

2009 HOUSE EDUCATION

HB 1171

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1171**

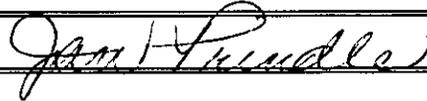
House Education Committee

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Hearing Date: **February 9, 2009**

Recorder Job Number: 8996

Committee Clerk Signature



Minutes:

Chairman Kelsch opened the hearing of HB 1171.

Representative Lisa Meier, District 32, introduced the bill. For quite a few years home scholars across the state have desired to improve the home school laws to give parents more freedom in the administration of their home schools. ND has the most restrictive home school law in the region and one of the most restrictive laws in the country. Presently, any parent supervising home education must have a GED or high school diploma. Additionally, the parent must have bachelors degree or be a ND certified teacher or have passed a national teacher's exam or be monitored for two years by a ND certified teacher. If passed, the new law would allow any parent to home school regardless of their personal education. Remaining in the law would be the requirement that children in grades 4, 6, 8 & 10 take a nationally named standardized achievement test and report to those results to the local school district. Any child who falls below 30% would need to be assessed for learning problems. Passing this law would allow parents more time, money and energy in their home school program without the requirement of monitors.

James Bartlett, director, Home School Association, testified in favor of the bill.

(Attachment 1)

Representative Mueller: One of the statements in here—All education institutions are supported by public tax dollars. . . . If I'm hearing you correctly, you are suggesting that we ought not to have any control in this. Is that correct?

Bartlett: That's what our lawyers tell us and that's what anybody that would read the constitution would also notice.

Representative Mueller: “. . . under the absolute and exclusive control of the state. . .” That's in Article 8, section 5.

Bartlett: The stage is set for the public school system in Sections 1 & 2. This all about a public school system—it's not about regulating every child in the state because that would undermine the freedom clauses that we have in the ND and US constitutions. It no where says this has to be applied to every child.

Representative Hunskor: There is no question that home scholars in most cases are giving their children a very good education. From our perspective the concern is that there are some homes where this is not being done.

Bartlett: When someone is not a home schooling person, looking at a curriculum happening is really different. It's like tutoring and it's not scheduled during a certain time of the day. It might take them a year or two to get things under control and get the kids disciplined. It can look like chaos from the outside but if you look at it over the long term and what the results are it transforms the family and has a great impact society. Outsiders do not see how the details work.

Representative Hunskor: What part of current law would you like to not see there or would you say all of it?

Bartlett: This bill is focused on the removal of parental qualifications. In the long run would be to repeal the law and be more like (listed green states on the map).

Representative Hunskor: For right now—what part?

Bartlett: Remove parental qualifications. That would be the monitoring, teacher test requirements, bachelor's requirement and "in the home." Those are the things mentioned in the bill.

Representative Wall: In an era of No Child Left Behind when this Committee looks at bills that have more rigor, more classes in the curriculum, highly qualified teacher—how does this bill address those? It seems to me it's backwards from NCLB.

Bartlett: NCLB has a specific clause that exempts home schooling. There is no correlation between the qualifications of the teacher and students learning—it's what been shown for 20 years. It's valid and working.

Representative Wall: Do you think we are on the wrong track nationally asking our teachers to be highly qualified.

Bartlett: We should talk about the definition of highly qualified and the less regulations and more freedom the better work they usually do. I think the higher regulation on school teachers is the wrong direction.

Representative Schatz: I'm looking at one of the pages of your handout and the breakdown by states. The regulatory policies map is different. It does look like there is a tendency to go away from regulation. Is that a true statement?

Bartlett: Exactly.

Representative Heller: So if I understand this correctly, currently the husband or the wife in the home holds a bachelor's then they don't have to be monitored.

Bartlett: Correct. It would be that or take a national teacher's exam or be certified teachers themselves.

Representative Heller: If neither one has a bachelor's (unintelligible)

Bartlett: That's correct. Two years of monitoring for the first child. That would be one hour each week that they would meet with the family and if they have more children it would be an additional half hour for every additional child. If the scores on the national tests go below 50% then an IEP would be required.

Cam Leedahl, testified in favor of the bill. (**Attachment 2**, includes written testimony from **Jonathan Leedahl, Peter Leedahl and Melody Overman**)

Representative Kelsh: You mentioned you checked out a lot of complaints and none were really justified. Two years ago in a local restaurant and it was in the middle of October and a young lady was working there and I asked "no school today?" She said "I'm being home schooled." I asked how it was going and she said they hadn't started yet. I consider that a problem.

Leedahl: I can understand that. I can't say what's really going on in that program. We're farmers and our children since they were 12 have been working long hours on our farm. Our schedule is sometimes very interesting. They may not be in school during the week because they are busy. My daughter managed our calving operation and was very busy with taking care of cattle, identifying diseases, and all that stuff. I counted that as part of her education—animal husbandry. She was learning. She is a registered nurse now. She learned a lot about biology, anatomy and physiology. There was an example of learning that was happening. It wasn't done at a table. I usually end my program in March because we are calving. Our children apply what they are learning. There are audio books they listen to while they drive the tractor. They are not in school but we make up those 175 days other times of the year. Sometimes on Sat or Sun, driving to Fargo they are doing school work in the back seat. It may appear to the outside something different than what is happening.

Representative Hanson: Under this bill home scholars would be required 24 units to graduate from high school. The public school may now go back to 22. Would you want to stay at 24?

Leedah: Actually Legislative Counsel suggested that be put in there so it would tie in with the public schools. This is only for those who get a diploma through the local school district. Very few do that. Parents issue our own and our own high school transcripts. Our local school district passed a rule that will not issue a diploma to any home schooled student.

Representative Hanson: Do you want to drop in back?

Chairman Kelsch: If 1400 is passed the requirement will be rolled back to 22 for a diploma that issued by a high school. It will conform.

Representative Hunskor: Private schools, public schools all their want their young people to be prepared. It's a very competitive world out there. In preparation for that the advanced math and sciences—how does that play out in the home school situation to prepare those kids in those particular courses?

Leedah: A parent doesn't need to know to do analytical geometry which my daughter learned. She is an independent learner and she reads the textbooks, has the answer key for the questions and the book that shows step by step how that problem was done. I have the test. If there is a problem that neither one of us understand, we would go to someone we knew that does well in that. There are so many advanced placement courses that students can take either at the local school or online or they can take the college class online. Most children I know by the time they are high school they are determined that they are going to get done and do as well as they can. There are so many resources for them. I spoke to the director of Admissions at NDSU and she said home schooled students are very well prepared to come in to college.

Representative Karls: That was my question—how do those going to high school at home do in college?

Leedah: There have been studies on that. They found that students cannot be identified as home scholars, but the home schooled students are very well prepared usually. They have already learned the independent learning skills. They are usually somewhat more mature in their social interaction and are not quite as swayed by peer pressure.

Representative Mueller: There's a ND Home School Association. Can you give us any idea of how many home scholars are involved with that association?

Leedah: Because we don't collect names, we have families on the list but we don't know how they children they have and what their names are. I am part of a group in Fargo and we have 120 families. I estimate that only represents only 1/3 in that area. We know that nationally about 3% of students are home schooled. If you apply that to ND, it is between 4000 – 5500. I don't know how many may be in the association. They do not monitor, they just provide resources.

Representative Wall: We will probably lift the restrictions. Do you have any idea of how many parents out there are interested in home schooling that are not now doing so.

Leedah: No, I don't. I do know parents who are living in MN that want to be ND. They would move back.

Representative Heller: Is it that painful to be monitored that is would require them not to live in ND.

Leedah: There will be a monitor testifying after me to explain the process. Some monitors overreach what the law is asking them to do. Yes, it is a pain.

Representative Hunskor: You indicated that not all belong to the home school association. Is there a way to know that some not in your association are falling through the cracks?

Leedah! We have no idea of what the people who are part of the association what they are doing either. We don't monitor them.

Catherine Dalzell, home school student, testified in favor of the bill. **(Attachment 3)**

Shane Goettle, commissioner of ND Department of Commerce, took leave from that position to testify on his own behalf in favor of the bill. The Department of Commerce goes outside of the state conducting job fairs and have had home school families approach me asking what the laws of home schooling were like in ND. One family in particular has 5 children. He was serving in Iraq and she was home schooling in Minneapolis. When he got done with his service one of the things they were going to consider is moving back to ND. Among the concerns they had was the state of our home school laws. I was able to speak about them because my wife and I home schooled our children. One of the things I was going to speak about today is a study the Department of Commerce did regarding 15 families that had moved to ND as a result of these Experience ND events we have done outside of the state. We knew where they lived and what industries they were in. They averaged about a \$55,000 salary. We wanted to look at what the economic impact would be for those 15 families. They contributed \$2.8 million to the output of their employers. That value is based on the average level of output of goods and services produced per worker in the industry classifications they were in. The indirect effect contributes another \$900,000. Based on their disposable income another contributes another \$1 million to output. In total, the 15 employees studied generated \$4.8 million in economic activity in ND. When we move a family back to ND it has a significant impact. My wife and I were living in Minot when our children were very young. At that point in 2001 we had a first grader and kindergartener. We moved to Washington DC. In order to allow some continuity in the education of our children we decided to home school. My wife is a public school teacher by training. It was an easy role for her

take. Several times she would come back to ND for a month at a time. She continued to home school. If you look at the requirement that all education must take place in the child's home, that requirement did not exist in VA. If it did, we would have been evading the law by bringing them here for a month. When we talk about bringing families to ND, that's a concern. Education can take place in many places: at the in laws, when you are travelling, on a field trip. That part of the law I am arguing should be removed to allow flexibility. We allow public school education to take place outside of the school. My wife and I are not opposed to public schooling at all and we take advantage of some of the classes that are offered at the Mandan public school. Our oldest two children attend that school in the afternoon and participate in some of the extracurricular. A portion of the foundation aid payment goes to Mandan because of their partial attendance. One of the problems we ran into is that my son is about three years ahead in math and we didn't want to put him into a situation where he would be bored. That's one of the advantages of home schooling we allow them to progress at their own pace.

Barbara Jo Miller, licensed teacher in ND: I have served as a standardized test administrator and a monitor for the Mandan Public Schools. **(Attachment 4)**

Theresa Deckert, home scholar from Devils Lake: **(Attachment 5)**

Additional testimony in support of HB 1171

Name	Attachment
Amy Anderson	6
Unknown	7
Carla Gellerman	8
Barbara Little/Steve Little	9

Chairman Kelsch then opened the hearing to those speaking in opposition to HB 1171.

Linda Paluck, director of School Approval and Accreditation, DPI: **(Attachment 10)**

Representative Mueller: Your testimony addressed issues concerns many of us have.

(Unintelligible question)

Paluck: I'm not sure what that statement means—within the home. I'm not sure if they meant right within the house. I know in public, private and home schools they take lots of field trips. There is a lot of education that occurs away from the kitchen table or away from the student's desk at school. I'm sure of the intent of that statement if they meant a consolidated or organized effort for home education. I'm not sure.

Representative Meier: Do you know how many children in the last couple of years have come from the private school setting or home school setting back to public school.

Paluck: No, I do not.

Representative Kelsh: In your testimony you say there are reports of 1366 students recorded to be receiving home education. One of the testimonies earlier it was said there were between 4000 and 5000. Do you feel there are that many unreported?

Paluck: I'm not sure. When I heard that number too I was surprised. That makes me curious to know.

Representative Kelsh: If they are not reported to you are they reported to the local school districts and are they be monitored at all?

Paluck: I don't know that. I would certainly hope so. That's one of my concerns.

Representative Heller: Is every home school family required to fill out his statement of intent and give it to their school superintendent. If they have to fill that form out why wouldn't they be accounted for and why wouldn't the schools have a record of how many are home schooled in their district.

Paluck: We require that they fill out that form at least two weeks prior. Some choose not to fill that out.

Representative Hunsakor: For the minimum number of parents who may be letting their kids fall through the cracks by not doing their job, would that not be true whether there is a law or not a law. They are plainly negligent and if we have the current law or no law isn't going to make a lot of difference. Do you feel that the law written is to help some of those families to change their ways and do the job they should be doing?

Paluck: We also have a law that all of our kids from the ages of 7-16 have a right to an education and that's what we need to follow. I've been in education long enough where I have seen many home educated children doing very, very well. We want to make sure we continue to show support for our kids and we need to find out where they are at and how they are doing.

Representative Rust: You stated that some parents did not fill out the statement of intent. I'm guessing that most people in education know who is probably not in the public school and should have filled out the intent. What is the school's obligation when they determine that someone within their district is not enrolled in the public school and has not filled out a statement of intent?

Paluck: That is a matter the school would bring to their school board and they would make a recommendation to contact social services. That is not written in the law.

Representative Heller: Why would this law change or help your concerns?

Paluck: I'm concerned more kids would be out there that we would not have a way of tracking.

Doug Johnson, executive director, ND Council of Educational Leaders, testified in opposition. **(Attachment 11)** I add that **Bev Nielson, of the ND School Board Association,** could not be here but concurs with the testimony I will be provided.

Representative Rust: Do you receive very many calls from school administrators regarding home schooling and if you do, what are their basic concerns.

Johnson: Usually it is about being able to distinguish if they are truly homeschooled or simply truant and not meeting the compulsory education laws. The question becomes then when should they file educational neglect. You need to make the filing of the intent by the parent the guideline of what you can follow. If that's not there you would have grounds for possible educational neglect.

Representative Rust: Approximately how many calls do you receive a year on this?

Johnson: Maybe one or two a year. It's not a lot.

