

HOMESCHOOL LEGAL  
ADVANTAGE



**Louisiana 2012**

[www.homeschoollegaladvantage.com](http://www.homeschoollegaladvantage.com)

## Louisiana Homeschooling Requirements:

<u>Approach</u>	Establish an approved homeschool	Establish a homeschool as a private school
<b>Compulsory Attendance</b>	Applies to child from 7 <sup>th</sup> birthday until 18 <sup>th</sup> birthday.	Same.
<b>Source of Law</b>	Louisiana Revised Statutes, § 17: 221(A) (compulsory attendance).	LA. Rev. Stat. Ann. § 17:236 (nonpublic school)  §17:221.3 (notification)
<b>Restrictions</b>	Teacher certification not required.	Same.
<b>Reporting</b>	File an application within 15 days after the start of homeschool with the board of education, along with a copy of the child's birth certificate. Application must be renewed annually by October 1 of the school year or 12 months after initial approval, whichever is latest. Application shall be approved if parents submit satisfactory evidence that the program will offer (if initial) or offered (if renewal) a sustained curriculum of quality at least equal to that of the public schools. Application must include the following: a) complete outline of each subject taught, b) list of books and materials, c) copies of student work, d) copies of standardized tests, e) statements of third parties who have observed the child's progress. At 11 yrs. old, provide evidence of meningococcal vaccination or exemption.	If withdrawing from public school, submit notification of enrollment (and request for transcript if desired) to the state department of education within 10 days of enrollment in private school. Notice must include student's name, date of birth, gender and race. Must report to the state Department of Education total attendance as of the 30 <sup>th</sup> day of the school term.
<b>Record Keeping</b>	As needed to support reporting requirements.	None.
<b>Requirements</b>	Subjects required must be at least equal to the quality of the public schools of the same grade level. In elementary years, must include the Declaration of Independence; in high school years must include the Federalist Papers. State guidelines are available at Department of Education website below. Attend 180 days.	Must have an "adequate physical plant" (home) and "instructional staff members" (parent-teacher). May not receive any state or federal funds. Operate 180 days. Meet requirements of the church or school.
<b>Testing</b>	Testing is not required; however, in lieu of providing the documentation listed above (outlines, list of books, etc.) an application for renewal shall be approved if a) child received passing score on Louisiana Educational Assessment Program test; or b) child has scored at or above grade level on a California Achievement Test or other standardized test approved by the board or has progressed at the rate of one grade level; or c) a certified teacher writes a statement that the child is receiving instruction at least equal to that offered by public schools.	None.

**LOUISIANA NOTICE OF INTENT TO HOMESCHOOL . . .**

If you are operating as an approved homeschool, find guidelines and application at the section titled BESE-Approved Home Study Program Guidelines at:

<http://www.doe.state.la.us/curriculum/homeschool.html>

If you are operating as a private school, find guidelines and notification form at the section titled Registered Nonpublic Schools (Not Seeking State Approval) at:

<http://www.doe.state.la.us/curriculum/homeschool.html>

----- **SAMPLE HOMESCHOOL LETTER OF WITHDRAWAL** -----

If your child is currently in school, whether public or private, this letter will formally withdraw them from the public or private education system. We suggest: (1) Mail via postal service with a return receipt requested; or (2) Hand delivery to the child's current school. If you are enrolling in a church-related school, provide that information at the bottom of the form.

**Courtesy Letter of Withdrawal - From a Louisiana Public School to Homeschool**

Printed Name(s) of Parent(s) and Address:

Name(s) of child(ren) being withdrawn from public school:

Dear Principal \_\_\_\_\_ :

Pleased be advised that I will be withdrawing the above children from your school as of \_\_\_\_\_, when they will be home educated. I will be filing notification with the State of Louisiana, as required.

If you have any questions, please send them to me in writing. Thank you.

Sincerely,

\_\_\_\_\_  
Parent or Guardian's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Guardian's Signature

\_\_\_\_\_  
Date

## ***When Legal Challenges Present Themselves . . .***

- Calmly find out, know, and follow your state's laws. State summaries are available at our website and we are always available to answer questions.
- As you teach your children at home, know that you are a "walking advertisement" for homeschooling. Our relatives, neighbors, and others we encounter are watching. It is a good idea to watch your outside activities during school hours. Try to share some homeschool highlights with your relatives so they might be won over. Avoid disciplining your child in public, because understandings of what is appropriate vary considerably.
- Respecting ourselves and others includes respecting our context within the community. Leaving children at home alone is always risky, especially if you frequently leave older children home alone with younger children. Is there an appropriate age when it is OK to leave them alone? Consider calling your local social services agency to ask their opinion.

**Above all - Be calm.  
Be Polite. Be Respectful.  
And Know Your Rights.**



## ***If You Receive a Phone Call . . .***

1. If a homeschooler gets a phone call from someone representing themselves as a school or social service authority, never, never, never give information over the phone. Make it your goal to GET information from the caller, including asking what has prompted this call and getting complete information about this caller, including the caller's name, telephone number, title, and the agency they represent. Give yourself time to calm down and consider the request. Tell the caller that you will either get back to them or that your attorney will get back to them. Above everything keep calm, as this initial call can set a tone for the entire encounter.
2. If the caller wishes to arrange a meeting, and you agree to meet, allow yourself plenty of calendar time between the day of the call and the day of a future meeting. You will want to decide on a strategy and/or consult an attorney. If you do agree to meet, arrange to meet in the bureaucrat's or official's office, and definitely not in your home.



