



NEBRASKA

DEPARTMENT OF EDUCATION

Exempt (Home) School Frequently Asked Questions (FAQs) (2019/20 School Year)

INCLUDES:

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

Contacts

Email: beth.bolte@nebraska.gov

Phone: 402/471-2795

Or

Email: micki.iverson@nebraska.gov

Phone: 402/471-1894

Exempt School Program Office
Nebraska Department of Education
301 Centennial Mall South, PO Box 94987
Lincoln, NE 68509-4987

Website: www.education.ne.gov/fos/exempt-schools/
Online Submission: <https://exemptschool.education.ne.gov/>

Information Current As of May 30, 2019

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document. For comments regarding this document, contact nde.guidance@nebraska.gov.

**EXEMPT (HOME) SCHOOL
FREQUENTLY ASKED QUESTIONS
(2019/20 School Year)**

Table of Contents

A. Laws and Rules	Page
A1. What is the law regarding "home schooling" in Nebraska?	1
A2. What is Rule 13?	1
B. Mandatory School Attendance Age	
B1. What is the mandatory school attendance age in Nebraska?	2
B2. At what age am I required to file for exempt status for my child?	2
B3. My child is 5 years old. Will I need to file for him/her?	2
B4. My child is 6 years old. Will I need to file for him/her?	3
B5. My child is <u>currently</u> age 16. Will I need to file for him/her?	3
B6. My child is <u>currently</u> 17 years old. Do I need to file for him/her?	3
B7. My child is <u>currently</u> 18 years old. Do I need to file for him/her?	3
C. Getting Started	
C1. How do I get started, what do I do first?	4
C2. How do I file for an exemption?	4
C3. Does the State provide materials or direct what I need to teach?	4
C4. Where do I get textbooks, materials and resources and what does it cost?	4
C5. How can I find support groups or information on the Web?	5
C6. Is there a fee?	5
C7. Is there any funding available for exempt schools?	5
C8. My child will be enrolled in an online "accredited" private school/program. Do I still need to file for exempt status?	5-6
C9. What are the requirements for school year start date, times of school day, and days the school must be in session?	6
D. Forms	
D1. What is the deadline?	7
D2. Where do I send my forms and birth certificate(s)?	7
D3. Can I file for exempt status by email or by fax?	7
D4. What will I receive after I file for exempt status?	8
D5. How soon do I receive Acknowledgement Letter after I file?	8
D6. How often am I required to file for exempt status?	8
D7. Do I notify my school district that I'm home schooling?	8
D8. What happens if I choose to home school and do not file for exempt status under Rule 13?	8
D9. Who completes the Statement of Election and Assurances (Form A)?	9
D10. What happens if the parents have joint legal custody, but the child(ren) lives with the filing parent?	9
D11. What do I list for the "Name of the Exempt School?"	9
D12. Who is (or who should I put down as) the Designated Parent Representative?	9
D13. Do I file separately for each child I want to home school?	10
D14. What is an instructional monitor?	10
D15. What requirements or qualifications must the instructional monitor(s) have to teach my child?	10
D16. Can I teach children other than my own?	10

