



NEBRASKA
DEPARTMENT OF
EDUCATION

A REPORT ON PARTICIPANTS IN NEBRASKA EXEMPT SCHOOLS 2016/17 School Year

Nebraska Department of Education
Exempt School Program Office
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INTRODUCTION

Background

On April 10, 1984, legislation was enacted that allowed parents to provide educational opportunities for their children outside of approved or accredited public or non-public schools (State Statute Section 79-1601). Parents, through a parent representative, were allowed to file for exempt status based on sincerely held religious beliefs. The Nebraska Department of Education (NDE) was given the responsibility for establishing rules and regulations governing procedures and standards for parents filing for an exemption. Rule 13 was developed in response to the statutory directive and became effective on August 22, 1984, and subsequently revised thrice, with a current effective date of May 21, 2016.

In March 1999, a revision was made to the original State Statute. This revision gave parents or legal guardians the option to exempt their schools because the requirements for approval and accreditation required by law: 1) violate sincerely held religious beliefs, or 2) interfere with the decisions of the parents or legal guardians in directing their child's education. The Department then implemented a new rule (in addition to Rule 13) entitled Rule 12: "Regulations and Procedures for Exempting Schools for Which Parents Elect Not To Meet Legal Requirements for State Approval and Accreditation for Other Than Religious Reasons," with an effective date of August 4, 1999. The repeal of Rule 12 in May 2016 was the result of combining the two exempt school regulations into one rule.

On an annual basis, families that choose to be exempt from approval and accreditation requirements or "home school," file under Rule 13 indicating these requirements either 1) interfere with the decisions of the parents or legal guardians in directing their child's education; or 2) violates sincerely held religious beliefs. Rule 13 describes the procedure and forms that are to be used in the filing process for those seeking exempt status. It was from the forms submitted by those filing for exempt status for the 2016/17 school year that the data in this report was compiled.

Descriptors/Definitions

For the purpose of consistency, data collected by January of each school year is presented in this report. The following descriptors and their definitions are used in this report.

Exempt status defines those parents who file to exempt themselves from approval and accreditation regulations, and receive official notification from the Commissioner of Education acknowledging their election to do so.

Exempt schools is the term used in Nebraska for "home schools."

Exempt students refers to the children attending exempt schools.

A **family unit** is a single family comprised of parent(s) or legal guardian(s) and child(ren).

A **single family attendance center** refers to a site occupied by students belonging to one family who have received exempt status.

A **multi-family attendance center** refers to a site occupied by a group of children from two or more families who have received exempt status.

General Information

Rule 13, Frequently Asked Questions (FAQ), and related information and forms can be accessed from the Exempt School Program website at

<http://www.education.ne.gov/FOS/OrgServices/ExemptSchools/Index.html>

DATA REVIEWED

Students, Family Units, and Attendance Centers

Appendix A contains a historical summary for school years 1985/86 through 2016/17 regarding students, family units, attendance centers, and counties of residence.

Students and Family Units by County

For the 2016/17 school year, exempt students resided in all but one of the ninety-three Nebraska counties, which was Hayes County. The 10 counties with the greatest number of exempt students were as follows:

1) Douglas	2,092
2) Lancaster	1,341
3) Sarpy	1,046
4) Cass	225
5) Lincoln	223
6) Scotts Bluff	206
7) Buffalo	201
8) Platte	180
9) Hall	162
10) Seward	142

Douglas, Lancaster, and Sarpy Counties accounted for nearly 52 percent of the State's total number of exempt children.

Appendix B lists statistical information on families and students, in single family and multi-family attendance centers, by county.

Exempt School Students Compared to Total Census

Effective July 16, 2004, the compulsory school attendance age (Section 79-201, R.R.S.) is as follows:

- ❑ Prior to July 1, 2005, a child is of mandatory attendance age if the child (i) has reached 7 years of age, (ii) did not reach 16 years of age prior to July 16, 2004, and (iii) has not reached 18 years of age; and
- ❑ On and after July 1, 2005, a child is of mandatory attendance age if the child (i) will reach 6 years of age prior to January 1 of the then-current school year, (ii) did not reach 16 years of age prior to July 16, 2004, and (iii) has not reached 18 years of age.

