

Rule 13  
Hearing Draft  
December 14, 2015

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
 CHAPTER 13 - EXEMPT SCHOOLS ~~(ELECTION FOR RELIGIOUS REASONS)~~  
HEARING DRAFT 12/14/2015

NUMERICAL TABLE OF CONTENTS

<u>SUBJECT</u>	<u>STATUTORY AUTHORITY</u>	<u>CODE SECTION</u>
General Information	<u>79-201, 79-217 thru 79-223, 79-318, 79-1601, 79-2,136</u>	001
Definitions	<u>79-201, 79-318, 79-1601</u>	002
Statements of <u>Election Objections</u> and Assurances	79-318, 79-1601	003
Information Summary	79-318, 79-1601	004
Letter of Acknowledgment	79-318, 79-1601	005
Failure to Provide Information or Meet Requirements	79-318, 79-1601	006
Exempt School Visits	79-318, 79-1601	007
Student Testing	79-318, 79-1601	008
Birth Certificate	43-2007	009
<del>Discontinuing Enrollment At Withdrawal from</del> the Exempt School	79-201, <u>79-202</u>	010
<del>Children Below Age Seven—Filing Requirement to —the Resident Public School District</del>	<del>79-201</del>	<del>011</del>
<del>Dual (Part-Time) Enrollment</del>	<del>79-2,136</del>	<del>012</del>
APPENDICES:		
FORM A	Parent or <u>Legal</u> Guardian <del>Form</del> <u>Statement of Election and Assurances</u>	
FORM B	<u>Authorized</u> Parent Representative Form	
FORM C	<del>Parent or Guardian Form to Discontinue Enrollment at Withdrawal of a Child(ren) from</del> the Exempt School	
FORM D	<del>Parent or Guardian Form to</del> Report <u>of</u> Completion of Program <u>of Instruction</u>	

ALPHABETICAL TABLE OF CONTENTS

<u>SUBJECT</u>	<u>STATUTORY AUTHORITY</u>	<u>CODE SECTION</u>
Birth Certificate	43-2007	009
<del>Children Below Age Seven – Filing Requirement to the Resident Public School District</del>	<del>79-201</del>	<del>011</del>
Definitions	<u>79-201</u> , 79-318, 79-1601	002
<del>Discontinuing Enrollment At Withdrawal from</del> the Exempt School	79-201, <u>79-202</u>	010
<del>Dual (Part Time) Enrollment</del>	<del>79-2,136</del>	<del>012</del>
Exempt School Visits	79-318, 79-1601	007
Failure to Provide Information or Meet Requirements	79-318, 79-1601	006
General Information	<u>79-201, 79-217 thru 79-223</u> , 79-318, 79-1601, <u>79-2,136</u>	001
Information Summary	79-318, 79-1601	004
Letter of Acknowledgment	79-318, 79-1601	005
Statements of <u>Election Objections</u> and Assurances	79-318, 79-1601	003
Student Testing	79-318, 79-1601	008
APPENDICES:		
FORM A	Parent or <u>Legal</u> Guardian <del>Form</del> <u>Statement of Election and Assurances</u>	
FORM B	<u>Authorized</u> Parent Representative Form	
FORM C	<del>Parent or Guardian Form to Discontinue Enrollment at Withdrawal of a Child(ren) from</del> the Exempt School	
FORM D	<del>Parent or Guardian Form to Report of</del> Completion of Program <u>of Instruction</u>	

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS (~~ELECTION FOR RELIGIOUS REASONS~~)

001 General Information

001.01 Statutory Authority. Section 79-318(5)(c) of the Revised Statutes of Nebraska (R.R.S.), authorizes the Department to establish rules and regulations which govern procedures and standards for private, denominational, and parochial schools which elect, pursuant to procedures prescribed in subsections (2) to (4) of Section 79-1601 R.R.S., not to meet all state accreditation or approval requirements.

001.02 Scope. This Chapter provides rules and regulations governing the procedures for exemption of schools from state approval and accreditation requirements when such schools elect, pursuant to Section 79-1601 R.R.S., not to meet those requirements because they (i) would violate the sincerely held religious beliefs of the parents or legal guardians or (ii) interfere with the decisions of the parents or legal guardians in directing their child's education. This Chapter only applies to such exempt schools and is not applicable to schools which are approved or accredited pursuant to Chapters 14 and 10 of Title 92 of the Nebraska Administrative Code. Schools exempted from the approval and accreditation requirements of Chapters 14 and 10 pursuant to this Chapter shall not be considered either approved or accredited by the Department, nor shall they be entitled to any of the benefits, privileges, or services accorded or provided to approved or accredited schools by the Department.

