

MISSISSIPPI

Compulsory Attendance Ages: “age of six (6) years on or before September 1 . . . and who has not attained the age of 17 on or before September 1 . . . and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program.” Miss. Code Ann. § 37-13-91(2)(f). *But see* 07-000 Code Miss. R. § 003.1.1 (“the parent or guardian . . . shall be allowed to disenroll the child . . . on a one-time basis, and such child shall not be deemed a compulsory-school-age child until the child attains the age of six (6) years.”).

Required Days of Instruction: 180 days “except that the ‘nonpublic’ school term shall be the number of days that each school shall require for promotion from grade to grade.” Home instruction programs are included in the definition of “nonpublic school.” Miss. Code Ann. § 37-13-91(2)(e), (i).

Required Subjects: None.

Homeschool Statute: Mississippi Code Annotated section 37-13-91(3)(c).

A home school parent is required to comply with the following:

1. The parent, guardian, or custodian of the children must file a “certificate of enrollment” including names, address, and telephone number of parents and children, children’s dates of birth, and a “simple description of the type of education the children are receiving,” i.e. a “home instruction program.” The certificate must be submitted by September 15 of each school year to the school attendance officer where the children reside. Miss. Code Ann. § 37-13-91(3)(c).
2. “Any parent, guardian, or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of such noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section.” Miss. Code Ann. § 37-13-91(3)(c).
3. A parent who has enrolled his child in the public school may, after September 15, still enroll the child in a “legitimate home instruction program and send the certificate of enrollment to the school attendance officer” even though he missed the deadline. Miss. Code Ann. § 37-13-91(3)(c)(iv).
4. A child must be educated in a “legitimate home instruction program” which is one that is not operated for the “purpose of avoiding or circumventing the compulsory attendance law.” Miss. Code Ann. § 37-13-91(3)(c)(iv).

5. Enrolling a child in school is not required if the child: (a) “is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation” or (b) “is enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children.” Miss. Code Ann. § 37-13-91(3).

6. “[I]t is not the intention of this section to impair the primary right and the obligation of the parent . . . to choose the proper education and training” for their child, “and nothing in this section shall ever be construed to grant, by implication or otherwise, to the State of Mississippi . . . any right or authority to control, manage, supervise or make any suggestion as to the control, management or supervision” of the private education of children. Further, “this section shall never be construed so as to grant, by implication or otherwise, any right or authority to any state agency or other entity to control, manage, supervise, provide for or affect the operation, management, program, curriculum, admissions policy or discipline of any such school or home instruction program.” Miss. Code Ann. § 37-13-91(9).

Teacher Qualifications: None.

Standardized Tests: None.