

## ARKANSAS

- Compulsory Attendance Ages:** “5 through 17 on or before September 15 of that year.” Arkansas Statutes Annotated. There is an option for a kindergarten waiver “if the child will not be age six (6) on September 15 of that particular school year”— parents must use a form provided by the state. § 6-18-201(a). For the 2010-11 school year, the dates will be August 15. For the 2011-12 school year and afterwards, the dates will be August 1. § 6-18-207(a)(1).
- Required Days of Instruction:** No specified days.
- Required Subjects:** No specified requirements.

**Home School Statute:** Ark. Stat. Ann. § 6-15-501 et. seq.

1. Parents or guardians may choose to provide a home school for their children by notifying the local public school superintendent in writing of their intent to home school no later than August 15 by parents beginning home schooling in the fall semester or by December 15 for those beginning in the spring semester. Parents deciding to begin home schooling after the start of a semester are permitted to do so by providing the notice of intent 14 days prior to withdrawing the child from public school and each year thereafter at the beginning of the school year. The superintendent or the local school board may waive the 14-day waiting period. Parents or guardians moving into the school district during the school year must give written notice within 30 days of establishing residency within the school district. § 6-15-503(a).

(A public school student who is currently under disciplinary action for violation of any school policy is not eligible to begin home schooling unless: (1) the superintendent or local school board chooses to allow the student to enroll in a home school; (2) the disciplinary action against the student has been completed or the school semester ends, whichever occurs first; or (3) the student has been expelled from public school.) § 6-15-503(d)

Parents or guardians must deliver the notice in person to the local superintendent the first time notice is given. § 6-15-503(a)(4). The notice must include:

- (a) The name, date of birth, grade level of the children, and the 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 teacher/parents.

Note: All this information “may be used only for statistical purposes and test administration.” Ark. Stat. Ann. § 6-15-503(a-b).

2. Parents or guardians must sign a waiver acknowledging that the State of Arkansas is not liable for the education of their child during the time of home schooling. Ark. Stat. Ann. § 6-15-503(a)(2).
3. A home school is not eligible for local, state, or federal funds allocated to a public school district. Ark. Stat. Ann. § 6-15-507(a)(1).
4. The U.S. Court of Appeals declared the standardized testing requirement to be constitutional in *Murphy v. Arkansas*, 852 F.2d 1039 (8th Cir. 1988). When applying the “compelling interest test,” the court found the state’s testing requirement satisfied the “least restrictive means” analysis. The court said: “...we believe that the state has no means less restrictive than its administration of achievement tests to ensure that its citizens are being properly educated.” *Murphy*, at 1043.

**Teacher Qualifications:** None.

**Standardized Tests:** “Each student enrolled in a home school program who is considered to be at a grade level, or no more than two (2) years beyond the normal age for the appropriate grade for which the State mandates norm-referenced tests for public school students shall be tested using a nationally recognized norm-referenced achievement test selected by the State Board of Education.” Ark. Stat. Ann. § 6-15-504(a).

Unless alternate testing procedures are approved, the administration of the tests is the responsibility of the directors of the education service cooperatives. (The superintendents of the Little Rock, North Little Rock, and Pulaski County school districts act as these directors in their districts.) The cost of testing is the responsibility of the Department of Education unless an alternate testing procedure is approved, in which case the parents or guardians must pay for the testing. Ark. Stat. Ann. § 6-15-504(b).

No minimum score must be achieved by the home school student who is tested, but any student who refuses to participate in the testing program may be prosecuted for truancy. Ark. Stat. Ann. § 6-15-504(e).

PLEASE NOTE: Children enrolled in a virtual charter school, public on-line school, or public school independent study program are not eligible for HSLDA membership. Enrollment in these secular programs is enrollment in public school, which gives the public school authority over the student to impose state assessment, approval of curriculum, and supervision by a certified teacher. HSLDA membership extends only to students whose education is primarily administered and controlled by parents privately. If you have any questions please call our office.