of home school students

22 shall be by the Director of General Education, or his designee.

23 (d) Such administration shall include purchasing the test materials,

24 giving the test, scoring and interpretation of the test, and reporting test

25 results.

26 (e) The parent/teacher may be present when home school students are

27 tested, but in such instance, both the parent and the student shall be under

28 the supervision of the test administrator.

29 (f) The cost of testing required by this subchapter shall be reimbursed

30 to the state by the parent or guardian of the student by the established

31 deadline."

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33 SECTION 3. Arkansas Code Annotated § 6-15-505 is hereby amended to  
34 read as follows:

35 "6-15-505. Report of test results - Unsatisfactory results.

1 (a) (1) Test results shall be reported to the parent/teacher of the home  
2 school, the superintendent of the school district in which the home school is  
3 located, and the Department of Education.

4 (2) Personally identifiable test scores shall be confidential and  
5 shall not be released without the consent of the parent.

6 (3) When test results of the home school student are  
7 unsatisfactory, a program of remediation should be planned and implemented by  
8 the parent/teacher.

9 (4) Any student eight (8) years of age or older whose test  
10 results are unsatisfactory shall be enrolled in a public, private, or  
11 parochial school unless, prior to the beginning of the next school year, such  
12 student retakes the same test and achieves a satisfactory score.

13 (b) Unsatisfactory test results on the standardized achievement battery  
14 shall mean, for all grades, achieving a composite score on reading,  
15 mathematics, and language arts that is more than eight (8) months below  
16 expected grade level plus, for grade six (6) and above, scores on science and  
17 social studies tests which are more than eight (8) months below expected grade  
18 level.

19 (c) Notification that a student has not scored satisfactorily on the  
20 standardized achievement battery and thus must return to a public, private, or  
21 parochial school will come from the Department of Education.

22 (d) Any student required to return to a public, private, or parochial  
23 school must continue attendance at a public, private, or parochial school  
24 until the student achieves satisfactory test results as defined by this  
25 section.

26 (e) Authority is specifically given to the Department of Education to  
27 make an exception where improvement on test scores indicates that continued  
28 home education would not be adverse to the child's interest."  
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30 SECTION 4. All provisions of this act of a general and permanent nature  
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 5. If any provision of this act or the application thereof to  
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 act are declared to be severable.

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5 SECTION 6. All laws and parts of laws in conflict with this act are  
6 hereby repealed.

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8 SECTION 7. EMERGENCY. *It is hereby found and determined by the General*  
9 *Assembly that the immediate implementation of this Act is necessary to clarify*  
10 *requirements for testing home school students as currently required by law and*  
11 *is further necessary to the operation of the Arkansas Department of Education.*  
12 *Therefore, an emergency is hereby declared to exist and this Act being*  
13 *necessary for the preservation of the public peace, health and safety shall be*  
14 *in full force and effect from and after its passage and approval.*

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*/s/Rep. Wren*

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APPROVED: 3-6-95

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