

ARKANSAS CODE ANNOTATED
§ 6-15-501 through § 6-15-509
Home School Law
Current through the 2015 Regular Session and First Extraordinary Session

6-15-501. Definition.

As used in this subchapter, "home school" means a school provided by a parent or legal guardian for his or her own child.

HISTORY: Acts 1985 (1st Ex. Sess.), No. 40, § 2; 1985 (1st Ex. Sess.), No. 42, § 2; A.S.A. 1947, § 80-1503.5; Acts 2007, No. 824, § 1.

6-15-502. Rules, regulations, and procedures for monitoring and enforcing provisions.

(a) The provisions of § 6-18-201(a) shall be self-executing, and the State Board of Education shall have no authority to promulgate rules, regulations, or guidelines for the enforcement or administration thereof.

(b) The state board is empowered to make such reasonable rules and regulations required for the proper administration of this subchapter which are not inconsistent with the intent of this subchapter.

HISTORY: Acts 1985 (1st Ex. Sess.), No. 40, § 7; 1985 (1st Ex. Sess.), No. 42, § 7; A.S.A. 1947, § 80-1503.10; Acts 1995, No. 1296, § 15; 1997, No. 400, § 1.

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 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) (i) 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 thereafter.

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

(2) Within thirty (30) calendar days of establishing residency within the school district, parents or guardians moving into the school district during the school year must give written notice to the superintendent of their local school district 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.

(3) The notice must include:

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

(B) The location of the home school;

(C) The basic core curriculum to be offered;

(D) The proposed schedule of instruction; and

(E) The qualifications of the parent-teacher.

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

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

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

(d) (1) 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.

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

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

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

(C) The student has been expelled.

HISTORY: Acts 1985 (1st Ex. Sess.), No. 40, § 3; 1985 (1st Ex. Sess.), No. 42, § 3; A.S.A. 1947, § 80-1503.6; Acts 1987, No. 260, § 1; 1995, No. 522, § 1; 1997, No. 400, § 2; 1999, No. 1117, §§ 1, 2.

6-15-504. Enrollment or reenrollment in local schools.

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

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

(b) A home-schooled student who enrolls or reenrolls in a local school district shall attend classes for at least nine (9) months immediately before graduation before the student can become eligible to receive a high school diploma from the school district.

HISTORY: Acts 1985 (1st Ex. Sess.), No. 40, § 4; 1985 (1st Ex. Sess.), No. 42, § 4; A.S.A. 1947, § 80-1503.7; Acts 1995, No. 522, § 2; 1997, No. 400, § 3; 1999, No. 1117, § 3; 2003, No. 1793, § 1; 2007, No. 617, §§ 7, 8; 2015, No. 832, § 1.

6-15-505, 6-15-506. [Repealed.]

6-15-507. Ineligibility of home schools for local, state, or federal funds.

(a) (1) Home schools authorized by this subchapter are not entitled to local, state, or federal funds allocated to a public school district.

(2) For purposes of this section, eligible children with disabilities identified under the Individuals with Disabilities Education Act, 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 that act.

(b) School districts providing services to home school students shall be eligible for local, state, or federal funds allocated or approved for such services.

HISTORY: Acts 1985 (1st Ex. Sess.), No. 40, § 8; 1985 (1st Ex. Sess.), No. 42, § 8; A.S.A. 1947, § 80-1503.11; Acts 1997, No. 400, § 6; 2003, No. 1793, § 2.

6-15-508. Home schooling prohibited if a sex offender resides in the home.

(a) No child may be home schooled if any person residing in the home with the child is required to register under the Sex and Child Offender Registration Act of 1997, § 12-12-901 et seq.

(b) Upon petition to the sentencing court from the child's parent or guardian, the sentencing court may enter a written order specifically waiving the restriction in subsection (a) of this section.

(c) This section shall not apply if the child to be home schooled is the person registered under the Sex and Child Offender Registration Act of 1997, § 12-12-901 et seq.

HISTORY: Acts 2001, No. 1787, § 1.

6-15-509. Participation of home-schooled students in interscholastic activities.

(a) The General Assembly recognizes that all students should have equal access to interscholastic activities as a complement to the academic curriculum.

(b) As used in this section:

(1) "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;

(2) "Home-schooled student" means a student legally enrolled in an Arkansas home school;

(3) "Interscholastic activity" means an activity between schools subject to regulations of the Arkansas Activities Association that is:

(A) 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

(B) Taught by an individual with a minimum of a high school diploma;

(4) "Parent" is a legal guardian or legal custodian;

(5) "Resident school" is the school to which the student would be assigned by the resident school district; and

(6) "Resident school district" means the school district in which the home-schooled student's parent resides as determined under § 6-18-202.

(c) A home-schooled student shall not participate in interscholastic activities at a public school other than the student's resident school.

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

(1) For the purpose of subsection (g) of this section, the home-schooled student reports to the resident school district within the first eleven (11) days of the fall or spring semester of the resident school district; and

(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 signup, tryout, or participation deadlines established for students enrolled in the resident school.

(e) 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:

(1) Before the signup, tryout, or participation deadlines established for students enrolled in the resident school, provides to the principal a notice of the student's desire to pursue participation; and

(2) Informs the principal in the notice that the student has demonstrated academic eligibility by obtaining:

(A) 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

(B) A minimum score on a test approved by the State Board of Education.

(f) If a home-schooled student's written request to participate in the interscholastic activity is approved under this section, the student:

(1) Although not guaranteed participation in an interscholastic activity, shall have an equal opportunity to try out and participate in interscholastic activities without discrimination; and

(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:

(A) Tryout criteria;

(B) Standards of behavior and codes of conduct;

(C) The academic criteria under subdivision (e)(2) of this section;

(D) Practice times;

(E) Required drug testing;

(F) Permission slips, waivers, and physical exams; and

(G) Participation or activity fees.

(g) A home-schooled student who participates in an interscholastic activity may be:

(1) Required to be at school not more than one (1) period per school day; and

(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.

(h) 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.

HISTORY: Acts 2013, No. 1469, § 1.