

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING HOME SCHOOLS
 August 2007 _____

RECEIVED

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BUREAU OF
 LEGISLATIVE RESEARCH

1.00 REGULATORY AUTHORITY

- 1.01 These regulations shall be known as Arkansas Department of Education Rules Governing Home Schools.
- 1.02 These regulations are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105, 6-15-501 et seq., 25-15-201 et seq., Act 832 of 2015, Act 592 of 2017, Act 635 of 2017, and Act 824 of 2007 Act 863 of 2017.

2.00 PURPOSE

It is the purpose of these ~~regulations~~ rules to set reasonable guidelines for the operation of Home Schools.

3.00 DEFINITIONS

For the purpose of these rules ~~and regulations~~:

- 3.01 ~~A "home school" is a school provided by a parent or legal guardian for his or her own child.~~
- 3.02 ~~A "testing window" is an established testing calendar as determined by the Arkansas Department of Education.~~
- 3.03 ~~"Alternate testing procedures" refers to any testing date(s) and/or location(s) within the testing window and approved by the education service cooperatives and Pulaski County school districts for home school students.~~
- 3.04 ~~"A nationally recognized norm referenced test or assessment" means any testing instrument required by state law, rule or regulation to measure the performance/achievement of Arkansas students relative to the performance of the achievement of students who comprise the norming or standardization group for a particular commercial instrument.~~
- 3.05 ~~An "individualized education program (IEP)" is a written record of decisions reached between parent/guardian and school personnel jointly describing the educational program for a child with a disability.~~
- 3.06 ~~"Current school year" is the official period of time for pupil/teacher interaction within the school district policy which follows the requirements in Ark. Code Ann. § 6-10-106 (Repl. 1993) (Uniform dates for beginning and ending a school year).~~

- 3.01 "Athletic activity" means a varsity sport or another competitive sports-related contest, game, event, or exhibition that involves an individual student or teams of students either among schools within the resident school district or between schools outside of the resident school district.
- 3.02 "Current school year" means the official period of time for student attendance pursuant to the school district policy in accordance with the requirements of Ark. Code Ann. § 6-10-106.
- 3.03 "Home School" means a school provided by a parent or legal guardian for his or her own child.
- 3.04 "Home-schooled student" means a student legally enrolled in an Arkansas home school.
- 3.05 "Interscholastic activity" means an activity between schools subject to regulations of the Arkansas Activities Association that is:
- 3.05.1 Outside the regular curriculum of a school district, including without limitation an athletic activity, a fine arts program, or a special interest club or group; and
- 3.05.2 Taught by an individual with a minimum of a high school diploma;
- 3.06 "Public school" means a school operated by a public school district or an open-enrollment public charter school.
- 3.07 "Resident school" is the school to which the student would be assigned by the resident school district.
- 3.08 "Resident school district" means the school district in which the home-schooled student's parents reside as determined under Ark. Code Ann. § 6-18-202.

4.00 GENERAL

- 4.01 ~~*Under Arkansas law In accordance with Ark. Code Ann. § 6-18-201, children between the ages of five (5) and through seventeen (17) on or before September 15 of that year, in accordance with Ark. Code Ann. § 6-18-201 (Supp. 1997), as amended by Act 570 of 1999 August 1, pursuant to Ark. Code Ann. § 6-18-207, must attend school.*~~
- 4.02 A parent/guardian parent or legal guardian who intends to home school a child in accordance with Ark. Code Ann. § 6-18-201, [as amended] must enroll the child in a home school shall provide written notice to the superintendent of the resident school district and agree that the parent or guardian is responsible for the

education of his or her child during the time the child is home-schooled, at the beginning of each school year but no later than August 15 for the fall semester, or by December 15 for the spring semester, or, subject to the provisions of Sections 4.03 and 4.04, fourteen (14) calendar days prior to withdrawing the child from the resident district, and at the beginning of each school year thereafter. The superintendent or local school board of the resident district may waive the fourteen (14) day waiting period.

4.032 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. Exceptions to this requirement are outlined in Section 4.04.