~~001.03 Related Regulations. Chapter 12 of Title 92 of the Nebraska Administrative Code governs the procedures for exemption of schools from state approval and accreditation requirements when such schools elect, pursuant to Section 79-1601 R.R.S., not to meet those requirements because they would interfere with the decisions of the parents or legal guardians in directing their child's education.~~

~~001.04 Exempt Schools Serving Students Under Both Chapters 12 and 13. An exempt school may have one or more students in attendance under Chapter 12 while one or more attend under this Chapter. In such cases, the parents or guardians filing under each Chapter may have separate parent representatives for each Chapter or may have one person act as a parent representative for both groups of parents or guardians and make separate filings under each Chapter.~~

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS (~~ELECTION FOR RELIGIOUS REASONS~~)

001.03 Children Below Age Seven - Filing Requirement to the Resident Public School District (delaying entry until age seven). A parent or legal guardian of a child who will reach six years of age prior to January 1 of the then-current school year, but has not reached seven years of age (and wish to delay entry until age seven), must sign an affidavit stating that the parent or legal guardian intends for the child to participate in an Exempt School and intends to file for exempt status with the Commissioner of Education on or before the child's seventh birthday. This affidavit is to be filed by the parent or legal 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. (MOVED from 011)

001.03A Parents or legal guardians of a child who will reach six years of age prior to January 1 of the then-current school year whose child will attend an exempt school must comply fully with the requirements as outlined in this Chapter, and begin educating the child accordingly. (MOVED from 011.01)

001.04 Dual (Part-Time) Enrollment. Section 79-2,136 R.R.S. provides that public schools shall allow the part-time enrollment of students who are residents of the school district but attend an exempt (home) school. Each school board shall establish policies and procedures for part-time students and such policies and procedures may include provisions permitting the part-time enrollment of exempt school students who are not residents of the school district. Contact the local public school district regarding their policies and procedures. (MOVED from 012)

001.05 Immunizations. Parents or legal guardians who specify election on Form A for other than religious reasons must comply with immunization requirements of Sections 79-217 through 79-223 R.R.S.. Regulations of the State Department of Health and Human Services promulgated under Section 79-219 R.R.S. dealing with immunizations are found in Title 173, Nebraska Administrative Code, Chapter 3. (MOVED from Rule 12, 013)

002 Definitions. As used in this Chapter:

002.01 Commissioner shall mean the State Commissioner of Education, whose mailing address for purposes of this Chapter is P.O. Box 94987, Lincoln, NE 68509.

002.02 Exempt school shall mean a school which has elected not to meet approval or accreditation requirements and has complied with this Chapter ~~or Chapter 12~~ and state law relating to such exemption.

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS (~~ELECTION FOR RELIGIOUS REASONS~~)

002.03 Initial Year of Operation shall mean a school year that is not immediately preceded by a school year for which the parents or legal guardians filed for exemption under this Chapter.

002.034 Mandatory Attendance Age shall mean a child that (a) will reach six (6) years of age prior to January 1 of the then-current school year, and (b) has not reached eighteen (18) years of age, except as provided in subsection (3) of Section 79-201 R.R.S. A child that will reach six (6) years of age prior to January 1 of the then-current school year need not be enrolled in a public, private, denominational or parochial day school or a school that has elected under this Chapter ~~or Chapter 12~~ not to meet accreditation or approval requirements when the provisions ~~in Section 011~~ of this Chapter are met.

002.05 Residence shall mean that place in which a person is actually domiciled, which is one's established home and the place to which he/she intends to return when absent therefrom. It is the place where a person is actually living full-time, as opposed to vacationing or visiting.

002.06 Resident shall mean a person having residence in a place.

002.047 School year shall mean, for the purposes of this Chapter, the period of instruction between July 1 and the following June 30.

003 Statements of ~~Election Objections~~ and Assurances

003.01 Form A: Parent or Legal Guardian Statement of Election and Assurances. To elect under this Chapter not to meet state approval or accreditation standards and to obtain exemption from provisions of compulsory attendance requirements relating to attendance at a state approved or accredited school, each of the parents or legal guardians of the children who will attend the exempt school and who are of mandatory attendance age must complete and sign a separate Form A: Parent or Legal Guardian Statement of Election Objection and Assurances (see Appendix A), a copy of which is attached as Form A, in the presence of and acknowledged by a notary public upon oath or affirmation.

003.01A Single Parent. If the filer is a single parent, that parent must complete a 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.

