



# NEBRASKA

## DEPARTMENT OF EDUCATION

### **Exempt (Home) School Frequently Asked Questions (FAQs) (2015/16 School Year)**

**INCLUDES:**

- A. Laws and Rules
- B. Compulsory School Attendance Age
- C. Getting Started
- D. Forms
- E. Birth Certificate
- F. Miscellaneous

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**EXEMPT (HOME) SCHOOL  
FREQUENTLY ASKED QUESTIONS  
(2015/16 School Year)**

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## EXEMPT (HOME) SCHOOL FREQUENTLY ASKED QUESTIONS (2015/16 School Year)

### A. LAWS AND RULES

#### A1. What is the law regarding "home schooling" in Nebraska?

Parents may educate their child at home by electing not to meet State approval or accreditation requirements (Section 79-1601 R.R.S.). In Nebraska, "home schools" are referred to as exempt schools and are considered non-approved and non-accredited private schools.

By filing for and receiving exempt status, parents are electing not to have their child attend a school that meets State approval or accreditation requirements while also complying with the compulsory school attendance law (Section 79-201 R.R.S.).

#### A2. What are Rule 12 and Rule 13?

Rule 12 and Rule 13 are the state regulations governing the procedures and standards for parents filing for an exemption from State approval and accreditation requirements. These rules can be accessed from the Exempt School Program website, under the "Rules & Regulations" link, at [www.education.ne.gov/FOS/OrgServices/ExemptSchools/](http://www.education.ne.gov/FOS/OrgServices/ExemptSchools/).

#### A3. What is the difference between Rule 12 and Rule 13?

Rules 12 and 13 are the same with the exception of the reason for the exemption and that Rule 12 exempt schools need to comply with student immunization laws.

Rule 12 affidavits state that the requirements for school approval and accreditation required by law interfere with the decisions of the parents or legal guardians in directing their child's education.

Rule 13 affidavits state that the requirements for school approval and accreditation required by law violate the parents' or legal guardians' sincerely held religious beliefs.

## **B. COMPULSORY SCHOOL ATTENDANCE AGE**

### **B1. What is the compulsory (mandatory) school attendance age in Nebraska?**

The compulsory school attendance law (Section 79-201 R.R.S.) states that a child is of mandatory attendance age if the child will reach 6 years of age prior to January 1 of the then-current school year has not reached 18 years of age (refer to Rule 12 or Rule 13, Section 002.03).

### **B2. At what age am I required to file for exempt status for my child?**

Parents or guardians are required to file for exempt status with the NDE for a child who is age 7 up to age 18. **However, if the child will turn 6 before January 1, 2016, in order to avoid violating the compulsory attendance (truancy) law if your child is not enrolled in an approved or accredited school, the parents or guardians must either:**

- Sign an affidavit stating they intend for the child to participate in an Exempt School and intend to file for exempt status with the Commissioner of Education on or before the child's 7th birthday (a.k.a. delaying entry until age 7). This affidavit is to be filed by the parent or guardian with the school district in which the child resides (resident public school district). *Contact the resident public school district to request the affidavit form (NDE does not provide or collect this affidavit form).*
- OR-**
- File for exempt status with NDE for the 2015/16 school year regarding that child. If parents choose this option, they must comply fully with the requirements as outlined in Rule 12 or Rule 13, and begin educating the child(ren) accordingly.

### **B3. My child is 5 years old. Will I need to file for him/her?**

The answer to this question is dependent on the child's date of birth (refer to Rule 12 or Rule 13, Section 011). **If the child will turn 6 before January 1, 2016, in order to avoid violating the compulsory attendance (truancy) law if your child is not enrolled in an approved or accredited school, the parents or guardians must either:**

- Sign an affidavit stating they intend for the child to participate in an Exempt School and intend to file for exempt status with the Commissioner of Education on or before the child's 7th birthday (a.k.a. delaying entry until age 7). This affidavit is to be filed by the parent or guardian with the school district in which the child resides (resident public school district). *Contact the resident public school district to request the affidavit form (NDE does not provide or collect this affidavit form).*
- OR-**
- File for exempt status with NDE for the 2015/16 school year regarding that child. If parents choose this option, they must comply fully with the requirements as outlined in Rule 12 or Rule 13, and begin educating the child(ren) accordingly.