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

4.043.1 The superintendent or local school board of the resident school district chooses to allow the child to enroll in a home school;

4.043.2 The disciplinary action against the student has been completed or at the end of a school semester has ended, whichever occurs first; or

4.043.3 The student has been expelled.

~~4.05 Parent/guardian A parent or guardian of a child who is eligible to attend kindergarten but will not be age six (6) by August 1, pursuant to Ark. Code Ann. § 6-18-207, may elect for a child, who will not be kindergarten age in accordance with Ark. Code Ann. § 6-18-201, [as amended], for the child to not to attend kindergarten by filing a signed Kindergarten Waiver form with the local resident school district office.~~

4.064 Home school students who enroll in a public, private or parochial school during the time they are home schooling cannot re-enter home schooling until a new Notice of Intent and Waiver forms are is completed and returned submitted to the local resident school district or completed through the Arkansas Department of Education's online process, if available.

~~4.07 Home school students who are in the required grade levels for which the state mandates norm-referenced testing and who are no more than two (2) years beyond the normal age for the required grade levels must take a standardized norm-referenced test as identified by the Arkansas Department of Education, and the results will be used for reporting purposes only.~~

~~4.08 Any student who refuses to participate in the required testing program shall be subject to the applicable Arkansas laws regarding truancy. This Section shall not~~

~~be applicable to any parent that can present written acknowledgement that their child has been enrolled in a public, private or parochial school within thirty (30) days of the administration of the state-mandated tests.~~

~~4.0975~~ Books, curricula or materials are not required to be furnished by the Arkansas Department of Education, local resident school district or education service cooperative. It is the responsibility of the parent/guardian to purchase furnish all books, curricula or materials that they use in home schooling.

5.00 NOTICE OF INTENT

5.01 Parents or legal ~~G~~guardians who plan intend to home school must file written notice by ~~completing and returning the printed current year Notice of Intent and Waiver forms to the public school superintendent's office of their local school district by August 15 for the beginning of each school year, or by December 15 for the spring semester, or, subject to the provisions of Sections 4.03 and 4.04, fourteen (14) calendar days prior to withdrawing the child from the local school district during the school year. Parents or guardians must sign a waiver acknowledging that the State of Arkansas is not liable for the education of their child(ren) during the time that parent chooses to home school. The Notice of Intent and Waiver forms are valid for the entire school year if filed at the beginning of the school year or for the remainder of the school year if filed during the school year. There are no exceptions to these filing requirements except as outlined in 5.02 a Notice of Intent form with the superintendent of the resident school district and agree that the parent or guardian is responsible for the education of his or her child during the time the child is home-schooled. The Notice of Intent form may be completed through the Arkansas Department of Education's online process, or by submitting the current year paper form or a written Notice of Intent to the superintendent of the student's resident school district.~~

~~5.02~~ A Notice of Intent form shall be made available at each Arkansas school district and from the Arkansas Department of Education.

~~5.023~~ The Notice of Intent form may be submitted to the resident school district superintendent:

~~5.023.1~~ Electronically, including without limitation by email;

~~5.023.2~~ By mail; or

~~5.023.3~~ In person

~~5.034~~ All Notices of Intent forms, which includes the agreement that the parent or guardian is responsible for the education of his or her child(ren) during the time the parent or legal guardian chooses to home school, must be submitted by August 15, or, subject to the provisions of Sections 4.03 and 4.04, fourteen (14) calendar days prior to withdrawing the child from the resident school district

during the school year. The superintendent or school board of the resident district may waive the fourteen (14) day waiting period. The Notice of Intent form is valid for the entire school year if filed at the beginning of the school year or for the remainder of the school year if filed during the school year.

~~5.0245~~ Parents or *legal* guardians moving into a school district during the school year must file a copy of the current year printed Notice of Intent and Waiver forms, which includes the agreement that the parent or guardian is responsible for the education of his or her child(ren) during the time the parent or guardian chooses to home school, with their local public the resident school district superintendent's office within thirty (30) calendar days of establishing residency within the district.

