

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas

As Engrossed: H3/3/99 H3/10/99 S3/19/99

2 82nd General Assembly

A Bill

Act 1117 of 1999

3 Regular Session, 1999

HOUSE BILL 1724

4

5 By: Representatives Magnus, Agee, Bennett, Bledsoe, Buchanan, Duggar, Hendren, Morris, Parks,
6 T. Thomas, Womack

7 By: Senators Riggs, Bisbee

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10 For An Act To Be Entitled

11 "AN ACT TO AMEND VARIOUS SECTIONS OF THE HOME-SCHOOL
12 LAW; AND FOR OTHER PURPOSES. "

13

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Subtitle

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"AN ACT TO AMEND VARIOUS SECTIONS OF THE
16 HOME-SCHOOL LAW. "

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code 6-15-503(a)(1)and (2) is amended to read as
22 follows:

23 (a)(1) Parents or guardians desiring to provide a home school for their
24 children must give written notice to the superintendent of their local school
25 district of their intent to provide a home school for their child ~~and sign a~~
26 ~~waiver authorizing the release of the State of Arkansas from any future~~
27 ~~liability for the education of their child~~ and sign a waiver acknowledging
28 that the State of Arkansas is not liable for the education of their child
29 during the time that parent chooses to home school:

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(A) At the beginning of each school year but no later than
August 15 ~~for parents who are currently homeschooling their child;~~ or

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

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~~(B)(C) At the time during the school year that the parent withdraws~~
Subject to the provisions of subsections (d) and (e) of this section, fourteen
36 (14) calendar days prior to withdrawing the child from the local school

1 district and at the beginning of each school year thereafter. The superintendent
2 or the local school board may waive the fourteen (14) day waiting period.

3 (2) Parents or guardians moving into the ~~state school district~~
4 during the school year ~~who have homeschooled their children in another state~~
5 must give written notice to the superintendent of their local school district
6 of their intent to provide a home school for their child ~~and sign a waiver~~
7 ~~authorizing the release of the State of Arkansas from any future liability for~~
8 ~~the education of their child~~ and sign a waiver acknowledging that the State of
9 Arkansas is not liable for the education of their child during the time that
10 parent chooses to home school within thirty (30) calendar days of establishing
11 residency within the district."
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13 SECTION 2. Arkansas Code 6-15-503 is amended by adding the following:

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

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

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

22 (2) The disciplinary action against the student has been
23 completed or at the end of a school semester, whichever occurs first; or

24 (3) The student has been expelled.
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26 SECTION 3. Arkansas § 6-15-504 is amended to read as follows:

27 *"6-15-504. Homeschooled students - Achievement tests - Enrollment or*
28 *reenrollment in local schools.*

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

34 *(b)(1)(A) The administration of the tests required of homeschooled*
35 *students shall be by the directors of the education service cooperatives*
36 *established under § 6-13-1001 et seq., or as otherwise designated by the*

1 Department of Education.

2 (B) For the purposes of this section, the superintendents
3 of the Little Rock, North Little Rock, and Pulaski County school districts
4 shall act in lieu of an education service cooperative director.

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

9 (3) Such administration shall include purchasing the test
10 materials, giving the tests, scoring and interpretation of the tests, and
11 reporting test results.

12 (c) The cost of testing required by this section shall be the
13 responsibility of the Department of Education when the tests are administered
14 by the directors of the education service cooperatives or other Department of
15 Education designees.

16 (d) Alternate testing procedures may be approved by the director of an
17 education service cooperative after consultation with the parents of a
18 homeschooled student; provided, however, that any costs associated with an
19 alternate testing procedure shall be the responsibility of the parents.

20 (e) Any student that refuses to participate in the testing program
21 required by this section shall be subject to the applicable Arkansas laws
22 regarding truancy. This section shall not be applicable to any parent that can
23 present written acknowledgement that their child has been enrolled in a
24 public, private, or parochial school within thirty (30) days of the
25 administration of the state-mandated achievement tests.

26 ~~(e)(1)(f)(1)~~ Each local school district shall have authority to assess
27 any homeschooled student who enrolls or reenrolls in the district in order to
28 determine proper educational placement.

29 (2) The local school district shall utilize, among other means of
30 assessment, the norm-referenced test approved by the State Board of Education
31 to assess the student and shall determine placement in the appropriate grade
32 level as indicated by the test results.

33 ~~(f)(g)~~ Any homeschooled student who enrolls or reenrolls in a local
34 school district must attend classes for at least nine (9) months immediately
35 prior to graduation before the student can become eligible to receive a high
36 school diploma from the district."

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SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

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

/s/ Magnus

APPROVED: 4/5/1999