**B4. My child is 6 years old. Will I need to file for him/her?**

It will depend on whether you are 'homeschooling' the child for the 2015/16 school year or delaying entry until the child turns age 7 (refer to Rule 12 or Rule 13, Section 011).

If the child is age 6 now or will turn age 6 before January 1, 2016, but has not reached 7 years of age, the parents or guardians must either:

- Sign an affidavit stating they intend for the child to participate in an Exempt School and intend to file for exempt status with the Commissioner of Education on or before the child's 7th birthday (a.k.a. delaying entry until age 7). This affidavit is to be filed by the parent or guardian with the school district in which the child resides (resident public school district). *Contact the resident public school district to request the affidavit form (NDE does not provide or collect this affidavit form).*

**-OR-**

- File for exempt status with NDE for the 2015/16 school year regarding that child. If parents choose this option, they must comply fully with the requirements as outlined in Rule 12 or Rule 13, and begin educating the child(ren) accordingly.

In the case of a child who is age 6, and will turn age 7 anytime during the 2015/16 school year, and the parents or guardians opted to delay entry until age 7, the parents or guardians must file for exempt status with NDE at least 30 days prior to the child's 7<sup>th</sup> birthday. They may, however, file for exemption prior to the beginning of the 2015/16 school year [note - we recommend filing prior to the beginning of the school year]. Exception: If the parents or guardians had filed for this child for the 2015/16 school year, they must renew the exemption by no later than July 15, 2015.

**B5. My child is currently age 16. Will I need to file for him/her?**

Yes. School attendance is required up to age 18, therefore, the parents or guardians will need to file for exempt status annually until he/she turns age 18. Otherwise, refer to Section 010 of either Rule 12 or Rule 13 for further information about discontinuing enrollment of a child in the exempt school in either of the following two scenarios: (1) if the child has reached age 16 and has not reached age 18, or (2) has not reached age 18 and has completed the program of instruction offered by the exempt (home) school.

**B6. My child is currently 17 years old. Do I need to file for him/her?**

See answer to Question B5.

**B7. My child is currently 18 years old. Do I need to file for him/her?**

No, compulsory school law requires attendance up to age 18.

## C. GETTING STARTED

### C1. How do I get started, what do I do first?

You must file completed exempt school forms with NDE 30 days prior to when the exempt school begins (for first year filers) or by no later than July 15, 2015 for families seeking to renew their exemption for the 2015/16 school year (refer to Rule 12 or Rule 13, Section 003.02A). By filing for exempt status, a parent is electing to have their child attend a school that does not meet the requirements for approval and accreditation in the state but remain in compliance with the compulsory school attendance law. The parent is also promising to comply with the state requirements for exempt schools, and that the information provided is true and accurate.

### C2. Where do I get the forms to file for an exemption?

The forms and related information can be accessed from the Exempt School Program website at [www.education.ne.gov/FOS/OrgServices/ExemptSchools/](http://www.education.ne.gov/FOS/OrgServices/ExemptSchools/), under the "Forms for the 2015/16 School Year" banner; or by contacting staff in the Exempt School Program Office.

### C3. Where do I get textbooks, materials and resources and what does it cost?

Contact a bookstore or a local supply house and they may be able to provide you with information on how to obtain these materials. Curriculum costs will vary depending on your choice to purchase an entire program from a private company or create your own curriculum. The parent (school operator) assumes all costs. Curriculum materials, books, guidelines or technical assistance are not available from the Nebraska Department of Education. Approved or accredited schools are under no obligation to provide assistance to exempt schools. If they choose to do so, it is entirely up to the local school board or governing body. Exempt schools are not eligible to participate in the Rule 4, Textbook Loan Program.

For information about organizations which may help parents obtain curriculum information and provide support for exempt school families, you can also visit the Exempt School Program website, under the "Resources" link, at [www.education.ne.gov/FOS/OrgServices/ExemptSchools/](http://www.education.ne.gov/FOS/OrgServices/ExemptSchools/). These are private organizations and are not affiliated with NDE.

### C4. How can I find support groups or information on the Internet?

The organizations listed on the "Resources" page of the Exempt School Program website (see link above) have information for the newcomer and those with past experience. These Nebraska organizations may be able to provide you with contacts for support groups in your area. For information on the Internet, try using the key words "home school" or "schooling at home."