~~5.0356~~ The required Notice of Intent and Waiver forms must be the printed current year forms obtained available from your the local school district superintendent's office or the Arkansas Department of Education and must include the following information, which may be used only for reporting and test administration statistical and recordkeeping purposes only as required by law:

- ~~5.0356.1~~ The name, sex, date of birth and grade level of each child and the name and address of the school last attended, if any, for each student.;
- ~~5.0356.2~~ The location mailing address and telephone number of the home school (mailing address).;
- ~~5.0356.3~~ A brief description of the basic core curriculum to be used and the subjects to be taught. The name of the parent or *legal* guardian providing the home school.;
- ~~5.0356.4~~ Schedule of instruction to be followed (hours per day; days per week; number of weeks). A statement of plans to participate during the school year in public school interscholastic activities pursuant to Ark. Code Ann. § 6-15-509.
- ~~5.0356.5~~ The education qualifications of the parent/guardian/teacher(s). A statement of plans to seek a high school equivalency diploma during the current school year.
- ~~5.0356.6~~ Parents or guardians shall deliver written notice in person to the superintendent of their local school district the first time such notice is given. A statement of plans to seek a driver's license during the current school year.
- ~~5.056.7~~ A signature of the parent or legal guardian.

- ~~5.067~~ If a parent or *legal* guardian includes a statement described in subsection ~~5.05.5~~ ~~or 5.056.6~~, the parent or *legal* guardian signature on the Notice of Intent shall be notarized.
- ~~5.078~~ No additional criteria or information shall be required for a student to attend a home school beyond what the law requires.
- ~~5.089~~ The information provided in the Notice of Intent ~~form~~ is confidential and not subject to the Freedom of Information Act of 1967, § 25-19-101 et seq.

~~6.00 — TESTING REQUIRED — ACHIEVEMENT TESTS~~

- ~~6.01~~— Test administration of home school students shall be under the direction of the education service cooperatives and the Pulaski County school districts. Achievement testing will be held during the testing window identified by the Arkansas Department of Education.
- ~~6.02~~— The education service cooperatives and Pulaski County school districts will ensure that all test materials are secure before testing, between and following test administration and provide the Arkansas Department of Education, for approval by the Director, with a common set of procedures for test administration of home school students in the required grade levels. These common set of procedures must include security measures to ensure that appropriate testing conditions and protocol have been followed as specified in the test administration materials.
- ~~6.03~~— Each student enrolled in home school who is considered to be in the required grades or no more than two (2) years beyond the age appropriate grade will be tested by using the State identified norm referenced achievement test.
- ~~6.04~~— Parents/guardians or groups of home school parents/guardians requesting alternate testing procedures, protocols, locations and/or timeframe must be submitted in writing three (3) weeks prior to the testing window to the education service cooperatives or the Pulaski County school districts and testing must remain within the State identified testing dates. If approved, alternate testing procedure costs, other than the testing materials, shall be the responsibility of the parent/guardian.
- ~~6.05~~— Alternate testing procedures and protocol will be arranged by the education service cooperatives and Pulaski County school districts.
- ~~6.06~~— Requests from parent/guardian whose child(ren) cannot test on Saturdays due to religious reasons will be accommodated. Parent/guardians must indicate in the appropriate section at the time they file their Notice of Intent that their child(ren) cannot test on Saturdays due to religious reasons.

~~7.00 — TEST RESULTS~~

~~Test results for home school students will be used for reporting purposes only. The parent/guardian will receive the individual student profile. The Arkansas Department of Education will receive the administrative summaries. The administrative summaries will not contain personally identifiable information.~~

86.00 TRANSFER OF STUDENTS ENROLLMENT OR RE-ENROLLMENT IN PUBLIC SCHOOL

- ~~8.01—Students transferring from a home school to a school which is accredited by the Arkansas Department of Education shall be evaluated by the staff of the accredited school to determine proper placement. As part of the ongoing assessment process, a State identified norm-referenced achievement test shall be one of the instruments utilized.~~
- ~~8.02—Home Schools are not accredited by the Arkansas Department of Education. There are no grades, credits, transcripts or diploma provided by the Arkansas Department of Education, education service cooperative or by the local school district for students enrolled in home school.~~
- ~~8.03—Any home school student who re-enters a local school district must attend classes for at least nine (9) months immediately prior to graduation before the student can become eligible to receive a high school diploma from the local school district.~~

6.01 A public school district:

6.01.1 Shall afford a home-schooled student who enrolls or re-enrolls in a public school as a public school student the same rights and privileges enjoyed by other public school students; and

6.01.2 Shall not deny a home-schooled student who enrolls or re-enrolls in a public school as a public school student any of the following solely on the basis of having attended a home school:

