

## NEBRASKA

- Compulsory Attendance Ages:** Six to eighteen. (The age is calculated as of January 1<sup>st</sup> of the school year, so a child who turns six on December 31<sup>st</sup> is of compulsory attendance age for the full school year.) Parents may exempt a child under seven for one year by filing a notarized statement with the local school district. Parents may graduate a child whenever he or she completes the homeschool's program of instruction, or may exempt a child from attendance after his or her sixteenth birthday by signing a notarized release form provided by the local public school. Nebraska Revised Statutes, § 79-201.
- Required Days of Instruction:** 1,032 hours (elementary), 1,080 hours (high school). Neb. Admin. Code Tit. 92, Rule 12 or 13, Section 004.01.
- Required Subjects:** Language arts, math, science, social studies, and health. Neb. Rev. Stat. § 79-1601(2) and § 79-318(5).
- Home School Statute:** None.

**Alternative Statutes Allowing for Home Schools:** Neb. Rev. Stat. § 79-1601(2).

Any private, denominational or parochial school may "elect not to meet state accreditation or approval requirements." A home school is considered "a private school." Parents may assert either religious or non-religious objections to state requirements, but the state has one set of rules and forms for non-religious objections (Rule 12) and another for religious objections (Rule 13).

1. To operate a home school under Rule 12 or Rule 13, parents must annually file the following:
  - a. **"Parent or Guardian Form" (Form A)** - Each of the parents must sign (and file) a separate notarized "Parent or Guardian Form" (Form A).
    - i. This form requires parents to state under oath that requirements for approval and accreditation either "interfere with the decisions in directing my child's education" (Rule 12) or "violate sincerely held religious beliefs of the parents or legal guardians" (Rule 13).
    - ii. The form requires parents to affirm under oath that a program of sequential instruction in language arts, mathematics, science, social studies, and health is being provided. Parents must also affirm that they are satisfied that the individuals monitoring instruction in the school are qualified to monitor instruction in these skills. Parents filing under Rule 12 must also affirm that they understand that their school must comply with the vaccination requirements of Neb. Rev. Stat. § 79-217 (religious exemption available pursuant to Neb. Rev. Stat. § 79-221).

- b. **“Parent Representative Form” (Form B)** – Some adult (usually but not necessarily a parent) must annually also file a notarized “Parent Representative Form” (Form B). The Parent Representative must affirmatively accept certain legal duties pursuant to Neb. Rev. Stat. § 79-1601 and Rule 12 or 13, respectively. This includes the duty to submit information on student enrollment and attendance, monitors, and the sequential program of instruction.
  - c. **Information Summary** - The Parent Representative must also file an Information Summary (supplemental sheet to Form B) prior to the date that the home school begins operation and annually thereafter by August 1<sup>st</sup>. This must include the following:
    - i. A calendar for the school year indicating a minimum instruction of 1,080 hours in secondary schools and 1,032 hours in elementary schools. (For a home school, this can be a very general statement of when the school term begins and ends.)
    - ii. A list of all “instructional monitors” in the home school (typically the parents); including name, address, age, highest level of education completed, names of educational institutions attended and the specific years attended, and a summary of prior teaching experience.
    - iii. A scope and sequence for each grade level.
2. By October 1<sup>st</sup> of a child’s first year of home education, a certified copy of the child’s birth certificate (or other proof as allowed by law) must be submitted to the Nebraska Department of Education.
  3. Children are excused from compulsory attendance whenever they complete the program of instruction offered by their home school.

**Teacher Qualifications:** None, unless the home school teacher is “employed” by the family. Neb. Rev. Stat. § 79-1601(3).

**Standardized Tests:** Although § 79-318(5) gives the State Board of Education the option to adopt regulations for testing and visitation, the Attorney General ruled that the testing and visitation must be uniform for all private (and home) schools and it cannot be arranged without the consent of the parents. OAG Opinion, July 30, 1987. (Robert Spire). As a result, the State Board, in its discretion, has chosen not to require testing or visitation.