Representative Rust: By the removal of the phrase "in the child's home" is the following possible? You could have a half dozen decide to bring their children to a central site and educate them together in a private school status without any of the regulations.

Johnson: That is a possibility. I don't think that's the intent of the home school people. If the Committee should wish to pass this bill I would make sure that this language is very specific as to how that could be taking place.

Representative Mueller: In your testimony you talk about AYP. In the school districts in which there is a home schooling situation occurring, do those tests become part of the AYP record?

Johnson: No, they do not. Only that they have to be at the 50 percentile for monitoring purposes, there is no use for that.

Representative Meier: You referenced in HB 1400 the assessment being taken in grades 3, 4, 5, 6, 7, 8, and 11. With the passage of that bill would then home scholars have assessments in those grades as well?

Johnson: They would be a conflict at this time. HB 1400 was probably not available at the time they drafted this.

Representative Karls: We learned that the home scholars are exempt from the NCLB act.

How does that work.

Johnson: Public schools are held to a higher standard. With the passage of 1171, you would actually be reducing the amount of accountability for those parents that are teaching their students. That's my concern.

Representative Heller: Didn't you reference AK as an example—do you have statistics showing how well AK is doing in home educating their children.

Johnson: I do not. I could not find anything that conclusively gave me any indication of what would happen with home schools as opposed to public schools. There is not a lot of statistical information that easy to glean because the reporting systems in most states do not require those students to file a report.

Representative Heller: Wouldn't they have a record of test scores? ACT?

Johnson: You would have to know which students are home schooled and then be able to access that. In ND we have no way of knowing that information.

Chairman Kelsch: If the longitudinal data system goes through, we would have access to that information for home school students. Would they have to be registered in that system?

Johnson: We have not discussed that specific area.

Representative Karls: Alaska is a fairly remote state. It seems to me that home schooling would be an option that they might choose. In ND we are closing a lot of small schools. It seems that home schooling should be an option rather than putting our small children on a school bus for an hour and half.

Johnson: The NDCEL does not oppose home schooling. What we are saying is the current Century Code is an adequate way to insure the monitoring of the progress of those students and to tell which students are not truly being home schooled and the parents may be using the

system to avoid having their students meet the compulsory education. I have had personal experiences when that has happened.

JoAnn Brager, vice president of Public Policy for the ND Association of the Education of Young Children, testified in opposition to the bill. **(Attachment 12)**

Vivian Schafer, Children's Caucus, testified in opposition to the bill. **(Attachment 13)**

LeAnn Nelson, NDEA, testified NUETRAL on the bill. HB 1335 recently passed out of committee to provide an income tax credit for families who home school. HB 1171 eliminates some of the qualifications and monitoring. We feel these bills clash. We believe it should be one way or the other.

Representative Hanson: (for Bartlett) Would you support if we wiped out everything on the requirements for home school monitoring and whatever and require that home schooled students take the same tests as public school students?

Bartlett: There is a way to know the difference between home schooled and public schooled children. National statistics show home schooled are doing an 85 percentile on most subjects. There are also tests being done within the state and all those scores are given to the local school superintendant. Those numbers are there but you might have to ask for them. Leaving testing is not something home scholars see as a need for the state to conduct. They are able to take the test that they want that best served their family.

Representative Hanson: All I want is a yes or a no.

Bartlett: No

Representative Kelsh: How accurate are your figures here when you say students are in the 85 percentile in testing?

Bartlett: The testing scores are provided and are available. They are not always reported to the DPI by the superintendents.

Representative Hanson: Are you using the same tests as the public schools.

Bartlett: No. The law requires us to use the nationally norm standardized achievement tests. Schools use the ND state assessment. They cannot be compared.

Representative Rust: I we were to approve this bill would that move ND from Red to Orange?

Bartlett: Exactly.

Representative Heller: How often do you feel this Statement of Intent is not being filled out and handed in by home schooling families?

Bartlett: No that often. I'm thinking of our area in Bottineau.

Representative Mueller: Can you give us a sense of how many home scholars, on a percentage basis, home schooling, but not a part of your association.

Bartlett: Using the estimate of 4000-5500. Our mailing list has 1000 families right now; estimate each family has 3 children equals 3000. That would give you a 1000 – 2000 that are not with us.

Representative Mueller: Although some of your answer is based on some knowledge, it's pretty much speculation about who is and who isn't involved in home schooling.

Bartlett: No. There's a good feel for what is happening in ND. We are also connected nationally with many people so we know what's happening in other states. These numbers are reasonable.

Representative Karls: Approximately how many people attend your convention every year?

Bartlett: 1000 – 1200. It's increasing 200 per year.

Representative Hunskor: Would superintendents know exactly which families are being home schooled? If they do wouldn't they have a pretty good handle on knowing which ones are getting the job done and which are not?

Bartlett: Yes, the superintendents have the data based on statements of intent as well as heresy in a small community. They would also have test scores provided in grades 4, 6, 8, & 10.

Representative Wall: Do you have any feel for home many more in students in ND would take part in home schooling if this bill would pass.

Bartlett: When you hear stories about people who would move to the state if laws were changed, it would be a significant increase. We don't have an exact number but I have started a list that has 20 different families that have been identified.

Representative Wall: I'm not concerned about in migration. How many living in ND now?

Bartlett: I'm thinking the number is similar. I don't have an exact number but we get about 5 calls per week.

Vice Chairman Meier closed the hearing of HB 1171.

Further testimony in support:

Lavonne Goetsch, Attachment 14

Cyle Richard, Attachment 15

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1171

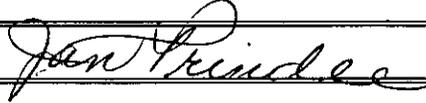
House Education Committee

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Hearing Date: **February 10, 2009**

Recorder Job Number: 9116

Committee Clerk Signature



Minutes:

Vice Chairman Meier opened discussion of HB 1171

Representative Hanson: Yesterday when the home scholars were here, they said about 4000 in the state. DPI says there are about 1000 that are registered with them. Who is responsible for the other 3000 that have disappeared in the cracks and have no one to monitor them or whatever? Is it the local superintendants? Or is it DPI?

Bob Marthaller, DPI: I do know the local school districts have some responsibility to monitor the education of students as required by law. To the best of my knowledge if there are that many students they are not being monitored. It is the responsibility of the local school districts. I'm not sure where that disparity is coming from and I will try to find that out. Parents are required to file an intent and to the best of my knowledge that is the only way a school district would be aware that they are out there especially in the larger districts. DPI collects the numbers from the school districts either in the spring or the fall of the year.

Representative Kelsh: Those forms are supposed to be sent in to the local superintendent. Is that superintendent supposed to send those to DPI? Somehow there are about 3000 out there that are not reported or known about.

Marthaller: Unless it's changed in the last year, we simply recorded the number of home educated students that we were supervising in our district. We did not send that to DPI.

Representative Rust: As a practicing superintendant, this is basically what happens.

Parents who want to home school will give to you a statement of intent. That statement will have on it several pieces of information one of which is "we want to participate in these things." It also has a check off about their qualifications. It also has a section about monitoring. If they don't a degree they can list a monitor. If they don't have one the school has an obligation to provide that. They can have their own choice if that person is a qualified teacher. People are very good about filling those out. In a small community word gets back to the superintendent whether or not someone is out there with kids that aren't in the public schools. It would have to be in a larger school where that doesn't happen. If I would get a report and not have a statement of intent, I would be calling those parents and asking. My next step would be to report them for truancy.

Marthaller: I would guess the disparity in numbers are those that are required to be monitored by local school districts would be "x" number and that might be the number DPI might be talking about. Those that don't require monitors, we wouldn't necessarily have those numbers as they are off the local school district radar.

Representative Karls: I was trying to find the numbers.

Representative Rust: Reading from the law: "If monitoring is required . . . the school district shall assign and compensate an individual to monitor the child receiving home education unless the parent notifies the school district that the parent shall select and compensate an individual the child."

Representative Kelsch: Even if they are no longer required to be monitored, don't they have to report to the school district that there is home schooling.

Marthaller: Yes, they would have to file the intent to home educate each year before school begins each fall.

Representative Hunsakor: So all of these intents come in. Does the superintendent have a responsibility beyond that to make it his business to find if there are more out that?

Representative Rust: The people will file that intent. I believe as superintendent you have the responsibility to try to determine if children in your district are being educated or not. If they are not, your duty is to report them truancy.

Marthaller: You are correct.

Representative Hunsakor: It is hard to imagine then that if that is the job of the superintendent how could 2 – 3000 not be accounted for.

Vice Chairman Meier closed discussion of HB 1171

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1171**

House Education Committee

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Hearing Date: **February 11, 2009**

Recorder Job Number: 9220

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Minutes:

Chairman Kelsch opened discussion of HB 1171.

Representative Hunskor: I would like to share a conversation I had with each of the superintendents in District 6. I posed the questions: How many do you have in your districts? Do you know for sure that you know about all of them? How many do feel are falling through the cracks? On the average from 8 superintendents three out four felt they were doing a good job as families. One of four—not. I asked the one who is not if they could do whatever they wanted to do without any mandates then what would be happen. There concern seemed to with those currently homeschooled and there were no mandates then some would fall down and not do as good a job.

Representative Karls: As I sit on this Committee and watch us heavily regulate public schools and to some degree private schools, I asked why is that we regulate so heavily on one side and people who home school want to do it free of regulation. I was told it was because of the money. The public schools get a lot of state and federal money and that's why they have to regulated heavily because of the accountability factor. Home schools don't take services from the public school and if they do the school is reimbursed from the state. You think these people cannot possibly teach their children—they don't have the techniques, knowledge, best practices; but, they love that child. To me that trumps regulation. In my experience with home

schoolers they want to give their children the love of knowledge. My kids were fortunately sent to a private school. If I hadn't had that option, if we couldn't have afforded it, I would have home schooled. My brother and his wife in CA have home schooled all of their children with very good results. They will not even consider coming here because the rules are so stringent compared to what they have in CA. Their kids have all gone on to college and done well.

Representative Kelsh: For the people that were here, you are 100% right and they do an excellent job. I still have concerns about what Representative Hunskor found in his survey that there are students out there that aren't getting the education they deserve. That should be a concern to all of us. What about the ones we don't see? That's what concerns me. We are responsible if we let something slip through and just wash our hands of it. I don't think that's right.

Representative Karls: There are children who fall through the cracks no matter what. In the public school, private school, and the home school. What happens then when we have these children that absolutely fail in public school no matter how hard we try?

Representative Hunskor: I think Representative Karls is right. I really have a heart for the home schoolers. I would really like to be on their side. The way the law is currently written some are falling through the cracks. My thinking is with those people, they are going to fall through the cracks no matter what because there are a mere handful of families for whom that's just the way it is—law or no law, it's going to be that way. My concern would be if we don't have any mandates, are some of those who are doing a good job going to fall down in what they are delivering to their children. I would hope not.

Vice Chairman Meier: I think with the testing that's still required that is a gauge to see how the students are doing.

Representative Mueller: If you are a homeschooling parent and are good and I think every one that was in this room were good homeschooling parents, the question that comes to mind is how difficult is this? In terms of what they are doing by homeschooling this is a walk in the park. For those that are good at it, probably they don't need. For them, what we are asking in state law currently, should be basically nothing compared to the effort they put out on the other end. I don't think the law as it stands today is going to stop any good home schooling whatsoever. I think it will require some accountability for those who are not. As Representative Karls said, in some cases it isn't going to matter. We have an obligation to limit that as much as we can. I think the law we have in place at least tries to do that. The one thing I will say about the bill. I agree with them about doing "in home." Obviously they aren't—they were all here. Which is fine. That part of the change in the law I would certainly support.

Chairman Kelsch: Remember in the all land in high school district bill when we had all those young people here and I asked them what they were doing. They were here on a field triip. Those are publicly funded schools. Those are counted as school days and I think home schoolers should be afforded that some ability.

Representative Rust: I'm not so sure that public schools are regulated because of the money. I think they are regulated by the constitution of ND. We have a compelling interest to educate our citizenry because we want an informed citizenry so we have a continuation of a democratic government. I would submit our schools are regulated not so much because of money but because of our duty to have an informed citizenry. To some extent that is the same reason why we try to regulate home school children—it's for that very same reason.

Representative Hunskor: If there is any merit in what Representative Mueller is saying then is it a matter of principle that is their greatest concern. It isn't a matter of the mandates; it's a matter of leave us alone and let us do our thing. Is that the major concern?

Chairman Kelsch: Those of you have sat on this Committee for a long time know that I have not been willing to loosen up any of the regulations. Probably the biggest reason why I signed on to the bill was the fact that their organization has gotten a lot tighter. There are some individual families that still do not belong to the association. One of the people that testified the other day is very credible in the State of ND does not belong to the association. The reason they and other people do not belong is because they feel the association moved too much toward being a faith-based organization. That is not why they are homeschooling their children. They refuse to join base on that issue alone. I think the association feels they have become tighter and more cohesive and more self monitoring of themselves and they don't necessarily need this. The biggest concern that I had at the hearing was two pieces of information we received that were conflicting. We had two different numbers which really should alarm us. The one was thirteen hundred and some that are being home schooled and then we had one that was between 4-5500. Where are all those othe kids?

Representative Rust: I went to talk to someone in DPI this morning about another issue so I asked about that. On the pupil membership report—home education form, we always reported all of the kids that filled out the statement of intent. I asked Paul Johnson what does Bismarck Public Schools do. He sent me an email and said Bismarck reports those that they monitor we don't report those that we do not monitor. That's what I think the difference is—exactly that.