6.01.2.1 Award of course credits earned in the home school;

6.01.2.2 Placement in the proper grade level and promotion to the next grade level;

6.01.2.3 Except as provided in Section 6.07, a diploma or graduation;

6.01.2.4 Participation in any academic or extracurricular activity;

6.01.2.5 Membership in school-sponsored clubs, associations, or organizations; or

6.01.2.6 Scholarships.

6.02 To enroll or re-enroll in a public school as a public school student, a home-schooled student shall submit to the public school:

6.02.1 A transcript listing all courses taken and semester grades from the home school; and

6.02.2 A portfolio of indicators of the home-schooled student's academic progress, including without limitation:

6.02.2.1 Curricula used in the home school;

6.02.2.2 Tests taken and lessons completed by the home-schooled student; and

6.02.2.3 Other indicators of the home-schooled student's academic progress.

6.03 A public school shall place a home-schooled student who enrolls or re-enrolls in the public school as a public school student at a grade level and academic course level equivalent to or higher than the home-schooled student's grade level and academic course level in the home school:

6.03.1 As indicated by the home-schooled student's:

6.03.1.1 Transcript listing all courses taken and semester grades from the home school;

6.03.1.2 Score of at least the thirtieth (30th) percentile on a nationally recognized norm-referenced assessment taken in the past year; and

6.03.1.3 Portfolio of indicators of the home-schooled student's academic progress, including without limitation:

6.03.1.3.1 Curricula used in the home school;

6.03.1.3.2 Tests taken and lessons completed by the home-schooled student; and

6.03.1.3.3 Other indicators of the home-schooled student's academic progress; or

6.03.2 By mutual agreement between the public school and the home-schooled student's parent or legal guardian.

- 6.04 If the student is unable to provide a nationally recognized norm-referenced test score, the school shall:
- 6.04.1 Assess the student using a nationally recognized norm-referenced assessment; or
- 6.04.2 Waive the nationally recognized norm-referenced assessment requirement.
- 6.05 Except as provided in 6.06, if the home-schooled student does not meet the requirements of 6.03, the public school shall have sole authority to determine the home-schooled student's grade placement and course credits based on the same methods used when a student who attended another public or private school enrolls or re-enrolls in the public school.
- 6.06 A public school may waive all requirements under 6.02 and 6.03 and enroll the student by mutual agreement with the parent or guardian.
- 6.07 Any home-schooled student who enrolls or re-enrolls in a public school as a public school student shall attend classes for at least nine (9) months immediately before graduation before the student can become eligible to graduate from the public school with a diploma.
- 6.08 A public school district that enrolls a home-schooled student in an academic course is entitled to receive an amount equal to one-sixth (1/6) of the state foundation funding amount for each academic course in which a home-schooled student is enrolled, but not more than the equivalent of the state foundation funding amount for one (1) average daily membership per student.

97.00 STUDENTS WITH DISABILITIES

- 9.01 By way of these regulations, it shall be the policy of the State Board of Education that school districts provide a genuine opportunity (see 34 C.F.R. Sec. 76.651(a)) to students who are home-schooled with disabilities, as defined in state regulations, to access special education and related services from the district where they reside. Students with disabilities identified under the Individuals with Disabilities Education Act (IDEA), 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 the IDEA. This policy is not to be construed as conferring the procedural protections and rights under Part B of the Individuals with Disabilities Education Act (IDEA) to such students and their parent/guardians.
- 9.02 Each student with disabilities in the required grades who participates in the norm-referenced testing program shall, upon notification in the application for testing, be eligible for any or all modifications allowed by the test procedures. The use of

such modifications will be approved by the educational services cooperative director or his designee.

10.00 DRIVER'S PERMIT/LICENSE

A student enrolled in a home school shall present proof of home schooling in the form of a notarized copy of the Notice of Intent along with an application for an instructional permit or driver's license. The parent/guardian has the responsibility of providing the notarized copy.