Table of Contents

	Page
D. Forms [continued]	
D17. What is the “dates of operation” (calendar) information?.....	11
D18. What are the requirements for attendance?	11
D19. What is dual enrollment?	11
D20. What is a partial school year or mid-school year enrollment?	12
D21. What must be taught?	12
D22. What kind of records do I need to keep?	12
D23. Do I need to provide a copy of the immunization records to NDE?.....	12
D24. How do I find out in which school district I reside?	13
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?.....	13
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?.....	13
D27. How do I prorate the instructional hours left?	13
D28. Do I have to wait until I receive the Acknowledgement Letter before I begin homeschooling?.....	14
D29. For a mid-year filing, when can I withdraw my child?	14
D30. I am allowing my child to discontinue attending the exempt school once he/she turns age 16. Do I need to notify NDE?	14
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?	14
E. Birth Certificate	
E1. Do I need to provide my child’s birth certificate?	15
E2. What does "certified" copy mean?	15
E3. How do I obtain a "certified" birth certificate for my child?	15
E4. Will I receive the certified (original) birth certificate back?	15
E5. Is a copy of the certified birth certificate acceptable?	16
E6. Do I provide the birth certificate each school year?	16
F. Miscellaneous	
F1. Is there a State diploma for exempt school students?.....	17
F2. Can I home school one of my children and send the other(s) to an approved or accredited public or private school?	17
F3. Can a foster child or other ward of the state attend an exempt school?	17
F4. Do public school districts provide standardized testing for exempt school students? .	18
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?	18
F6. Can my child take some courses at the local public or private school while also being home schooled?.....	18
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?	18
F8. Can an exempt school student participate in local public or private school activities such as music, drama, etc.?.....	18
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?	19
F10. Who do I notify of any address change throughout the school year?.....	19
F11. How do I report a change in Parent Representative?.....	19
F12. How do I report a change of Instructional Monitor?	19
F13. How do I report a change in the program of instruction or curriculum?	19

**EXEMPT (HOME) SCHOOL
FREQUENTLY ASKED QUESTIONS (FAQs)
(2019/20 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. Exempt schools can also be outside the child's home and have students from more than one family.

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 mandatory school attendance law (Section 79-201 R.R.S.).

A2. What is Rule 13?

Rule 13 is the state regulation governing the procedures and standards for parents filing for an exemption from State approval and accreditation requirements. The rule can be accessed from the Exempt School Program website at www.education.ne.gov/fos/exempt-schools/.

B. MANDATORY SCHOOL ATTENDANCE AGE

B1. What is the mandatory school attendance age in Nebraska?

The mandatory 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 13, Section 002.04).

For the 2019/20 school year:

- If the student was born in the calendar year 2014 or later, he/she is **below** the required age to file for exempt status.
- If the student was born prior to September 1, 2001, he/she is **over** the required age to file for exempt status.

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, 2020 (born in the year 2013), in order to avoid violating the mandatory 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 2019/20 school year regarding that child. If parents choose this option, they must comply fully with the requirements as outlined in 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 13, Section 001.03). **If the child will turn 6 before January 1, 2020 (born in the year 2013), in order to avoid violating the mandatory 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 2019/20 school year regarding that child. If parents choose this option, they must comply fully with the requirements as outlined in 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 2019/20 school year or delaying entry until the child turns age 7 (refer to Rule 13, Section 001.03).

If the child is age 6 now or will turn age 6 before January 1, 2020, 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 2019/20 school year regarding that child. If parents choose this option, they must comply fully with the requirements as outlined in 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 2019/20 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 prior to the child's 7th birthday. They may, however, file for exemption prior to the beginning of the 2019/20 school year [note - we recommend filing by July 15].

Exception: If the parents or guardians had filed for this child for the 2018/19 school year, they must renew the exemption by no later than July 15, 2019.

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 Rule 13 for further information about the withdraw of a child from 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.

For the 2019/20 school year:

- If the student was born prior to September 1, 2001, he/she is **over** the required age to file for exempt status.

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

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

For the 2019/20 school year:

- If the student was born prior to September 1, 2001, he/she is **over** the required age to file for exempt status.

C. GETTING STARTED

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

Parents must file for exempt status (under Rule 13) with the Department of Education (NDE). 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 mandatory 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. How do I file for an exemption?

The preferred and quickest method of filing is to submit online through the **Nebraska Exempt School Program** at <https://exemptschool.education.ne.gov>. Instructions for submitting online are included on this website as well.

If you cannot submit online, the forms and related information can be accessed from the Exempt School Program website at www.education.ne.gov/fos/exempt-schools/, under the “Forms for the 2019/20 School Year” banner; or by contacting the Exempt School Program Office.

C3. Does the State provide materials or direct what I need to teach?

No. You as the parent or legal guardian are responsible for finding a curriculum that fits the needs of your exempt school student. Curriculum materials, books, and outlines are not available from the Nebraska Department of Education. Your program of instruction must lead to the basic skills in language arts, mathematics, science, social studies and health (refer to Rule 13, Section 004.03).