Prior to the July 16, 2004 change in law, compulsory school attendance law was age 7 up to age 16.

Appendix C shows the percentage of exempt school students to the total census count. For school years 1985/86 through 2003/04, the total of exempt students each year was divided by the total census count within age 7 through age 15 range to derive a percentage figure; for school year 2004/05, the total of exempt students was divided by the total census count within age 7 through age 16 range to derive a percentage figure; and for school years 2005/06 through 2016/17, the total of exempt students was divided by the total census count within age 6 through age 17 range to derive a percentage figure. The percent of students attending exempt schools compared to the total census count of Nebraska children for 2016/17 was 2.67 percent.

Students by Age

The numbers of exempt students, by age, are listed below. 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, and has not reached 18 years of age.

Age	Number of Exempt Students
5	250
6	784
7	815
8	786
9	785
10	755
11	753
12	756
13	725
14	632
15	553
16	581
17	423
Total	8,598

Discontinuing Enrollment at the Exempt School

For a child who is of mandatory attendance age, attendance at the exempt school may be discontinued in the following two cases:

- ❑ 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 parents or guardians shall file a Form C ("Withdrawal of a Child(ren) From the Exempt School") with the Commissioner of Education (see Section 010.01 and Appendix C of Rule 13).
- ❑ If the child is below age 18 and has completed the program of instruction offered by the exempt school, the parents or guardians shall sign a separate Form D ("Report of Completion of Program of Instruction") with the Commissioner of Education (See Section 010.02 and Appendix D of Rule 13).

Reason For Discontinuing Enrollment at the Exempt School During the 2016/17 School Year	Number of Students Impacted
The child has reached the age of 16, and is below age 18, and withdrew before graduation (Form C).	6
The child is below age 18 and has completed the program of instruction (Form D).	74

Appendix A

Historical Summary of Exempt Students, Family Units, Attendance Centers, and Counties of Residence School Years 1985/86 through 2016/17

School Year	Number of Students			Family Units	School Attendance Centers			Counties Containing Exempt Students
	Single Family	Multi Family	Total		Single Family	Multi Family	Total	
1985/86	492	447	939	518	262	20	282	N/A
1986/87	830	546	1,376	753	517	26	543	66
1987/88	977	660	1,637	873	509	33	542	70
1988/89	1,155	553	1,708	946	618	29	647	76
1989/90	1,341	566	1,907	1,106	755	53	808	80
1990/91	1,559	588	2,147	1,221	876	30	906	81
1991/92	2,030	574	2,604	1,443	1,122	28	1,150	83
1992/93	2,296	635	2,931	1,623	1,264	32	1,296	87
1993/94	2,633	690	3,323	1,819	1,436	29	1,465	88
1994/95	3,061	762	3,823	2,110	1,679	38	1,717	86
1995/96	3,340	797	4,137	2,220	1,770	33	1,803	90
1996/97	3,682	725	4,407	2,394	1,988	33	2,021	89
1997/98	4,045	716	4,761	2,603	2,200	36	2,236	92
1998/99	4,135	675	4,810	2,666	2,274	38	2,312	90
1999/00	4,125	581	4,706	2,591	2,252	39	2,291	91
2000/01	4,071	588	4,659	2,507	2,180	35	2,215	89
2001/02	4,427	573	5,000	2,628	2,310	39	2,349	90
2002/03	4,524	562	5,086	2,690	2,366	36	2,402	90
2003/04	4,448	481	4,929	2,634	2,348	32	2,380	87
2004/05	4,499	477	4,976	2,642	2,363	33	2,396	87
2005/06	5,134	482	5,616	2,852	2,587	29	2,616	89
2006/07	5,415	541	5,956	2,921	2,635	32	2,667	89
2007/08	5,536	526	6,062	2,955	2,681	35	2,716	90
2008/09	5,659	475	6,134	2,957	2,704	31	2,735	90
2009/10	5,823	472	6,295	3,024	2,769	28	2,797	91
2010/11	5,994	546	6,540	3,144	2,863	31	2,894	90
2011/12	6,273	536	6,809	3,293	3,018	28	3,046	91
2012/13	6,608	592	7,200	3,470	3,179	28	3,207	93
2013/14	7,092	582	7,674	3,749	3,457	25	3,482	92

NOTE: Statistics reflect data collected by January of each school year.

