

Home School:
An overview and proposal for Indiana

An Honors Thesis (HONRS 499)

by

Stacey L. Graves

Thesis Advisor
Dr. Jayne R. Beilke



Ball State University

Muncie, Indiana

July 1995

Graduation -- July 22, 1995

Honors Thesis Abstract

Stacey L. Graves

July 22, 1995

My thesis is on home school. In my paper, I have taken a look at some of the conditions and questions concerning the topic. Who participates in home school? Why do they choose to do so? What are the legal requirements in Indiana? Upon my inquiry of the subject, I found such little regulation of home schooling that I decided to research relevant Indiana court cases and prepare a proposal for an Indiana statute regulating our state's home schools. The third portion of the project consists of slides and transparencies which I have prepared to provide visual aid when presenting the information and proposal. A blueprint, or skeleton, for the presentation is also included.

Part I

Home School:

An overview and proposal for

Indiana

Home School: An overview and proposal for Indiana

A report from the National Commission on Excellence in Education stated forebodingly in its 1983 report that reform in American education was imperative. (pg. 18, Whitehead, 1993) This is surely not the first time that American schools have been the target of change, reform and criticism. From the earliest beginnings of education in the United States, the winds of change have moved constantly and sometimes, chaotically.

For example, the common school movement from approximately 1830-1860 made a break from past educational thought and instead held that everyone should be taught common skills in a common room for all ages. Students were to be treated the same and learn the same things. Horace Mann was a great supporter of this idea of equalization. He and other leaders believed that schools were the means of improving social, economic, political, and moral ills. The theory that schooling and education are the instruments for molding

thoughts, ideas, intellect and morals of the future has always held true. However, the approach has been modified in many instances throughout history.

The Progressive Era in Education (1890-1920) was the response to America's changing society. With continuing urbanization and the growing work force in factories becoming more and more divergent, there was a tremendous need for people to learn how to get along with others from dissimilar backgrounds. Schools made adjustments for this. Also, the number of students attending school were increasing beyond the original intentions of school officials. Schools had not been meant to have a lot of people, but they responded by reforming their curriculum to meet the needs of many different students; thus, this was the birth of an American innovation, the Comprehensive High School. It offered all things to all people, or at least it tried.

Following the never-ending cycle, reform continued in American schools. In the 1920's the generation gap widened between youth and adults. It was suspicious not to belong to a

click and shallowness of thought was wonderful. During the cold War, America felt threatened when Russia was ahead in the space race -- were Russians going to be smarter? There was a new emphasis put upon cognitive skills. Advanced class in science and math were priorities, and those who got the best grades were favored. Schools began to be judged on how well they could best serve "the nerd," the student who could out-score and out-think the masses.

This philosophy of education was once again reformed during the "Feel Good" Era (1965-1985) in American education. The emphasis shifted from core academics to an expanded curriculum filled with classes designed to make people feel good about themselves. Children were encouraged to question the authority of their parents and teachers. Academic achievement declined, but schools were called upon to make students feel good about themselves during a time of tension and anxiety. When George Bush was elected President of the United States, he vowed to be the "Education President" and restore excellence to America's schools. Once again reform

was in the air. But, people disagree on what changes should be made and how and when those changes should be implemented. For some, the discouragement, disbelief, and disgust with American school systems have propelled them to seek other means of educating their children.

Private or parochial schools are possible alternatives for parents who do not wish for their children to be enrolled in a public school. Another choice which is gaining popularity is home schooling. Parents choose to keep their children at home and educate them personally. In 1970, there were approximately 10,000 children in home school. Today there are over 300,000, and the number is growing. Why do so many parents believe their children's needs are not being met by public education? What would cause what could be viewed as a drastic reaction? Academically, it appears to be the way United States students measure up on assessment tests, both nationally and internationally. Authors John W. Whitehead and Alexis Crew report in their book, *Home Education: Rights and Reasons* (1993), these examples:

- “On 19 international assessments of student achievement academic tests, American students never finished first or second when compared to other industrialized nations; actually American students finished in last place seven times.
- Forty percent of high school upperclassmen cannot draw inferences from written materials, and eighty percent are incapable of writing a persuasive essay.
- Only one out of three American 17-year olds can solve a mathematics problem requiring several steps.” (pg. 19)

From these and other such findings, it is easy to see why parents might believe that the schools are not teaching students in a way to make them internationally competitive. Although this in itself may seem like reason enough for some, it is not the only factor for home school parents.