C4. Where do I get textbooks, materials and resources and what does it cost?

For information about organizations which may help parents obtain curriculum information and provide support for exempt school families, you can visit the Exempt School Program website, under the “Resources” link, at www.education.ne.gov/fos/exempt-schools/resources/. These are private organizations and are not affiliated with NDE.

Curriculum costs will vary depending on your choice to purchase an entire program from a private company or create your own curriculum. NDE does not endorse or recommend particular curriculums or programs for exempt schools. The parent (school operator) assumes all costs.

While curriculum materials, books, guidelines or technical assistance are not available from the Nebraska Department of Education, exempt schools are welcome to visit the Nebraska Open Educational Resources website; Nebraska's statewide platform for open educational resources where educators collaborate to discover, create and share openly licensed content. To learn more, or to access the Hub, visit: <https://www.oercommons.org/hubs/nebraska>.

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.

C5. How can I find support groups or information on the Web?

The organizations listed on the “Resources” page of the Exempt School Program website 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 web, try searching for “home school curriculum,” “schooling at home,” and/or “online curriculum.” There are countless resources out there for parents to research to determine what best fits their child’s needs.

C6. Is there a fee?

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

C7. Is there any funding available for exempt schools?

There is no funding available through NDE.

C8. 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 mandatory 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 Rule 13. This includes (but is not limited to) Time for Learning, Acellus, Abeka, Penn Foster, American School, James Madison (Ashworth) High School, and Keystone High School.

- The ***only two exceptions*** are if your child is enrolled full-time with the University of Nebraska High School (UNHS) or the Omaha Virtual School (OVS) through Omaha Public Schools. These are Nebraska accredited schools and filing for exempt status for attendance at either of these schools does not apply.

Note the following in regards to utilizing an online school or program:

1. The filing parent(s) or guardian(s) must still comply with the requirements in state statute and NDE Rule 13 and see to it that the child is provided at least 1,032 hours of instruction (elementary grades) or 1,080 hours of instruction (secondary grades), as applicable, each school year.
2. The “Information Summary” containing all the requirements described in Rule 13, Sections 004 through 004.03, must still be filed by the Parent Representative and complied with even if the instruction, in whole or in part, is provided via such an online school.
3. Nebraska state laws and regulations concerning mandatory education age and discontinuing education still apply (see Questions B1, D30 & D31).
4. A “diploma” or other certificate of completion from an online school for a child below mandatory attendance age is not itself sufficient to simply cease schooling without complying with Rule 13, Section 010. See also Questions D30 and D31. A parent or guardian that does not comply with those requirements runs the risk of being found to have violated truancy laws.

Nebraska Department of Education (NDE)
Exempt School Program Office

5. A “diploma” or other certificate of completion from such an online school is not considered a diploma representing completion of high school from an approved or accredited Nebraska school.
6. The Nebraska Department of Education has no regulatory authority over or responsibility for the education or services provided by these online schools. However, we recommend you thoroughly research the curriculum and program before purchasing.

C9. 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) for the school year. The particulars of your school “calendar” in providing those hours is up to you. See also Question D17.

D. FORMS

D1. What is the deadline?

The deadline is July 15 of each year the school will be in operation, whether using the online system or mailing or dropping off paper documents to NDE. We will begin processing forms for the 2019/20 school year in June. For purposes of the rule, the record-keeping year is July 1, 2019 through June 30, 2020 (refer to Rule 13, Section 002.07).

Refer to Rule 13, Section 003.02A1 if the parents or legal guardians and child(ren) were not residents of a Nebraska school district as of July 15; and Rule 13, Section 003.02A2, if the parents or legal guardians of any child about to be or presently enrolled in an approved or accredited Nebraska school elect after July 15 to have such child enroll and attend exempt school.

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

If you are using the online system, all supporting documents must be submitted online through that system only (<https://exemptschool.education.ne.gov/>).

