

Chapter 30: Dropout Prevention

Rule 30.7 Home School Guidelines. Pursuant to the Mississippi Code of 1972 Annotated Section 37-13-91, the Mississippi Legislature requires all compulsory-school-age children who have attained or will attain the age of six (6) years on or before September 1 of the calendar year and who have not attained the age of seventeen (17) years on or before September 1 of the calendar year; to enroll in and attend a public, private or home school.

1. A parent, guardian or custodian of a compulsory-school-age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of **compulsory school age**, except under the following circumstances:
 - a. When a compulsory-school-age child is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation.
 - b. When a compulsory-school-age child is enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children.
 - c. When a compulsory-school-age child is being educated in a legitimate home instruction program.
2. The parent, guardian or custodian of a compulsory-school-age child enrolled in home school must complete a certificate of enrollment.
3. The appropriate school official for any or all children attending a nonpublic school shall complete a “certificate of enrollment” in order to facilitate the administration of this section.
4. The certificate of enrollment shall be prepared and maintained by the Mississippi Department of Education, Office of Compulsory School Attendance Enforcement.
5. The Office of Compulsory School Attendance Enforcement shall be the only authorized entity to disseminate and collect the certificates of enrollment. Certificates of Enrollment will not be provided to school district personnel for distribution.
6. School district personnel must notify the Office of Compulsory School Attendance Enforcement (state school attendance officer) if a parent, guardian or custodian is seeking to enroll a compulsory-school-age child in home school.
7. District personnel **cannot** at any time complete a certificate of enrollment. The certificate of enrollment must be completed by the parent, guardian or custodian of the compulsory-school-age child enrolling in a home school program.
8. The school attendance officer will provide the parent, guardian or custodian with information and documents to ensure compliance with the Compulsory School Attendance Law.
9. The certificate of enrollment shall be designed to obtain the following information only:

- a. The name, address, telephone number, and date of birth of the compulsory-school-age child;
 - b. The name, address and telephone number of the parent, guardian or custodian of the compulsory-school-age child;
 - c. A simple description of the type of education the compulsory-school-age child is receiving and, if the child is enrolled in a nonpublic school, the name and address of the school; and
 - d. The signature of the parent, guardian or custodian of the compulsory-school-age child or, for any or all compulsory-school-age child or children attending a nonpublic school, the signature of the appropriate school official and the date signed.
10. The certificate of enrollment shall be returned to the school attendance officer where the child resides on or before September 15 of each year. Any parent, guardian or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of the noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section. However, in the event the child has been enrolled in a public school within fifteen (15) calendar days after the first day of the school year as required in Mississippi Code of 1972 *Annotated Section 37-13-91 (6)*, the parent or custodian may, at a later date, enroll the child in a legitimate nonpublic school or legitimate home instruction program and send the certificate of enrollment to the school attendance officer and be in compliance with this subsection.
11. For the purposes of this subsection, a legitimate nonpublic school or legitimate home instruction program shall be those not operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

Therefore, a “Certificate of Enrollment “for students beyond the compulsory school attendance age will only be accepted if a student is or has been previously enrolled in a home instruction program and/or the student was enrolled in a home instruction program at any time prior to exceeding the compulsory school attendance age.

Certificates of Enrollment will not be accepted for individuals registering to enroll in a home instruction program, for the first time, that have exceeded the compulsory school age nor will the student be considered as a “transfer to home school”.

Source: *Miss. Code Ann. §37-13-91, et seq. (Adopted 8/2013)*