8.00 PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES

8.01 The principal of the resident school shall permit a home-schooled student to pursue participation in an interscholastic activity of the resident school if the student or the student's parent:

8.01.1 Provides the principal a notice of the student's desire to pursue participation before the sign-up, tryout, or participation deadlines established for students enrolled in the resident school; and

8.01.2 Informs the principal in the notice that the student has demonstrated academic eligibility by obtaining:

8.01.2.1 A minimum test score of the thirtieth percentile on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test in the previous twelve (12) months; or

8.01.2.2 A minimum score on a test approved by the State Board of Education.

8.02 A resident school district may permit a home-schooled student to participate in an interscholastic activity if:

8.02.1 For purposes of 8.05, the home-schooled student reports to the resident school district within the first eleven (11) days of the fall or spring semester of the school district; and

8.02.2 The home-schooled student or his or her parent advises the principal of the resident school in writing of the student's request to participate in the interscholastic activity before the sign-up, tryout, or participation deadlines established for students enrolled in the resident school.

8.03 If a home-schooled student's written request to participate in the interscholastic activity is approved, the student:

- 8.03.1 Shall have an equal opportunity to tryout and participate in interscholastic activities without discrimination but is not guaranteed participation in an interscholastic activity; and
- 8.03.2 Shall not participate unless he or she meets the criteria for participation in the interscholastic activity that apply to students enrolled in the resident school district, including:
- 8.03.2.1 Tryout criteria;
 - 8.03.2.2 Standards of behavior and codes of conduct;
 - 8.03.2.3 The academic criteria under subsection 8.01.2;
 - 8.03.2.4 Practice times;
 - 8.03.2.5 Required drug testing;
 - 8.03.2.6 Permission slips, waivers, and physical exams; and
 - 8.03.2.7 Participation or activity fees.
- 8.04 A home-schooled student may participate in interscholastic activities at a public school other than the home-schooled student's resident school by mutual agreement between the resident school and any other public school where the home-schooled student wishes to participate.
- 8.04.1 A home-schooled student approved to participate at a nonresident school may begin participating:
- 8.04.1.1 In an interscholastic activity that is not an athletic activity immediately upon being approved to participate; and
 - 8.04.1.2 Except as provided in subsection 8.04.3, in an interscholastic activity that is an athletic activity one (1) calendar year after being approved to participate.
- 8.04.2 A home-schooled student approved to participate at a nonresident school may immediately participate in rehearsals, tryouts, practices, auditions, classes, or other endeavors associated with the interscholastic activity that is an athletic activity.
- 8.04.3 A home-schooled student may begin participating in an interscholastic activity that is an athletic activity immediately upon being approved to participate if the home-schooled student is approved to participate by July

1 of the school year the home-schooled student will be enrolled in the seventh (7th) grade.

- 8.05 A home-schooled student who participates in an interscholastic activity may be:
- 8.05.1 Required by the school district in which he or she participates to be at school not more than one (1) period per school day; and
 - 8.05.2 Transported by the resident school district to and from interscholastic activities as the resident school district transports other students who are enrolled in the resident school.
- 8.06 A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five (365) days after the student withdraws from the member school.
- 8.07 A home-schooled student shall not participate in interscholastic activities at more than one (1) public school at the same time.
- 8.08 A public school shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of his or her enrollment in a home school.
- 8.09 A reasonable alternative under 8.08 shall provide the home-schooled student with the same opportunity to participate in an interscholastic activity as a public school student.

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S2/9/17
A Bill

HOUSE BILL 1208

5 By: Representative Lowery
6 By: Senators J. English, A. Clark
7

8 **For An Act To Be Entitled**

9 AN ACT TO ALLOW A STUDENT WHO ATTENDS A PRIVATE
10 SCHOOL OR A HOME SCHOOL TO ENROLL IN AN ACADEMIC
11 COURSE WITHIN THE PUBLIC SCHOOL DISTRICT; AND FOR
12 OTHER PURPOSES.
13
14

15 **Subtitle**

16 TO ALLOW A STUDENT WHO ATTENDS A PRIVATE
17 SCHOOL OR A HOME SCHOOL TO ENROLL IN AN
18 ACADEMIC COURSE WITHIN THE PUBLIC SCHOOL
19 *DISTRICT.*
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 *SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 2, is amended*
25 *to add an additional section to read as follows:*

26 *6-18-232. Enrollment of private school or home school students.*

27 *(a) A public school district or an open-enrollment public charter*
28 *school may adopt a policy to allow a student who attends a private school or*
29 *a home school to enroll in an academic course at a public school or an open-*
30 *enrollment public charter school if the student resides in the public school*
31 *district where the public school or open-enrollment public charter school is*
32 *located.*

33 *(b) A policy adopted by a public school district or open-enrollment*
34 *public charter school under subsection (a) of this section may:*

35 *(1) Set admissions criteria determined by the public school*
36 *district or open-enrollment public charter school;*



1 (2) Allow a student who attends a private school or a home
2 school to enroll in one (1) or more academic courses in a semester; and

3 (3) Limit enrollment:

4 (A) To certain academic courses or grade levels; or

5 (B) Based on other criteria determined by the public
6 school district or open-enrollment public charter school.