The school environment is rich in diversity and experience... and stereotyping and problems. Those choosing to home school feel that the disadvantages of keeping children in

their own little controlled environments are far out-weighed by the advantages. Who are these parents? "About 75% of home schoolers are conservative Christians who stress the Bible in their teachings and who lament what they see as a decline in traditional values in public schools. Still others believe that public schools don't set high enough academic standards." (pg. 36, Whitehead, 1993) Is education only for intellect? No, children should also form opinions, morals, and ethics which will shape the society of the future.

As stated before, some of the values taught in public schools conflict with the values of the family. Or, perhaps it is the lack of values which causes the conflict. With drugs, teen pregnancy, alcoholism, AIDS, and free condoms, people favoring home school say public schools are failing to meet their responsibility of instilling within America's future leaders good values and good judgment. They see keeping their children away from such negative attitudes and atmosphere an advantage of home school.

What are some other perceived advantages? In addition to the moral arena, individualized instruction seems to be the main advantage. If a child is falling behind in a subject, or not ready to go on, the parent may devote more time to a troublesome area or try different techniques. While studying about caves and exploring, a parent could take his/her child to an actual cave without worrying about bureaucratic red tape or the risks of taking a large group on this type of field trip. In addition to such reasoning, there is also the desire to keep their children from being subjected to the "not-so-niceties" of public school -- stereotyping. In order to keep children from being stereotyped or laughed at or dejected, parents remove them from the situations and keep them safely at home and protected. One-on-one instruction is always desirable as it provides intimate knowledge of a student's progress and ability. Obviously, this is not feasible in a public school setting.

Some of this sounds pretty good. Certainly, everyone wants the best for his/her child. No parent would say, "Please, pick on my child in the hallways, ignore him in the classroom,

and be sure to and let him know it's okay to kill and have sex whenever he wants.”

Is home schooling the answer to giving America's children the best possible education? Consider some of the disadvantages. Home school teacher qualifications differ from state to state. For Indiana, there are no requirements for teachers. (Klicka, 1990) Just because one wants to teach does not mean one will be a good and effective teacher. Only two states, Iowa and Michigan require all home schools to have a certified teacher involved in the home instruction. Although some studies have found that home schooled children score comparably to their public schooled counterparts, such testing is not always required. Only twenty-eight out of fifty states require standardized testing or evaluation; nine additional states require an alternative means of evaluation. Indiana is not included in either category. Actually, Indiana neither requires home school instruction to be “regular and thorough” nor “comparable” to public schools. (Klica 1990) The only accountability which Indiana home schools have to the state

superintendent or the school corporation in which they are located is through attendance records... and I am sure these records are always accurate and never fabricated.

Socially, home school students cannot possibly be exposed to the vast diversity found in public schools. Even if children are exposed to social settings at church or in the family unit, it cannot be the same. Plus, the freedom to be away from parents and make personal judgments is definitely missing. Indiana requires children to be in school until the age of 17 or 16 with parental consent to withdraw. An adolescent who has never been allowed any freedom of chance to experiment will most probably find the open world very inviting and quite fascinating. After schooling is completed and after years of sheltering and non-exposure to differing ideas and opinions, home schooled children will be withdrawn and totally helpless in the real world. Can you teach diversity and acceptance while shutting out those very things and pushing them away? I do not think so. How can you tell a child, "We're all different, and that's okay. By the way, you're not with other school children because I believe

differently than school officials.” Hypocritical is putting it mildly.

When I think of home school, I envision a parent at home teaching only his/her own children. Although it is not the only scenario, it is the one with which I am most familiar. I have relatives who have chosen to educate their children in home school -- a decision which I find to be most disturbing. All of the disadvantages I see and have stated previously cannot begin to override the advantage of individualized instruction. Children should definitely receive special attention and education at home, but it should be in conjunction with, and not as an alternative to, a state-approved school with certified teachers.

