

Performance Audit

Arkansas Home Schools

ARKANSAS DIVISION OF LEGISLATIVE AUDIT

SEPTEMBER 10, 2004

Legislative Joint
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This report is being issued to inform the Legislative Joint Auditing Committee on the compliance with the policies and regulations relating to Arkansas home schools. Each child within the State of Arkansas between the ages of five (5) and seventeen (17) on or before September 15 is required to enroll annually in a school - whether a public, private, parochial, or home school. An increasing number of parents have begun providing educational instruction for their children at home. The number of students being home schooled has steadily increased from 572 in 1986 to 13,163 in 2004.

OBJECTIVES

Our objectives in conducting this performance audit were as follows:

- ◆ *Review the rules, regulations, and laws guiding Arkansas home schools and determine compliance;*
- ◆ *Compare the performance of home school students to public school students and evaluate the performance of home school students returning to the public school environment, including institutions of higher education;*
- ◆ *Review opportunities available for home school students to socialize and interact with other non-sibling home school students; and*
- ◆ *Compare and contrast Arkansas' home school legislation with that of other states.*

SCOPE AND METHODOLOGY

This audit was performed in accordance with the applicable standards contained in Government Auditing Standards issued by the Comptroller General of the United States. The audit was for the period July 1, 1997 through June 30, 2004. We interviewed the State Testing Coordinator, the Executive Director of the Family Council as well as representatives from the Arkansas Department of Education (ADE), the Arkansas Department of Higher Education, and public school administrators. We reviewed Arkansas laws, rules, and regulations relating to home schools and contrasted those with other states'.

BACKGROUND

Act 40 of 1985 introduced home schools to Arkansas and defined a home school as a school primarily conducted by parents or legal guardians for their own children. The parent providing the home school is responsible for determining curriculum, attendance, and all other aspects of their child's educational needs during the time they are home schooled. Act 40 of 1985 required parents electing

to home school their children to notify their local public school of their intent and required each child to sit for nationally recognized standardized testing. Test results were reported to both the local school district and ADE. Any student with unsatisfactory test results was required to enroll in a public, private, or parochial school at the beginning of the next school year unless the student sat for the same test again and achieved a satisfactory score. Students needing special education services were not eligible to participate in a home school program unless the child's parent held a valid special education teaching certification from the State of Arkansas.

Act 400 of 1997 dramatically changed home schooling by eliminating many of the aforementioned requirements. Currently, individual standardized test results are not required to be reported to the local school district nor ADE, and students receiving unsatisfactory results on standardized tests are not required to enroll in a public, private, or parochial school. Additionally, there are no certification or educational requirements for parents who provide a home school for students needing special education services.

PARTICIPATION IN HOME SCHOOLING

Parents desiring to provide a home school for their children must provide a Notice of Intent to their local school district at the beginning of each school year and sign a waiver acknowledging the State of Arkansas is not liable for the education of their children during the time the parents choose to home school. Local school districts are required to submit this information to ADE. However, there are no requirements to notify the local school district when moving from a district.

To ensure ADE records are accurate, we recommend parents be required to notify their local school district when moving from the district.

Management Response: Implementation of this recommendation should enhance the accuracy and completeness of the home school information available to ADE.

It is the responsibility of the parent to purchase all books, curricula, and other instructional materials they use in home schooling. While there is no law prohibiting home school students from attending certain academic classes at a public school, public schools are not required to accept home schooled children as part-time students. School districts choosing to enroll home school

students receive state funding on a pro-rated basis according to how many classes the student attends.

ADE ROLE

ADE established the Home School Office in October 1999 to promote collaboration between home school parents, public schools, and ADE. The primary mission of the Home School Office is to provide information and technical assistance on laws and regulations governing home schools to interested parties. The Home School Office also maintains information from the Notice of Intent letters for test administration and statistical purposes. Each individual home school operates independently. The State Board of Education has no authority to promulgate rules, regulations, or guidelines for the enforcement or administration of home schools.

To ensure all children in Arkansas are obtaining an education as required by Arkansas Code Annotated 6-18-201, we recommend the Legislature consider the need for ADE to maintain a database profiling every student's enrollment, grade level, and standardized test results.

Management Response: ADE agrees that the Legislature would have to make changes in current Arkansas Code for this to take place. The information could be collected through the existing Arkansas Public School Computer Network (APSCN).

REVIEW OF OTHER STATES

In order to compare Arkansas home school legislation with other states', we reviewed related laws around the nation. Home school regulations vary significantly from state to state, ranging from states that require no notice to home school to states with a high degree of home school regulations. According to studies we reviewed, currently there are ten (10) states with no requirement for parents to give notice of home schooling, thirteen (13) states that require parental notification, sixteen (16) states with moderate regulation in which the state requires notification and testing, and eleven (11) states with strict regulations requiring notification, testing, curriculum approval, and/or teacher qualifications, see **Exhibit I**.

MONITORING HOME SCHOOL RESULTS

Due to the inconsistencies and unique conditions in home schooling caused by differences in curriculum, parental involvement, and length of

time in a home school program, we are unable to draw any conclusions related to the educational abilities of home school students returning to the public school environment. However, we are able to provide the following comparative data for information purposes.

