

SENATE FILE NO. SF0110

Home schools-amendments.

Sponsored by: Senator(s) Sessions, Job and Mockler and
Representative(s) Reese and Wasserburger

A BILL

for

1 AN ACT relating to home-based educational programs;
2 imposing additional requirements for home-based educational
3 programs; requiring children receiving home-based education
4 to participate in the statewide student assessment as
5 specified; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 21-2-202(a)(xiv), 21-4-101(a)(iv) and
10 21-4-102(b) and by creating new subsections (c) through (e)
11 are amended to read:

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13 **21-2-202. Duties of the state superintendent.**

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15 (a) In addition to any other duties assigned by law,
16 the state superintendent shall:

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21-4-101. Definitions.

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(xiv) For purposes of the statewide assessment of students and reporting student performance under W.S. 21-2-304(a)(v), have authority to assess and collect student educational assessment data from school districts, home-based educational programs defined under W.S. 21-4-101(a)(v) subject to limitations imposed under W.S. 21-4-102(d), community colleges and the University of Wyoming. All data shall be provided within a reasonable time in accordance with rules and regulations of the state board;

(a) For the purposes of this article:

(iv) "Parochial, church or religious school" is one operated under the auspices or control of a local church or religious congregation or a denomination established to promote and promulgate the commonly held religious doctrines of the group though it may also include basic academic subjects in its curriculum. Nothing contained in W.S. 21-4-102(b), (c) or (d), 21-2-401 or 21-2-406 grants to the state of Wyoming or any of its

1 officers, agencies or subdivisions any right or authority
2 to control, manage, supervise or make any suggestions as to
3 the control, management or supervision of any parochial,
4 church or religious school;

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6 **21-4-102. When attendance required; exemptions.**

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8 (b) A home-based educational program shall meet the
9 requirements of a basic academic educational program
10 pursuant to W.S. 21-4-101(a)(vi). It shall be the
11 responsibility of every person administering a home-based
12 educational program to submit a curriculum to the local
13 board of trustees each year showing that the program
14 complies with the requirements of this subsection,
15 specifying the name and grade level for each child
16 receiving home-based instruction, program content areas and
17 the student performance standards for each content area
18 included within the curriculum. In addition to the
19 curriculum, the person administering the program shall file
20 with the local board a portfolio for each child receiving
21 home-based instruction, providing evidence of academic
22 achievement at the end of the first semester of each
23 academic school year.

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1 (c) In addition to subsection (b) of this section, if
2 a child is withdrawn from public school and placed in a
3 home-based educational program, the parent or guardian of
4 the child shall within ten (10) days after the child is
5 withdrawn, notify the appropriate local board in writing of
6 the withdrawal and grade level of the child. Notice shall
7 include the home-based educational program curriculum,
8 program content areas and sequence plan for implementation,
9 as specified under subsection (b) of this section.

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11 (d) Each child receiving home-based educational
12 program instruction shall be assessed under the statewide
13 assessment system in the subject areas and at the grade
14 levels specified under W.S. 21-2-304(a)(v). The parent or
15 guardian of the child shall notify the school district of
16 residence of the child's participation and the district
17 shall schedule a time and place for participation in the
18 assessment. A child receiving home-based educational
19 program instruction shall participate in the assessment
20 during the times and at locations scheduled for district
21 students. Assessment results shall be reported only to the
22 school district and to the child's parent or guardian.
23 In addition, assessment results shall be collected by the
24 state superintendent as required under W.S.

1 21-2-202(a)(xiv) but shall be maintained separately and
2 shall not be included or commingled with the assessment
3 results of students enrolled in public schools within the
4 applicable school district. The child's parent or guardian
5 shall submit to the school district in which the child
6 resides a remediation plan for any child scoring below
7 proficiency levels established by the assessment.

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9 (e) Failure to submit a curriculum, content areas and
10 sequence plan showing compliance, and failure to provide
11 for required student assessment participation is prima
12 facie evidence that the home-based educational program does
13 not meet the requirements of this article.

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15 **Section 2.** This act is effective July 1, 2003.

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17 (END)