My strongest goal as a teacher is to help my students learn to think for themselves, and become critical and creative problem solvers. In order for them to do so, they will need to develop a mastery of core subjects and be encouraged to take

their knowledge past the familiar and into the realm of possibility. This sounds very similar to one of the reasons why some parents choose home school. But, I believe that distancing oneself from the outside world is not the answer. Placing oneself in the heart of the matter and being the first one to say, "I believe there's a better way. I'm here to make it happen." is the answer. Those with the motivation and commitment need to join together with our public schools to help the reform which America is calling for to be a success.

What is my solution to what I perceive to be a problem in American education? Take those children with the caring and concerned parents out of home school and put them into public education. Let them be examples and work toward bringing the institutions to the level of academic excellence for which we strive. Challenge students and offer them realistic application for their knowledge and efforts, giving them something for which to work and something in which they can take pride. Offer incentives and some decision-making freedom to teachers.

Give the teachers room to be creative and innovative. Show that they are valued and respected. These things will not happen overnight. But, with the efforts and energy of many, I know that someday it can. I believe there's a better way. I'm here to make it happen.

Part II

Indiana and the Home School

The Proposal

Indiana and the Home School

Indiana needs a statute regulating home schooling for the benefit of the state's population. In *State v. Peterman* (70 NE 550), Clarence Peterman was prosecuted for violating the compulsory attendance law because he kept his child at home for instruction given by a certified teacher. The teacher had been employed by a school until she married, and there were very specific voluntary standards in the arrangement: "...child has attended said home of said Hugelheim [teacher] regularly every school day of the week, and has been taught by said Mrs. Hugelheim according to said arrangements, and has received instructions equal to that to which she would have received, had she attended the public schools, and has advanced as fast or faster than she did while attending public school, and that said teacher has regularly attended her at all times, and has given her proper instructions and has taught her all the branches that she would have been taught, had she attended the public school" (70 NE 550, pg 551). After finding that the intent of the parent and teacher was to "keep said child regularly at her studies" (70 NE 550, pg 551), and reaching an agreement that said instruction would continue as long as the "public schools in that township were in session, and for a time or period not less than that of the public schools of the school corporation where said child resided, and give her a course equal, if not superior, to that of the public

schools” (70 NE 550, pg 551). Peterson was found not guilty of violating the compulsory attendance law.

The defendant in this case had provided incredibly well for the personal home schooling of his child. However, he did so voluntarily, not because the law required that he do so. In fact the court was only concerned that the child was receiving instruction time equivalent to that of public school. Another such case occurred in 1986 in *Mazanec v. North Judson-San Pierre School Corporation* (798 F.2d 230). Richard and Barbara Mazanec decided to keep their children out of public school and enroll them in a home school program through the Santa Fe Community School. This was deemed sufficient enough to comply with the Indiana compulsory attendance law, even though the efficacy of the program was in doubt. However, the next year Mrs. Mazanec decided not to re-enroll their children in the Santa Fe program, but to create her own school, The Greenhouse Academy. The superintendent of the family’s local school inquired into the arrangements being made for the children’s education. Investigation ensued, and when the mother failed to cooperate and the children were seen unsupervised during the school day, action arose in September of 1980. Because Mazanec did not show adequate proof that the children were enrolled full-time in accordance with the compulsory attendance law, proceedings were initiated.

Mazanec was eventually able to have her school designated as a private school, and the children were allowed to attend at home. As long

as she could prove that the children were in school for the same amount of time as public schools, her methods and curriculum were not challenged; in fact they were not even an issue: "It was not for Federal District Court to make value judgment as to whether or not the kind of education that mother provided for her children in home setting was the most desirable; it was the function of the court to decide whether that education constituted 'instruction equivalent to that given in the public schools'" (798 F.2d 230). But there should have been legislation which would have allowed the court or the school to evaluate whether or not the curriculum was sufficient. "Under the free exercise of the First Amendment, parents have constitutional right to educate their children in an educationally proper home environment, subject to the legitimate interest of the State in the fulfillment of certain minimal requirements as established legislatively and administratively as a matter of public policy" (614 FSupp 1154). But no requirements can be found in the Indiana law except for the statutes enforcing compulsory attendance (§20-8.1-3-34) which requires that only the time of instruction is equivalent, not the quality of instruction. Since "one of the most important natural duties of the parent is his obligation to educate his child, and this duty he owes not to the child, only, but to the commonwealth" (70 NE 550, pg 552), and "the welfare of the child and the best interests of society require that the state shall exercise its sovereign authority to secure to the child the

opportunity to acquire an education” (70 NE 550, pg 552), should it not be the best education possible?