Standardized Testing

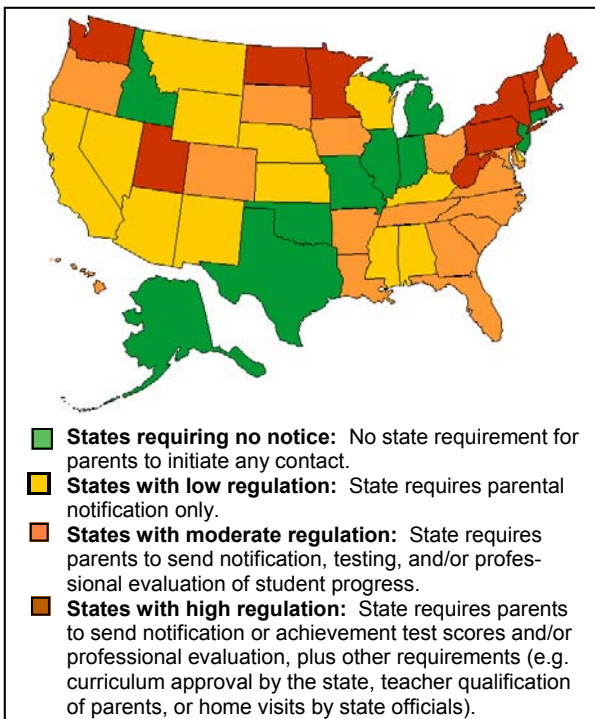
Testing Administration

Like public school students, home school students are required to sit for mandatory norm-referenced testing as prescribed by the State Board of Education. Student databases are created by the education service cooperatives and compared with ADE records to ensure all home school students are notified of testing requirements.

For school years 1998 through 2003, home school and public school students in the fifth, seventh, and tenth grades took the Stanford Achievement Test, Ninth Edition (SAT-9). The parents of home school students received their child's individual test results profile and ADE received an administrative summary by grade level. The administrative summary does not contain personally identifiable information and is used for statistical purposes only.

Exhibit I

Home School Regulations in Other States



Source: Home School Legal Defense Association

Beginning with the 2005 school year, home school and public school students will use the Iowa Testing Program for third through ninth grades in compliance with the federal "No Child Left Behind" Act. As a result, ADE will not be able to track the status of home school students beyond the ninth grade.

In order to monitor each student's development, we recommend individual standardized test results be reported to and maintained by ADE. Furthermore, the Legislature should consider the need for the development of appropriate procedures to address students that do not demonstrate satisfactory progression on standardized tests.

Management Response: Again, ADE agrees that legislation would need to be changed to implement this recommendation. If the test results are not to be used, there is no reason to collect and maintain them.

Testing Participation

In 2004, records indicate 3,148 home school students were informed of mandatory testing requirements and the various sites available for testing. Of those contacted, 2,160 students (or 69%) were in attendance for testing.

Home school students who do not take mandatory norm-referenced exams have not met the statutory prerequisites for home schooling and, as any other student, are subject to the applicable Arkansas laws regarding truancy. Enforcement of truancy laws is the responsibility of the local school district and their truancy board.

Arkansas Attorney General Opinion No. 2004-082 determined that in order to be considered truant a student must "refuse" to participate in the testing program which implies a willful failure to participate. Furthermore, the Attorney General's Opinion states if a student can establish that his or her failure to participate was not a willful intent not to participate, the student would not be deemed to have violated the statute. Follow-up is not done to determine the reason students did not sit for the test.

To ensure each student is meeting standardized testing requirements, we recommend ADE develop procedures to follow up on students not sitting for the tests and work with local school districts and their truancy boards to enforce current truancy laws.

Management Response: *If ADE is allowed to receive the individual tests scores and a more accurate accounting of students that should be tested, ADE could easily develop procedures to share appropriate information with districts. The enforcement of truancy laws should remain a local decision and responsibility.*

Testing Results

Exhibit II details the standardized test scores from 1998 through 2003 for home school students with comparable test scores for public school students. Based on this comparative analysis, home school students who sat for the exams consistently scored higher than public school students on the SAT-9 tests.

College Preparation

According to the Arkansas Department of Higher Education records, eighty-eight (88) home school students enrolled in public institutions of higher education in Arkansas for the 2002 fall semester. These students scored an average composite of **23** on the ACT college entrance exam and maintained an average cumulative grade point average of 3.1 through their first four (4) semesters. The average ACT composite score for first-time freshmen from the general

population entering public institutions of higher education in the 2002 fall semester was **21**. The comparability of the ACT scores is compromised because we were not able to determine the total number of students sitting for the ACT exam nor the number of students enrolling in out-of-state or private institutions.

Access to Extracurricular Activities

A wide selection of extracurricular opportunities is currently available to home school students for interaction with other non-sibling home school students through support groups located across the state. Opportunities include:

- ◆ Supplemental education in math, science, history, foreign languages, art, photography, philosophy, speech, and labs;
- ◆ Physical education and sport-related activities including basketball, volleyball, track, baseball, flag football, and cheerleading; and
- ◆ Extracurricular events and activities including field trips, roller-skating, science fairs, spelling and geography bees, and dances.

Exhibit II

Comparison of SAT-9 Composite Scores of Home and Public School Students by Grade School Years 1998 through 2003

<u>School Setting</u>	1998	1999	2000	2001	2002	2003
Fifth (5th) Grade						
Home	61	55	54	53	52	55
Public	47	47	48	44	44	50
Seventh (7th) Grade						
Home	61	59	59	59	59	58
Public	49	49	50	45	45	51
Tenth (10th) Grade						
Home	60	59	55	54	55	52
Public	48	48	49	45	45	43

Note 1: *Test scores are not comparable for the 2004 school year because public school students were tested using the Iowa Test of Basic Skills and home school students were given the Stanford Achievement Test, Ninth Edition (SAT-9). Beginning with the 2005 school year, home school and public school students will both use the Iowa Testing Program for third through ninth grades to comply with mandates established by the federal "No Child Left Behind" Act.*

Note 2: *Not all home school students required to sit for the standardized tests actually sat for the exams. For example, in 2003 only 2,246 of the 3,107 home school students enrolled in the fifth, seventh and tenth grades (or 72%) actually sat for the exams.*

Source: *Arkansas Department of Education*