Chairman Kelsch: I still think that's still a concern that we don't have a really good grip on who is being home schooled and who's not and where those kids are. I'm hoping that the longitudinal data system will take those children into account as well so we do know where

they are. I'm not concerned about the kids that are being homeschooled well. I'm concerned that we may have kids out there that are getting nothing.

Representative Hanson: Mrs. Leedahl mentioned they don't start until after the harvest and quit in April when they start calving. Who's more regulated. My wife monitors in Jamestown. She never names these people to me but she has one family where a single mom couldn't get her son to go to schools so she decided to home school. He stayed home all day long while she works and I don't think the kid is getting any education. In another family, the lady has a day care and 3 or 4 kids of her own that she is home schooling. You drive by there in the spring or fall and those kids are outside playing all the time. In turn, she has families that she has supervised for two years and they request to have her back after that. So there are good families and better families, but the bad ones are the ones you hear about more than the good ones.

Representative Mueller: They were all outstanding presentors. One of the ladies (Barbara Miller) talked about her role as a monitor. I asked her if she had accomplished anything? Have you done any good? She said she had. For brand new ones that are going in to this effort, they really don't know what they are supposed to do. For the first two or three months she found herself to be pretty helpful to that family. That tells me there is value in monitoring even from the home schoolers standpoint it's a very valuable thing to have.

Chairman Kelsch: I wonder how many of those monitors are actually aiding them as to what they need to be doing. The reason Barbara Miller is a good monitor is because she has home schooled her kids for 15 years. She's also a home school mom so she probably has a better grasp of what works. She's probably a good type of monitor. What I'd like to have them do is have monitors within their own home school association.

Representative Kelsh: I was somewhat disappointed and concerns about some of the answers about a couple of questions. The one about the student that started and then about someone helping with chores on the farm is an education. Yes, it's an education. It's not what we consider an education in the State of ND. We consider so many units of English, math, science and all the other things. I don't know that she satisfied me that they are getting all that. When they can quit in April and do the husbandry that's necessary on the farm. . . . When I was on the farm you started in April and went until the next November. Then you have Dec, Jan, Feb & Mar that you could do school. Are they getting an education in that time? I thought the answers not very good in that situation.

Vice Chairman Meier: I had a chance to talk to Ms Leedahl because I was curious about the biology part of that. What about dissecting and learning about the insides of an animal? She said that groups of them get together and do a lab and they have microscopes. I know some people in the Bismarck are who go to the school and utilize the labs there.

Representative Kelsh: That isn't the point because we don't need to worry about in home because they are not doing that anyway and that's fine. I do have great difficulties with some of the other things are possibly happening out there.

Representative Hunskor: As far as knowing about any kids not accounted for, I think in the rural districts the 8 superintendents I talked to said they knew absolutely for sure who were homeschooled. Some had even gone out to check. It's in the urban areas where some may fall through the cracks.

Representative Karls: When you look at our schedule it's based on the agrarian schedule that we follow because there was planting and harvesting to do. It kind of follows nature.

Representative Heller: Why don't they get the same tests as the public school kids.

Chairman Kelsch: They can take the same test. They can choose to take which test they want.

Representative Karls: Because they choose their own curriculum.

Chairman Kelsch: As long as they are assessed and are not dropping below standards that's how we can monitor those kids to make sure they are making progress.

Representative Rust: It's in state law that they take a nationally norm test.

Chairman Kelsch: I think the Iowa Basic is one that they take. The testing doesn't go away. It is still there. The way the testing is listed in HB 1400 they would have to pick up those additional as they are included in that section of code.

Representative Kelsch: It was testified that this is the first in a series of what they want. That testing may be the next to go and then even reporting will be after that.

Chairman Kelsch: That's right. They are planning three stages. It's up to the Legislature to decide if we want one, two or three or we want one.

Representative Johnson: We are here every two years and we can decide at what level we want to go to. You will probably find a couple of bad apples but in the public school there are a lot of things going on. I'm going to support the direction they want to go here.

Representative Hunskor: The other states must have the same concerns we do. Yet they say "let them go." Why is that?

Chairman Kelsch: Part of it was the way that home school education came about in each of the states. We have continued to regulate them since I've been here in '91. We put pretty strict regulations in from the get-go when we decided to recognize home school education. Each session we have had at least one bill that dealt with this. I look at Alaska and Wyoming because they are such massive states with very little population and it makes sense for some of those states to home school and I think they just decided they would put the least amount of

regulation on those parents and let it go. I think a lot of the states probably started out with less regulation. I don't know that they have decreased their regulations. One thing I heard from some colleagues at a national meeting was they had enough issues to deal with public schools and weren't going to worry about home schooling.

Representative Hunsakor: Can we safely say then that because of the stand the state has taken they are doing a better job today?

Chairman Kelsch: In a perfect world we would love to say that and take credit. I think it goes to the comment that Representative Karls made—in the State of ND we have those parents that have a great deal of love for their kids and are nurturing. One comment that concerns me a little bit was Cam Leedahl when she was talking about teaching her child analytical math. Because her daughter was an independent thinker and had the books, etc. What happens if you have a child that is not an independent thinker, how do you deal with that?

Representative Mock: Currently in Century Code monitoring goes on for two years and if the child goes under the 50 percentile the monitoring continues. What if they are not monitored by the school district what's the procedure then. Is there any mediation between the parents and child.

Representative Hanson: Do you remember when we had 6 lawyers from VA telling us how smart they were and how dumb we were. That drove a wedge between me and them right now.

Representative Kelsh: In your statement from national meetings where people said they had enough problems with their public schools without dealing with them. In my opinion that's the poorest reason in the world. It says we don't care about them any more. We have some responsibility to make sure every student is educated in the State of ND. That's not a good reason for ND.

Chairman Kelsch: Those are good points. Regarding the qualifications of the parents—I know plenty of people who have masters and doctorates who would not make good teachers. I'm not sure the qualifications make a whole lot of difference. The monitoring—maybe you are keeping a finger on the pulse. It could be something we try and if it doesn't work and we find we have a lot of problems in the next two years. We should talk to superintendents telling them we want real documented issues.

Representative Rust: I'm willing to go from Red to Orange. When they come back and want to go from Orange to Gold, I'm going to say no.

Representative Mock: A parent can have something as simple as a high school diploma or a GED as long as they are supervised two years. I think that's at the very least of what we should be expecting of parents when they are educating their children at home. It assures they have the basic knowledge to teach their children and it is something that as a state we have the right and responsibility to insure. You don't have to have a baccalaureate degree or have been a certified teacher. I don't see that as overbearing. All the love in the world is fine but not every child is an independent thinker and love doesn't necessarily teach you how to solve calculus problems.

Representative Wall: This has come up before in last session. I have total respect as does every one at this table for home schoolers. Some of my concerns: I think the monitoring could be a positive thing. It would be valuable to me to learn about the resources available. It is a minimal requirement. We put into 1400 mentoring. Which is the same thing but we are mentoring trained professional teaching. I think monitoring should stay in the bill. The four walls thing should be lifted. I think as policy makers we owe it to all children to protect them as much as we can.

Representative Karls: They do have wonderful support groups and that's where they mentor each other. They share resources.

Representative Wall: Would this be open to only those in the association.

Representative Karls: There are several support groups in the area. There is a religious undertone.

Chairman Kelsch: The majority of my constituents in Mandan do not belong to the association.

Representative Wall: If passed, we could bring this up again. Could we put in a sunset.

Chairman Kelsch: I'm hearing mixed feelings here. I'd like to appoint a subcommittee:

Karls, Wall, and Hunsakor

Discussion closed.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1171

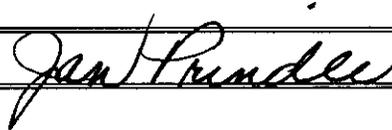
House Education Committee

Check here for Conference Committee

Hearing Date: **February 16, 2009**

Recorder Job Number: 9509

Committee Clerk Signature



Minutes:

Chairman Kelsch opened discussion of HB 1171.

Representative Wall: So home schoolers would feel free and not worry about going on field trips, we worked with different language some of which was proposed here and talking to Legislative Counsel, Anita Thomas tells us in the email (**Attachment 1**) that we could leave the language as it is and there would be little worry of proliferation of home schools where several families were dropped off at one point and school begins. You have the proposed amendment in front of you. A new section has been added and an expiration date. The rationale for the expiration date, it was felt we could do away with the teacher qualifications and home monitoring. We can revisit it after 2 years and if we find there are abuses then this body would have to do as they see fit.

Representative Mueller: My question is the expiration date and reverting back to the present law. How are you going to have superintendents help make the determination. What processes will they go through that two years from now we can say this is a good idea?

Representative Wall: If there are reports that home schooling is not taking place where there is an intent filed. There are people who know what is going on in their district. I

don't think that's going to change. I think we will know if there are abuses and then they need to come forward. **I move Do Pass on the amendment (90396.0201)**

Vice Chairman Meier: Second.

Representative Hunskor: I've been pretty strong on keeping the monitor and the qualifications because I truly believe that some children were falling through the cracks and to assure that wouldn't happen. I called at least a dozen superintendents. This morning I talked to the Minot superintendent. They have over a hundred home schooling families. He said he is responsible they don't have any problems. I thought in larger communities it would be harder to keep track of them. That was his honest response. The 12 smaller schools were a mixed bag. Some said they are doing fine. They had 1 to 4 families. Half of the superintendents said they are doing fine. The other four said they do have a problem with one or two families and they qualified that by saying they really don't know if with mandates or not if these families would be responsible. My problem with this is that families that are doing a good job now, if there are no mandates, will some of them lessen their standards. I don't know that. I'm going to support the amendment.

Representative Hanson: The superintendents Representative Hunskor was talking about were the families they monitored. You are probably seeing half of the people or less.

Representative Hunskor: Most of them know everyone in their community. They knew every person out there doing home schooling.

Representative Hanson: They probably know them but they aren't in contact with them and don't know if they are teaching math, or science, or nothing at all if they aren't monitoring them there's no contact.

Representative Karls: They still need to file intent. They still need to make that contact with their superintendent. They have to follow the graduation requirements. They still have to have the standardized testing. I don't know if that testing is turned in to the school or just to parents or just to the state.

Chairman Kelsch: It goes to the school.

Representative Rust: I did send an email to the Bismarck Public Schools. They have 146 statements of intent. He said they monitor 10 of those.

Representative Myxter: Who checks to see if they are following graduation requirements? Or do they just say they are following them?

Cam Leedah: They have to bring in their documentation of their study, their classes and usually parents who get one from the local school district start out in grade nine working with the district on that. However, most parents don't do that. Most parents do not get a state approved diploma for their children. They issue their own diploma and write up their own transcripts and the students take the board exam. All of the colleges accept a home school transcript and the ACT and SAT scores usually validate to them what's on that transcript. Parents are encouraged to keep documentation of all the classes, the books they use, and what the students did to fulfill the requirements for that class.

Representative Hunskor: How do you answer my concern over if the mandates are lifted how the parents who are doing a good job some will slough off?

Leedah: The ones that are not monitored are not going to do better or worse because of the law right now because they don't have to be monitored if they have a BA or if they take the national teacher's exam. You are concerned about those that are monitored

now—I don't know if they will slack off or not. All families come out from under that monitoring in two years anyway.

Representative Hunsakor: I think that if they know if they are watched with some degree they are not going to let down.

Leedahl: They still have the other mandates, testing, etc. Those are there.

A roll call vote was taken on the amendment: Yes: 9, No: 4, Absent 1 (Rust)

Amendment 90396.0201 was accepted.

Vice Chairman Meier: I move Do Pass as Amended.

Representative Karls: Second.

Representative Mueller: I am going to resist the do pass. We have a responsibility for all of the kids in our state in terms of their education. I think we need to have some kind of finger on the pulse of what's happening in home schooling in our state. I asked the home school monitor in Bismarck if she had helped these people. She said yes I think I have because some don't have a clue so I think we did help them to find out where to go for resources, how to do and not do something—that's good reason for me to think we need to keep the monitoring in there. We have no answers to how many are involved in home school education in ND. I don't believe the association speaks for all home schoolers in our state by any stretch of the imagination. Once we go down this road we are not going to turn back. We have no idea if there is anybody out there breaking truancy laws or not. I think it's a mistake.

Representative Kelsh: Back about 15 years ago I surprised a lot of people when I supported the bill that allowed home schooling. We did it after a lot of discussion. A lot of these things were put in there to assure what was going to happen out there. It's been weakened several times since. I have a problem. What is so painful about being

monitored for two years to know exactly what you are doing? If they are doing a good job they are left alone. If they are not doing a good job, they get help. I don't see the need to say we don't care about those kids and that's kind of what we are saying—that we don't care what happens to them.

Representative Rust: I was in the schools practicing as an administrator when home schooling became a real issue. To begin with, I was adamantly opposed to it. I thought the compulsory attendance law was a good law. My experience though has been that they are very good conscientious people and do it out of a labor of love. I know there are individuals who don't have good control and some are falling through the cracks. Unfortunately as I look at schools that I have managed, we have students that fell through the cracks. It does happen. I will support the bill to eliminate monitoring requirements. I've seen for the most parts in the test results that those kids score well. I will support the bill.

Representative Kelsh: This is not about what most are doing. It's about some that need help. It's not about parents in any way or their right to do that. Most are doing a great job. I just feel those kids need some protection. In the two years they are being monitored and if they are not doing a good job they get some help. I don't think that's out of line.