If you are filing by paper, ***make a copy of the documents for your records first***, then 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 live in the Lincoln area and choose to bring the documents to NDE, they can be dropped off at the agency's reception desk. NDE is located on the 6th 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 I file for exempt status by email or by fax?

No. The electronic method of filing is to submit online through the Nebraska Exempt School Program at <https://exemptschool.education.ne.gov/>. If you are filing by paper, mail the documents to the address noted above (make a copy of the documents for your records first).

D4. What will I receive after I file for exempt status?

All families receiving exempt status will receive a letter signed by the Commissioner of Education “acknowledging” their choice to receive exempt status (exempt schools are acknowledged only, they are not approved or disapproved). An Acknowledgement Letter is issued only if the online or paper submission is complete.

- Online submission - The Parent Representative will receive an automated email confirmation once the information is submitted. *This confirms that you submitted only and is not proof that the filing is complete.* If the submission is incomplete, that individual will be notified by email and given the opportunity to provide the missing information within an allotted timeframe. When the submission is complete, the Acknowledgement Letter is emailed to the Parent Representative.
- Paper submission - No confirmation of receipt is provided. If the filing is incomplete, the Parent Representative will be notified by email (if an email address is provided) or by regular mail and given the opportunity to provide the missing information within an allotted timeframe. When the submission is complete, the Acknowledgement Letter is sent by regular mail to the Parent Representative.

D5. How soon do I receive the Acknowledgement Letter after I file?

Allow up to 6 weeks from either 1) the time you submit online or 2) when we receive your paperwork for processing. Incomplete filings will delay the response time.

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

By July 15 of each year the school will be in operation (refer to Rule 13, Section 003.02A).

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

You can notify the school if you wish; however, NDE will provide the official notification to your resident public school district. The resident school district will have access to a report showing all families in their district who have filed with NDE regardless of status.

If this is mid-year filing (i.e. after most approved/accredited schools begin their fall semester), see Question D29.

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.

D8. What happens if I choose to home school and do not file for exempt status under Rule 13?

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

D9. Who completes the Statement of Election and Assurances (Form A)?

Each parent or legal guardian must complete and sign a separate Form A - Statement of Election and Assurances (refer to 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 Rule 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 do I list 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 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 can be designated. Typically, this is either the mother or father of the child(ren). The parent representative must complete the Authorized Parent Representative Form - Form B and assume the responsibilities it entails (refer to Rule 13, Section 003.02 and Form B).

D13. Do I file separately 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 submission.

For Multi-Family schools (includes students from two or more families), the Parent Representative collects the Form A documents from each of the parents of the students attending the school and submits along with the rest of the information (Form B, Information Summary, Birth Certificate, and if applicable, court documents).

D14. What is an instructional monitor?

This is the individual(s) designated to do the teaching at the exempt school (refer to Rule 13, Section 004.02). 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. Do not list information about the student in this section; a student cannot monitor his/her own instruction. Report this information for all of the instructional monitors used by the exempt school, including the parent(s) or legal guardian(s) if they are designated as an instructional monitor.

- Online submission – Report the instructional monitor information in Steps 3B and 3D; refer to the “Nebraska Exempt School Program/Instructions for a Rule 13 Exemption Via Online Submission” document.
- Paper submission - Report the instructional monitor information in Section 3 and Section 4B of the “Information Summary for Parent Representative.”

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

There are no formal educational qualifications. The parents or legal guardians must satisfy themselves that the individual(s) monitoring instruction are qualified to monitor instruction in the basic skills in the areas of language arts, math, science, social studies and health, and that such individuals have demonstrated an alternative competency to monitor instruction or supervise children. The evidence is provided to NDE by the parent representative when filing for exempt status and supplying the required information concerning instructional monitors (refer to Rule 13, Section 004.02). By signing the Form A ("Statement of Election and Assurances"), the parent or legal guardian is verifying they are satisfied that the individual monitoring is qualified to monitor instruction in the basic skills (refer to Rule 13, Form A).

D16. Can I teach children other than my own?