**C5. Is there a fee?**

There is no fee to file for the exemption with NDE. The parent assumes all curriculum and associated operational costs.

**C6. Is there any funding available for exempt schools?**

There is no funding available through NDE.

**C7. My child will be enrolled in an online “accredited” private school/program. Do I still need to file for exempt status?**

Yes, if the student is of compulsory school attendance age. While these out-of-state, online programs may be accredited in their state of origin or by a private accrediting entity, they are not approved or accredited by NDE and therefore, parents are required to file for exempt status in accordance with law and Rules 12 & 13. A few examples of these programs are Time for Learning, Abeka, Penn Foster, American School, James Madison (Ashworth) High School, and Keystone High School.

The *only* exception is if your child is enrolled full-time with the University of Nebraska Independent Study High School (UNL-ISHS). UNL-ISHS is a Nebraska accredited high school and filing for exempt status for attendance at this school does not apply.

**C8. What are the requirements for school year start date, times of school day, and days the school must be in session?**

There are no legal or regulatory requirements other than that you must provide 1,032 hours of instruction (elementary grades) or 1,080 hours of instruction (secondary grades). The particulars of your school “calendar” in providing those hours is up to you. See also Question D17.

## **D. FORMS**

### **D1. When do I need to have my forms in?**

For families seeking to renew their exemption for the 2015/16 school year, the completed documents must be filed with NDE **by no later than July 15, 2015 (or earlier if possible)**.

For first year filers, the completed documents must be filed **30 days prior to when you begin your exempt school**.

- If you reside in Nebraska when your local school district begins its school year, we highly recommend filing before that school year begins or as soon thereafter as possible. For example, your local district's school year begins on August 10, 2015; submit your exemption election filing by July 10, 2015 (or earlier if possible). That way, local school district attendance officers should know that your child's absence from the district's approved/accredited schools is lawful when school has begun.

We will start processing forms for the 2015/16 school year by the end of May. For purposes of the rule, the record-keeping year is July 1, 2015 through June 30, 2016 (refer to Rule 12 or Rule 13, Sections 002.04 and 003.02A).

### **D2. Where do I send my forms and birth certificate(s)?**

Make copies of the documents for your records. Mail the original documents to the following address:

Exempt School Program Office  
Nebraska Department of Education  
301 Centennial Mall South, P.O. Box 94987  
Lincoln, Nebraska 68509-4987

If you choose to bring the documents to NDE, you can drop them off at the agency's reception desk. NDE is located on the 6<sup>th</sup> Floor of the State Office Building, 301 Centennial Mall (14 & M Streets) in Lincoln; business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

*Be sure to make copies of the documents before you drop them off – the NDE receptionist cannot make copies for you.*

**D3. Can the documents be submitted by email?**

Our office will accept a scanned copy of the documents in Adobe Acrobat (pdf) format. Scan the documents **into one Adobe Acrobat file** in the following order: Form A(s), Form B, Supplementary Sheet, other additional documents (i.e. curriculum summaries, birth certificate(s), court orders, etc.). If you use the reverse side of Page 2 and/or Page 3 of the Supplementary Sheet to provide additional information, be sure to scan those pages in order as well.

- Birth Certificate - our office will accept a color scanned copy of a certified birth certificate in Adobe Acrobat (pdf) format; this means the document being scanned must have a stamped or raised seal by the issuing entity (i.e. Vital Records). If the stamped or raised seal is on the back of the certificate, provide a scanned copy of that page as well. *Note – we will request to view the original document if the scanned document does not appear to contain a stamped or raised seal or appears to be altered in any manner.*

Scan all documents **in color** for legibility and so that the stamped or raised seal of the birth certificate is visible. The file name must include “Parents Last Name, First Name of Parent(s).” From your personal email account, send the file as an attachment to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov); include the file name in the email Subject line. Do not send the email and attachment from a third party or a business.

If you are not able to provide the documents as a scanned pdf file, mail the documents to the address listed above in D2. **Do not fax the documents.**

*Multi-family schools - contact Beth at 402/471-2795 for instructions on submitting scanned pdf documents via email.*

**D4. What will I receive after I submit my forms?**

All families receiving exempt status will receive a letter in the mail signed by the Commissioner of Education “acknowledging” their choice to receive exempt status (exempt schools are acknowledged only, they are not approved or disapproved). You will receive the Acknowledgement Letter if the paperwork is complete. If your file is incomplete, you will be notified by email (if an address is provided) or regular mail and given the opportunity to provide the missing information within an allotted timeframe.