Appendix A

Historical Summary of Exempt Students, Family Units, Attendance Centers, and Counties of Residence School Years 1985/86 through 2016/17

School Year	Number of Students			Family Units	School Attendance Centers			Counties Containing Exempt Students
	Single Family	Multi Family	Total		Single Family	Multi Family	Total	
2014/15	7,486	609	8,095	3,970	3,664	29	3,693	92
2015/16	7,678	612	8,290	4,122	3,801	30	3,831	93
2016/17	7,931	667	8,598	4,293	3,930	37	3,967	92

NOTE: Statistics reflect data collected by January of each school year.

Appendix B

Number Of Students And Families By County School Year 2016/17 As of January 1, 2017

County	Students			Families		
	Multi	Single	Total	Multi	Single	Total
ADAMS	9	128	137	4	68	72
ANTELOPE	0	26	26	0	13	13
ARTHUR	0	7	7	0	4	4
BANNER	0	4	4	0	3	3
BLAINE	0	3	3	0	2	2
BOONE	0	17	17	0	7	7
BOX BUTTE	2	57	59	2	26	28
BOYD	0	7	7	0	3	3
BROWN	0	35	35	0	16	16
BUFFALO	0	201	201	0	103	103
BURT	2	39	41	2	18	20
BUTLER	0	32	32	0	11	11
CASS	41	184	225	21	87	108
CEDAR	0	10	10	0	5	5
CHASE	0	17	17	0	12	12
CHERRY	5	49	54	5	25	30
CHEYENNE	0	40	40	0	21	21
CLAY	0	31	31	0	15	15
COLFAX	0	19	19	0	11	11
CUMING	0	6	6	0	2	2
CUSTER	7	70	77	4	33	37
DAKOTA	0	37	37	0	19	19
DAWES	0	56	56	0	27	27
DAWSON	16	43	59	9	23	32
DEUEL	0	11	11	0	6	6
DIXON	0	23	23	0	10	10
DODGE	5	124	129	4	65	69
DOUGLAS	179	1,913	2,092	101	971	1,072
DUNDY	0	6	6	0	2	2
FILLMORE	0	13	13	0	8	8
FRANKLIN	0	12	12	0	6	6
FRONTIER	0	23	23	0	11	11
FURNAS	1	28	29	1	14	15
GAGE	0	47	47	0	27	27
GARDEN	0	7	7	0	4	4
GARFIELD	0	12	12	0	4	4
GOSPER	0	3	3	0	1	1
GRANT	0	2	2	0	2	2
GREELEY	18	15	33	10	5	15
HALL	0	162	162	0	77	77
HAMILTON	0	79	79	0	36	36
HARLAN	0	37	37	0	12	12
HAYES	0	0	0	0	0	0
HITCHCOCK	0	23	23	0	12	12
HOLT	0	52	52	0	27	27
HOOKER	0	3	3	0	2	2
HOWARD	0	11	11	0	6	6

Appendix B

Number Of Students And Families By County School Year 2016/17 As of January 1, 2017