003.01A1 If the custody arrangement is changed by a court of law subsequent to the initial filing, a copy of that court order must be provided by the single parent filer.

003.01A2 If the court order specifies joint legal custody, both parents must complete a Form A, unless the court order provides that the custodial parent has sole educational decision-making authority. In that case, a copy of that court order must be provided.

003.01B Legal Guardian(s). If the filer is the legal guardian(s), a copy of the documentation lawfully appointing the filer(s) as legal guardian(s) must be submitted with the completed Form A(s).

003.02 Parent Representative Filings Responsibilities. The parents or legal guardians of the children who attend or will attend the exempt school shall designate an authorized pParent ~~r~~Representative who shall ~~do the following~~:

003.02A ~~Thirty days prior to the date on which the exempt school is to begin operation, and annually thereafter b~~By July 15, ~~of each year the school will be in operation file~~ (i) ~~the parent representative will file a completed Form A described in Section 003.01 from each parent or legal guardian (see Appendix A); and (ii) Form B: Authorized Parent Representative Form (see Appendix B) with the Commissioner. statement containing the names and ages of all children in the school and the names of their parents or guardians, and containing assurances regarding submission of information on enrollment and attendance, signed in the presence of and acknowledged by a notary public upon oath or affirmation. A copy of this statement is attached as Form B, which must be accompanied by a parent or guardian's statement (Form A) signed by each parent or guardian of all children who are to attend the exempt school. In addition to the documentation above, the Parent Representative will also provide the information specified in Section 004 of this Chapter.~~

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS ~~(ELECTION FOR RELIGIOUS REASONS)~~

003.02A1 ~~Parents or legal guardians and child(ren) that were not residents of a Nebraska school district as of July 15 of any school year in which they elect to have such child(ren) enroll and attend a school established or to be established under this Chapter, shall cause the parent representative designated under this Section to promptly file Forms A and B after the parents or legal guardians and child(ren) have established a residence in Nebraska. (See Appendices A & B.)~~

003.02A2 ~~Parents or legal guardians of any child about to be or presently enrolled in an approved or accredited Nebraska school, who, after July 15, elect to have such child enroll and attend a school established or to be established under this Chapter, shall cause the parent representative designated under Section 003.02 to promptly file Forms A and B. (See Appendices A & B.)~~

003.02B ~~Additional enrollment(s) during the school year: If, at any time during the school year, new children will enroll in the exempt school, t~~  
The parent representative shall promptly submit to the Commissioner or designee an additional a Form A statement from for each new parent or legal guardian prior to enrollment and the documentation specified in Section 004 of this Chapter for additional enrollment(s) during the school year.

003.02C ~~Discontinuation of enrollment during the school year: If, at any time during the school year, children withdraw from the exempt school, t~~  
The parent representative shall promptly inform the Commissioner or designee of such withdrawal change in writing if any child discontinues enrollment during the school year. See also Section 010.

003.02D ~~Change of parent representative during the school year: If the parent representative changes at any time during the school year, t~~  
The parents or legal guardians shall designate a new parent representative who shall promptly submit a new Form B if the parent representative changes during the school year.

003.02E ~~Address change(s) during the school year: If the address changes at any time during the school year, t~~  
The parent representative shall promptly notify the Commissioner or designee in writing if the address of the parents or legal guardians, parent representative, or exempt school changes during the school year.

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS ~~(ELECTION FOR RELIGIOUS REASONS)~~

004 Information Summary. ~~Prior to the date that the exempt school begins operation, and annually thereafter by July 15, the parent representative will submit to the Commissioner or designee the following:~~ The parent representative will submit to the Commissioner the information described in Sections 004.01, 004.02, and 004.03 of this Chapter. For the initial year of operation, this summary will be submitted simultaneously with, but no later than 30 days after, the filings described in Section 003.02 are made. After the initial year of operation, the summary will be submitted annually by July 15. An optional document entitled, "Information Summary for Parent Representative," is designed to assist a parent representative in providing this information, and is available from the Department's Exempt School Program office or website.

004.01 ~~A calendar for the school year indicating~~ The exempt school period as demonstrated by the Start Date and End Date. The period of operation for the school year will allow sufficient time for the provisions of a minimum instruction of 1,080 hours in secondary schools and 1,032 hours in elementary schools. ~~During the first year of operation, t~~The days ~~hours~~ of instruction may be prorated based upon the remaining balance of the school year.