Most certainly the answer is yes, and because of this, I believe that there should be stricter guidelines set upon home schooling in the form of an Indiana statute. Something so important cannot be treated in the same trivial manner as it has been in the past. In the pages that follow is a brief proposal for an Indiana statute which would bring home school legislation in our state up to date in relation to the statutes of some of the leading states in home school legislation. The work that follows is taken and modeled from the home school statutes of Arkansas (Arkansas Statute Annotated §6-15-501, §6-15-502, §6-15-503, §6-15-504, §6-15-505, §6-15-506, and §6-15-507), Tennessee (Tennessee Code Annotated §49-6-3050), and South Carolina (South Carolina Code Annotated §59-65-40).

Proposal

...Certain parents of school age children are providing educational programs for their children in home schools, and home schooling can be an appropriate educational program for certain children whose parents wish to educate them at home. However, the state of Indiana does not have adequate statutory provisions concerning the conduct of home schools. Indiana's law must be clarified to authorize the education of children in home schools subject to appropriate guidelines as proposed herein.

(Constitutionality : Under the free exercise clause of the First Amendment, parents have constitutional right to educate their child in an educationally proper home environment, subject to the legitimate interest of the State in the fulfillment of certain minimal requirements as established legislatively and administratively as a matter of public policy. U.S.C.A. Const. Amend. 1.)

Rules, regulations, and procedures for monitoring and enforcing provisions.

(A) The provisions shall be self-executing, and the State Board of Education shall have no authority to promulgate rules, regulations, or guidelines for the enforcement or administration thereof.

(B) The State Board of Education is empowered to make such reasonable rules and regulations required for the proper administration of

the statutory provisions and the Indiana compulsory attendance requirements (Indiana Code Annotated §20-8.1-3-34 and §20-8.1-3-36) which are not inconsistent with the intent of said provision and the compulsory attendance statute.

(C) In addition, the State Board of Education shall cause procedures to be developed which will ensure that the provisions of such statute and Indiana Code Annotated §20-8.1-3-34 and §20-8.1-3-36 are properly monitored and enforced.

(D) The State Board of Education shall provide for an application process which elicits the information necessary for processing the home schooling request, including a description of the program, to texts and materials to be used, the methods of program evaluation, and the place of instruction. Parents must be notified in advance of the date, place, and time of the meeting at which the application is to be considered by the board, and the parents may be heard at the meeting.

(E) If at any time the school district determines that the parents are not maintaining the home schools program in keeping with the standards specified, the district board shall notify the parent to correct the deficiency within thirty (30) days.

Prerequisites to home schooling -- parents or guardians desiring to provide a home school for their children must comply with the following requirements:

(A) Give written notice to the superintendent of their local school district by August 15, or December 15 for the spring semester, of each school year of their intent to provide a home school for their child. Notice must include:

* (i) The name, date of birth, grade level and the name and address of the school last attended, if any, of each student involved;

* (ii) The location of the home school;

* (iii) The basic core curriculum to be offered;

* (iv) The proposed schedule of instruction; and

* (v) The qualifications of the parent/teachers.

* This information may be used only for statistical purposes.

(B) Agree for students enrolled in the home school who are seven (7) years old or older on the date of the test to be tested annually by May 1 using a nationally recognized standardized achievement test chosen by the parents/primary care givers from a list of such tests provided by the State Board of Education. In addition, each home school student who is fourteen (14) years old on the date of the test must take the minimum performance test required of all the eighth grade public school students. Test results will remain confidential.

(C) Provide information about any student to be enrolled in the home

school which might indicate the need for special education services.