**D5. How soon do I receive my Acknowledgement Letter back after I send in the forms?**

You should allow up to 30 days from the time we receive your paperwork for processing of the forms, especially during the summer and fall months and at semester break.

**D6. How often am I required to file for exempt status?**

For filings subsequent to the initial filing, you must file completed exempt school forms with the Commissioner of the Nebraska Department of Education by July 15 of each school year (refer to Rule 12 or Rule 13, Section 003.02A).

**D7. Do I notify my school district that I'm home schooling?**

You can show the Acknowledgement Letter to the school district, however, this office will provide the official notification to your resident public school district once you receive your exempt status (refer to Rule 12 or Rule 13, Section 005). If you participate in the Enrollment Option Program (opted to another school district), show the option district the acknowledgement letter; NDE notifies only the district of residence.

If this is mid-year filing, see Question D29.

**D8. What happens if I choose to home school and do not file the appropriate paperwork as prescribed in Rule 12 and Rule 13?**

Failure to comply with the filing requirements means no exemption from compulsory attendance laws has been effectuated and could subject the parents or guardians to criminal prosecution under statutes relating to habitual truancy (see Sections 79-201 through 79-210 R.R.S. and Rule 12 and Rule 13, Section 006).

**D9. Who completes the Form A's?**

Each parent or guardian must complete a separate Form A ("Statement of Objection and Assurances by Parent or Guardian") and have it notarized (refer to Rule 12 or Rule 13, Section 003.01).

If the filer is a single parent, that parent must complete Form A and provide sole custody verification. A parent claiming to be a single parent is representing that he or she alone is responsible for making the decisions concerning the educational placement of the child(ren). Sole custody verification includes (but is not limited to): an order of a court of law having proper jurisdiction providing that the filing parent has sole custody of the child(ren), a birth certificate that lists only the filing parent as the parent, or a death certificate if one of the parents is deceased.

If the birth mother was never married to the birth father, and there is no standing court order addressing legal custody, the mother can provide a signed statement to that effect.

If the filer is the legal guardian(s), a copy of the documentation lawfully appointing the filer(s) as guardian(s) must be submitted with the completed Form A(s).

If a parent is on military assignment and cannot be contacted and supplied with the Form A, and the other parent has power of attorney for such matters, then that parent would complete and sign both Form A's (one for herself/himself and one on behalf of their spouse) and attach a copy of the power of attorney document.

**D10. What happens if the parents have joint legal custody, but the child(ren) lives with the filing parent?**

Nebraska law and Rules 12 and 13 require the signature of the parents (plural), unless one parent has sole legal custody or sole educational decision-making authority. If the court order specifies joint legal custody, both parents must complete a Form A, unless the court order specifies that the custodial parent has sole educational decision-making authority. In that case, a copy of that court order must be provided.

**D11. What does it mean when the paperwork asks for the “Name of the Exempt School?”**

This is the name you choose to call your exempt school. For example, some families use their last name and add the words “Home School” (e.g. Smith Home School).

**D12. Who is (or who should I put down as) the Designated Parent Representative?**

The parent representative is the school agent or “principal,” and is the person responsible for filing the exempt school paperwork. Only one parent representative per exempt school should be designated. Typically, this is either the mother or father of the child(ren). The parent representative must complete a Form B (“Affirmation of Appointment as Authorized Parent Representative”) and assume the responsibilities it entails (refer to Rule 12 or Rule 13, Section 003.02 and Form B).

**D13. Do I need a set of forms for each child I want to home school?**

Not if all the children are from the same family. You can include all your children on the same set of forms.

If an exempt school includes children from multiple families, contact Beth at 402/471-2795 or [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov) to request the packet for a multi-family school filing.