004.02 A list of the names of all instructional monitors in the exempt school, which shall also include for each their ~~address,~~ age, and highest level of education completed, ~~names of educational institutions attended and the specific years attended, and summary of prior teaching or monitoring experience.~~ If any new monitors are added during the school year, the same information for such persons shall be promptly submitted in writing to the Commissioner ~~or designee.~~ If any monitors leave during the school year, this shall also be promptly submitted in writing to the Commissioner ~~or designee.~~ ~~At the option of the parent representative, a score on the National Teachers Examination may also be submitted for any monitor in addition to the above information.~~

004.03 A ~~chart or~~ written description or summary showing ~~the scope and sequence of~~ the sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health, which shall include a list of ~~all~~ classes or courses, and the names of the monitor(s) ~~who are~~ responsible for instructing or monitoring ~~those classes or courses.~~ ~~This chart or summary shall show~~ and the grade levels being included in the exempt school.

004.04 ~~The name of the public school district and county in which the child(ren) resides.~~

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS (~~ELECTION FOR RELIGIOUS REASONS~~)

- 005 Letter of Acknowledgment. Upon receipt by the Commissioner of ~~the a~~ properly completed Form A signed by all parents or legal guardians, a properly completed Form B signed by the authorized parent representative, and the information required in Section 004, the election to operate an exempt school is effective, and the Commissioner will direct that a letter acknowledging such receipt be sent to the authorized parent representative and reported to the school district where the child resides. For initial year filings, the election is effective upon receipt by the Commissioner of the properly completed Forms A and B, but continued effectiveness is contingent on the receipt of the information required in Section 004.
- 006 Failure to Provide Information or Meet Requirements. Failure of the parent representative to provide the information required by this Chapter ~~within the time limits described above~~, or failure to meet any of the other requirements of this Chapter, ~~will~~ may cause the Department to notify the school district in which the child resides that the school has not met the requirements of this Chapter and therefore shall not be deemed an exempt school for purposes of 79-201 R.R.S., which may subject the parents or legal guardians to prosecution thereunder or under any other statutes relating to ~~habitual truancy~~ mandatory attendance.
- 007 Exempt School Visits. When the Department, in order to verify information submitted pursuant to this Chapter, deems it necessary to visit the exempt school, Department officials or their designees shall contact the parent representative and a time for the visit shall be mutually established. Denial of access for this purpose, so long as pursued in this manner, shall be cause for the Department to determine that the exempt school is not meeting requirements relating to the sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. Therefore, it shall not be deemed an exempt school and the procedure in Section 006 above will be initiated.
- 008 Student Testing. When the Department, in order to verify information submitted pursuant to this Chapter deems it necessary to have conducted regular achievement testing of students attending the school, Department officials shall contact the parent representative and a test, a time, and a procedure shall be mutually designated and established. Denial of student testing for this purpose, so long as pursued in this manner, shall be cause for the Department to determine that the exempt school is not meeting requirements relating to the sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. Therefore, it shall not be deemed an exempt school and the procedure in Section 006 above will be initiated.

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS ~~(ELECTION FOR RELIGIOUS REASONS)~~

009 Birth Certificate. Pursuant to Section 43-2007(3) R.R.S. (part of the Missing Children Identification Act), upon enrollment of a student who is receiving his or her education in an exempt school subject to sections 79-1601 to 79-1607, the parent or legal guardian of such student shall provide to the Commissioner of Education either (a) a certified copy of the child's birth certificate or (b) other reliable proof of the child's identity and age accompanied by an affidavit explaining the inability to produce a copy of the birth certificate. Upon failure of the parent or legal guardian to comply, the Commissioner of Education shall notify such parent or legal guardian in writing that unless he or she complies within ten days the matter shall be referred to the local law enforcement agency for investigation. If compliance is not obtained within such ten-day period, the Commissioner shall immediately report such matter.

010 ~~Discontinuing Enrollment at Withdrawal From the Exempt School.~~ ~~For a A child who is of mandatory attendance age, attendance at may be withdrawn from the exempt school may be discontinued~~ in the following two cases:

~~010.01 If the 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, the parent or guardian shall sign a separate "Parent or Guardian Form to Discontinue Enrollment at Exempt School" attached as Form C, in the presence of and acknowledged by a notary public upon oath or affirmation. In accordance with Section 79-202(6) R.R.S., a person who has legal or actual charge or control of a child who is at least sixteen years of age but less than eighteen years of age may withdraw such a child before graduation and be exempt from the mandatory attendance requirements by filing with the Commissioner a "Withdrawal of a Child(ren) From the Exempt School" form, attached as Appendix C (Form C), in the presence of and acknowledged by a notary public upon oath or affirmation. Upon receipt of the properly completed Form C, the Commissioner will direct that a letter acknowledging such receipt be sent and reported to the school district where the child resides.~~