Representative Mueller: We see every two years a group of home schooling parents that I don't think anyone in this room would not suggest are doing an absolute great job. I also suggest we could get a group of kids from St Mary's, or Bismarck Public School, or Mandan and they argue about having any kind of AYP or teacher qualifications or a host of other things that we think are pretty important. We would be

overwhelmed with how well they did that because there are those kinds of kids. I don't think anybody in this room would vote for that.

A roll call vote was taken on Do Pass as Amended HB 1171: Yes: 9, No: 5, Absent: 0

Vice Chairman Meier will carry the bill.

VR
2/16/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1171

Page 1, line 3, remove the first "and"

Page 1, line 5, after "education" insert "; and to provide an expiration date"

Page 3, after line 28, insert:

"SECTION 7. EXPIRATION DATE. This Act is effective through July 31, 2011,
and after that date is ineffective."

Renumber accordingly

Date: 2-16-09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1171

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep Meier Seconded By Rep Karls

Representatives	Yes	No	Representatives	Yes	No
Chairman RaeAnn Kelsch	✓		Rep. Lyle Hanson		✓
Vice Chairman Lisa Meier	✓		Rep. Bob Hunsakor	✓	
Rep. Brenda Heller	✓		Rep. Jerry Kelsh		✓
Rep. Dennis Johnson	✓		Rep. Corey Mock		✓
Rep. Karen Karls	✓		Rep. Phillip Mueller		✓
Rep. Mike Schatz	✓		Rep. Lee Myxter		✓
Rep. John D. Wall	✓				
Rep. David Rust	✓				

Total (Yes) 9 No 5

Absent _____

Floor Assignment Rep Meier

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1171: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1171 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the first "and"

Page 1, line 5, after "education" insert "; and to provide an expiration date"

Page 3, after line 28, insert:

"SECTION 7. EXPIRATION DATE. This Act is effective through July 31, 2011, and after that date is ineffective."

Renumber accordingly

2009 SENATE EDUCATION

HB 1171

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1171

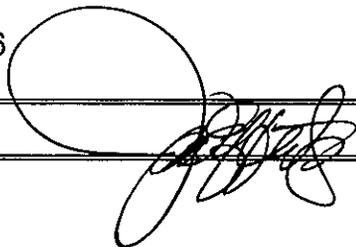
Senate Education Committee

Check here for Conference Committee

Hearing Date: March 25, 2009

Recorder Job Number: 11516

Committee Clerk Signature



Minutes:

Chairman Freborg opened the hearing on HB 1171. All members were present except Senator Lee and Senator Flakoll who were in Fargo fighting the flood.

Representative Grande introduced the bill. This is a significant piece of legislation for those who wish to home school in North Dakota. They do a great job.

Representative Karls testified in favor of the bill. She walked the committee through the bill.

She is reading from testimony given in the House by Cam Ledahl who cannot testify today because she is stranded in Colorado. The bill removes "in the home" because officials have interpreted that only learning in the home can legally be counted as education. However, for 20 years supervising parents have planned for and used learning outside the home. Home educators are not interested in starting schools or in turning the education of their children to someone else. They want flexibility in providing the best education they can to their children.

On page 2 line 1, the strike removes parental qualifications. There would no longer be the need for the supervising parent without a baccalaureate degree to take a national teachers exam or to be monitored. The other strikes are administrative. The rest of the home schooling law would remain the same. The supervising parent would still need to provide a letter of intent, insure their student is receiving 4 hours of instruction for 175 days in the subject areas

required by law, have their students tested in grades 4, 6, 8 and 10 with a nationally normed standardized achievement test and maintain an annual record of courses to be furnished upon request if the student transfers to a public school district. She was part of the subcommittee in the House; they put a sunset clause on the bill. They felt that would get it out of their committee with a do pass. It will be a two year trial period. Hopefully the sunset clause will be removed in two years. The bill was introduced at the request of the North Dakota Home School Association. This reasonable bill will help North Dakota step into the 21st century by reinstating parental freedoms in regards to home schooling. North Dakota is one of only 2 states in the US that has parental qualifications above a high school diploma or GED. Senator Bakke said in the bill, several sections are deleted and asked Representative Karls to address those repealers.

Representative Karls said the first is parental qualifications, .23.06 is monitoring (home educators are not required to be monitored unless they do not have the four year degree or teaching certificate). Only a very small number of home educators are monitored at the present time. .07 is the compensation for monitoring.

Senator Taylor was called out of the room because of potential flooding in the home he lives in during the session.

Senator Freborg apologized for the three missing committee members, and explained it was due to the flooding in Bismarck and Fargo. He also explained that the two people on the committee that count are still here which was a joke and Senator Bakke wanted it included in the minutes.

Dr. James Bartlett, Executive Director of the North Dakota Home School Association, testified in favor of the bill. He taught engineering at NDSU for 17 years and was involved in K – 12 education through working on a National Science Foundation grant to improve science and

math in Fargo and Moorhead. He was involved in mentoring and vocational education outreach and several faculty and staff ministries at NDSU. He explained what home schoolers are thinking and why they want less regulation. See written testimony. The legislature should encourage more parents to home school. With ownership responsibility, better care results.

Senator Bakke asked how many home schooled students are in the state.

James Bartlett said between 4000 and 5500 in the spring of 2009, based on 2.9% of the school population.

Senator Bakke asked why only 1400 home schooled students are registered with Department of Public Instruction.

James Bartlett said the schools are not required to submit the numbers to Department of Public Instruction so they are not complete.

Senator Bakke said 1400 students have registered with school districts and those districts have turned in the number. What portion of the students are taking the standardized tests.

James Bartlett said standardized tests are taken in grades 4, 6, 8 and 10. If a student is over 16 years of age, they would still be home schooled but they would not still be filing statements of intent because it is not required due to the compulsory school law.

Senator Bakke said of the 4000, are they all taking the standardized tests or only the 1400 that have registered.

James Bartlett said beyond the compulsory school age, the parents would choose whether to take the tests or not. During the compulsory school age, Department of Public Instruction would have those numbers, at least at the level of the school district.

Senator Bakke said in looking at testimony, he said they have an exemption for No Child Left

Behind. How does their association make sure the appropriate education is being provided to these students?

James Bartlett said the North Dakota Home School Association provides resources for parents such as their convention, newsletter, and home school packets. There are 30 support groups in the state and they encourage people to be a part of those groups. They advise their members to stay connected to other home schoolers. They do not force anything on anyone, it is voluntary and they work by encouragement.

Senator Bakke asked what percentage of the 4000 students are actively involved in the North Dakota Home School Association.

James Bartlett said there are 1000 families on their mailing list. If you count 2 or 3 students per family, it could represent 2000 – 3000 students.

Senator Bakke asked about direct contact and knowing an appropriate education is being provided, does he have any way of measuring that?

James Bartlett said they want parents to have the freedom to educate their children, they feel no compulsion to monitor what is going on in individual families. That is not their role. They believe in fundamental American freedom. The Supreme Court also believes the same way. Parents should have an inalienable right to direct the education of their children.

Senator Bakke asked about special needs children who are cognitively delayed, who have disabilities that make it difficult to learn in the traditional way.

James Bartlett said when they call the office, they point them to several resources, one is Nathan.org that has resources to assist the parent in developing their own IEP. There is a great advantage to home schooling for students with special needs. They often do better at home than they do in a public school setting.

Catherine Dalzell testified in favor of the bill. See written testimony.

Shane Goettle testified in favor of the bill. He is taking personal leave from his job at the Commerce Department today in order to testify. He has attended workforce attraction efforts

in Chicago, Minneapolis and Denver. He has visited with home school families in those locations and they are concerned about the regulations in North Dakota. He met a family in Minneapolis, a father about 40 years old and his wife and their 5 children. He was in the Minnesota National Guard and was just finishing serving in Iraq. He was trying to figure out what he was going to do after completing his service. They home schooled. His wife is originally from Kenmare so they were interested in getting back to North Dakota. They had issues with the home school rules in North Dakota and they still haven't moved back. It illustrates that home school families are very educated and savvy about the regulations in a state and it does influence their choice of where to locate.

As part of the Experience North Dakota events, they identified 15 families among the first they moved back. They were employed in fields of engineering, manufacturing, energy, health care, information technology, management and science. The average salary was \$55,000. None of them home schooled but he wanted to speak to the impact of moving families back to North Dakota. 8 of the 15 positions were newly created, 7 already existed. They wanted to measure the impact of the families. The employees in the study contributed \$2.38 million to output for their employers. The indirect effect is based on an increase in demand that contributes another \$896,000 to output. The induced effect which is based on employee's disposable income contributes another \$1.86 million to output. In total the 15 employees studied generated \$4.8 million in economic activity for North Dakota. In terms of the gross state product, the value added to output is \$2.1 million so moving a family back has some significance.

His staff directs people with questions and comments on home schooling to him because he and his wife home school their children. He and his wife moved to Washington, DC and lived in Virginia in 2001. They had a first grader and a kindergartner. His wife is a math teacher.

The decision to home school came easily to them. In the fall of 2005 they moved back to North Dakota. They immediately realized it would be difficult to integrate their children into a public or private school because they were far ahead of their classes. They continue to home school. His son recently won the state Math Counts contest. Their results speak for themselves. If "in the home" had been the law in Virginia, it would have been very difficult for them. Often, his family would return to North Dakota for Thanksgiving and his wife and children would stay until Christmas. His wife would teach the children in North Dakota during that period at grandpa and grandma's. If we want to move families to North Dakota and they have connections to another place, we need to give them the flexibility to home school while away from home. They may not move here if they think they cannot take education on the road. It is a day of school when a public school class takes a field trip but under a strict reading of North Dakota law, it is not a day of education when a home school student takes a field trip.

He cannot speak to the monitoring provision, he and his wife both have 4 year degrees, he has a law degree and his wife is a teacher. They have no experience with monitoring. There is integration of home schoolers in public school, his oldest children attend Mandan schools for their electives and extracurricular activities and the school receives a portion of the foundation aid payment.

Theresa Deckert testified in favor of the bill. See written testimony.

Barbara Jo Miller testified in favor of the bill. See written testimony.

Senator Bakke said she doesn't worry about the parents or students in this room. The cream of the crop is sitting here. In testimony, Barbara Jo Miller said "most of the families" she

monitors haven't had problems. How many families has she monitored where she has seen

problems? The families are probably putting their best foot forward when the monitor is present. Are there any unannounced visits by the monitor? Do any families have problems? Barbara Jo Miller said when she arrives usually the student is studying. They sometimes meet at the library and the student reads a book while she visits with the parent. She can gauge from one week to the next how much material they have covered. She usually asks children who are taking correspondence courses how the testing is going. She has a family where the high school student is considered learning disabled and his progress is slower in some subjects. He does continue to progress through his text books.

Senator Bakke asked if they have to submit lesson plans or their long term goals.

Barbara Jo Miller said no, most use a curriculum that establishes that.

Senator Freborg asked if she was home schooled.

Barbara Jo Miller said no, she does home school.

Carla Gellerman testified in favor of the bill. See written testimony. She and her family have lived in several states and they thought twice about coming back to North Dakota because of the high regulation of home schooling. Her mother was ill and they returned anyway. None of the other states where they lived had monitoring provisions. In those states, when a family indicated interest in home schooling and contacted their schools, they were referred to the local support groups who had a system of mentoring younger and new home schoolers. The home schoolers are most familiar with materials most appropriate for the tutorial style of teaching that occurs in home schooling.

Senator Bakke asked if she took the test when she came to the state.

Carla Gellerman said yes, she and her husband both took the National Teachers Exam even though her husband does have a 4 year degree.

Senator Bakke asked how North Dakota law has limited her ability to home school.

Carla Gellerman said she wouldn't have had to take the National Teachers Exam. The vast majority of questions on the test dealt with class management skills which she did not need. It was a waste of time and money. She tutors, she doesn't teach.

Senator Bakke asked if the only thing that limited her was taking the teacher exam.

Carla Gellerman said that was the main thing. The "in the home" requirement is also a hindrance because they cannot count their time in transition when they are staying in a hotel.

Senator Bakke asked how many days the state requires her children to be in school.

Carla Gellerman said the law is 175 days.

Linda Paluck, Director of School Approval and Accreditation, Department of Public Instruction, testified against the bill. See written testimony.

Senator Bakke said she is concerned with the discrepancy with the numbers of home schooled students. Who is responsible for reporting the numbers?

Linda Paluck said the parent fills out a letter of intent and files it with the school district. The school district files with Department of Public Instruction.

Senator Bakke asked if the breakdown is with the school district or is that they are not being reported by the parent.

Linda Paluck said she has visited with Jerry Coleman. There is a fall report and a spring report that he gathers from schools. They are not sure if the schools aren't reporting or if the home educators aren't reporting.

Senator Bakke said they are supposed to provide education for 173 days and she guesses the conscientious, competent home educators probably teach 365 days per year. How are the number of days monitored?

Linda Paluck said they have nothing to help them at this point. If a parent wants to pull their child out of school and say they are going to home educate, Department of Public Instruction suggests they file a letter of intent.

Senator Bakke asked how many time monitors have reported students are not receiving an appropriate education.

Linda Paluck said that information goes directly to the school district and she doesn't know.

Senator Bakke asked about children with special needs.

Linda Paluck said they have no way of knowing how many kids are special needs students.

Senator Bakke reviewed what information must be reported.

Doug Johnson, North Dakota Council of Educational Leaders, testified against the bill. See written testimony.

Senator Bakke asked if anyone meets with the home schooling association or works together with them in any capacity.

Doug Johnson said no.

Senator Bakke asked if the home school educators do any professional development with the school district.

Doug Johnson said not to his knowledge.