**D14. What is an instructional monitor?**

This is the individual(s) designated to do the teaching at the exempt school (refer to Rule 12 or Rule 13, Section 004.02). Report the instructional monitor information in Section 5 and Section 6B of the “Supplementary Sheet for Parent Representative,” for all of the instructional monitors used by the exempt school, including the parent(s) or guardian(s) if they are designated as an instructional monitor. If an online school is used, provide the instructional monitor information for the individual(s) in the home or at the exempt school site who is overseeing or monitoring the instruction.

For multi-family schools, this information is reported in Section 4 and Section 5B of the “Supplementary Sheet for Parent Representative For Multi-Family Schools.”

**D15. What requirements or qualifications must the instructional monitor(s) have to teach my child?**

There are no formal educational qualifications. A monitor must be able to offer evidence of competence to provide a program of instruction designed to lead to the basic skills in the language arts, math, science, social studies and health. The evidence is normally provided to NDE by the parent representative when filing for exempt status and supplying the required information concerning instructional monitors (refer to Rule 12 or Rule 13, Section 004.02). By signing the Form A ("Statement of Objection and Assurances by Parent or Guardian"), the parent or guardian is verifying they are satisfied that the individual monitoring is qualified to monitor instruction in the basic skills (refer to Rule 12 or Rule 13, Form A).

**D16. Can I teach children other than my own?**

Yes, as long as the parents designate you the instructional monitor on their paperwork (refer to Rule 12 or Rule 13, Section 004.02 and Question D16).

**D17. What is the school calendar information?**

This is the planned hours of instruction for the 2015/16 school year. The minimum hours of instruction are 1032 for elementary grades (K-8) and 1080 hours for secondary grades (9-12). The total instructional hours for the 2015/16 school year must occur during the reporting period of July 1, 2015 through June 30, 2016. These are the same hourly requirements required by law for approved and accredited schools.

Report the school calendar information in Section 4 of the "Supplementary Sheet for Parent Representative." Use the reverse side of the page to further explain any unique school calendar information, such as partial year enrollment or dual enrollment. [For multi-family schools, this information is reported in Section 3 of the "Supplementary Sheet for Parent Representative For Multi-Family Schools."]

**D18. What are the requirements for attendance?**

Minimum instruction is 1032 hours for elementary students and 1080 hours for secondary students, per school year (refer to Rule 12 or Rule 13, Section 004.01).

If this is a mid-year filing, the hours of instruction may be prorated based upon the remaining balance of the school year and should reflect the actual instructional hours for the months your child will be home schooled. See Questions D26 & D27 for further information.

If you file Rule 12 or 13 exemption forms for a child who is 5 now, but will turn 6 prior to January 1, 2016, instead of filing the affidavit with your resident school district (see Questions B1 - B4), the 1032 hour requirement applies even if the grade equivalent is kindergarten.

**D19. What is dual enrollment?**

This includes a student who is attending more than one school at the same time (such as half time at the exempt school and half time at the public school or a private approved or accredited school).

When reporting the instructional calendar and curriculum information on the Supplementary Sheet for Parent Representative, use the reverse side of the pages to further explain the situation (i.e. - list any classes the child is taking at an approved or accredited school, as well as the exempt school courses). The total instructional hours (combining the public or private school hours and exempt school hours) must meet the minimum of 1,080 hours in secondary grades and 1,032 hours in elementary grades.

*See Question F6 for further information.*

**D20. What is a partial year or mid-year enrollment?**

This is when the exempt school is in operation in Nebraska for only part of the 2015/16 school year. This could include the following scenarios: the family moves to Nebraska well after the beginning of the school year (July 1) and when the local approved/accredited schools are already in session, or when the parents choose to home school the child part way through the school year after the child had enrolled and attended an approved or accredited school for part of the school year.

*See Questions D26-D29 for further information.*

**D21. What do I need to teach?**

Your program of instruction must lead to (but is not limited to) the basic skills in language arts, mathematics, science, social studies and health (refer to Rule 12 or Rule 13, Section 004.03). Report the program of instruction (curriculum information) in Section 6A of the "Supplementary Sheet for Parent Representative." [For multi-family schools, this information is reported in Section 5A of the "Supplementary Sheet for Parent Representative For Multi-Family Schools."]

**D22. What kind of records do I need to keep?**

While recordkeeping and retention are not addressed in Rule 12 or Rule 13, it is advisable that you keep records including, but not limited to, attendance data and a transcript of classes taken with grades received for each child.