County	Students			Families		
	Multi	Single	Total	Multi	Single	Total
JEFFERSON	0	24	24	0	14	14
JOHNSON	0	30	30	0	10	10
KEARNEY	0	41	41	0	21	21
KEITH	18	25	43	11	13	24
KEYA PAHA	0	18	18	0	8	8
KIMBALL	0	35	35	0	19	19
KNOX	0	43	43	0	18	18
LANCASTER	50	1,291	1,341	31	619	650
LINCOLN	9	214	223	4	114	118
LOGAN	1	21	22	1	7	8
LOUP	0	7	7	0	4	4
MADISON	8	106	114	7	47	54
MCPHERSON	0	5	5	0	3	3
MERRICK	0	29	29	0	18	18
MORRILL	0	51	51	0	30	30
NANCE	0	8	8	0	5	5
NEMAHA	0	45	45	0	19	19
NUCKOLLS	0	28	28	0	11	11
OTOE	3	84	87	1	45	46
PAWNEE	0	6	6	0	3	3
PERKINS	65	13	78	36	8	44
PHELPS	0	37	37	0	21	21
PIERCE	0	22	22	0	12	12
PLATTE	116	64	180	50	34	84
POLK	0	26	26	0	12	12
RED WILLOW	0	40	40	0	22	22
RICHARDSON	0	32	32	0	16	16
ROCK	0	6	6	0	4	4
SALINE	0	24	24	0	14	14
SARPY	82	964	1,046	45	481	526
SAUNDERS	1	87	88	1	48	49
SCOTTS BLUFF	0	206	206	0	106	106
SEWARD	22	120	142	11	57	68
SHERIDAN	0	37	37	0	19	19
SHERMAN	0	20	20	0	7	7
SIOUX	0	16	16	0	5	5
STANTON	0	27	27	0	12	12
THAYER	0	30	30	0	11	11
THOMAS	0	7	7	0	3	3
THURSTON	0	11	11	0	6	6
VALLEY	7	24	31	2	13	15
WASHINGTON	0	140	140	0	68	68
WAYNE	0	31	31	0	13	13
WEBSTER	0	47	47	0	17	17
WHEELER	0	6	6	0	2	2
YORK	0	59	59	0	29	29
STATEWIDE TOTALS	667	7,931	8,598	363	3,930	4,293

Appendix C

Percentage Of Exempt School Participants To Total Census Count School Years 1985/86 – 2016/17

School Year	Total Census Count	Exempt Student Count	Percent Of Exempt Students In Total Census Count
1985/86	214,998 ¹	939	.44
1986/87	214,732 ¹	1,376	.64
1987/88	215,678 ¹	1,637	.76
1988/89	217,104 ¹	1,638	.75
1989/90	222,448 ¹	1,907	.86
1990/91	227,895 ¹	2,147	.94
1991/92	232,550 ²	2,604	1.12
1992/93	231,193 ²	2,931	1.27
1993/94	231,470 ²	3,323	1.44
1994/95	234,010 ²	3,823	1.63
1995/96	235,193 ³	4,137	1.76
1996/97	223,799 ³	4,407	1.97
1997/98	237,918 ³	4,761	2.00
1998/99	235,055 ³	4,810	2.05
1999/00	233,670 ⁴	4,706	2.01
2000/01	233,014 ⁵	4,659	2.00
2001/02	230,140 ⁵	5,000	2.17
2002/03	227,935 ⁵	5,086	2.23
2003/04	229,095 ⁵	4,929	2.15
2004/05	253,919 ⁶	4,976	1.96
2005/06	302,191 ⁷	5,616	1.86
2006/07	299,990 ⁷	5,956	1.99
2007/08	298,928 ⁷	6,062	2.03
2008/09	298,039 ⁷	6,134	2.06
2009/10	300,079 ⁷	6,295	2.10
2010/11	300,344 ⁷	6,540	2.18
2011/12	302,007 ⁷	6,809	2.25
2012/13	306,135 ⁷	7,200	2.35
2013/14	308,886 ⁷	7,674	2.48
2014/15	313,985 ⁷	8,095	2.58
2015/16	320,952 ⁷	8,290	2.58
2016/17	321,867⁷	8,598	2.67

¹Statistics And Facts About Nebraska Schools, Nebraska Department of Education, 1985, 1986, 1987, 1988, 1989, and 1990; Ages 7 through 15.

²School District Census Info, Tab Six, Nebraska Department of Education, 1991/92, 1992/93, 1993/94, and 1994/95; Ages 7 through 15.

³Statistics And Facts About Nebraska Schools, Nebraska Department of Education, 1995/96, 1996/97, 1997/98, and 1998/99; Ages 7 through 15.

⁴County Superintendent School District Census Report, 1999; Ages 7 through 15.

⁵School District/System Census Report, 2000, 2001, 2002, and 2003; Ages 7 through 15.

⁶School District/System Census Report, 2004; Ages 7 through 16.

⁷School District/System Census Report, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015 & 2016; Ages 6 through 17.