

Reasons To Oppose Legislation for “Home Schooling”

- 1 Private schools based in the home are not unique to California.** California is one of twelve states in which “home schooling” is accomplished under a private school exemption. Parents in these states establish small private schools in which they enroll only their own children and educate them in full compliance with the compulsory education laws. As in these other states, California law does not specifically address private “home education” as a legal entity separate from other types of private schools. Private homeschoolers have operated successfully under California’s current private school laws for decades. A “home school law” is not needed.
- 2 Supervision of private education by credentialed teachers is unnecessary.** Research has consistently demonstrated that requiring teachers to be credentialed has no significant effect on home-schooled students’ performance.
- 3 Parental supervision of education in a private home-based setting is working extremely well.** Research demonstrates that home-educated students on average score significantly better than the average public school student on academic tests. Home educated students continue to successfully graduate from colleges and universities across the nation and enter the job market, military service, and society at large as very responsible citizens. It is unnecessary to spend time, money, and energy trying to fix something that isn’t broken.
- 4 Accountability is adequate under current law.** Private home schoolers already comply with the requirements for private schools as set forth in state law. For example, those who operate as private schools file an annual affidavit attesting, under penalty of perjury, to their full compliance with the law. While an affidavit doesn’t “create” a school, it is a required written statement declaring that the private school exists and is in operation in accordance with California law.
- Civil action can be brought against any private school, including a private home school, that is not operating according to the law.
- 5 California already has truancy laws in place** to deal with any children who are not being educated. All students in all public or private educational programs, including home education programs, are accountable for their enrollment and regular attendance under California’s current truancy laws. Any child or parent who is in actual violation of truancy laws is already subject to investigation and the possible imposition of a variety of sanctions, in accordance with the Education Code, the Welfare and Institutions Code and the Penal Code. We don’t need a new “home school law” to deal with truancy issues.
- 6 New laws specifically addressing “home schooling” would likely increase the financial burden on California.** In *People v. Turner* (1953), the court said that it was too burdensome and costly for the state to have to supervise these small private schools. In 1967, the Legislature passed Education Code Section 33190, requiring every private school to file the Private School Affidavit. This filing provides the state with the ability to sufficiently oversee private schools without either burdening the state’s resources or unduly regulating private schools. Any attempt to monitor and regulate over 100,000 private “home schooling” students in California will place a larger financial and administrative burden on public school officials. Conscious of this, in every budget since 1990, the Legislature has prohibited expending any funds to even compile information on small private schools. The overwhelming majority of these small private schools are private “home schools.” The Legislature, in its wisdom, has historically allocated only the bare minimal resources from the public school system’s budget to provide oversight of what continues to be a very successful variety of private K-12 education programs in California.

Summary:

The practice of private “home schooling” (i.e. parents teaching their own children privately at home) under the private school exemption has a long history of working exceptionally well in California. There are already very specific and adequate laws dealing with truancy and holding all private schools, including those based in the home, accountable. Private homeschoolers should be left to continue successfully educating their children without additional mandates or requirements. No new “home school” laws are necessary.

Achievement of California's Private Homeschool Students

California homeschoolers outperform public school students on standardized tests

In the largest study ever conducted on homeschooling, Dr. Lawrence M. Rudner of the ERIC Clearinghouse on Assessment and Evaluation found that home educated students excelled on nationally normed standardized achievement tests. Rudner analyzed test and survey results from over 20,000 homeschool students in grades K–12 in all 50 states who took a standardized achievement test in spring of 1998.

When he looked specifically at California homeschool students, he found they outperform their public school counterparts by 16 to 41 percentile points across all subjects and grade levels.

California homeschoolers equal or surpass homeschooled students in highly regulated states

California homeschoolers operate under minimal regulations. In comparison, Pennsylvania has a burdensome homeschool law. Parents must submit an outline of proposed educational objectives by subject area and provide a portfolio of records and materials that includes a log and an annual written evaluation of student's educational progress by a qualified evaluator. California homeschool students' scores are on the average equal to or slightly better than those of students under Pennsylvania's heavy regulations. (See Figure 1 below.)

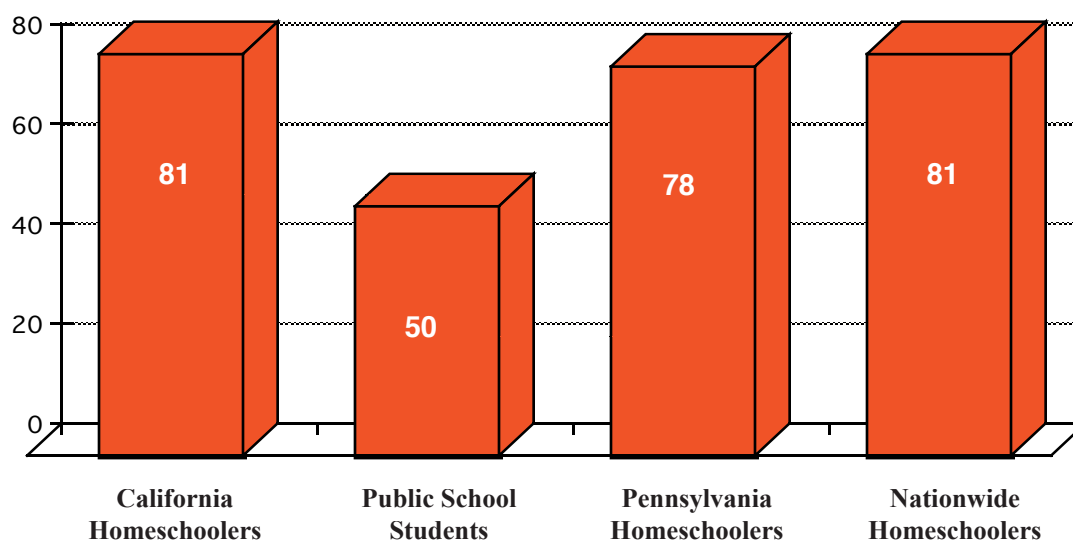


Figure 1: Comparison of 8th Grade Composite Achievement Test Percentile Scores.

Note: Data in Figure 1 taken from Rudner: California (October 10, 2002) and Pennsylvania (October 10, 2002)

California homeschoolers excel just as well as their homeschooling counterparts nationally

Rudner found virtually no difference between the achievement test scores of California homeschool students and homeschool students nationwide—they all scored on average 30 percentile points above the national average of the 50th percentile.

Rudner's research demonstrates there is little difference between California homeschool students' achievement test scores, those of homeschooled students nationwide, and those of students who live in states where homeschooling is highly regulated.

California homeschoolers do not need additional regulations

Therefore, the state's interest in education is clearly being met by California homeschoolers through the private school exemption. There is no need for additional regulation of homeschooling in California—homeschoolers' standardized test scores clearly prove this. Private homeschoolers are doing very well. They should be left alone.

References:

- Rudner, Lawrence (1999). Scholastic Achievement and Demographic Characteristics of Home School Students in 1998. Educational Policy Analysis Archives, 7(8). Available on-line:
- Rudner, Lawrence (2002). The Achievement Levels of California Home Schooled Students, October 10, 2002.
- Rudner, Lawrence (2002). The Achievement Levels of Pennsylvania Home Schooled Students, October 10, 2002.