NDE does not collect grades or progress reports; the exempt school parent representative is responsible for their own recordkeeping.

**D23. Do I need to provide a copy of the immunization records to NDE?**

No. If you file under Rule 12, the exempt school will need to keep immunization records on file. For immunization information, refer to Section 79-217 R.R.S., Section 013 of Rule 12, or contact the Department of Health & Human Services (HHS)/Immunization Program Section at 402/471-2139 or visit the HHS website at [http://dhhs.ne.gov/publichealth/Pages/immunization\\_school\\_i.aspx](http://dhhs.ne.gov/publichealth/Pages/immunization_school_i.aspx).

**D24. How do I find out in which school district I reside?**

Contact the County Assessor's office in your county of residence. That office can tell you in which school district you reside. It is important that you list the correct resident school district when submitting paperwork to NDE to ensure that we notify the correct school district of your exempt status (refer to Rule 12 or Rule 13, Section 005).

List the district of residence only. If you participate in the Enrollment Option Program (opted to another school district), you can show the option district the acknowledgement letter; NDE notifies only the district of residence.

**D25. I want to add a child to the exempt school roster, but have already filed and received the Acknowledgement Letter; what do I need to submit?**

Typically, each parent will need to complete the Form A and provide the Supplementary Sheet information (calendar, curriculum, grade level and monitor information), along with the birth certificate, if it has not been submitted previously. Contact the Exempt School Program Office for further information and to request the applicable forms.

**D26. I want to withdraw my child from a Nebraska approved or accredited school to home school in the middle of the school year. Can a mid-year filing be done?**

Yes. As per Section 003.02A (of Rule 12 and Rule 13) the completed documents are to be filed 30 days prior the date on which the exempt school is to begin operation.

The hours of instruction may be prorated based upon the remaining balance of the school year and should reflect the actual instructional hours for the months your child will be home schooled. When reporting the instructional calendar information (Section 4 of the Supplementary Sheet for Parent Representative), use the reverse side of the page to further explain the situation (i.e. total hours met to date, name of school the child(ren) was attending previous to starting at the exempt school, etc.). List any information pertaining to your calendar that would have an impact on your hours throughout the exempt school year. The total (combining the public school hours, or hours completed in another state) must meet the minimum of 1,080 hours in secondary schools and 1,032 hours in elementary schools.

**D27. How do I prorate the instructional hours left?**

If this is a partial year filing, provide a brief explanation; what was or will be the start date for the exempt school; etc. To determine the instructional time to be provided at the exempt school for the remainder of the school year, you will need to figure out an approximate number of instructional hours the child had up to the time you plan to begin homeschooling (if they attended a local public or private school, check with them if you are unsure of the hours).

**D28. Do I have to wait 30 days before I begin homeschooling?**

No; however, Section 003.02A of Rule 12 & Rule 13 stipulate that the filing is to be done 30 days prior to the date the school is to begin operation.

**D29. When can I withdraw my child?**

It is highly advisable to withdraw after NDE has received your complete filing. The parent(s) or guardian(s) should communicate with local school officials prior to withdrawing any child.

If the school (your child is/was attending) requests verification that the forms have been received by NDE and are pending review, you can either show the school the confirmation email (if you submitted the filing by email); or ask the school official to email a status request to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov) (if you submitted your filing by regular mail).

NOTE - this is only a confirmation that the documents have been received by NDE and are pending review. It is **not** the acknowledgement letter.

**D30. I am allowing my child to discontinue attending the exempt school once he/she turns age 16. Do I need to notify NDE?**

Yes. If a child has reached the age of 16 and is below age 18 and the parents or guardians wish to discontinue the enrollment of the child at an exempt school, the parents or guardians must shall each sign a separate Form C ("Parent or Guardian Form to Discontinue Enrollment at Exempt School") and file it with the Commissioner of Education promptly upon withdrawal (refer to Rule 12 or Rule 13, Form C and Section 010.01). Contact the Exempt School Program Office to request copies of the Form C.

**D31. My child is not yet age 18, but has completed the program of instruction offered by the exempt school (or has graduated). Do I need to notify NDE?**

Yes. If a child is below the age of 18 and has completed the program of instruction offered by the exempt school, the parents or guardians shall each sign a separate Form D ("Parent or Guardian Form to Report Completion of Program") and file it with the Commissioner of Education promptly upon completion (refer to Rule 12 or Rule 13, Form D and Section 010.02). Contact the Exempt School Program Office to request copies of the Form D.