Senator Freborg asked if there is a larger percentage of low performers among home schooled students that in publically educated students.

Doug Johnson said he only has anecdotal evidence in his own experience as a principal. The question he would have is with the difference in numbers of home schooled students. There are apparently a lot of students that are not accounted for. In one case, 10 years ago, a parent

of a special ed child had a conflict with a smaller school district, transferred through open enrollment to Doug Johnson's school, had a conflict with that school district and the child was

going to be turning 16 in about 6 months. The parents used the letter of intent to get around the conflict and pull the child out of the school. It does not happen regularly. It does happen. Bev Nielson, North Dakota School Boards Association, testified against the bill. A long time ago the state decided it had a compelling interest in the education of all its children. It developed compulsory attendance laws and in order to be in compliance with compulsory attendance, you must attend an approved school. We have standards for approval of schools. Currently we have some standards for approving home schools; they are not as stringent, especially as related to teacher qualification and assessment. She takes pride in the fact that we are a red state. That means we care about the education of our children. Every step you take towards being a green state means the state has a compelling interest in every child's education except those whose parents choose to keep them home. It is contrary to

compulsory attendance laws to have no approval standards whatsoever for some kids.

Senator Bakke asked if she has ever met with the home school association.

Bev Nielson said years ago she sat down with Cam once in awhile. They didn't always agree but sometimes by the end of a session they had some compromises on bills, none of which removed all approval processes for the home schools. Home school parents have never attended any of the North Dakota School Boards Association's educational activities but they are meant for school boards. There is mostly an interest in separating themselves, not in coming closer.

Senator Bakke asked Linda Paluck if any work has been done with Department of Public Instruction in conjunction with the home school association to review these sections of the law.

Linda Paluck said to her knowledge, no, not at the state level. She has been in this position for less than a year. She taught first grade for 26 years and was curriculum and school

improvement director for Williston. They had a home school monitor. She was not involved with communication with the home educating families.

Chairman Freborg closed the hearing on HB 1171.

Senator Freborg said we cannot take action on the bill without a quorum so the committee will take it up on Monday.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1171

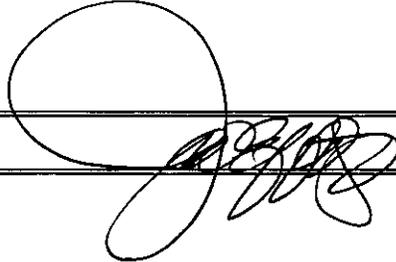
Senate Education Committee

Check here for Conference Committee

Hearing Date: March 30, 2009

Recorder Job Number: 11610

Committee Clerk Signature



Minutes:

Chairman Freborg opened the discussion on HB 1171. All members were present except Senator Flakoll and Senator Taylor.

Senator Freborg said Senator Bakke has an amendment for the bill. He asked her to pass it out and the committee read it.

Chairman Freborg recessed the committee to the call of the chair.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1171

Senate Education Committee

Check here for Conference Committee

Hearing Date: April 1, 2009

Recorder Job Number: 11613

Committee Clerk Signature

Minutes:

Chairman Freborg opened the discussion on HB 1171. All members were present.

Senator Bakke moved amendment .0302, seconded by Senator Taylor.

(There was a slight delay because Bill Horton came in to take a committee photo.)

Senator Bakke said what was most disturbing to her during the testimony was the lack of communication between the parties involved in home schooling. The home schooling association has never met with the superintendent's office; they have never met with teachers in the public system or with school boards or with administrators. They have been operating in a void. There was conflicting information about the number of kids that were receiving services in the state. One entity said there were 4000 students that were receiving home school yet the Department of Public Instruction said they have only received requests for home schooling for 1400 students. What happened to the other 2500 kids? Who is making sure they are being monitored. When we received the notebook, they have a four year plan. They have a series of steps they are going to take over the next four years to revamp this section of the Century Code. She wants to get everyone at the table and have a conversation. We need to talk about what we want home education to look like in the state. There could be many options. She wants to avoid the piecemeal approach. We need to make the adjustments

everyone can agree to. The amendment keeps the change to remove "in the child's home" because she knows a lot of their education can happen on field trips or at the library, it doesn't necessarily have to be in the child's home. She also kept the change to 22 units for high school coursework for graduation, it is important to be consistent with the expectations of others. She reviewed section 2 of the amendment.

Senator Freborg asked what would change in present law.

Senator Bakke said it would change to 22 units and would eliminate "in the child's home".

Senator Taylor said "in the child's home" is still in the amendment.

Senator Bakke said it was her intent to exclude it.

Senator Bakke amended her amendment to overstrike "in the child's home", which was approved by Senator Taylor who seconded the motion.

Senator Lee said the committee was small when this bill was heard. It is typical when we have one of these bills from this group; they are challenging to work through. The home schoolers did what they were asked to do. They came through the interim committee, talked to the interim committee, presented information at the interim committee as he recalls. They were asked to bring a clean bill and come together as a group and tell the legislature what they wanted through a bill draft. He sees the interim legislative chair of education is on the bill and that is probably why. He thinks they did what they were asked to do. He is going to oppose the amendment.

Amendment .0302 with change failed 2 – 3.

Senator Taylor said he is not ready to convert the bill to a study due to the volume of emails he has received and because he wondered whether it would accomplish any good end. As he

reread the bill, he had some questions on the repealer sections. It removes all the

qualifications; a high school diploma is not even required. Some states require a high school diploma. Was there any discussion to that end during testimony?

Senator Bakke said the presentation was they have proven themselves; all of their students are excellent, none of them fail at anything. They want to be Alaska, they want no accountability to anyone, they can do whatever they want because they are the parent. Look at the hoops that a public school teacher has to jump through for accountability. She looks at the financial situation our country is in right now because we took all the regulations away. She asked if we are going to take away all these requirements without sitting down and talking about it and then find out these kids are not educated. Part of the legislature's responsibility is making sure the children are receiving an appropriate education. The reporting system is poor. No one could explain the discrepancy of 2500 kids. They feel no obligation to anyone.

We are all responsible to someone.

Senator Bakke moved a Do Not Pass on HB 1171, seconded by Senator Flakoll.

Senator Taylor said whoever amends the bill will be crucified. Perhaps we could require a high school degree and one year of monitoring instead of 2. This would go quite a ways; they will ask for more, that is their timeline. A bachelor's degree is more than any other state. Some districts have a high population of people who home school and a lot of them are doing a good job. We don't hear about the ones who are not doing a good job. He is not ready to throw away the bill.

Senator Freborg said we have to get the bill out today.

Senator Flakoll said he has contacted Jerry Coleman, Department of Public Instruction. The first year of the biennium, there were 80 weighted student units that were monitored. This current year of the biennium, there were 103. A weighted student unit is 0.5 so that means this year there are a little over 200 being monitored. He is still confused by the numbers.

Senator Freborg said they said they had 4000 students.

Senator Bakke said the home school association said there were 4500 home school students in the state. The Department of Public Instruction said 1477 for the 2007 – 2008 school year receiving home school education. When she asked about their test scores and how they were performing, they said 319 students were assessed during that year. It was difficult to compare any scores because they used ACT, CAT, the comprehensive test of basic skills, the MAP, the North Dakota state assessment, 4 took others, the Iowa Basics was given to 135, the Iowa Basics of Education Development was given to 1, the Riverside Publication was given to 1, several review assessments were given to 1, the Stanford was given to 6. There is no consistency, even on the tests they are giving so there is no way to compare the scores. She said we need to take some time and look at what is going on, it is all over the board. We are only getting part of the information from anybody.

Senator Flakoll asked if anyone from higher education testify. Did they indicate they may not be able to accept home schooled students? Is there any concern regarding the lack of uniformity with the Department of Public Instruction system?

Senator Freborg said no one from higher education was in the room.

Senator Bakke said we heard testimony from the teachers union, the school board association, the administrative association, the Department of Public Instruction who has some major concerns, several home schoolers and parents and their association president.

Senator Bakke withdrew her motion for a Do Not Pass, approved by Senator Flakoll who seconded the motion.

Senator Taylor explained his proposed amendment. It will be a small step and will cause much disconcert. There are seven states that require a high school diploma. Instead of "holds a baccalaureate degree" it would say "holds a high school diploma or GED". It would

keep 2 years of monitoring for anyone who does not have a teacher's certificate or a high school diploma or GED.

Senator Lee asked if 06 would remain in the bill.

Senator Taylor said it would remain but there would be a change as to who would be required to be monitored, anyone who does not have the qualifications. He can't imagine who would be out there with less than a high school diploma supervising their children's education. It would keep the 22 units and would eliminate "in a child's home".

There was some discussion among the committee members about the wording of the amendment.

Senator Taylor moved the Taylor amendment, seconded by Senator Bakke.

Senator Freborg asked Senator Taylor to review the amendment after it is drafted by

Legislative Council to be sure it is correct. (Clerks note: Senator Taylor reviewed the amendment the next day and said it was correct.)

The Taylor amendment passed 3 – 2.

Senator Bakke moved a Do Pass As Amended on HB 1171, seconded by Senator Taylor.

The motion passed 3 – 2. Senator Bakke will carry the bill.

March 27, 2009

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1171

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact three new sections to chapter 15.1-23 of the North Dakota Century Code, relating to the creation of a home education advisory committee; to amend and reenact section 15.1-23-17 of the North Dakota Century Code, relating to the number of units required before issuance of a high school diploma to a child who received home education; to provide for a report to the legislative council; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-23-17 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-17. Home education - High school diplomas.

1. A child's school district of residence, an approved nonpublic high school, or the center for distance education may issue a high school diploma to a child who, through home education, has met the issuing entity's requirements for high school graduation provided the child's parent submits to the issuing entity a description of the course material covered in each high school subject, a description of the course objectives and how the objectives were met, and a transcript of the child's performance in grades nine through twelve.
2. In the alternative, a high school diploma may be issued by the child's school district of residence, an approved nonpublic high school, or the center for distance education provided the child, through home education, has completed at least ~~twenty-one~~ twenty-two units of high school coursework from the minimum required curriculum offerings established by law for public and nonpublic schools and the child's parent or legal guardian submits to the issuing entity a description of the course material covered in each high school subject, a description of the course objectives and how the objectives were met, and a transcript of the child's performance in grades nine through twelve. The issuing entity may indicate on a diploma issued under this subsection that the child was provided with home education.
3. If for any reason the documentation required in subsection 1 or 2 is unavailable, the entity issuing the diploma may accept any other reasonable proof that the child has met the applicable requirements for high school graduation.

SECTION 2. A new section to chapter 15.1-23 of the North Dakota Century Code is created and enacted as follows:

Home education advisory committee - Membership. The superintendent of public instruction shall appoint a home education advisory committee. The committee must include:

1. A curriculum specialist;
2. An assessment specialist;

3. A home education provider;
4. An individual representing the children and family services division of the department of human services;
5. A representative of the North Dakota home school association; and
6. A member of the legislative assembly.

SECTION 3. A new section to chapter 15.1-23 of the North Dakota Century Code is created and enacted as follows:

Home education advisory committee - Compensation. Each member of the home education advisory committee who does not serve in that capacity by virtue of being an officer or employee of the state is entitled to receive reimbursement for expenses, as provided by law for state officers, if the member is attending meetings or performing duties directed by the superintendent or the committee. The member of the legislative assembly serving on the committee is entitled to receive per diem compensation in the amount established by section 54-03-20 if the member is attending meetings or performing duties directed by the superintendent or the committee.

SECTION 4. A new section to chapter 15.1-23 of the North Dakota Century Code is created and enacted as follows:

Home education advisory committee - Duties - Report.

1. The advisory committee shall:
 - a. Examine the delivery of home education in this state, including statutory requirements governing who may provide home education, the qualifications required of a home education provider, the settings in which home education may be provided, the assessment of children receiving home education, and the participation of children receiving home education in public school courses and extracurricular activities;
 - b. Compare the delivery of home education in this state with the delivery of home education in other states;
 - c. Examine the scores of children receiving home education in this state on summative assessments such as the ACT, the SAT, and WorkKeys; and
 - d. Develop recommendations regarding statutory changes governing the provision of home education in this state.
2. Before July 1, 2010, the superintendent of public instruction shall present the recommendations of the home education advisory committee to the legislative council.

SECTION 5. EXPIRATION DATE. Sections 2 through 4 of this Act are effective through December 31, 2010, and after that date are ineffective."

Renumber accordingly

Date: 4/1/09
Roll Call Vote #: _____

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1171

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken . 0302 with change below

Motion Made By Sen. Bakke Seconded By Sen. Taylor

Senators	Yes	No	Senators	Yes	No
Senator Freborg			Senator Taylor		
Senator Gary Lee			Senator Bakke		
Senator Flakoll					

Total (Yes) 2 No 3

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

failed

*ps. 1 line 10 of original bill:
overstrike "in child's home"*


4-2-9
1 of 2

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1171

Page 1, line 1, replace "15.1-23-02" with "15.1-23-03, 15.1-23-06"

Page 1, line 2, remove "15.1-23-14," and remove "supervision of"

Page 1, line 3, remove "to repeal sections 15.1-23-03, 15.1-23-06, and 15.1-23-07 of the North Dakota"

Page 1, remove line 4

Page 1, line 5, remove "education;"

Page 1, replace lines 12 through 24 with:

"SECTION 2. AMENDMENT. Section 15.1-23-03 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-03. Home education - Parental qualifications. A parent may supervise home education if the parent:

1. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Holds a ~~baccalaureate degree~~ high school diploma or a general equivalency diploma;
3. Has met or exceeded the cutoff score of a national teacher examination given in this state or in any other state if this state does not offer such a test; or
4. Meets the requirements of section 15.1-23-06.

