

Definition of a Homeschooler

Homeschoolers are parents or legal guardians who choose to educate their own children at home. Homeschooling is defined by Arizona Revised Statute (ARS) §15-802 as “a nonpublic school conducted primarily by the parent, guardian or other person who has custody of the child or nonpublic instruction provided in the child's home.” This would include hiring a private tutor or choosing to enroll the child in an independent online program in which the parent or guardian maintains complete control – but NOT the use of public school programs at home.

Delegation of control to either a private school program or fee-based classes held outside the home for the core subjects of reading, grammar, mathematics, science, and social studies reclassifies the parents or legal guardians as something other than homeschoolers, at least in relation to the child/children involved in said program or classes. It is unclear what percentage of a child's education must be done at home to constitute homeschooling, but the spirit of the law implies that the parent teach the core subjects. (HSLDA uses the 51% rule, requiring parents to teach the majority of subjects.)

Additionally, fractional enrollment in publicly funded programs may require the parent or legal guardian to withdraw the Affidavit of Intent to Homeschool with the County School Superintendent. A school district or charter school is eligible to receive the entire average daily attendance allocation for a child taught over 15 hours per week.

Parents of secondary level students enrolled in community college classes, or utilizing other means of instruction, are still considered homeschoolers as long as the parent or legal guardian remains the primary instructor and retains complete responsibility for their child/children's education.

NOTE OF CLARIFICATION: There has been some confusion about homeschool enrollment in virtual schools, also known as distance learning. This is not the private, parent-directed homeschooling that has been so successful all these years. **A child enrolled in a distance learning/virtual school program is classified by law and the program as a public school student.** Usage of the term “homeschooling” originated in the early 1980's and signifies an arrangement recognized by that name in Arizona law as one where the parent or guardian assumes the teaching responsibility in the required subject areas and where the cost of this instruction is borne by the parents and not the taxpayer. Public school at home is therefore not the same as homeschooling/home education. It is public school at home. Any enrollment in a publicly funded program puts the student under the authority of the public school and causes them to be subject to public school requirements and regulations including AIMS testing, etc.

In addition, if you enroll your children in a distance learning/virtual school program, you will not be eligible for membership in the Home School Legal Defense Association. The goal of HSLDA is to protect the right of parents to homeschool their children free from government controls and restrictions. If you enroll your children in a virtual public school to receive free curriculum and laptop, your children will be public school students. This means that you waive certain parental rights and agree to abide by the public school's rules. If your family does not comply, the virtual school will demand return of the computer, curriculum, etc. For those families who become dependent on the “free” government equipment and funds, their freedom is gradually exchanged for these “freebies.” Before making a decision about enrolling in any public school program, please consider the freedom you will be losing.