~~010.01A Single Parent. If the filer is a single parent, that parent must complete a Form C 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. 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, a birth certificate that lists only the filing parent as the parent, or a death certificate if one of the parents is deceased.~~

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS (~~ELECTION FOR RELIGIOUS REASONS~~)

~~010.01A1 If the custody arrangement is changed by a court of law subsequent to the initial filing, a copy of that court order must be provided by the single parent filer.~~

~~010.01A2 If the court order specifies joint legal custody, both parents must complete a Form C, unless the court order provides that the custodial parent has sole educational decision-making authority. In that case, a copy of that court order must be provided.~~

~~010.01B Legal Guardian(s). If the filer is the legal guardian(s), a copy of the documentation lawfully appointing the filer(s) as legal guardian(s) must be submitted with the completed Form C(s).~~

010.02 If the child is below 18 and has completed the program of instruction offered by the exempt school, then ~~each~~ parents or legal guardians shall sign a ~~separate "Parent or Guardian Form to~~ Report of Completion of Program" form, ~~attached as Appendix D (Form D), in the presence of and acknowledged by a notary public upon oath or affirmation. Upon receipt of the properly completed Form D signed by the parents or legal guardians, the Commissioner will direct that a letter acknowledging such receipt be sent to the parents or legal guardians and reported to the school district where the child resides.~~

010.02A Single Parent. If the filer is a single parent, that parent must complete a Form D 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. 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, a birth certificate that lists only the filing parent as the parent, or a death certificate if one of the parents is deceased.

010.02A1 If the custody arrangement is changed by a court of law subsequent to the initial filing, a copy of that court order must be provided by the single parent filer.

010.02A2 If the court order specifies joint legal custody, both parents must complete a Form D, unless the court order provides that the custodial parent has sole educational decision-making authority. In that case, a copy of that court order must be provided.

TITLE 92 - NEBRASKA DEPARTMENT OF EDUCATION  
CHAPTER 13 - EXEMPT SCHOOLS (~~ELECTION FOR RELIGIOUS REASONS~~)

010.02B Legal Guardian(s). If the filer is the legal guardian(s), a copy of the documentation lawfully appointing the filer(s) as legal guardian(s) must be submitted with the completed Form D(s).

~~Within 30 days upon receipt of the Form C or Form D signed by all parents or guardians, the Commissioner will direct that a letter acknowledging such receipt be sent to the parents or guardians and reported to the school district where the child resides.~~

~~011 Children Below Age Seven - Filing Requirement to the Resident Public School District (delaying entry until age seven). Parents or guardians of a child who will reach six years of age prior to January 1 of the then-current school year, but has not reached seven years of age (and wish to delay entry until age seven), must sign an affidavit stating that the parent or guardian intends for the child to participate in an Exempt School and intends to file for exempt status with the Commissioner of Education on or before the child's seventh birthday. 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. (MOVED to 001.03)~~

~~011.01 Parents or guardians of a child who will reach six years of age prior to January 1 of the then-current school year whose child will attend an exempt school must comply fully with the requirements as outlined in Rule 13, and begin educating the child accordingly. (MOVED to 001.03A)~~

~~012 Dual (Part Time) Enrollment. Section 79-2,136 R.R.S. provides that public schools shall allow the part time enrollment of students who are residents of the school district but attend an exempt (home) school. Contact the local public school district regarding their policies and procedures. (MOVED to 001.04)~~

TITLE 92  
CHAPTER 13

FORM A: Parent or Guardian Form

STATEMENT OF OBJECTION AND ASSURANCES BY PARENT OR GUARDIAN

TO: COMMISSIONER OF EDUCATION, STATE OF NEBRASKA  
P.O. BOX 94987, LINCOLN, NE 68509

\_\_\_\_\_, the undersigned, being a parent  
or

(Printed Name of Parent or Guardian)

guardian of children who attend or will attend the \_\_\_\_\_ School,

(Name of Exempt School)

located at

;

(Exempt School Address)

do hereby affirm that:

The requirements for school approval and accreditation required by law and the rules and regulations adopted and promulgated by the State Board of Education violate my sincerely held religious beliefs; and \_\_\_\_\_ has been designated  
as \_\_\_\_\_

(Name of Parent Representative)

my authorized parent representative who will at least annually submit to the Department of Education information to show that the students are enrolled and attending pursuant to compulsory attendance laws by submitting a school calendar for the year and notifying the Commissioner of any changes in student enrollment and address; and