## ***If You Receive a Letter in the Mail . . .***

1. Read the letter slowly and carefully. Make sure you know what is being asked of you and by whom. If the request is clear and unambiguous (such as asking for a copy of a birth certificate and the law clearly specifies that it is required) it may be best to comply. Before supplying any information either by mail or in person, check out the authenticity of the person and the agency making the request, as well as the necessity for the information.
2. If the request is at all questionable, take time to study the issue and consult counsel (your attorney.) If it means you need more time, write or call the sender to say that you'll need more time.
3. Remember, if you mail anything or bring anything to an official's office, keep copies of what you mailed or brought, for your files. If you decide to mail any items, mail them return-receipt requested. This documentation from the Post Office means you will receive proof that the letter you sent was signed for, and therefore received.
4. An electronic or e-mail notification is not sufficient notice to you of a legal challenge. Do not reply to an electronic notification of a legal challenge without seeking legal advice.



## ***If a Visitor is at Your Door . . .***

1. First, know that you are entitled to know the reason for any visit. The visitor may tell you they do not have to tell you the reason, or they may tell you that they need to come inside your home to talk to you. Neither of these is true. Indeed, they are required to tell you the specific allegations that led to their visit.
2. Be polite, but ask for a business card or an ID badge. If the visitor wants to enter the home, ask if they have a search warrant. Without a search warrant, they have no legal authority to enter your home. Getting a warrant is no easy task. The visitor will have to demonstrate to a judge that they have probable cause to believe that a crime has been committed, or that some other compelling reason exists for the this agency to violate your Fourth Amendment protection against unreasonable searches and seizures. That requires a lot more than an anonymous tip or someone's suspicion. Remember: No warrant – No entry.
3. Be calm. If you have a local lawyer or are a member of Homeschool Legal Advantage call your attorney on the phone while the visitor(s) are still at your door. Then hand the phone over to the visitors and have your attorney do the talking.
4. Be respectful of the visitor(s), but also respect yourself and your family. If the visitor insists on seeing your child(ren) bring the children outside the door. Allowing an official inside gives them too great an opportunity to go on a "fishing expedition." The visitor may request immediate answers to one or more questions, but tell them you will speak to them only after you have consulted with counsel (your attorney).
5. The visitor may threaten to obtain a warrant. Don't be frightened by this. Of course, you will fully cooperate if they return and show you the warrant, but chances are they are merely trying to frighten you. Do not be frightened, but seek legal counsel.



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[www.HomeschoolLegalAdvantage.com](http://www.HomeschoolLegalAdvantage.com)

Dear Fellow Homeschooler,

It is a blessing and a privilege to be of service to you. The *Homeschool Legal Advantage* (HLA) is a ministry to homeschool families and operates as an outreach of the *Christian Law Association* (CLA), a non-profit 501(c)(3) organization. **CLA has been protecting the rights of believers and homeschoolers for over 40 years.** Due to a steadily increasing number of homeschooling families requesting and receiving help from the *Christian Law Association*, the decision was made to create a division of CLA dedicated specifically to serving homeschooling families. With this objective, the HLA was launched in 2009 as a critical resource for today's homeschooling family. We have been gratified and humbled at the outpouring of acceptance and support we have received.

Along with your attendance at this event, you are entitled to a free first-year membership in HLA. Our heart is to serve today's homeschooling family. Other organizations require an "application" process and require you to follow their defined rules. *Homeschool Legal Advantage* simply invites you to complete a simple "registration" process in order to join. We do not want to control your homeschooling efforts. We are here to provide you with information, encouragement, and support as you diligently homeschool your children.

**We are pleased to be able to offer you an exciting benefit along with your first-year membership: HLA offers our first-year members a complimentary Last Will and Testament.** Most young couples with children do not have a will, and it is estimated that as many as two-thirds of adults do not have a will. Consequently, HLA provides a great (optional) value-added benefit of membership to our first-time families as a part of our commitment to honor the family's decisions both now and the future. Please ask us for more information on this and other benefits of membership in HLA.

**HLA attorneys and support staff serve as legal missionaries.** As a faith-based ministry, we give God all of the glory for the churches and individuals who have supported the ministry of the *Christian Law Association* these past forty years.

**HLA is a team of committed attorneys across the nation (more than 200) available to you and your family at a moment's notice.**

**We are called of God and committed to serving you and your family.**

**Thank you for the privilege,**

A handwritten signature in cursive script that reads "David C. Miller III".

## ***Standard Membership Benefits . . .***

- When you join ***Homeschool Legal Advantage***, you are given the telephone number of an attorney who is available to answer any legal question related to homeschool issues.
- ***Homeschool Legal Advantage*** members receive all homeschool-related legal representation free of charge. HLA pays for all attorney fees, expert witness costs, travel expenses, and court costs allowable by law.
- In addition, HLA members receive **FREE LEGAL REPRESENTATION** as a service of the *Christian Law Association* for religious liberty issues even if the cause of action is not related to homeschooling. This includes matters such as workplace discrimination, Christian employer obligations, the right to witness, public prayer, and any other matter related to Christians in matters of faith.
- Most legal matters related to homeschooling and Christian liberty are resolved quickly without court action. Often, HLA and CLA attorneys can successfully defend an attack by contacting local officials on behalf of our member. If a court case is necessary, ***Homeschool Legal Advantage*** provides full representation every step of the way. Members can take comfort in knowing they enjoy full legal protection for homeschooling and Christian liberty issues.



## ***Additional Membership Benefits . . .***

- A **LAST WILL AND TESTAMENT** drafted by an attorney that will thoughtfully distribute your estate to your heirs and outline your wishes for your children.
- Access to a comprehensive website with homeschool laws for your state, legal alerts, and instructional videos to prepare you to counter legal problems.
- A **20% DISCOUNT ON LEGAL AND EDUCATIONAL RESOURCES** from the Christian Law Association.