Yes, as long as the parents designate you the instructional monitor (refer to Rule 13, Section 004.02 and Question D15).

D17. What is the “dates of operation” (calendar) information?

This is the period of operation for the 2019/20 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 2019/20 school year must occur during the reporting period of July 1, 2019 through June 30, 2020. These are the same hourly requirements required by law for approved and accredited schools.

- Online submission - Report the dates of operation in Step 3A; refer to the “Nebraska Exempt School Program/Instructions for a Rule 13 Exemption Via Online Submission” document.
- Paper submission - Report the dates of operation in Section 2 of the “Information Summary 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.

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 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 for a child who is 5 now, but will turn 6 prior to January 1, 2020, 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 is a student who is attending more than one school at the same time. This would include a student attending the exempt school part-time while simultaneously attending a public K-12 school or a private approved or accredited K-12 school. If the student is taking courses through a post-secondary school (e.g. community college), those courses are considered part of the exempt school’s program of instruction/curriculum; therefore, the student would not be considered dual enrolled. If the program of instruction/curriculum is received through an online school, the student would not be considered dual enrolled.

If filing by paper, when reporting the dates of operation and curriculum information on the Information Summary 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.*

If you participate in the Enrollment Option Program (opted to another school district) - As full-time enrollment at the option district is required, dual enrollment does not apply in this scenario.

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

This is when the exempt school is in operation in Nebraska for only part of the 2019/20 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 must be taught?

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 13, Section 004.03). The program of instruction is provided through either 1) an outline, or 2) a listing of textbooks (including title and publisher), or, 3) listing by subject the name of the major curriculum series or online program to be used, whichever applies.

- Online submission - Report the program of instruction (curriculum information) in Step 3C; refer to the “Nebraska Exempt School Program/Instructions for a Rule 13 Exemption Via Online Submission” document.
- Paper submission - Report the program of instruction (curriculum information) in Section 4A of the “Information Summary for Parent Representative.”

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

While recordkeeping and retention are not addressed in 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. Homeschool organizations (see link in Question C4) may have advice regarding transcript development.

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 the Statement of Election is due to the requirements for approval and accreditation required by law and the rules and regulations interfering with the parent’s or legal guardian’s decisions in directing their child(ren)’s education; the exempt school will need to keep immunization records on file.

For immunization information, refer to Section 79-217 R.R.S., Section 001.05 of Rule 13, or contact the Department of Health & Human Services (HHS)/Immunization Program Section at 402/471-6423 or visit the HHS website at <http://dhhs.ne.gov/publichealth/Immunization/Pages/Schools.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 to ensure that we notify the correct school district of your exempt status (refer to 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?

Prior to/or promptly upon the student's enrollment, submit by mail or by Email to beth.bolte@nebraska.gov, a Form A from each parent or legal guardian (if one parent has sole legal custody, provide verification), the documentation specified in Section 004 of Rule 13 (Information Summary), and the student's birth certificate, if it has not been submitted previously (Rule 13, Section 003.02B). This process applies to both online and paper filers.

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 003.02A2 of Rule 13, the Parent Representative shall **promptly** file the necessary documents.

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. 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.

- Online submission – Report partial year enrollment explanation in Step 3C; refer to the “Nebraska Exempt School Program/Instructions for a Rule 13 Exemption Via Online Submission” document.
- Paper submission - When reporting the instructional calendar information (Section 2 of the Information Summary for Parent Representative), use the reverse side of the page to further explain the situation. List any information pertaining to your dates of operation that would have an impact on your hours throughout the exempt school year.

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 until I receive the Acknowledgement Letter before I begin homeschooling?

No. Upon receipt by the Commissioner via the Exempt School Office 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 (or, submission of same information online), the election to operate an exempt school is effective (refer to Rule 13, Section 005).

However, if upon review by NDE of the filed materials it is discovered your filing is incomplete or improper, you will be notified and have a stated time by which it must be completed or corrected to be effective.

D29. For a mid-year filing, when can I withdraw my child?