(D) (1) Possess a high school diploma or GED if conducting classes in kindergarten through grade eight (8) and possess at least a baccalaureate degree awarded by a college or university accredited by an accrediting agency or association recognized by the State Board of Education if conducting classes in grade nine (9) through twelve (12). A parent-teacher may request an exemption from this requirement from the Department of Education on a year-to-year basis;

(2) Notify in writing to the local superintendent if conducting classes in grade nine (9) through twelve (12) as to whether a college preparatory or general course of education will be taught to the home school student;

(3) If a college preparatory class is to be given, it must include those course areas of study required for admission into public four-year colleges operated by the state of Indiana.;

(4) If a general course of study is to be given, it must include those courses or areas of study required by the State Board of Education for graduation from public high schools.

(E) Submit proof to the local superintendent that the home school student has been vaccinated as required, and has received any other health examinations as may be required by law generally for children in the state of Indiana.

Annual achievement tests -- Requirement and procedure

(A) Each student enrolled in a home school program who is seven (7) years of age through sixteen (16) years of age on May 1 of each school year shall be tested annually by May 1 using a nationally recognized standardized achievement test chosen by the parents from a list of such tests provided by the State Board of Education.

(B) The test administered to a student who is seven (7) years of age shall be for the purposes of obtaining educational baseline on the student.

(C) The administration of the test required of a home school student shall be by the Director of Education, of his/her designee, which may include a school district or an educational cooperative.

(D) Such administration shall include purchasing the test materials, giving the test, scoring and interpretation of the test, and reporting test results.

(E) The parent/teacher may be present when home school students are tested, but in such instance, both the parent and the student shall be under the supervision of the test administrator.

(F) The cost of the testing required shall be reimbursed to the state by the parent or guardian of the student.

(G) The parents must agree in writing to hold the district, the districts employees, and the Board of Education harmless for and educational deficiencies of the student sustained as a result of home instruction.

Report of test results -- unsatisfactory results

(A) (1) Test results shall be reported to the parent/teacher of the home school, the superintendent of the school district in which the home school is located, and the Department of Education;

(2) Personally identifiable test scores shall be confidential and shall not be released without the consent of the parent;

(3) When the test scores of the home school student are unsatisfactory, a program of remediation should be planned and implemented by the parent/guardian;

(4) Any student eight (8) years of age or older whose test results are unsatisfactory shall be enrolled in a public, private, or parochial school unless, prior to the beginning of the next school year, such student retakes the same test and achieves a satisfactory score.

(B) Remediation must be provided for students scoring below the mastery level on the minimum performance test, and all students must pass this test before entering the ninth grade.

(C) Notification that a student has not scored satisfactorily on the standardized achievement battery and thus must return to the public, private, or parochial school will come from the Department of Education.

(D) Any student required to return to a public, private, or parochial school must continue attendance at such school until the student achieves a satisfactory test result.

(E) Authority is specifically given to the Department of Education to make an exception where improvement on test scores indicates that continued home education would not be adverse to the child's interest.

Ineligibility of home schools for local, state, or federal funds

Home schools shall not be eligible for local, state, or federal funds allocated to a public school district and, therefore, shall not receive such funds by direct nor indirect means.

Part III

*Blueprint for Presentation
and Visual Aids*

Blueprint for Presentation

Analyze Learners

General Characteristics

My presentation is concerning home school education in Indiana. It could and quite possibly will be used to educate groups of people about the laws and regulations which control home school in our state. Such groups could be composed of teachers and principals, parents, legislators, of members of the general public.

Entry Competencies

There are no “entry competencies” needed for my presentation other than attentive listening skills, the ability to process and retain information, and the ability to form opinions.

I would also expect that the audience members have an interest in the topic and be very open to new ideas. If they have some background in the subject, or if they have worked with parents who choose to home school their children, then our discussion will be more in-depth. However, previous knowledge of the subject is not needed.