7 (c)(1) A public school district or an open-enrollment public charter
8 school that enrolls a student who attends a private school or a home school
9 in an academic course is entitled to an amount equal to one-sixth (1/6) of
10 the state foundation funding amount for each academic course in which a
11 student who attends a private school or a home school is enrolled.

12 (2) A public school district or an open-enrollment public
13 charter school is not entitled to more than the equivalent of the state
14 foundation funding amount for one (1) average daily membership per student
15 regardless of the number of academic courses in which the student who attends
16 a private school or a home school is enrolled.

17 (d) This section does not require a public school district or an open-
18 enrollment public charter school to allow a student who attends a private
19 school or a home school to enroll in an academic course at a public school or
20 an open-enrollment public charter school.

21
22 /s/Lowery

23
24
25 **APPROVED: 02/15/2017**

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

As Engrossed: H2/17/17

A Bill

HOUSE BILL 1474

4
5 By: Representative Lowery
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE PARTICIPATION OF HOME-SCHOOLED
9 STUDENTS IN INTERSCHOLASTIC ACTIVITIES; AND FOR OTHER
10 PURPOSES.

Subtitle

11
12
13 CONCERNING THE PARTICIPATION OF HOME-
14 SCHOOLED STUDENTS IN INTERSCHOLASTIC
15 ACTIVITIES.
16

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 6-15-509(b)(4), concerning the definition
22 of "parent", is amended to read as follows:

23 (4) "Parent" is a:

24 (A) legal ~~Legal~~ guardian; or

25 (B) ~~ex-legal~~ Legal custodian;
26

27 SECTION 2. Arkansas Code § 6-15-509(c), concerning the school where a
28 home-schooled student participates in an interscholastic activity, is amended
29 to read as follows:

30 (c)(1)(A) A ~~Except as provided in subdivision (c)(2)~~ of this section,
31 a home-schooled student shall not participate in interscholastic activities
32 at a public school other than the student's resident school.

33 (B) A home-schooled student may participate in
34 interscholastic activities at a public school other than the home-schooled
35 student's resident public school by mutual agreement between the resident
36 public school and any other public school where the home-schooled student



1 wishes to participate.

2 (2) A home-schooled student approved under subdivision (c)(1)(B)
3 of this section to participate in interscholastic activities at a public
4 school other than the home-schooled student's resident public school may
5 begin participating:

6 (A) In an interscholastic activity that is not an athletic
7 activity immediately upon being approved to participate; and

8 (B)(i)(a) Except as provided in subdivision (c)(2)(B)(ii)
9 of this section, in an interscholastic activity that is an athletic activity
10 one (1) calendar year after being approved to participate.

11 (b) A home-schooled student under subdivision
12 (c)(2)(B)(i)(a) of this section may immediately participate in rehearsals,
13 tryouts, practices, auditions, classes, or other endeavors associated with
14 the interscholastic activity that is an athletic activity.

15 (ii) A home-schooled student may begin participating
16 in an interscholastic activity that is an athletic activity immediately upon
17 being approved to participate if the home-schooled student is approved to
18 participate by July 1 of the school year the home-schooled student will be
19 enrolled in grade seven (7).

20 (3) A home-schooled student shall not participate in
21 interscholastic activities at more than one (1) public school at the same
22 time.

23
24 SECTION 3. Arkansas Code § 6-15-509, concerning the participation of
25 home-schooled students in interscholastic activities, is amended to add an
26 additional subsection to read as follows:

27 (i)(1) A public school shall provide a reasonable alternative to any
28 prerequisite for eligibility to participate in an interscholastic activity
29 that the home-schooled student is unable to meet because of his or her
30 enrollment in a home school.