A program of sequential instruction in the language arts, mathematics, science, social studies, and health is being provided; and

I have satisfied myself that individuals monitoring instruction at this school are qualified to monitor instruction in the basic skills as listed in the paragraph above, and that such individuals have demonstrated an alternative competency to monitor instruction or supervise children; and

The **name(s), age(s), and date(s) of birth** of my child(ren) who will attend the school is (are)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
and

I further understand that this school is not Approved or Accredited by the State of Nebraska.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

(Signature of Parent or Guardian)

State of Nebraska \_\_\_\_\_)

) ss

County of \_\_\_\_\_)

(Address)

The foregoing Statement of Objection and Assurances was signed in my presence by \_\_\_\_\_  
\_\_\_\_\_, upon oath or affirmation that the statements contained therein were true.  
(Printed Name of Parent or Legal Guardian)

(Seal)

\_\_\_\_\_  
Signature of Notary Public

**Instructions:** A separate copy of this form must be signed by each parent or guardian of the child(ren) named on this form and provided to the parent representative for filing with the Commissioner of Education. A parent filing as a single parent should consult Section 003.01A. Form A is required by Rule 13, and is part of this rule, therefore, an altered Form A will not be accepted.

TITLE 92  
CHAPTER 13

FORM B: Parent Representative Form

AFFIRMATION OF APPOINTMENT AS AUTHORIZED PARENT REPRESENTATIVE

TO: ~~COMMISSIONER OF EDUCATION, STATE OF NEBRASKA  
P.O. BOX 94987, LINCOLN, NE 68509~~

I, \_\_\_\_\_, being a parent of a child  
who \_\_\_\_\_

(Printed Name of Parent Representative)

attends or will attend the  
School,

(Name of Exempt School)

located at \_\_\_\_\_ or  
a \_\_\_\_\_

(Exempt School Address)

legal representative of such parent, and being duly designated by the parents of the children in said school as their Authorized Parent Representative, do hereby accept such appointment and agree to carry out the duties assigned to me by 79-1601 R.R.S. and Title 92, Nebraska Administrative Code, Chapter 13.

I understand that such duties shall include:

1. ~~Securing and submitting to the Commissioner information specified in Chapter 13 regarding student enrollment and attendance, monitors, and the sequential program of instruction.~~
2. ~~Making arrangements with the exempt school operators in the event that a school visit and/or testing is requested by the Commissioner.~~

I affirm that I have attached a list of the names and ages of all children of mandatory attendance age who attend the school pursuant to an election under Chapter 13 and the names of all of their parents or guardians and have also attached a Statement of Objections and Assurances (Form A) signed by each parent or guardian of such children.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

(Signature of Parent Representative)

State of Nebraska \_\_\_\_\_ )

) ss

County of \_\_\_\_\_ )

(Address)

The foregoing Affirmation of Appointment was signed in my presence by \_\_\_\_\_  
\_\_\_\_\_, upon oath or affirmation that the statements contained therein were true.  
(Printed Name of Parent Representative)

(Seal)

\_\_\_\_\_  
Signature of Notary Public

**Instructions:** The parent representative sends this completed form to the Commissioner of Education 30 days prior to the initial opening of school or by July 15 each year thereafter with a list of the names and ages of the children at the school, the names of their parents, and a Statement of Objection and Assurances (Form A) for each parent or guardian of a child who is of mandatory attendance age enrolled in the school. Form B is required by Rule 13, and is part of this rule, therefore, an altered Form B will not be accepted.

FORM C

Parent or Guardian Form to Discontinue Enrollment at the Exempt School

TO: COMMISSIONER OF EDUCATION, STATE OF NEBRASKA  
P.O. BOX 94987, LINCOLN, NE 68509

\_\_\_\_\_, the undersigned, being a  
\_\_\_\_\_  
(Printed Name of Parent or Guardian)

parent or guardian of the child(ren) listed below do hereby affirm that the child(ren)  
reached the age of sixteen, and is below age eighteen  
and, pursuant to 79-201 R.R.S., will discontinue enrollment at the

\_\_\_\_\_ effective \_\_\_\_\_  
\_\_\_\_\_  
(Name of Exempt School) (Month/Day/Year)

First/Last Name of Child(ren)	Age	Date of Birth Mo/Day/Yr	Resident Public School District In Which the Family Resides

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_  
(Signature of Parent or Guardian)

State of Nebraska \_\_\_\_\_ )  
\_\_\_\_\_ ) ss

County of \_\_\_\_\_  
\_\_\_\_\_  
(Address)

The foregoing statement was signed in my presence by \_\_\_\_\_,  
\_\_\_\_\_  
(Printed Name of Parent or Guardian)  
upon oath or affirmation that the statements contained therein were true.

