

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Boozman

A Bill

SENATE BILL 696

For An Act To Be Entitled

"AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 6, CHAPTER 15,
SUBCHAPTER 5 OF THE ARKANSAS CODE RELATIVE TO HOME
SCHOOLS; AND FOR OTHER PURPOSES."

Subtitle

"TO AMEND VARIOUS SECTIONS OF THE
ARKANSAS CODE RELATIVE TO HOME SCHOOLS."

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

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

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

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

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

Parents or guardians who establish residency within the school district after
the start of the school year shall provide such notice within twenty (20)
days of establishing residency. Notice must include:

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

(ii) The location of the home school;

(iii) The basic core curriculum to be offered;

(iv) The proposed schedule of instruction; and

(v) The qualifications of the parent/teachers.

(B) This information may be used only for statistical purposes.

1 (2) Agree for students enrolled in the home school who are seven (7)
2 years old or older on the date of the test to be tested annually by May 1
3 using a nationally recognized standardized achievement test chosen by the
4 parents from a list of such tests provided by the State Board of Education.

5 (3) Provide information about any student to be enrolled in the home
6 school which might indicate the need for special education services."
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8 SECTION 2. Arkansas Code Annotated § 6-15-504 is hereby amended to
9 read as follows:

10 "6-15-504. Annual achievement tests - Requirement and procedure.

11 (a) Each student enrolled in a home school program who is seven (7)
12 years of age through seventeen (17) years of age on May 1 of each school year
13 shall be tested annually by May 1 using a nationally recognized standardized
14 achievement test chosen by the parents from a list of such tests provided by
15 the State Board of Education.

16 (b) The administration of the test required of home school students
17 shall be by the Director of General Education, or his designee. Parents or
18 guardians may, as an option, select a private testing service to administer
19 the home school test, provided that the test utilized is a nationally
20 recognized standardized achievement test approved by the State Department of
21 Education.

22 (c) Such administration shall include purchasing the test materials,
23 giving the test, scoring and interpretation of the test, and reporting test
24 results.

25 (d) The parent/teacher may be present when home school students are
26 tested, but in such instance, both the parent and the student shall be under
27 the supervision of the test administrator.

28 (e) The cost of testing required by this subchapter shall be
29 reimbursed to the state by the parent or guardian of the student by the
30 established deadline."
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32 SECTION 3. Arkansas Code Annotated § 6-15-505 is hereby amended to
33 read as follows:

34 "6-15-505. Report of test results - Unsatisfactory results.

35 (a)(1) Test results shall be reported to the parent/teacher of the

1 home school, the superintendent of the school district in which the home
2 school is located, and the Department of Education.

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

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

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

12 (b) Unsatisfactory test results on the standardized achievement battery
13 shall mean, for all grades:

14 (1) Achieving a composite score on reading, mathematics, and
15 language arts which is below the fourth stanine; and

16 (2) Showing no grade level improvement.

17 (c) Notification that a student has not scored satisfactorily on the
18 standardized achievement battery will come from the Department of Education.

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

23 (e) Authority is specifically given to the Department of Education to
24 make an exception where improvement on test scores indicates that continued
25 home education would not be adverse to the child's interest."

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27 SECTION 4. Arkansas Code Annotated § 6-15-506 is hereby amended to
28 read as follows:

29 "6-15-506. Children needing special education.

30 (a) Any student who has been identified pursuant to the provisions of
31 Public Law 94-142 and § 6-41-201 et seq. as needing special education
32 services shall be eligible to receive such services through the local school
33 district. Should parents or guardians elect for students not to receive such
34 services through the local school district, they may obtain the services
35 through a private provider who is certified or licensed to provide the

1 specialized instruction or the parents or guardians may provide the services
2 if at least one (1) of the parents or guardians holds a valid certification
3 from the State of Arkansas to teach special education courses in a public or
4 private school. *The Department of Education is authorized to make an*
5 *exception to the requirements of this subsection where continued home*
6 *education would not be adverse to the student's interest.*

7 (b) Any student participating in a home school program whose
8 performance on the test required by this subchapter indicates the student may
9 be in need of special education service shall be referred for evaluation in
10 accordance with the provisions of Public Law 94-142 and § 6-41-201 et seq.
11 and the regulations promulgated thereunder. If the student is identified as
12 needing special education service, then the special education service shall
13 be provided under the provisions of subsection (a) of this section. Any
14 student receiving special education services shall be assessed for
15 satisfactory academic progress in accordance with the provisions of the
16 student's individualized educational plan (IEP) and shall be exempt from the
17 testing provisions of §§ 6-15-504 and 6-15-505."

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19 SECTION 5. All provisions of this act of a general and permanent
20 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
21 Code Revision Commission shall incorporate the same in the Code.

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23 SECTION 6. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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29 SECTION 7. All laws and parts of laws in conflict with this act are
30 hereby repealed.

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/s/Boozman

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