31 (2) The alternative under subdivision (i)(1) of this section
32 shall provide the home-schooled student with the same opportunity to
33 participate in an interscholastic activity as a public school student.

34
35 /s/Lowery

36

As Engrossed: H2/17/17

HB1474

1

APPROVED: 03/23/2017

2

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

A Bill

HOUSE BILL 1574

4
5 By: Representative Lowery
6

For An Act To Be Entitled

8 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
9 CONCERNING HOME SCHOOLS; AND FOR OTHER PURPOSES.

Subtitle

12 TO AMEND PROVISIONS OF THE ARKANSAS CODE
13 CONCERNING HOME SCHOOLS.
14

15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 SECTION 1. Arkansas Code § 6-15-503 is amended to read as follows:
20 6-15-503. Prerequisites to home schooling.

21 (a)(1) Parents or legal guardians desiring to provide a home school
22 for their children ~~must~~ shall give written notice to the superintendent of
23 their local school district of their intent to provide a home school for
24 their children and ~~sign a waiver acknowledging that the State of Arkansas is~~
25 ~~not liable for the education of their children during the time that the~~
26 ~~parents choose to home school~~ agree that the parent or legal guardian is
27 responsible for the education of his or her children during the time the
28 parent or legal guardian provides a home school for the children:

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

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

33 ~~(C)(i)~~ Subject to the provisions of subsection (d) of this
34 section, fourteen (14) calendar days prior to withdrawing the children from
35 the local school district and at the beginning of each school year
36 thereafter.



1 (ii) The superintendent or the local school district
2 board of directors may waive the fourteen-day waiting period.

3 (2) Within thirty (30) calendar days of establishing residency
4 within the school district, parents or legal guardians moving into the school
5 district during the school year ~~must~~ shall give written notice to the
6 superintendent of their local school district of their intent to provide a
7 home school for their children and ~~sign a waiver acknowledging that the State~~
8 ~~of Arkansas is not liable for the education of their children during the time~~
9 ~~that the parents choose to home school~~ agree that the parent or legal
10 guardian is responsible for the education of his or her children during the
11 time the parent or legal guardian provides a home school for the children.

12 (3) The notice ~~must~~ shall include:

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

15 (B) ~~The location~~ mailing address and telephone number of
16 the home school;

17 (C) ~~The basic core curriculum to be offered~~ The name of
18 the parent or legal guardian providing the home school;

19 (D)(i) ~~The proposed schedule of instruction~~ A statement of
20 plans to participate during the school year in public school interscholastic
21 activities under § 6-15-509; and

22 (E) ~~The qualifications of the parent-teacher.~~

23 (ii) A failure to provide the information under
24 subdivision (a)(3)(D)(i) of this section does not preclude the student from
25 participating in public school interscholastic activities under § 6-15-509;

26 (E) A statement of plans to seek a high school equivalency
27 diploma during the current school year;

28 (F)(i) A statement of plans to seek a driver's license
29 during the current school year.

30 (ii) If a parent or legal guardian includes the
31 information under subdivision (a)(3)(F)(i) of this section, the notice shall
32 include a notarized signature of the parent or legal guardian; and

33 (G) A signature of the parent or legal guardian.

34 (4) ~~Parents or guardians shall deliver written notice in person~~
35 ~~to the superintendent of their local school district the first time such~~
36 ~~notice is given~~ A written notice under this subsection may be given:

- 1 (A) Electronically, including without limitation by email;
- 2 (B) By mail; or
- 3 (C) In person.

4 (b) ~~This~~ The information provided to the superintendent of the
 5 student's local school district under subsection (a) of this section:

- 6 (1) Is confidential and not subject to the Freedom of
 7 Information Act of 1967, § 25-19-101 et seq.; and
- 8 (2) may May be used only for statistical and recordkeeping
 9 purposes and test administration as required by law.

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

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

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

- 19 (A) The superintendent or local school district board of
 20 directors chooses to allow the child to enroll in a home school;
- 21 (B) The disciplinary action against the student has been
 22 completed or the school semester has ended, whichever occurs first; or
- 23 (C) The student has been expelled.

24 (e) The department and the student's local school district shall not
 25 create additional criteria or require additional information for a student to
 26 attend a home school beyond that provided in this section.

