

## NEBRASKA

**Compulsory Attendance Ages:** Age six, prior to January 1, until eighteen. Parents may exempt a child under seven for one year by filing a notarized statement with the local school district. Parents may graduate a child when the child completes the homeschool’s program of instruction, or may exempt a child from attendance after his or her sixteenth birthday by signing a notarized release form. Neb. Rev. Stat. § 79-201.

**Required Days of Instruction:** 1,032 hours (elementary) or 1,080 hours (high school). 92 Neb. Admin. Code § 13-004.01.

**Required Subjects:** Homeschools must “offer a program of instruction leading to the acquisition of basic skills in the language arts, mathematics, science, social studies, and health.” Neb. Rev. Stat. § 79-1601(2).

**Homeschool Statute:** None.

**Alternative Law Allowing for Homeschools:** Neb. Rev. Stat. § 79-1601(2); 92 Neb. Admin. Code, ch. 13, available at [https://www.education.ne.gov/LEGAL/webrulespdf/Clean13\\_2016.pdf](https://www.education.ne.gov/LEGAL/webrulespdf/Clean13_2016.pdf).

Any private, denominational or parochial school may elect not to meet state accreditation or approval requirements. A homeschool is considered a private school. Parents may assert either religious or non-religious objections to state requirements.

1. To operate a homeschool, parents must annually file the following by July 15, or “promptly” if the parents were not living in a Nebraska school district on July 15 or made the decision to homeschool after July 15. (Online and paper versions of the required forms are available on the Nebraska Department of Education’s website at <https://www.education.ne.gov/fos/orgservices/exemptschools/Index.html>.)

- a. **Form A: Parent or Legal Guardian Form.** Each parent must sign and file a separate signed Form A. 92 Neb. Admin. Code § 13-003.01.
  - i. Form A requires parents to state under oath that requirements for approval and accreditation either “interfere with my decisions in directing my child(ren)’s education” or “violate my sincerely held religious beliefs.”
  - ii. Form A also requires parents to affirm under oath that a program of sequential instruction in language arts, mathematics, science, social studies, and health is being provided. Parents must also affirm that they are satisfied that the individual(s) monitoring instruction in the school are qualified to monitor instruction in these skills. Parents who cite non-religious grounds for operating a homeschool must also affirm that they understand that their school

must comply with the vaccination requirements of section 79-217 of the Revised Statutes of Nebraska (medical or religious exemptions are available under section 79-221).

- b. **Form B: Parent Representative Form.** An adult (usually, but not necessarily, a parent) must annually also file a signed “Parent Representative Form” (Form B). 92 Neb. Admin. Code § 13-003.02. The Parent Representative must affirmatively accept certain legal duties pursuant to section 79-1601 of the Revised Statutes of Nebraska (*see also* 92 Neb. Admin. Code, ch. 13). These include the duty to submit information on student enrollment and attendance, instructional monitors, and the sequential program of instruction.
  - c. **Information Summary.** The Parent Representative must also file an Information Summary (supplemental sheet to Form B) within 30 days of the first-time filing of Forms A and B, and annually thereafter by July 15. 92 Neb. Admin. Code § 13-004. The Information Summary must include the following:
    - i. A calendar for the school year (July 1–June 30) indicating a minimum instruction of 1,080 hours in secondary schools and 1,032 hours in elementary schools. The hours of instruction may be prorated based on the remaining balance of the school year.
    - ii. A list of all “instructional monitors” in the home school (typically the parents), including name, age, and highest level of education completed.
    - iii. A scope and sequence for each grade level being taught.
2. The first time a child is enrolled in a Nebraska homeschool, a certified copy of the child’s birth certificate (or “other reliable proof of the student’s identity and age accompanied by an affidavit explaining the inability to produce a copy of the birth certificate”) must be submitted to the Nebraska Department of Education. Neb. Rev. Stat. § 43-2007(3).
  3. Children are excused from compulsory attendance whenever they complete the program of instruction offered by their homeschool. Neb. Rev. Stat. § 79-201(3)(b). Parents may report a child’s completion of high school by submitting Form D to the Commissioner of Education. Alternatively, parents may discontinue the enrollment of a child who is 16 years of age, but not yet 18, by submitting Form C. *See* Neb. Rev. Stat. § 79-202. Forms C and D are included in the appendix to the following document on the Department’s website: [https://www.education.ne.gov/LEGAL/webrulespdf/Clean13\\_2016.pdf](https://www.education.ne.gov/LEGAL/webrulespdf/Clean13_2016.pdf).

**Teacher Qualifications:** None, unless the homeschool teacher is “employed” by the family. Neb. Rev. Stat. § 79-1601(5).

**Standardized Tests:** Although Neb. Rev. Stat. § 79-318(5) gives the State Board of Education the option to adopt regulations for testing and visitation, the Attorney General ruled that the testing and visitation must be uniform for all private schools (and homeschools) and it *cannot* be arranged without the consent of the parents. OAG Opinion, July 30, 1987. (Robert Spire).