## **E. BIRTH CERTIFICATE**

### **E1. Do I need to provide my child's birth certificate?**

Yes. Section 43-2007 of the Revised Statutes of Nebraska (part of the Missing Children Identification Act) requires that "Upon enrollment of a student who is receiving his or her education in an exempt school subject to 79-1601 to 79-1607, the parent or guardian of such student shall provide to the Commissioner of Education either (a) a certified copy of the student's birth certificate, or (b) other reliable proof of the student's identity and age accompanied by an affidavit (notarized statement) explaining the inability to produce a copy of the birth certificate."

Section 43-2007 R.R.S. also provides that failure to comply could cause the matter to be reported to the local law enforcement agency for investigation (refer to Rule 12 or Rule 13, Section 009 and Section 43-2007 R.R.S.).

### **E2. Will I receive the certified (original) birth certificate back?**

Yes. The certified birth certificate is returned to you once we have verified the document and have made a copy for your file.

### **E3. What does "certified" copy mean?**

Nebraska Health & Human Services' (HHS) Regulations state that a "Certified copy shall mean a certificate certified by the Department (HHS) as provided by law." For further information, visit the HHS/Vital Records website at [http://dhhs.ne.gov/publichealth/Pages/vital\\_records.aspx](http://dhhs.ne.gov/publichealth/Pages/vital_records.aspx) or call 402/471-2871. "Certified" birth certificates will usually have a stamped or raised seal and are issued by a State's Vital Records Office.

A Notary Public cannot certify a photocopy of a birth certificate. Hospital-issued birth documents do not comply with the definition of "certified" birth certificate.

### **E4. How do I obtain a "certified" birth certificate for my child?**

For births occurring in Nebraska only, contact HHS (Vital Records) at 402/471-2871 or visit their website at [http://dhhs.ne.gov/publichealth/Pages/ced\\_bicert.aspx](http://dhhs.ne.gov/publichealth/Pages/ced_bicert.aspx). Links to other states' information can be found on the National Center for Health Statistics/Centers for Disease Control and Prevention "Where to Write for Vital Records" website at <http://www.cdc.gov/nchs/w2w.htm>.

**E5. Can I submit a copy of the certified birth certificate?**

Our office will accept a scanned color copy of a certified birth certificate in Adobe Acrobat (pdf) format; this means the document being scanned must have a stamped or raised seal by the issuing entity (i.e. Vital Records). If the stamped or raised seal is on the back of the certificate, provide a scanned copy of that page as well. Scan the birth certificate in color for legibility and so that the stamped or raised seal shows up. See the Checklist for Completing Forms & Questions D2 & D3 for further information on submitting documents to NDE. **Do not fax the birth certificate.**

*Note – we will request to view the original document if the scanned document does not appear to contain a stamped or raised seal or appears to be altered in any manner.*

**E6. Do I provide the birth certificate each school year?**

The birth certificate is to be provided the first year upon enrollment in the exempt school. There is no need to re-submit the birth certificate annually with the completed exempt school forms. [The exception would be if the parents filed for exempt status in the past, but have not filed during the past five school years - in this case, the birth certificate would no longer be on file with NDE.]

## **F. MISCELLANEOUS**

### **F1. Is there a State diploma for exempt school students?**

The State of Nebraska does not issue high school diplomas to exempt school students.

If families are educating students of high school age and elect to subsequently enroll them in an approved or accredited private or public school, they will need to refer to the local school board or private school policies on accepting credit for students from non-accredited/non-approved educational programs and graduation requirements.

Often, individuals who have been “home schooled” take the General Educational Development (GED) exam. If sufficient scores are achieved and other qualifying criteria are met, a person can then receive a State of Nebraska High School Diploma issued by the Commissioner of Education. For more information on the GED, please contact the Nebraska Department of Education GED Section at 402/471-4807 or visit their website at <http://www.education.ne.gov/ADED/index.html>.

### **F2. Can I home school one of my children and send the other(s) to an approved or accredited public or private school?**

Yes.