SECTION 3. AMENDMENT. Section 15.1-23-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-06. Home education - Required monitoring of progress. A parent who has a ~~high school diploma or a general education development certificate~~ does not meet the qualifications provided in section 15.1-23-03 may supervise home education but must be monitored in accordance with section 15.1-23-07 for the first two years. If a child receiving home education obtains a basic composite standardized achievement test score below the fiftieth percentile nationally, the parent must be monitored for at least one additional school year and until the child receives a test score at or above the fiftieth percentile. If testing is not required by section 15.1-23-07 during the first two years of monitoring, the period of monitoring may not be extended, except upon the mutual consent of the parent and the monitor. If a parent completes the monitoring requirements of this section for one child, the parent may not be monitored with respect to other children for whom the parent supervises home education."

Page 2, remove lines 1 through 7

Page 2, remove lines 14 through 30

2 of 2

Page 3, remove lines 27 and 28

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1171, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1171 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "15.1-23-02" with "15.1-23-03, 15.1-23-06"

Page 1, line 2, remove "15.1-23-14," and remove "supervision of"

Page 1, line 3, remove "to repeal sections 15.1-23-03, 15.1-23-06, and 15.1-23-07 of the North Dakota"

Page 1, remove line 4

Page 1, line 5, remove "education;"

Page 1, replace lines 12 through 24 with:

SECTION 2. AMENDMENT. Section 15.1-23-03 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-03. Home education - Parental qualifications. A parent may supervise home education if the parent:

1. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Holds a ~~baccalaureate degree~~ high school diploma or a general equivalency diploma;
3. Has met or exceeded the cutoff score of a national teacher examination given in this state or in any other state if this state does not offer such a test; or
4. Meets the requirements of section 15.1-23-06.

SECTION 3. AMENDMENT. Section 15.1-23-06 of the North Dakota Century Code is amended and reenacted as follows:

15.1-23-06. Home education - Required monitoring of progress. A parent who ~~has a high school diploma or a general education development certificate~~ does not meet the qualifications provided in section 15.1-23-03 may supervise home education but must be monitored in accordance with section 15.1-23-07 for the first two years. If a child receiving home education obtains a basic composite standardized achievement test score below the fiftieth percentile nationally, the parent must be monitored for at least one additional school year and until the child receives a test score at or above the fiftieth percentile. If testing is not required by section 15.1-23-07 during the first two years of monitoring, the period of monitoring may not be extended, except upon the mutual consent of the parent and the monitor. If a parent completes the monitoring requirements of this section for one child, the parent may not be monitored with respect to other children for whom the parent supervises home education."

Page 2, remove lines 1 through 7

Page 2, remove lines 14 through 30

Page 3, remove lines 27 and 28

Renumber accordingly

2009 TESTIMONY

HB 1171

①

FROM THE OFFICE OF THE
NORTH DAKOTA HOME SCHOOL ASSOCIATION

February 2009

**TESTIMONY OF JAMES BARTLETT ON HB 1171
BEFORE THE ND HOUSE EDUCATION**

Chairman Kelsch, Members of the Committee, Ladies and Gentlemen:

My name is Dr. James Bartlett and I am the Executive Director of the North Dakota Home School Association, which is a non-profit association that has been serving North Dakota home educators since 1985. Our office is located in Bottineau, and our mailing list currently contains about 1000 North Dakota Families who home educate. Thank you for the opportunity to present this testimony in support of HB 1171.

HB 1171 Preparations

During the last three years, the NDHSA has collected input from ND home educators about their desires for change in the home school law. This data was collected through support group surveys, newsletter and e-newsletter solicitations, a convention workshop and general session solicitation, eight regional meetings, and finally a conference call for those who could not attend or provide input in one of the other means. Input also came from home educators not affiliated with the NDHSA. The NDHSA Legislative Leadership Team and Board then summarized these inputs into a three legislative session plan.

Three Legislative Session Plan

The changes in the home education law desired for 2009 will take the first of three steps toward improving the North Dakota home school law to the equivalent of states like Alaska, Idaho, Texas and others. The first step (2009 legislation) is to move North Dakota from a high regulation (red) state, to a moderate regulation (orange) state as color coded by the Home School Legal Defense Association at <http://HSLDA.org/laws>. The NDHSA is

planning two additional steps for future legislative sessions with the goals of moving North Dakota to a low regulation (gold) state in 2011 and to a no regulation (green) state in 2013.

HB 1171 is the first of three incremental steps. It will remove the parental requirements restricts on home education and allow home education to happen outside the four walls of the student's home.

The Current Law

In order for a parent to home educate in North Dakota, the current law (NDCC 15.1-23) requires the parent to either: be a licensed teacher, hold a baccalaureate degree, take a national teacher exam, or be monitored one hour a week for the first two years of home education. The current law also restricts home school learning time to that occurring within the home. These restrictions on parental liberty serve no educational purpose and are a burden to home school families. Therefore, we urge you to pass HB 1171.

United States and North Dakota Constitutional Reference

From the legal viewpoint, the right to direct the education of one's child comes from the liberty clause of the Fourteenth Amendment to the United States Constitution,

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

and Section 1 of Article 1 of the Declaration of Rights in the ND Constitution.

All individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; pursuing and obtaining safety and happiness; and to keep and bear arms for the

defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed.

This speaks of the liberty of individuals and this provision is authoritative for the proposition that parents should be free to conduct home education for their children without state regulation.

The NDHSA and most home educating families believe that parents have the right and responsibility to educate their children and acknowledge the parental right to choose public, private, or home education; education that is not mandated or strongly influenced by views that are opposed to the beliefs, values and Christian worldviews of many home schooling families. They understand that the North Dakota Constitution limits the size and reach of North Dakota government, and that if the North Dakota Constitution does not authorize a statute, that statute should be removed in order to return constitutional liberty to the people of North Dakota.

The NDHSA and most home educating families also understand that the wording of the North Dakota Constitution authorizes a public school system, but provides no authority for the regulation of home education as consistent with American history, parental rights, and constitutional liberty. Therefore, the NDHSA and most home educating families desire the return of constitutional liberty to teach their children without state interference.

Your help in returning Constitutional liberty to the parents of North Dakota, so they can fully direct the education of their children without state interference, is most appreciated.

The Common Educational Neglect Question

It is common to wonder whether educational neglect would increase if fewer regulations were applied to home educating families. The fact is, that there is absolutely no correlation between educational neglect and the lack of government regulation of homeschooling families. There is no data to support that idea. It can be proven however, that educational neglect is occurring, with regularity, where the most regulations exist, in the public school system. Removing the parental requirements for home educators will have not effect on educational neglect as shown in the references below.

References

I have provided several handouts for your reference and want to quickly bring your attention to importance of each.

I'd be happy to answer any questions you have, but it might be most expedient for you to hear the other testimonies first, because those testimonies will likely answer many of your questions.

Thank you for your time and consideration. Sincerely, James Bartlett, Executive Director

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BOTTINEAU, NORTH DAKOTA 58318
(701) 263-3727

Encouraging multigenerational faithfulness to the Lord Jesus Christ. Psalm 78:6-7

Assisting home schoolers since 1985.

office@ndhsa.org , ndhsa.org

References Provided

1. Comparison of government regulations for home educators (<http://HSLDA.org/laws>) map.
2. North Dakota Home School Association's 21st Annual Christian Home Educator's Conference, March 19-21, 2009. Legislators are invited

3. Home Schooling Achievement (Home School Legal Defense Association, 2001), Demonstrates that parent qualifications do not predict student achievement, nor does government regulation.
4. Michael Smith, "Home-schooling popularity grows," The Washington Times, 1 February 2009.
5. Mary Pride, "The Great Homeschool Bailout," Practical Homeschooling, November/December 2008, 1. Shows that each home educated child frees up enough state funds to send 6.5 children to a community college or 1.5 children to a state university.
6. Michael Shaw, "Which Philosophy of Rights," Freedom Advocates, <http://freedomadvocates.org> (3 February 2009). Most home educators believe in inalienable rights, including the right to educate their own children without state interference.
7. North Dakota Legislative Council, North Dakota Constitution, Article VIII, Sections 1 and 2. Underlines shows that the N.D. Constitution does not require regulation of home educators nor require the legislature to ensure a quality education for every child in the state.
8. North Dakota Department of Human Services, Child Protection Services Policy Manual, Educational Neglect vs Truancy Fact Sheet. Shows procedure to identify and address educational neglect without need for home education monitoring or regulations.
9. Marlys Baker, North Dakota Department of Human Services, Children and Family Services Division, reported by telephone to James Bartlett, that the number of confirmed educational neglect cases in North Dakota for the years 2005, 2006, 2007 were 93, 99, and 104 respectively. None of these educational neglect cases were home educators because the procedure to investigate educational neglect first determines if a statement of intent to home educate was filed and, if so, the case is transferred to the local school district to "demonstrate attempts to resolve the issue with the caregiver" according to Child Protection Services Policy Manual, Educational Neglect vs Truancy Fact Sheet. 27 January 2009.
10. Gail Biby, "DPI Receives 'Complaints'." The Home School Report (North Dakota Home School Association, May 2007). Shows that irrelevant and unverified hearsay is used to propagandize legislators into increasing the regulation of home education. Asking for information, students beyond compulsory age, educating while traveling, hiring a tutor, school

district questions, educating at night, books from Walmart, parent qualifications, grandparent pleading, home entry, daytime activities are not valid complaints against home education or legal violations. It is common for people to think neglect when in reality the parents are using an unconventional means of education such as delight-directed learning or un-schooling or when extenuating circumstances interrupt regular activities.

11. Jerry Coleman, ND DPI Finance, Email received showing that in 2007-08, \$270, 920 was spent by the school districts for monitoring 234 students. That is \$1157 for monitoring one home schooled student, one hour each week for 36 weeks or \$32/hour. In 2008-9 103 home schooled students had a monitor paid for by the family at a much lower rate. Since one hour per week is for the first student and ½ hour more for each additional child per month, then for 6 children, the monitor would visit an average of 1.6 hours per week and the school district collect tax payer funds at the rate of six children or \$120 per hour.

12. Ann Ellefson, Assistant Director School Approval and Accreditation, North Dakota Department of Public Instruction, email to James Bartlett, “2007-08 Monitoring Summary by Grade Level,” 27 January 2009. Most monitoring is done during younger student years. This demonstrates that the two year weekly monitoring period is not a tool for identifying educational neglect, as some mistakenly assume.

13. Dr. Brian Ray, National Home Education Research Institute, in email to Gail Biby, estimated that there were 4,000 to 5,500 home-educated students in K-12 in North Dakota during the spring of 2008. 2 February 2009.

14. Dr. Brian Ray, Home Educated and Now Adults: Their Community and Civic Involvement, Views about Homeschooling, and Other Traits, (National Home Education Research Institute. Shows that 74.2% of home educated go on to college as compared with 46.2% of the general population.

15. Gail Biby, “Does High State Regulation of Homeschooling Produce Higher Test Score?” The Home School Report (North Dakota Home School Association, October/November 2008). The answer is no, based on SAT scores.

Sunday, February 1, 2009

HOME-SCHOOLING: Home-schooling popularity grows

Michael Smith

Recently, the National Center for Education Statistics (NCES), part of the Institute of Education Sciences under the U.S. Department of Education, released a study on home-schooling demographics. The first survey from the NCES on home-schooling was conducted in 1999, the next in 2003, and now the current survey, which is based on information compiled in 2007.

The 2007 survey estimates there are 1.5 million home-schooled children in the United States, representing 2.9 percent of the school-age population. This is up from 1.1 million in 2003, which represented 2.2 percent of the school-age population. In 1999, there were an estimated 850,000 home-schooled children, which means home-schooling has grown 74 percent since 1999, and 36 percent since 2003.

The survey also asked parents their reasons for home-schooling. The largest category selected by the parents was a concern about school environment with 88 percent. This compares with 85 percent in 2003. The next largest category was concerns over religious or moral instruction, which was chosen by 83 percent of parents. Seventy-two percent of parents cited this concern in 2003. The third highest category was dissatisfaction with academic instruction at other schools, with 73 percent agreeing with this statement in 2007 compared with 68 percent in 2003.

When the parents were asked which one of the selected reasons for home-schooling was the most important, religious or moral instruction was the highest with 36 percent. For 21 percent of parents, the most important reason was concern about the school environment, and for 17 percent, it was dissatisfaction with the academic instruction available at other schools. Other reasons, including family time, finances, travel and distance, were cited by 14 percent of parents.

The obvious conclusions that can be drawn from the survey is that home-schooling continues to grow at a significant rate. Because it is unlikely there will be any major change in public schools in the near future, it's reasonable to believe home-schooling will continue to grow.

Because the modern home-schooling movement has been around for

more than 25 years, it is becoming a more diverse education movement. Almost everyone knows at least one home-schooling family. Additionally, the outstanding academic and sporting achievements of home-schoolers are widely reported. For example, Heisman Trophy winner Tim Tebow was home-schooled until he entered college.

Another possible explanation for the rapid increase in home-schooling is that it's much easier to home-school now than even five years ago. More and more education programs and curricula are being produced for home-schoolers and are available through DVDs, the Internet, satellite TV, etc.

It is well-known that the average home-schooled child scores well on academic tests. This is because, in part, home-schooling parents can shape their educational program to their child. This contrasts with a school setting where the child has to conform to the educational program that is provided.

