

## Feb 6, 2007: Announcement of Homeschool Bill in the works

Nevada Homeschool Network (NHN) advocates for homeschooling. Whether in Washington DC, at the NV state legislature, State Board of Education meetings, or wherever, NHN promotes homeschool interests. We also spend a lot of time listening... We attend national conferences and network with leaders around the country, studying the latest homeschool gains.

This year at the legislature it was our intent to request a Religious Freedom Restoration Act bill, copying almost word for word the bill introduced last session by Assemblyman Bernie Anderson. You may recall that President Bill Clinton signed the RFRA bill in 1993, but the States portion was struck down in 1997 by the Supreme Court (see [Religious Freedom Restoration Act](#) for more info!) Homeschoolers, as well as many others, would benefit.

But it was not to be! The RFRA language was submitted as **a homeschool bill** (which it is not), and rules being rules, we ended up with an "open" homeschool bill to use any way we'd like! So we've decided to dust off our research on our current homeschool law, a law first codified in 1947 before being put into its current form in 1956. **It is our hope to "update and modernize" the language, drawing from the successes in many other states.** We now feel that this mishap is a Providential opportunity, given Governor Gibbons' recently announced commitment to improving education in our State.

As many of you know, the current law has been an umbrella for a full range of regulations adopted by the State Board of Education. These regulations over the last 20 plus years have ranged from being extremely restrictive to our currently less-restrictive language. The State Board has listened favorably in recent years to our requests, and the past few years have proven that homeschool freedom works, reflecting the findings in recent peer reviewed studies. This freedom has not trumpeted a mass exodus from public schools, as the homeschool enrollment percentage in Nevada has fallen in the last 4 years from 1.02% to .88%. **We believe that the success of homeschooling and the vagueness of the existing law justify our request to the legislature. A "sprucing up" if you will, to get the law in conformance with the realities of modern day homeschooling!**

We are "doing our homework" and are drafting language that we believe will pass the legislature; language that is simple and direct, placing the responsibility for homeschool education on the shoulders of the parents. We will keep you updated as to how you can help, when phone calls need to be made, testimony provided, and letters or emails sent. As soon as we know more, we will get the word out!

Sincerely,

Nevada Homeschool Network

## March 22, 2007: Homeschool Bill Introduced

**Our homeschool bill, SB 404, was finally introduced!** You can read it at <http://www.leg.state.nv.us/74th/Reports/history.cfm?ID=977>

Senator Washington (**former Assemblywoman Sharron Angle originally requested a homeschool bill in the fall of 2006**) agreed to sponsor this bill and the Legislative Counsel Bureau used our proposed wording almost word for word.

In Carson City, a few key homeschool advocates have been making the rounds, introducing themselves and our bill intent to various NV senators, assemblymen/ women (who sit on either the education or finance committees), the Governor's staff, the Dept. of Education and State Board members, bringing them up to speed on homeschooling in the U.S. and Nevada. They have gotten a favorable response from both Republicans and Democrats. Homeschooling is a bi-partisan issue because it is all about CHOICE in education.

Over the last 25 years homeschooling has been shown to be a successful education option with or without state oversight. **Our goal is to get** on even footing with private schools (those who choose not to be licensed) and **out from under the "authority" of the local school board and State Board of Education.** Many states, especially in the west now have laws giving homeschool parents total freedom to direct the education of their child. We have researched these laws and hopefully have drawn knowledge and inspiration from the best of them.

We want to free true homeschoolers from burdensome law and regulations because we know you are doing an outstanding job which has been backed up in study after study and that most homeschoolers don't need to meet "requirements from the state". However, we realize that some parents may try to take advantage of the wonderful groundwork you have laid, pull their children out of public school or private school to "homeschool" and then do nothing. The law does not and will not allow this. Current Nevada law has safeguards already in place to protect children from educational neglect and/or truancy. If it is ever suspected that these "non-educators" are using the homeschool law to hide behind they can be prosecuted if they have signed a document "taking full responsibility for the education of their child" as proposed in SB 404.