\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
\_\_\_\_\_  
Signature of Notary Public

**Instructions:** A separate copy of this form must be signed by each parent or guardian of the child(ren) named on this form and filed with the Commissioner of Education, promptly upon withdrawal from the program. A parent filing as a single parent should consult Section 010.01A.



TITLE 92, CHAPTER 13  
NEBRASKA DEPARTMENT OF EDUCATION

FORM A: Parent or Legal Guardian Form

Page 1 of 2

**STATEMENT OF ELECTION AND ASSURANCES**  
A separate Form A shall be completed by each parent or legal guardian

**Parent or Legal Guardian Information**

<u>First Name/Middle Initial</u>		<u>Last Name</u>	
<u>Address</u>			
<u>City</u>		<u>State</u>	<u>Zip Code</u>
<u>Mailing Address (if different from residential address)</u>			
<u>City</u>		<u>State</u>	<u>Zip Code</u>
<u>School District of Residence</u>		<u>County of Residence</u>	
<u>Email Address (optional)</u> _____ @ _____ . _____		<u>Phone Number (optional)</u> _____ ( _____ ) _____ - _____	

**Select One**

1.  Initial (First) Year      2.  Renewing from Previous School Year  
 3.  Filed in the past, but not during the previous school year (last school year filed: \_\_\_\_\_)  
 4.  Adding a child to the current school year exempt school roster  
*(only applies if already filed/received exempt status for another child(ren) for the current school year)*

**Student(s) attending the exempt school** (attach separate page if additional space is needed)

<u>Student's First &amp; Last Name</u>	<u>Age</u>	<u>Date of Birth</u>
<u>1</u>	_____	____ / ____ / ____
<u>2</u>	_____	____ / ____ / ____
<u>3</u>	_____	____ / ____ / ____
<u>4</u>	_____	____ / ____ / ____
<u>5</u>	_____	____ / ____ / ____
<u>6</u>	_____	____ / ____ / ____

**Name & Address of the Exempt School**

<u>Exempt School Name</u>		
<u>Physical Address (if different from above)</u>		
<u>City</u>	<u>State</u>	<u>Zip Code</u>

TITLE 92, CHAPTER 13  
NEBRASKA DEPARTMENT OF EDUCATION

FORM A: Parent or Legal Guardian Form

**Statement of Election (select one)**

- The requirements for approval and accreditation required by law and the rules and regulations adopted and promulgated by the State Board of Education violate my sincerely held religious beliefs.
- The requirements for approval and accreditation required by law and the rules and regulations adopted and promulgated by the State Board of Education interfere with my decisions in directing my child(ren)'s education; and I am aware that under this election exempt schools must comply with the immunizations requirements in Section 79-217 of the Revised Statutes of Nebraska with exception as provided in Sections 79-221 and 79-222.

**Designation of Parent Representative (select one)**

- I will serve as my own Representative and fulfill the responsibilities of the Parent Representative.
- I will not serve as my own Representative. I hereby designate the following individual as the exempt school Parent Representative:

<u>First Name/Middle Initial</u>	<u>Last Name</u>

**As the undersigned parent or legal guardian, I affirm and agree:**

The Parent Representative will annually, by July 15, or as otherwise required by 92 NAC 13 (Rule 13) Sections 003.02A1-003.02A2, submit to the Department of Education this Statement (Form A) and information to show that the students are enrolled and attending pursuant to compulsory attendance laws by submitting the exempt school period as demonstrated by the Start Date and End Date; and will promptly notify the Commissioner of any changes in student enrollment and address; and

A program of sequential instruction in the language arts, mathematics, science, social studies, and health is being provided; and

I have satisfied myself that the individual(s) monitoring instruction at this school are qualified to monitor instruction in the basic skills as listed in the paragraph above, and that such individuals have demonstrated an alternative competency to monitor instruction or supervise children; and

I further understand that this school is not Approved or Accredited by the State of Nebraska.

The statements contained in this document are true and accurate and I am the Parent or Legal Guardian listed at the top of this form. I further understand that providing false information or signature could carry criminal penalties under Nebraska Law.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature of Parent or Legal Guardian

**Instructions:** A separate copy of this form must be properly completed by each parent or legal guardian of the child(ren) named on this form and provided to the parent representative for filing with the Commissioner of Education (refer to Chapter 13, Section 003.01). A parent filing as a single parent should consult Section 003.01A. Form A is required by Chapter 13, therefore, an altered Form A will not be accepted.