It is highly advisable to withdraw after NDE has received your Rule 13 submission. The parent(s) or legal guardian(s) should communicate with local school officials prior to withdrawing any child. The resident school district will have access to a report showing all families in their district who have filed with NDE regardless of status.

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. A person who has legal or actual charge or control of a child who is at least 16 but less than 18 may withdraw such a child before graduation and be exempt from the mandatory attendance requirements by filing the “Withdrawal of a Child(ren) From the Exempt School” form (Form C) and file it with the Commissioner of Education promptly upon withdrawal (refer to Rule 13, Form C and Section 010.01, Section 79-202(6) R.R.S.). 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 legal guardians shall each sign a “Report of Completion of Program of Instruction” (Form D) and file it with the Commissioner of Education promptly upon completion (refer to 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 13, Section 009 and Section 43-2007 R.R.S.).

E2. 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 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.

E3. 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.

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 <https://www.cdc.gov/nchs/w2w/index.htm>.

E4. Will I receive the certified (original) birth certificate back?

Yes. If filing by paper and you provide the certified birth certificate, it is returned to you once we have verified the document and have scanned a copy for your record.

E5. Is a copy of the certified birth certificate acceptable?

If you submit online, the birth certificate must be scanned in color for legibility and so that the stamped or raised seal shows up. If the stamped or raised seal is on the back of the certificate, scan that page as well.

If you file by paper, you can provide a photocopy, if it is in color and the stamped or raised seal is visible. If the stamped or raised seal is on the back of the certificate, provide a copy of that page as well.

Note - The document being scanned or photocopied must have a stamped or raised seal by the issuing entity (i.e. Vital Records). We will request to view the original document if it 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.

In some cases, the exempt school creates a diploma; NDE does not collect or certify those diplomas. While it is not required under Rule 13, it is recommended you keep a transcript of classes taken with grades received. It is up to the receiving entity on whether or not the diploma presented is acceptable. Homeschool organizations (see link in Question C4) may have advice regarding transcript & diploma development.

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 <https://www.education.ne.gov/ADED/>.

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.ne.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-390/Chapter-11.pdf).

These regulations require the Rule 13 educational placement be requested by a parent whose parental rights are intact and requires that such parent complete the Rule 13 Form A - "Statement of Election and Assurances by Parent or Legal 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 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?

Such testing is not required of exempt school students. The state laws concerning statewide assessment of students only apply to “school districts.” The state is prohibited by law from using any achievement testing of exempt school students for the purpose of measuring, comparing or evaluating the competency of exempt school students. Consider checking with your resident public school district or with private resources for home schooling to see if they have any testing materials that might be provided to assist with the assessment of home/exempt school students by the home/exempt school.

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 <https://www.education.ne.gov/nderule/school-enrollment/>.

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 13, Section 001.04). To report the dual enrollment information:

- Online submission - Report dual enrollment explanation in Step 3C; refer to the “Nebraska Exempt School Program/Instructions for a Rule 13 Exemption Via Online Submission” document.
- Paper submission - Use the reverse side of the “Information Summary for Parent Representative.”

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.

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 (refer to Rule 13, Section 003.02C). Include in the notice the student's enrollment status (i.e. student is attending a Nebraska approved or accredited school, family has moved out of state, etc.). This process applies to both online and paper filers.

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 (Rule 13, Section 003.02E). Include in the notice the new resident school district (if it changes) so that the Department can notify your new resident school district of your exempt status (Rule 13, Section 005). Also include your new county of residence (if it changes). This process applies to both online and paper filers.

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 to NDE by mail or by Email to beth.bolte@nebraska.gov (refer to Rule 13, Section 003.02D). This process applies to both online and paper filers.

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

For new monitors added, provide the name, age and highest grade completed for each designated monitor (Item 3 of the Information Summary) and submit by mail or by Email to beth.bolte@nebraska.gov. If any monitors leave during the school year, notify NDE in writing by mail or by Email to beth.bolte@nebraska.gov. This process applies to both online and paper filers.

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. This process applies to both online and paper filers.