## April 11 2007: SB404 Passes 1st Committee Hearing!

At the Nevada Senate Human Resources and Education Committee this evening a legislative work session was held to consider several bills, including our SB 404 homeschool bill. Although testimony per se isn't taken during a work session, Chairman Washington requested NV homeschool leaders, Frank Schnorbus and Barbara Dragon, **to inform the Senators about the amendments that were proposed in order to remove the fiscal note the Dept. of Education had placed on the bill and would kill the bill if left on.** Chairman Washington then asked Dr. Keith Rheault, State Superintendent of Public Instruction to speak, and **Dr. Rheault informed the Senators that the fiscal note has been removed from the bill because of the amendments.** The Senators then voted; Senator Heck made the motion, with a second by Senator Wiener, and the vote was YES! **Unanimous, to move the SB404 out of committee to the full Senate for a vote!**

## May 9, 2007: Update on SB404

Explanation of meeting on fiscal note prior to Senate HR&E passage: While SB404 was in the Senate Human Resources and Education Committee we met with Dr. Keith Rheault, State Superintendent of Public Instruction, and agreed to amend the bill so that homeschoolers would send their Notice of Intent to Homeschool to the local district (as we currently do) instead of to his office. He said he would then remove the fiscal note that he had attached to the bill. A fiscal note indicates that the bill is going to “cost” the government money, either at the State or at the local level, so the bill must get passed by more committees. Often it is a “diplomatic” way to kill a bill, contending that it will cost money and making the bill jump through several extra imaginary hoops. **For SB404 we felt that amending it was more expedient than taking the time to prove that it would save the State money.**

Thinking the bill was now free, we sent the April 25th email asking folks to contact their Senators to pass the bill on the Senate floor. **But... instead of going to the Senate floor, for reasons that no one can quite adequately explain (to us anyway), the bill still showed the fiscal note, and it got scheduled for a hearing before the Senate Finance Committee.** We attended, and Dr. Rheault testified that he had removed the fiscal note, and we testified that we’d like to move the bill along as soon as possible. By this time deadlines for passage over to the other house had passed, but a deadline “exemption” had been passed for our bill. Disappointingly the Finance Committee didn’t vote and pass our bill out of their committee immediately.

Meanwhile Clark County School District proposed a couple of further amendments to the bill, now that the Notices of Intents would be going to the local district offices instead of the State Superintendent. **A meeting was set up with Senator Washington, and we negotiated yet another amendment.** The first amendment would define the only times that a homeschool parent would have to show a child’s birth certificate; that being when the child is to participate in services, events or activities (ie sports), or classes in the public school system. The second was to clarify in law how credits would be awarded to a child who was homeschooled but is now entering into a middle school grade; currently this is defined in the regulations but Clark County felt it needed to be in the law.

The day we met with Clark County, **last Thursday May 3rd, the Senate Finance Committee took a vote and sent our bill forward.** So now we’ve received confirmation that the bill has been sent back to the LCB (Legislative Counsel Bureau) to get our amendment language drafted into legal lingo in the bill itself. It will then go to the full Senate floor, where the amendments and the bill itself will get voted upon. Of course we don’t know when this will happen since we don’t know how long the LCB will take to do their work. **The good news is that the bill itself has received very little opposition during testimony.** So our hope is that when it gets (as we hope!) over to the Assembly most of the wrinkles will have been ironed out. We have talked and met with legislators in the Assembly in preparation for that glorious day. WHEN (IF) THAT HAPPENS we will let you know if and when a hearing gets set up in the Assembly Education Committee.

We are still very excited and optimistic about this bill! In 1947 when our current homeschool law was passed, Jackie Robinson, the first black player in modern major league baseball, was playing

his first year for the Dodgers. Times have changed in both baseball and education, and we're excited to get this bill to our Nevada Legislature!!

## May 15, 2007: Senate Passes SB 404

**Today the Senate UNANIMOUSLY passed SB404..now on to the Assembly Education Committee!**

## May 30, 2007: SB404-Help Needed!!

**Update on today's SB404 Hearing:** There is a small percentage of homeschoolers who are advocating that there should be many (many!) restrictions on homeschooling, and that your right to homeschool should be overseen and controlled by the public school system! This fox-watching-the-henhouse mentality is prevalent in the Assembly, and many Committee members eagerly listened while all of the restrictionist testimonies were heard.

Prior to today's hearing, we put out several emails asking folks to email their legislators and to show up at the legislative hearings; unfortunately people aren't coming out and the one group that does show up is AGAINST homeschooling freedoms! Though we've been in contact with people from this group, they refuse to work with us. Instead, they show up at these hearings and testify against us. We've also been informed that they're actively emailing their legislators, lobbying against freedom!

At the Assembly Education Committee workshop today we had 3 homeschoolers from LV testify against SB404. Even though it wasn't a public hearing, for some reason Chairwoman Bonnie Parnell allowed each of the Las Vegas people to testify.