Some parents, especially as their children get older, have been concerned their children might miss out on the extracurricular activities available at the public school. Home-school networks across the country, however, have stepped up their efforts to provide a wide array of extracurricular activities for home-school students. Sports leagues, band, drama, debate and many other activities are now being provided for home-schoolers. Even football leagues are available for home-school students.

The bottom line in the continued growth of home-schooling is that every responsible parent wants to see their child succeed and they realize the upbringing and education of the child will determine, by and large, whether that child will be a successful adult. For more and more parents, home-schooling is being viewed as the best way to raise their children. The success of the home-schooling movement shows they are making the right choice.

• *Michael Smith is the president of the Home School Legal Defense Association. He may be contacted at 540/338-5600; or send e-mail to media@hsllda.org.*

STATE-BY-STATE Comparison of Home Education Regulations

State	GREEN-no regulation	GOLD-low regulation	ORANGE-moderate regulation	RED-high regulation		
State	Attendance	Subjects	Qualifications	Notice	Record keeping	Testing
Idaho	Same as public school.	Same as public school.	None	None	None	None
Montana	720 hrs.: gr.1-3 1,080 hrs.: gr.4-12	Same basic instructional program as public school.	None	File annual notice of intent w/ county superintendent.	Attendance & immunization records available upon request.	None
Wyoming	175/days/yr.	Basic ed. program progressive in reading, writing, math, civics, literature, history & science.	None	Submit curriculum showing basic ed. progress provided to local school Board.	None	None
Minnesota	None	Reading, writing, literature, fine arts, math, science, history, geography, govt., health, physical ed.	None	File "Non-public Education Compulsory Instructions" report.	Submit quarterly report showing achievement to local supt.	Annual standardized test in required subjects approved by supt. Results DO NOT NEED to be filed.
South Dakota	Equivalent to public school.	Language arts, math.	None	Notarized application w/ birth certificate submitted to local superintendent.	Copy of child's birth certificate on file at home.	Standardized tests in grades 2,4,8,11. Results must show progress.
NORTH DAKOTA	4 hours of instruction per day for 175 days provided by the parent in the child's home.	English language arts including reading, composition, creative writing; English grammar and spelling; math; social studies including U.S. history, geography & govt.; science including agriculture; physical education; health including physiology, hygiene, disease control & nature & effect of alcohol, tobacco & narcotics.	Parent must qualify under one of the following: 1. Has a baccalaureate degree. 2. Has a current ND state teaching certificate as issued by the ND Standards & Practices Board 3. Has met or exceeded the cut-off scores on a national teachers' exam 4. Is monitored for at least 2 years by a ND state licensed teacher (3. & 4. must have high school diploma/GED.)	Parent must file a statement of intent at least 14 days before beginning instruction with local school supt., accompanied by child's proof of identity & immunization record. For dev. disabled child: include diagnosis from licensed psychologist and IEP. If qualifying under provisions 3. or 4. attach proof of college degree or ND licensure.	Parent must maintain annual record of courses and child's progress assessments, including standardized achievement test results. For dev. dis. must also file IEP reports by Nov. 1, Feb. 1 & May 1.	Take a standardized achievement test in grades 4,6,8 and 10. Test must be administered by ND state certified teacher, administered in child's learning environment or public school at parent's discretion. Results must be filed with local school supt. Test results below 30th percentile on basic composite mandate professional assessment and written plan of remediation.

North Dakota Home School Association's 21st Annual Christian Home Educators' Conference

"And he shall turn the heart of the fathers to the children, and the heart of the children to their fathers, lest I come and smite the earth with a curse." Malachi 4:6

MARCH 19-21, 2009

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*Select
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Featured Keynote

Mike Farris

**Home School Legal
Defense Association**



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Please post the enclosed blue convention poster on your church bulletin board. If you do not have a need for this booklet, please pass it on to someone who may be interested. Additional copies can be found at www.ndhsa.org. Thanks for helping us to spread the word about the 2009 convention!

Michael P. Farris

is Chairman of the Home School Legal Defense Association and Chancellor of Patrick Henry College.



Since Founding HSLDA in 1983, Farris has used his extensive experience in both politics and appellate litigation to defend parental rights and help grow the organization to over 80,000 member families. He is also the founding president and current Chancellor of Patrick Henry College, a Christian institution with the mission of training students through a classical liberal arts curriculum and apprenticeship methodology to impact the world "For Christ and for Liberty."

Farris has written over a dozen books, including three novels, a constitutional law textbook, and works on marriage, parenting, homeschooling, political advocacy, and religious liberty. His daily radio program, Home School Heartbeat, airs on several hundred stations nationwide. In recognition of his work in home education, Education Week has named Farris one of the "Top 100 Faces in Education of the 20th Century." Heritage Foundation awarded him its Salvatori Award for American Citizenship in 2002. Mike and Vickie Farris live in Purcellville, Virginia, and have 10 children and 10 grandchildren.

George Escobar

is the founder of Advent Film Group (AFG) and has over 20 years experience in film, television and interactive media. He has worked for top executives in the industry including Sony CEO, Fox Network and TELE-TV SVP. Prior to AFG, Escobar was VP of Product Development for Discovery, Executive Director for AOL/Time Warner and is former producing Fellow from the American Film Institute Conservatory. He holds seven U.S. patents in technology and user-interface design.



Most recently, George co-produced, directed, and scripted COME WHAT MAY in association with Patrick Henry College (PHC). Mike Farris, founder and chancellor of PHC, plays the moot court coach in the movie. COME WHAT MAY was made by and stars homeschooled students. George acknowledges, "When I was in Hollywood I was a marginal Christian. I knew Christ, but I didn't live for Him. Now, as a more mature Christian, I can clearly see and appreciate why the Lord literally pulled me away from Hollywood. I might have grown to become a successful filmmaker, but I would have been an ineffective ambassador for Christ. The Lord first had to mold and remake me as a homeschool dad of three sons and a devoted husband to my wife, Claire, for 20 years. More importantly, I needed to learn that the Lord comes first in everything I do. That includes my family, church, education, world view, my craft as a filmmaker, the people I work with and the organizations I support."

Coordinator's Note: "COME WHAT MAY" will be shown at 2 different times in the Gladstone Meeting Room III. See your convention booklet for times.

FEATURED SPEAKERS

Theresa Deckert lives in Devils Lake, ND with her husband Jeff. They have been homeschooling in the state of North Dakota for 24 years. Their two oldest children have graduated from their homeschool and are married. Theresa is currently homeschooling a senior and a 2nd grader. She and her husband serve on the board of the North Dakota Homeschool Association. She is also part of the legislative team working toward a better law for our state and the Lake Region Area Homeschoolers. Her passion as a board member and a workshop leader is to represent and help those who are just beginning this amazing journey called homeschooling. jntdeck@gondtc.com

Steve Demme and his wife Sandra have been married for over 29 years. They have been blessed with four boys: Isaac, 28; Ethan, 26; Joseph, 23; and Johnny, 21. With God's help, they have all been home educated. Steve addresses a variety of topics at homeschool conferences to encourage parents in their God-given responsibilities of raising and training their children for His glory. He and Sandra have created the Math-U-See Foundation, a nonprofit corporation to assist and encourage parents and families with cassettes, booklets, and other helpful resources. Steve is the author and founder of Math-U-See. He served in full or part time pastoral ministry for many years after graduating from Gordon-Conwell Theological Seminary. www.stevedemme.com

Lois Walfrid Johnson believes that an important part of her call as an author is to restore the spiritual dimension to our understanding of history and religious and political freedoms. Her 29 books and 17 updated editions include three historical series and 21 novels: the Adventures of the Northwoods (1906-07, transition years in MN, WI, and upper MI) and Riverboat Adventures (1857, immigrant, steamboat, and Underground Railroad history). In her Viking Quest series (approximate year 1000) Lois shows a world view in which Vikings came to raid and encountered Christianity. When enough of them became Christians the raids stopped, and courageous sailors changed world history. In the fifth novel, *The Raider's Promise*, Lois' characters join Leif Erikson in founding the only authenticated Viking site in North America. For a partial list of awards received see www.loiswalfridjohnson.com and click the "about Lois" tab.

Peggy Ployhar serves as the MACHE (Minnesota Association of Christian Home Educators) Special Needs Coordinator with the goal of "Empowering parents to love homeschooling the special needs children God has chosen for their homes." She says that homeschooling was God's chosen blessing for their family, an adventure that started almost 6 years ago when her oldest son was diagnosed with Asperger Syndrome.

Peggy's passion to serve God where He calls and motivate others through her speaking and counseling to do the same, has given countless individuals the courage to step out in faith and trust. She believes that being in the will of God is the cornerstone of the Christian walk and therefore her lessons, lectures and retreats all center around bringing individuals back to truth in all life circumstances. Peggy is the former MOPS (Mothers of Preschoolers) Area Coordinator for MN, ND and SD, and she is certified by the American Association of Christian Counselors. Peggy lives in Apple Valley, MN with her husband Doug and their three children, two cats and one dog. peggy@ployhar.com

Victor Storkel is founder and president of Virtue in Knowledge Publications. He is first a disciple of the Lord Jesus Christ and has committed his life to follow and apply the teaching of the Bible in all areas of life and to follow the example of Jesus Christ under the leading and empowerment of the Holy Spirit. He is also a national speaker and author on the topics of education and critical thinking skill development. He has been a featured speaker at National Home Education Conventions across the country for the last 10 years. He and his wife Gail have 3 children, Crystal, James and Collette. In his spare time he enjoys studying God's Priceless Word, travel, golf and soccer. www.virtueinknowledge.com

Allen Wold is a former farmer from Wheaton, Minnesota. He has been married to his wife Beth for thirty-two years, and together they have three children and one grandchild. He farmed for twenty-seven years before God led him to enroll at Oak Brook College of Law, a Christian college. He graduated in October 2007. Since the school was online, he homeschooled himself in law while continuing to homeschool his two youngest children. abwold@frontiernet.net

Convention Schedule-at-a-glance

Thursday, March 19, 2009

12 - 9 p.m. Vendors set up (Volunteers encouraged to come help vendors set up any time)
2:00 p.m. — 4:00 p.m. Used Book Sale Set up
4:30 p.m. — 8:30 p.m. Used Book Sale/Home Business Sale and Displays
Main Civic Auditorium Floor
Come one come all!! Free and open to the public.

Friday, March 20, 2009

7:30 a.m.— 9:00 a.m. Registration in the lobby
8:00 a.m.—5:30 p.m. Vendor Hall and Art Exhibit Open
9:00 a.m.—9:30 a.m. Presenting of the Colors—Singing & Announcements
9:30 a.m.—10:30 a.m. Keynote #1—Mike Farris

Restoring America's Values

Mike Farris discusses how America's principles of morality, liberty, and self-government are under attack and ways that we can restore these three essential values.

10:30 a.m.—11:00 a.m. Break to Shop Vendor Hall
11:00 a.m.—12:15 p.m. General and Vendor Workshops #1
12:15 p.m.—2:00 p.m. Lunch Break and Vendor Hall (NDHSA Member Support Group Leaders meet in the Hansen Room)
2:00 p.m.— 2:20 p.m. Announcements and Singing
2:20 p.m.—3:30 p.m. Keynote Session #2—Mike Farris

Parental Rights— It's Now or Never

Hear how the Supreme Court and our nation's lower courts are failing to hold parents rights to the same legal standard as fundamental rights like speech and press, and how European court decisions on children's rights are influencing our U.S. judicial system. Mike Farris describes three threats to parental rights that involve the political right, political left, and international law, and proposes a solution that will be the battle of the century for home schoolers and other pro-family forces.

3:30 p.m.—4:00 p.m. **Snack time and vendor hall shopping—join us for a light snack in the kitchen area/Hansen Room**
4:00 p.m.— 5:15 p.m. General and Vendor Workshops #2
5:15 p.m.—7:30 p.m. Supper Break
7:30 p.m.—9:30 p.m. Mike Farris—Special Evening Keynote

"From Tyndale to Madison: The Battle for the Bible and the Foundation of American Liberty." Learn how the battle in England to publish God's Word in the English language began a struggle for freedom that would impact the U.S. Bill of Rights.

Free and Open to the Public ~~~~~ Snacks and Fellowship to Follow

Saturday, March 21, 2009

7:30 a.m.— 9:00 a.m. Registration in the lobby
8:00 - a.m.—5:00 p.m. Vendor Hall Open
9:00 a.m.— 9:30 a.m. Executive Director's "State of the NDHSA" Update, Singing and Announcements
9:30 a.m.—10:30 a.m. Mike Farris Final Keynote

The Joshua Generation—The Future Impact of Today's Homeschoolers

The first generation of homeschoolers has accomplished a great deal in seeing that families take charge of education. But homeschooling is done for a purpose, to train a generation to do even mightier things. How can we assure that our children become the Joshua generation?

10:30 a.m.—11:00 a.m. Break to shop vendor hall
11:00 a.m.—12:15 p.m. General and Vendor Workshops #3
12:15 p.m.— 2:00 p.m. Lunch break and Vendor Hall Purchases
2:00 p.m.—2:30 p.m. Final announcements, art exhibit winners, name badge door prizes, convention evaluations, announcement of next year's convention city and speaker
3:00 p.m.—3:00 p.m. **Snack time and vendor hall shopping—join us for a light snack in the kitchen area/Hansen Room**
3:00 - 4:15 p.m. - Final General and Vendor Workshops
4:00 - 5:00 p.m.—Final Vendor Hall Purchases

Advent Film Group Christian Filmmakers Workshops Gladstone Meeting Room III Gladstone Hotel

Are you wondering what is going on in the world of Christian Filmmaking? Come find out with George Escobar from Advent Film Group. He will be here to share how you can impact your world through Christian Films. Advent Film Group is an independent film production and distribution group established to create excellent Christian films by raising up excellent Christian filmmakers. Their independent film, "Come What May" will be shown at 2 times at the convention.