State Objectives

The objectives for the home school presentation are as follows:

- 1. Audience members will retain the information which is presented and participate in group discussion.*
- 2. Audience members will form opinions about the topic and give their preference during an opinion poll.*
- 3. After the presentation, audience members will be able to recite the only existing statute which governs home schooling in Indiana.*

Select, Modify, or Design Materials

In looking for materials to use for this presentation, I searched through magazines for pictures of children interacting with their environment in educational ways. I turned the pictures I found into slides to illustrate the points I was making and stimulate thoughts from the audience. The transparencies were created using information found from a book by Christopher Klica (1990). Please refer to the bibliography for complete reference. These provide visual aid for understanding the facts and statistics that I will present.

Utilize the Materials

The materials will be used throughout the presentation.

any comments which were made or to answer questions which were not answered earlier.

Also, at the conclusion of the presentation, I would like to take an opinion poll to see just where the audience stands in its views on home schooling. I would also like to see if the information which was presented affected their responses in any way.

Evaluate

I will evaluate the effectiveness of the presentation by watching and listening to the responses of the members in the audience. In addition, I will ask them to recite for me the only statute for the state of Indiana which regulates home schooling. Their ability to repeat this along with their participation in discussion will provide feedback and evaluative information.

Bibliography

Bibliography

Information for the first part of this paper (background information) was taken from the following:

Carroll, Margaret K. and Smith, Kay M., The home as a learning center: The family as educator. Kendall/Hunt Publishing Company, Dubuque, Iowa. 1990.

Klica, Christopher J., Home schooling in the United States: A statutory analysis. Home School Legal Defense Association, Paeonian Springs, Virginia. 1990.

Macciomei, Nancy R., and Ruben, Douglas H., Homebound teaching: A handbook for educators. McFarland & Company, Inc., Publishers, Jefferson, North Carolina. 1989.

Wade, Theodore E., Jr., The home school manual. Gazelle Publications, Auburn, California. 1984.

Whitehead, John W., and Crow, Alexis I., Home education: Rights and reasons. Crossway Books, Weaton, Illinois. 1993.

The information for the Indiana Statute Proposal was taken from the following:

70 Northeastern Reporter; *State v. Peterman*. pg. 550-552.

798 Federal Reporter, 2d Series; *Richard MAZANEC, et al., Plaintiffs-Appelants, v. NORTH JUDSON-SAN PIERRE SCHOOL CORPORATION, et al., Defendants-Appellees*. No. 85-2977; pg. 230-237.

614 Federal Supplement; *Richard MAZANEC, Barbara Mazanec, Patricia Mazanec, Susan Mazanec, Angela Mazanec, and the Greenhouse Academy, a not-for-profit corporation, Plaintiffs, v. NORTH JUDSON-SAN PIERRE SCHOOL CORPORATION, James F. Moore, Superintendent of North Judson-San Pierre School Corporation, Steven J. Moerlein, Prosecuting Attorney for the 44th Judicial Circuit of the State of Indiana, Marilyn Mabry, State Attendance Officer for the State of Indiana, each of whom is sued individually and in his/her official capacity, Defendants*. No. S 81-219; pg. 1152-1161.

(Please also note that the statutes for home schooling for the state of Arkansas, South Carolina, and Tennessee, as well as the Indiana compulsory attendance statute were utilized as cited at the time of their use.)

Slides taken from the following productions:

Advertisement: Jell-o Brand Gelatin Pudding Pops.

Better Homes and Gardens, La-Z-Boy, pg.F1, May 1983.

Family Circle, Cashing in on crafts, pg. 37, November 1988.

Family Circle, Going the distance, pg.100, November 1988.

Instructor, Building a winner, pg.8, April 1995.

Instructor, History in the fast lane, pg.30, April 1995.

Instructor, Join this cool club, pg.57, April 1995.

Instructor, Writing in math class: Absolutely, pg.41, April 1995.

Newsweek, Heroes, past and present, pg.61, July 6, 1987.

Newsweek, Taking a bite out of crime, pg.65, July 6, 1987.

Newsweek, A standing invitation from the mother of Hope House, pg.65, July 6, 1987.

All transparency information taken from the following:

Klica, Christopher J., J.D.; Home schooling in the United States: A statutory analysis; 1990, Home School Legal Defense Association; Paeonian Springs, Virginia.