Testifiers today said that they want annual filings, and more restrictive guidelines. One went so far as to say that she feared with lesser restrictions, homeschoolers would start to lose the high-achieving scores they've had in years past that were due to state-mandated testing!!! However, not one made mention of the fact that they run businesses making money "helping" homeschoolers, or "teaching homeschoolers". In years past this was a well known fact, publically testified to at a State Board of Education meeting. Of course we understand it is financially more savvy to make restrictions harder, so more folks "need help". This group will talk to us only to find out what they can use against us. Then they show up and testify against us, usually without having a clue about what is being considered (as evidenced today). It's in their business interest for there to be a LOT OF RESTRICTIONS! They and their cohorts are testifying against homeschool freedoms! Another 60 years of homeschool restrictions would be in their best interests.

Here's where our homeschool bill is now, after suffering several amendments in the Education Committee. The requirement to file annually would stay intact. The requirement to file an educational plan would stay intact (this is where the anti-freedom homeschoolers make a killing). The requirement for the local district to give a receipt for receiving your notification would stay intact (be aware that anytime the district has to do something, they will want something in return). Other very restrictive amendments were discussed during the workshop, including filing an

educational plan EVERY year, but it is unclear at this point if they will be part of the bill that goes to the Assembly for a full vote.

Is it true that the majority of homeschoolers think that the problems are being “handled” by a few of us leaders, and that there is no need for them to act?

SB404 is being dismantled, and rest assured that there is a minority of homeschoolers that is giggling excitedly. It appeared that Nevada was going to catch up with several of our surrounding states as far as homeschooling freedoms are concerned, but that is now seriously in jeopardy. Please immediately contact as many Assembly members as you can and tell them that the testimony heard today does NOT represent your opinions on homeschooling freedoms! Tell them SB404, as amended in the Senate, is what we want! ([http://www.leg.state.nv.us/74th/Bills/SB/SB404\\_R2.pdf](http://www.leg.state.nv.us/74th/Bills/SB/SB404_R2.pdf)) Or contact all of them if you wish! Emails are below.

Meanwhile, we will continue to work with the Legislature. We only have a few days left! Please help! We need this immediately!

## June 01, 2007: SB404 Update

Today, SB404 was heard twice before the assembly, first for voting on the amendment that was proposed by the Education Committee. This was passed onto the Bill. Then for a passage with the amendment. This, too, passed.

As the bill reads now, it is NOT more restrictive than what we currently have. There are actually some very good parts to the bill, and we are happy that the bill as a whole was passed. There are a few more technicalities that need to happen before this becomes law. We will keep you updated if we need more action, and we will let you know what all this means for YOU.

You may now stop emailing/calling the assemblymen. Thanks for letting them know your views and more about homeschooling! Your emails and calls were helpful! Hopefully they will remember us in years to come!!

## JUNE 4th, 2007: SB404 PASSED the Nevada Legislature!!!

**SB 404-R4 has passed both the Nevada Assembly and Senate and is on its way to the Governor for his signature!** Although amended 4 times since the original we are very pleased with the outcome. Your emails and phone calls made a huge difference; we kept hearing throughout the session once a committee passed the bill, “Please stop the emails!” Here is quick overview of the many sweeping positive aspects of the bill. This new law takes effect July 1st, and is recognition by the Legislature of your hard work!

## New FREEDOM for Homeschoolers:

- Eliminates oversight of homeschooling by the local or state public school system: It establishes a one-time notification of intent to homeschool to be the local school district when the child begins to homeschool. This EXEMPTS the child from the compulsory attendance law. All current homeschoolers will be required to file this year under the new law but won't be required to file ever again unless they move, or the names or address change, or the child wants to take a class or do an activity in the public school system. No longer do parents need to show the child's birth certificate, and there is no need, reason, or requirement for the parent to ever have to go down to the public school District office. New homeschoolers will need to have all of their questions answered by their homeschool support group.
- Eliminates the requirement that homeschoolers provide "equivalent instruction to public schools": The law now clearly gives the parent the right to direct the education of the child and full responsibility to determine what, when, and how the child is being educated. The child must, at a minimum, be educated in English (reading, composition and writing), Math, Science, and Social Studies (history, geography, economics, and government) but as appropriate for the child's age and skill level as determined by the parent and not all courses are required to be taught every year! With the new law, only a court and not the public school system can decide whether or not the homeschooled child is being educated.
- Requires the school district to accept a notice of intent (they are barred from requiring or requesting anything more than what is in the law) and may not "deny" a notice that contains the required information:
  1. Name, age, gender of child;
  2. Name and address of parent;
  3. An educational plan, as appropriate for the age and skill level of the child at the time of filing for the first year of homeschooling. (This plan does not have to meet any set standard, and can be short and simple. Additionally, each parent can easily develop the plan themselves, and you do not need to hire consultants to do it for you. Your homeschool support group can assist by posting sample educational plan templates for the various grade levels);
  4. The last Nevada public school attended, if applicable; and
  5. A privacy statement if you so wish to sign.
- Upon receipt of the notification of intent to homeschool that contains the above information a district must give the parent a "written acknowledgement... that the parent has provided the notification required by law and that the child is being homeschooled." The acknowledgement shall serve as "Proof of Compliance" with Nevada's compulsory school attendance law. AND the district must keep a copy of the acknowledgement for at least 15 years. If you ever lose or misplace the acknowledgement you (or the child after he turns 18) may request a copy of the acknowledgement or anything else in the child's homeschool file and the district must process that request within 5 days.
- Requires the districts to give adequate notice about testing opportunities for high school students and availability to homeschool students, such as the high school proficiency exam and college entrance exams (needed to qualify for the Millennium Scholarship) as well as information on the National Merit Scholarship Qualifying Exam, via the internet.
- Establishes a religious liberty clause for homeschool parents and children.
- Clearly defines the word, "parent".

