

Wisconsin Laws Relating to Home-Based Private Education Programs (Homeschooling)

Section 115.001 Definitions

(3g) HOME-BASED PRIVATE EDUCATION PROGRAM. “Home-based private educational program” means a program of educational instruction provided to a child by the child’s parent or guardian or by a person designated by the parent or guardian. An instructional program provided to more than one family unit does not constitute a home-based private educational program.

Section 118.15 Compulsory School Attendance

(1)(a) Except as provided under pars. (b) to (d) and (g) and sub. (4), unless the child is excused under sub. (3) or has graduated from high school, any person having under control a child who is between the ages of 6 and 18 years shall cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public, private, or tribal school in which the child should be enrolled is in session until the end of the school term, quarter, or semester of the school year in which the child becomes 18 years of age.

(4) Instruction in a home-based private education program that meets all of the criteria under s. 118.165 (1) may be substitute for attendance at a public or private school.

Section 115.30 Forms and Reports

(3) On or before each October 15, each administrator of a public or private school system or a home-based private educational program shall submit, on forms provided by the department, a statement of the enrollment on the 3rd Friday in September in the elementary and high school grades under his or her jurisdiction to the department which shall prepare such reports as will enable the public and private schools and home-based private educational programs to make projections regarding school buildings, teach supply and funds required. The administrator of each private school system and home-based private educational program shall indicate in his or her report whether the system or program meets all of the criteria under s. 118.165 (1).

Section 118.53 Attendance by pupils enrolled in a home-based private educational program

- (1)** In this section, “course” means student which has the fundamental purposes of developing the knowledge, concepts, and skills in a subject.
- (2)** In addition to the standards for admissions under ss. 118.14, 118.145 (1), and 120.12 (25), the school board of a district shall determine the minimum standards for admission to a course offered by the school district at each grade.
- (3)** A school board shall allow a pupil enrolled in a home-based private educational program, who has met the standards for admission to the course under sub. (2), to attend up to 2 courses at a public school in the district during each school semester if the school board determines that there is sufficient space in the classroom.
- (4)** A pupil enrolled in a home-based private educational program and attending a public school under this section may attend one course in each of 2 school districts, but may not attend more than 2 courses in any semester.

Section 118.165 Private Schools

- (1) An institution is a private school if its educational program meets all of the following criteria:
- (a) The primary purpose of the program is to provide private or religious-based education.
 - (b) The program is privately controlled.
 - (c) The program provides at least 875 hours of instruction each school year.
 - (d) The program provides a sequentially progressive curriculum of fundamental instruction in reading, language arts, mathematics, social studies, and science and health. This subsection does not require the program to include in its curriculum any concept, topic, or practice in conflict with the program's religious doctrines or to exclude from its curriculum any concept, topic, or practice consistent with the program's religious doctrines.
 - (e) The program is not operated or instituted for the purpose of avoiding or circumventing the compulsory school attendance requirement under s. 118.15 (1) (a) and (am).
 - (f) The pupils in the institution's educational program, in the ordinary course of events, return annually to the homes of their parents or guardians for not less than 2 months of summer vacation, or the institution is licensed as a child welfare agency under s. 48.60 (1).