**FORM B: Parent Representative Form**

**AUTHORIZED PARENT REPRESENTATIVE FORM**

(also known as the exempt school's principal or administrator)

[The Form B is completed by one person per Exempt School]

**Parent Representative Information**

<b><u>First Name/Middle Initial</u></b>		<b><u>Last Name</u></b>	
<b><u>Address</u></b>			
<b><u>City</u></b>		<b><u>State</u></b>	<b><u>Zip Code</u></b>
<b><u>Mailing Address (if different from residential address)</u></b>			
<b><u>City</u></b>		<b><u>State</u></b>	<b><u>Zip Code</u></b>
<b><u>Email Address (optional)</u></b> _____ @ _____ . _____		<b><u>Phone Number (optional)</u></b> _____ ( _____ ) _____ - _____	

**Exempt School Information**

<b><u>Exempt School Name</u></b>			
<b><u>Address</u></b>			
<b><u>City</u></b>		<b><u>State</u></b>	<b><u>Zip Code</u></b>
<b><u>Mailing Address (if different from residential address)</u></b>			
<b><u>City</u></b>		<b><u>State</u></b>	<b><u>Zip Code</u></b>
<b><u>Email Address (optional)</u></b> _____ @ _____ . _____		<b><u>Phone Number (optional)</u></b> _____ ( _____ ) _____ - _____	

I do hereby accept such appointment and agree to carry out the duties assigned to me by 79-1601 R.R.S. and Title 92, Nebraska Administrative Code, Chapter 13.

I understand that such duties shall include:

1. Securing and submitting to the Commissioner information specified in Chapter 13 regarding student enrollment and attendance, monitors, and the sequential program of instruction.
2. Making arrangements with the exempt school operators in the event that a school visit and/or testing is requested by the Commissioner.

I affirm that I have attached a Statement of Election and Assurances (Form A) signed by each parent or legal guardian of a child who is of mandatory attendance age enrolled in the school.

The statements contained in this document are true and accurate and I am the designated Parent Representative listed at the top of this form. I further understand that providing false information or signature could carry criminal penalties under Nebraska Law.

Signed this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature of Parent Representative

**Instructions:** The parent representative sends this properly completed form to the Commissioner of Education by July 15 or as otherwise required by Chapter 13, Sections 003.02A1-003.02A2 with a properly completed Statement of Election and Assurances (Form A) for each parent or legal guardian of a child who is of mandatory attendance age enrolled in the school. See Chapter 13, Section 003.02 for further information. Form B is required by Chapter 13, therefore, an altered Form B will not be accepted.



TITLE 92, CHAPTER 13  
NEBRASKA DEPARTMENT OF EDUCATION

FORM D: Completion of Program

**Report of Completion of Program of Instruction**  
**A Form D shall be completed by each parent or legal guardian**

**Parent or Legal Guardian Information**

<b><u>First Name/Middle Initial</u></b>		<b><u>Last Name</u></b>	
<b><u>Address</u></b>			
<b><u>City</u></b>		<b><u>State</u></b>	<b><u>Zip Code</u></b>
<b><u>Mailing Address (if different from residential address)</u></b>			
<b><u>City</u></b>		<b><u>State</u></b>	<b><u>Zip Code</u></b>
<b><u>School District of Residence</u></b>		<b><u>County of Residence</u></b>	
<b><u>Email Address (optional)</u></b>		<b><u>Phone Number (optional)</u></b>	
_____ @ _____ . _____		( _____ ) _____ - _____	

**Student Information**

<b><u>Student's First &amp; Last Name</u></b>	<b><u>Age</u></b>	<b><u>Date of Birth</u></b>
_____	_____	____ / ____ / ____
_____	_____	____ / ____ / ____

**Exempt School Name**

_____
-------

**As the undersigned parent or legal guardian, I affirm and agree:**

The child(ren) listed above has not reached the age of eighteen and, pursuant to 79-201 R.R.S., has completed the program of instruction offered at the above-listed exempt school, effective \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_.  
 (Month/Day/Year)

The statements contained in this document are true and accurate and I am the Parent or Legal Guardian listed at the top of this form. I further understand that providing false information or signature could carry criminal penalties under Nebraska Law.

Signed this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Parent or Legal Guardian

**Instructions:** File a properly completed Form D with the Commissioner of Education, promptly upon withdrawal from the program. Refer to Chapter 13, Section 010.02.