- Establishes the Nevada court system as the arbitrator of disputes regarding the education of the child. This includes disputes between the parent who is providing the education and the local school district, or a county or state child welfare department, or two parents in a divorce proceeding.
- Includes an anti-discrimination clause by “a school or organization” against a child who is or was homeschooled.
- Clarifies in law how districts may evaluate coursework done by a homeschooled child for entrance into a public high school.
- Requires the Department of Education to adopt regulations for the local Districts to provide special education programs and services to homeschool children if the parents want them. This reflects requirements of current Federal law and regulations.

## OTHER ASPECTS:

- Requires the Department of Education to create a Notification of Intent to Homeschool (though the law doesn’t say that this is the only form that can be used by the parent) and the districts must make the form available to the parent.
- Requires the Department of Education to create a “Notice of Intent to Participate in Programs and Activities” with the same information as the Notification of Intent to Homeschool, excluding the educational plan. This is for a homeschooled child who wishes to participate in ANY classes, generally defined as “up to 50% of a school day”, or activities, programs, sports or interscholastic activities and events at or through a public school or charter school. This intent to participate must be filed with the school district for each year the homeschool child participates at the public school. The district may request to view proof of identity of the child for participation in classes and/or activities or special education services. They must view proof of identity when a child wishes to participate in any interscholastic activities and events (such as sports).
- If a parent homeschools their child and has submitted the original Notification of Intent to Homeschool, and later enrolls the child in public or private school for a period of time but then decides to withdraw the child for homeschooling again, the parent must fill out a NEW Notification of Intent to Homeschool including a new educational plan for the succeeding year. This comes at the request of school districts that often times see parents enrolling and unenrolling their child and then enrolling again only to unenroll the child again. Since it would then seem that the continuity of education has been broken, the law now requires that each time a child is withdrawn from public or charter school a new Notification of Intent to Homeschool must be submitted that includes a new educational plan established for the current age and skill of the child.

## FREEDOMS WE FOUGHT FOR, BUT DIDN’T GET:

- We asked for the ability to file our Notice of Intent to Homeschool forms electronically. The new law says “written notice of intent to homeschool”. It is possible that Nevada law may (now or in the future) recognize electronically filed state documents as being “written”, in which case we’d be able to file electronically.

- We asked to be relieved altogether from the requirement to file an educational plan. We are concerned that this may be, or may become, an issue with local districts trying to exert control over people who file a notice to homeschool. The legislature inserted language to prevent that from occurring, so time will tell if it is an issue or not.
- We asked that the local district NOT be required to provide a written receipt upon receipt of a Notice of Intent to Homeschool. Even amongst ourselves we have differing opinions on this, but our concern is that whenever the district is required to do something they tend to want something more than your taxes in return. We felt that the Intent form being on file, and our ability to obtain a copy from the District, was sufficient.

Time will tell if any of these become burdensome enough to re-approach the Legislature in future years. But meanwhile, the overwhelming positive freedoms gained by this new law far outweigh these comparatively small items!

## IN CONCLUSION:

More work needs to be done as we adjust to these new freedoms!

We you need to thank your legislators, individually. Each homeschool support group needs to be ready and available to answer the questions of people who are inquiring about homeschooling; the local districts won't be doing that anymore! We need to continue to work with our local districts, our State Department of Education, and our State Board of Education, as we take our place at the table as an equal educational option with public and private schools. And no doubt there will be future challenges that we'll need to address.

To read the final bill, go to: [http://www.leg.state.nv.us/74th/Bills/SB/SB404\\_R4.pdf](http://www.leg.state.nv.us/74th/Bills/SB/SB404_R4.pdf)

Nevada Homeschool Network and the Committee to Modernize Nevada Homeschool Law want to thank you for your help in getting this homeschool freedom law passed!