### **F3. Can a foster child or other ward of the state attend an exempt school?**

In the usual situation involving foster children or wards of the state, Health & Human Services (HHS) (the state) is the legal guardian (refer to Section 43-905 R.R.S.). HHS regulations specifically address educational placement of state wards in non-public school settings (see Title 390, Nebraska Administrative Code, Section 11-002.02D available from the HHS website at [http://www.sos.state.ne.us/rules-and-regs/regsearch/Rules/Health\\_and\\_Human\\_Services\\_System/Title-390/Chapter-11.pdf](http://www.sos.state.ne.us/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-390/Chapter-11.pdf)).

These regulations require the Rule 12 or Rule 13 educational placement be requested by a parent whose parental rights are intact and requires that such parent complete the Rule 12 or Rule 13 (Form A - "Statement of Objection and Assurances by Parent or Guardian") exemption election filing. The regulations also state that if parental rights are not intact, the ward will not be able to attend a Rule 12 or Rule 13 exempt school. If you have any questions regarding HHS regulations, contact your HHS case manager.

### **F4. Do public school districts provide standardized testing for exempt school students?**

Local school boards may develop these policies. Such testing is not required of exempt school students. Check with your resident public school district.

**F5. I am going to home school for a while, and then plan on re-entering my child back into an approved or accredited public or private school. How will my child be placed?**

Local school boards develop these policies. You will need to check with the appropriate school district on their grade placement and re-entry policies and procedures. See also Section 79-215 R.R.S. and Section 003 of NDE Rule 19 ("School Enrollment"). Rule 19 can be accessed from NDE's website at [http://www.education.ne.gov/LEGAL/webrulespdf/Clean19\\_2010.pdf](http://www.education.ne.gov/LEGAL/webrulespdf/Clean19_2010.pdf).

**F6. Can my child take some courses at the local public or private school while also being home schooled?**

Contact the local public or private school regarding their policies and procedures. As provided in Section 79-2,136, R.R.S., each public school district is to allow "part time enrollment" of students that reside in the district but attend an exempt (home) school (refer to Rule 12 or Rule 13, Section 012). Use the reverse side of the Supplementary Sheet to report the dual enrollment information.

**F7. I am home schooling my child who is interested in playing high school sports. Where can I find out if this is possible, and obtain more information?**

The Nebraska School Activities Association (NSAA) establishes bylaws for interscholastic competitive sports program participation for grades 9-12. For further information or clarification of these bylaws, please contact NSAA directly at 402/489-0386 or visit their website at [www.nsaahome.org](http://www.nsaahome.org).

**F8. Can an exempt school student participate in local public or private school activities such as music, drama, etc.?**

Some high school competitive activities (in addition to athletics) may be covered by the NSAA bylaws referenced above. Otherwise, check with the school for their board policy on this matter.

**F9. What do I do when I receive the Acknowledgement Letter, but then change my mind and enroll my child into an approved or accredited public or private school rather than home school?**

Any change of enrollment must be promptly reported to NDE in writing by mail or by email to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov) (refer to Rule 12 or Rule 13, Section 003.02C).

**F10. Who do I notify of any address change throughout the school year?**

Any change of address must be promptly reported to NDE in writing by mail or by email to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov). Include in your notice the new resident school district (if it changes) so that the Department can notify your new resident school district of your exempt status (refer to Rule 12 or Rule 13, Section 005). Also include your new county of residence (if it changes).

**F11. How do I report a change in Parent Representative?**

If the parent representative changes during the school year, the new designated parent representative must promptly submit a Form B (refer to Rule 12 or Rule 13, Section 003.02D).

**F12. How do I report a change of Instructional Monitor?**

If a monitor is added during the school year, report the information in Section 5 of the “Supplementary Sheet for Parent Representative,” and promptly submit to NDE by mail or by email to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov) (refer to Rule 12 or Rule 13, Section 004.02).

For multi-family schools, this information is reported in Section 4 of the “Supplementary Sheet for Parent Representative for Multi-Family Schools.”

If a monitor leaves during the school year, promptly notify NDE in writing by mail or by email to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov) (refer to Rule 12 or Rule 13, Section 004.02).

**F13. How do I report a change in the program of instruction or curriculum?**

Notify NDE in writing by mail or by email to [beth.bolte@nebraska.gov](mailto:beth.bolte@nebraska.gov).