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 29 **APPROVED: 03/24/2017**
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1 State of Arkansas *As Engrossed: H3/13/17 H3/17/17*
2 91st General Assembly **A Bill**
3 Regular Session, 2017

HOUSE BILL 1740

4
5 By: Representative Lowery
6

7 **For An Act To Be Entitled**

8 AN ACT CONCERNING THE ENROLLMENT OR RE-ENROLLMENT OF
9 A HOME-SCHOOLED STUDENT IN A PUBLIC SCHOOL; AND FOR
10 OTHER PURPOSES.

11
12
13 **Subtitle**

14 CONCERNING THE ENROLLMENT OR RE-
15 ENROLLMENT OF A HOME-SCHOOLED STUDENT IN
16 A PUBLIC SCHOOL.

17
18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code § 6-15-504 is amended to read as follows:

22 6-15-504. Enrollment or ~~reenrollment~~ re-enrollment in local schools.

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

26 ~~(2) A local school district that chooses to assess a home-~~
27 ~~schooled student who enrolls or reenrolls in the school district may use the~~
28 ~~same assessment that the school district uses when a student who has attended~~
29 ~~another public school or private school enrolls or reenrolls.~~ A local public
30 school district:

31 (1) Shall afford a home-schooled student who enrolls or re-
32 enrolls in a public school the same rights and privileges enjoyed by other
33 public school students; and

34 (2) Shall not deny a home-schooled student who enrolls or re-
35 enrolls in a public school any of the following solely on the basis of having
36 attended a home school:



1 (A) Award of course credits earned in the home school;

2 (B) Placement in the proper grade level and promotion to
3 the next grade level;

4 (C) Except as provided in subsection (h) of this section,
5 a diploma or graduation;

6 (D) Participation in any academic or extracurricular
7 activity;

8 (E) Membership in school-sponsored clubs, associations, or
9 organizations; or

10 (F) Scholarships.

11 (b) To enroll or re-enroll in a public school, a home-schooled student
12 shall submit to the public school:

13 (1) A transcript listing all courses taken and semester grades
14 from the home school; and

15 (2) A portfolio of indicators of the home-schooled student's
16 academic progress, including without limitation:

17 (A) Curricula used in the home school;

18 (B) Tests taken and lessons completed by the home-schooled
19 student; and

20 (C) Other indicators of the home-schooled student's
21 academic progress.

22 (c) A public school shall place a home-schooled student who enrolls or
23 re-enrolls in the public school at a grade level and academic course level
24 equivalent to or higher than the home-schooled student's grade level and
25 academic course level in the home school:

26 (1) As indicated by the home-schooled student's:

27 (A) Transcript listing all courses taken and semester
28 grades from the home school;

29 (B) Score of at least the thirtieth percentile on a
30 nationally recognized norm-referenced assessment taken in the past year; and

31 (C) Portfolio of indicators of the home-schooled student's
32 academic progress, including without limitation:

33 (i) Curricula used in the home school;

34 (ii) Tests taken and lessons completed by the home-
35 schooled student; and

36 (iii) Other indicators of the home-schooled

1 student's academic progress; or

2 (2) By mutual agreement between the public school and the home-
3 schooled student's parent or legal guardian.

4 (d) If the student is unable to provide a nationally recognized norm-
5 referenced test score the school shall:

6 (1) Assess the student using a nationally recognized norm-
7 referenced assessment; or

8 (2) Waive the nationally recognized norm-referenced assessment
9 requirement.

10 (e) Except as provided in subsection (f) of this section, if the home-
11 schooled student does not meet the requirements of subsection (c) of this
12 section, the public school shall have sole authority to determine the home-
13 schooled student's grade placement and course credits based on the same
14 methods used when a student who attended another public or private school
15 enrolls or reenrolls in the public school.

16 (f) A public school may waive all requirements under subsections (b)
17 and (c) of this section and enroll the student by mutual agreement with the
18 parent or guardian.

19 (g) A home-schooled student who enrolls or reenrolls re-enrolls in a
20 local public school district shall attend classes for at least nine (9)
21 months immediately before graduation before the student can become eligible
22 to receive a high school diploma graduate from the public school district
23 with a diploma.

24
25
26 /s/Lowery

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29 **APPROVED: 04/04/2017**