

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

INTERIM STUDY PROPOSAL 2009-061

State of Arkansas

As Engrossed: H3/17/09

87th General Assembly

A Bill

Regular Session, 2009

HOUSE BILL 1989

By: Representative M. Martin

Filed with: House Interim Committee on Education
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO AMEND TITLE 6 CONCERNING HOME SCHOOL
LAW; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND TITLE 6 CONCERNING HOME SCHOOL
LAW.

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

*SECTION 1. Arkansas Code § 6-15-503 is amended to read as follows:
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~~ Home School Office of the Department of Education 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;*

*(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~~*



1 ~~thereafter. The superintendent or the local school board of directors may~~
2 ~~waive the fourteen-day waiting period Within five (5) days after withdrawing~~
3 ~~from public, private, or parochial school if the withdrawal occurs during the~~
4 ~~school year.~~

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

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

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

15 (B) ~~The location of the home school; and~~

16 ~~(C) The basic core curriculum to be offered;~~

17 ~~(D) The proposed schedule of instruction; and~~

18 ~~(E) The qualifications of the parent teacher.~~

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

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

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

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

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

33 ~~(A) The superintendent or local school board of directors~~
34 ~~chooses to allow the child to enroll in a home school;~~

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

1 ~~(C) The student has been expelled.~~

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3 SECTION 2. Arkansas Code § 6-15-504 is amended to read as follows:

4 6-15-504. Home-schooled students – Achievement tests – Enrollment or
5 reenrollment in local schools.

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

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

15 (B) ~~For the purposes of this section, the superintendents~~
16 ~~of the Little Rock School District, North Little Rock School District, and~~
17 ~~Pulaski County Special School District shall act in lieu of an education~~
18 ~~service cooperative executive director~~ The directors of the education service
19 cooperatives shall jointly hire one (1) state coordinator of home school
20 testing.

21 (2) ~~The executive directors of the education service~~
22 ~~cooperatives~~ state coordinator shall establish a common set of procedures
23 approved by the Commissioner of Education for the proper administration of
24 the tests required by this section.

25 (3) The administration shall include purchasing the test
26 materials, giving the tests, scoring and interpreting the tests, and
27 reporting test results to the parent or guardian of the home-schooled
28 student.

29 (c) The cost of testing required by this section shall be the
30 responsibility of the department when the tests are administered ~~by the~~
31 ~~directors of the education service cooperatives or other department designees~~
32 under the direction and control of the state coordinator.

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

36 (2) The state coordinator may allow a parent or guardian of a

1 home-schooled student to select a nationally recognized norm-reference test
2 that was not selected by the State Board of Education.

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

5 (e)(1)(A) Any student who refuses to participate in the testing
6 program or the alternate testing program required by this section and has not
7 been excused from testing requirements by the state coordinator has not met
8 the statutory prerequisites for home schooling and, as any other student,
9 shall be subject to the applicable Arkansas laws regarding truancy.

10 (B)(i) Within thirty (30) days after the testing under
11 this section is completed, the state coordinator shall prepare a list of
12 students who are required to test but did not test and were not excused from
13 testing.

14 (ii) The state coordinator shall prepare and send
15 certified letters to the parent or guardian of the home-schooled student at
16 the address on file with the Home School Office notifying them that:

17 (a) The home-schooled student has not met the
18 statutory requirements for home schooling and that the parent or guardian
19 must utilize the alternative testing procedures to have the home-schooled
20 student tested; and

21 (b) Refusal to comply with the testing
22 requirements may subject the home-schooled student to the truancy laws of the
23 state.

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

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

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

36 ~~(2) Among other means of assessment, the local school district~~

1 ~~shall utilize the norm-referenced test approved by the state board to assess~~
2 ~~the student and shall determine placement in the appropriate grade level as~~
3 ~~indicated by the test results~~ Within sixty (60) days after the testing under
4 this section is completed, the state coordinator shall prepare a list of
5 home-schooled students who complied with the testing requirements and send a
6 letter to the parent or guardian of the home-schooled student to the address
7 on file with the Home School Office notifying them that the home-schooled
8 student has met the testing requirements required by law.

9 (g) A school district shall recognize the credits and courses taken by
10 the home-schooled student in the same manner as credits and courses taken by
11 a student who transfers into the school district from another school
12 district, private school, or parochial school when a home-schooled student
13 transfers to a school district.

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

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20 /s/ M. Martin
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