Quotes from Advent Film Group (www.adventfilmgroup.com):

"Our view begins with the assumption that Christ is Lord over all creation, and that this includes aesthetics and culture. In fact, we not only argue that the Bible directly addresses the question of Christ, aesthetics, and culture, but we believe that when Christians fail to advance a vision of culture and aesthetics (including filmmaking) which is not presuppositionally biblical, that they lay the foundation for the demise of their own family and households. They cede ground to the enemy that will not be easily recovered."

"Why should we settle for just being able to make positive, moral wholesome movies? Hollywood can make them (when they choose to). What they cannot make are Christ-centered ones with a Biblical world view. That is Advent Film Group's Advantage."

"We exist to produce films and filmmakers dedicated to glorifying God and loving neighbor, without compromising biblical truth. We support the mission and vision of Patrick Henry College and other like-minded organizations."

Previews of the Advent Film Group's production have already brought stirring responses for the movie's unequivocal pro-life, pro-family message.

Teens and others are encouraged to attend the 2 workshops Mr. Escobar is giving as well as view the film "Come What May" on either Friday or Saturday.

Note of caution: Although NDHSA found this movie to be appropriate in all ways, it may not be suitable for younger children due to the subject matter of abortion.

AFG has set out to provide an alternative to film school and Hollywood. Unlike film schools where students pay large tuitions to make short or student films, AFG productions are feature-length from the start, giving the completed film immediate market value. AFG actually pays college students a small stipend even as they are trained, earn professional credits and receive profit-participation points. AFG also trains home schoolers who wish to change the culture through Christian filmmaking.

Workshops are entitled: "The Failure of Christians in Cinema and How We Can Fix It," and "Training the Next Generation of Christian Filmmakers." Each of these workshops will run 75 minutes but please be aware that the showing of "Come What May" will run longer. The movie is 93 minutes and George Escobar will be giving an introduction before each showing.

A Synopsis of Come What May (the movie):

Caleb, a recent transfer to Patrick Henry College, teams up with Rachel to lead the college to the National Moot Court Championship. Along the way, he is caught in a moral tug-of-war between his parents—a newly Christian father, and a feminist Supreme Court attorney mother. As the PHC moot court team and the U.S. Supreme Court simultaneously grapple with legal cases involving abortion, Caleb clashes with his mother and his own conscience over difficult issues of truth and compromise in the intense world of collegiate moot court.

The film's legal framework was written by Dr. Michael Farris, chancellor of PHC, and a constitutional attorney who has successfully argued before the U.S. Supreme Court. Dr. Farris also has a small role in the film as the moot court coach.

**"Come What May" Show Times:
Gladstone Hotel Meeting Room III
Friday: 4:00-5:45 P.M.
Saturday 3:00-4:45 P.M.**

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FRIDAY WORKSHOPS

Friday, March 20, 2009

Workshop #1

11:00 a.m.—12:15 p.m.

Father in Heaven—Steve Demme—Main Auditorium (A *Focus on Fathers* Workshop)

Steve shares his own experiences as the father of 4 young men, along with insights into restoring the hearts of fathers to children and vice versa. Also included are stories of famous sons and their faithful fathers, from David and Solomon to Ken Ham and his dad.

Real Thinking—The Missing Skill in Your Child's Education—Victor Storke—Hansen Room—Lower Level

Do most curriculums teach real thinking skills? Are you teaching your children to really think? What are the real thinking skills that were present in our forefather's educational process that are missing today? Discover the two educational skills that you can immediately implement to transform your child into a real thinker.

Getting Started in ND—Part I—Theresa Deckert—Club Room—Upper North Concourse

Mrs. Deckert will cover the North Dakota requirements for home schooling as well as reasons why you should consider this educational option. This is the place to start if you are just beginning the home education journey or are "checking it out."

The Failure of Christians in Cinema and How to Fix it—George Escobar—Gladstone Inn Meeting Room III

A brief history of Christian Cinema and where we have failed. Plus, some case studies of recent successes, demonstrating that we are turning the tide. We will explore how and why homeschoolers will be the key to future success in movies. Geared toward teens.

VENDOR WORKSHOP #1—Math Outside the Book. We'll cover the why's and how's of using games to bring math to life and increase understanding in students. We'll also cover curriculum use & scheduling and dive into a highly visual and interactive review of games to use for everything from understanding number basics, getting the facts straight, the base ten system, and the operations. Handouts, resource sheets, and games packets will help everyone take home something to use right away. Heppners Home School Legacy, Nancy Bjorkman

VENDOR WORKSHOP #2—Teaching Your Child to Praise the Lord. God's character is so important to teach to our children. We want to teach them to praise God for who He is. Twenty six attributes will be examined along with a sound curriculum for teaching these to children. Patti Wein Ministries, Patty Wein.

VENDOR WORKSHOP #3—College 101/Charting the Course. General information to prepare students for their education after high school including: campus tour information, degree options, application process, budgeting and much more. Lake Region State College, Stephanie Shock

Friday, March 20, 2009

Workshop #2

4:00-5:15 p.m.

You Can Do it Dads!—Allen Wold—Main Auditorium (A *Focus on Fathers* Workshop)

Allen has a burden for the dads in the homeschooling movement. Unless the dads take an active role in homeschooling, the mothers will have an almost impossible task. With dad's help and encouragement, the children will not only grow in the Lord but achieve academically as well. He will show the dads that their part of the job can be done with only a few simple tools which are based on Scripture. With these tools, the dads can make the difficult task of homeschooling a success. Dad's Only Please.

ADD/ADHD, The Facts and Fiction—Victor Storke—Hansen Room—Lower Level

Today over 5 million children are being diagnosed as ADD/ADHD. Are we being told the whole story concerning this increasingly popular "disease"? Are you confused about this whole issue? Do you wonder if your child is showing the symptoms associated with this "mental illness"? Are there dangerous side effects to the most common treatments that even your doctor may not be aware of? Lastly, does God's Word have anything to say about this issue? Gain practical insights into this important issue for your family.

Shedding Light on Depression—Peggy Ployhar—Club Room—Upper North Concourse

Some have referred to it as a "veil," a "mist," or a "dark cloud." Call it what you will, but the most agonizing fact about depression is the darkness it lays upon the mind. Life and light seem beyond reach and the sufferer has a feeling of being locked away from everything and everyone -- including God. Current studies show almost 10 percent of the American population are affected by depression each year and depression among children is increasing at a rate of 23% per year. Neither Christians in general, nor the homeschool community is immune to these statistics. Peggy shares from the point of view of someone who has personally struggled with depression, and as a parent of a child who struggled with depression. This talk biblically dissects the clinical reasoning behind depression and the current methods of treatment while revealing how Jesus, the true Light, can dispel even the most cavernous darkness.

Advent Film Group Movie Showing—COME WHAT MAY—George Escobar, Producer—Gladstone Inn Meeting Room III

This workshop/movie will run 1 hour and 45 minutes. Caleb, a recent transfer to Patrick Henry College, teams up with Rachel to lead the college to the National Moot Court Championship. Along the way, he is caught in a moral tug-of-war between his parents—a newly Christian father, and a feminist Supreme Court attorney mother. As the PHC moot court team and the U.S. Supreme Court simultaneously grapple with legal cases involving abortion, Caleb clashes with his mother and his own conscience over difficult issues of truth and compromise in the intense world of collegiate moot court. Dr. Farris has a small role in the film as the moot court coach.

VENDOR WORKSHOP #1—Math-U-See. With a unique and humorous approach, this workshop demonstrates how to use hands-on manipulatives to present addition, subtraction, regrouping (carrying and borrowing), double digit multiplication, division, fractions, decimals, and algebra. Math-U-See, Steve Demme

VENDOR WORKSHOP #2—Writing for Everyone. When you assign a simple writing assignment, do you get tears? Come and discover a checklist method of teaching writing that provides a clear model of what the finished product should contain and gives you an objective method for evaluating work. Institute for Excellence in Writing, Jan Miller

VENDOR WORKSHOP #3—College SAVE. North Dakota's Higher Education Savings Plan offers a beneficial way to save for college related expenses. Hear about North Dakota tax advantages, savings benefits and a variety of investment options from Vanguard. Learning more about College SAVE may offer parents and students a better perspective about the costs of attending college and how to save for it. College SAVE, Lance Hill

SATURDAY WORKSHOPS

Saturday, March 21, 2009

Workshop #3

11:00—12:15 p.m.

Winning the Two Major Wars in a Man's Life—Victor Storkel—Main Auditorium (A *Focus on Fathers* Workshop)

Every man faces two formidable enemies all throughout his life. These two enemies will either destroy him and his family or be conquered by the grace of God applied to the heart of a man. Do you know what the two greatest areas of temptation and battle zones are? More importantly, do you know how to win these crucial battles, and what it takes to come out victorious every time? Come to be challenged and encouraged from the scriptures, to walk faithfully with our Lord and to be a godly example to our sons and daughters. For Fathers only.

Courtship, Dating and Breaking the Cycles for the next Generation—Steve Demme—Hansen Room—Lower Level

Is "courtship" unique to homeschoolers, or is it the logical extension of the life of faith? Having practiced this approach over 26 years ago, Steve shares his testimony of seeking a wife and how this is consistent with the Christian life. He also shares his observations of dating in the world and the church. Beginning with a short study of marriage in scripture, this is a timely exhortation to know to put God first and be led by the Spirit in finding a life partner.

Getting Started in ND, Part II—Theresa Deckert—Club Room—Upper North Concourse

Mrs. Deckert, an 24-year Homeschool veteran, will share practical insights to help you as you begin on the home schooling road. A practical plan for record keeping will also be discussed.

Training the Next Generation of Christian Filmmakers—George Escobar—Gladstone Meeting Room III

An overview of what it takes to be a "complete filmmaker." It is not just about production, but it is mastering the other critical disciplines of the job: business, legal, finance, marketing and distribution. Especially for teens.

VENDOR WORKSHOP #1—Teaching North Dakota History. You will receive help in how to make North Dakota History alive and entertaining. Introducing THE STORY OF NORTH DAKOTA in elementary, intermediate, and secondary editions. Our newest edition is a color book format for the earliest learners. Knight Publishing, Lora Knight

VENDOR WORKSHOP #2—Homework Help for Homeschoolers. This workshop, will focus on using the K-12 Online Library Resources. Homeschoolers who struggle to locate reliable resources will find this workshop invaluable in their toolkit of informational resources. This workshop will highlight the content of the resources and will also demonstrate basic searching techniques. North Dakota State Library, Al Peterson

VENDOR WORKSHOP #3—Is Playing Games Considered Schooling? Absolutely! No time to read the explanation of "good games"? Hear a quick run down for the 40+ games that stimulate the brain, challenge the mind, and bring back the family game night. Geo Deo, Ann Jansen

Saturday, March 21, 2009

Workshop #4

3:00-4:45 p.m.

The Christian Home and Family Workshop—Steve Demme—Main Auditorium—(A *Focus on Fathers* Workshop)

Steve shares his successes and failures of over 20 years of working to develop the habit of incorporating family devotions into the life of his family. He also shares insights into the role of the father as the pastor of the home. With references to the habits of other notable Christians, Steve shares practical tips for teaching God's word to children of all ages.

Using Fiction to Bring History Alive—Lois Walfrid Johnson—Hansen Room—Lower Level

It has often been said that if we do not know the past we are not prepared for the future. What are the distinguishing marks of excellent historical fiction? How do likeable characters encourage us to care about decisive moments in history? Help your students identify key issues that influence our understanding of political and religious freedoms. Show them how to dig deeper, and shape what they know in their own writing. Using Leif Erikson as an example, Lois will show how she develops a world-changing historical character.

Homeschooling Special Education: The Fundamentals of Teaching Children with Challenging Learning Needs—Peggy Ployhar—Club Room—Upper North Concourse

Children with challenging learning needs add a unique twist to the homeschooling adventure. Peggy Ployhar, the Special Needs Coordinator for MACHÉ, lectures from the perspective of a mom who has been homeschooling this unique way for the past 6 years. Peggy has researched curriculum, therapies and planning choices available to homeschool parents both from the view point of a homeschool mom and a state-wide homeschooling resource in the area of special education. The workshop "Homeschooling Special Education" is intended to simplify curriculum choices, highlight therapy efficacy, provide clear planning guidelines, and reveal helpful resources so as to empower and equip parents to successfully teach their children with challenging learning needs.

Advent Film Group Movie Showing—COME WHAT MAY—George Escobar, Producer—Gladstone Inn Meeting Room III

This workshop/movie will run 1 hour and 45 minutes. Caleb, a recent transfer to Patrick Henry College, teams up with Rachel to lead the college to the National Moot Court Championship. Along the way, he is caught in a moral tug-of-war between his parents—a newly Christian father, and a feminist Supreme Court attorney mother. As the PHC moot court team and the U.S. Supreme Court simultaneously grapple with legal cases involving abortion, Caleb clashes with his mother and his own conscience over difficult issues of truth and compromise in the intense world of collegiate moot court. Dr. Farris has a small role in the film as the moot court coach.

VENDOR WORKSHOP #1—Let's Play with Math. Is your goal in teaching math to help your child add, subtract, multiply, and divide fluently? If so, come find out how you can accomplish that and so much more through games, puzzles, and fun. Learn how you can help your children become lifelong lovers of mathematical thinking. RightStart Mathematics, Jackie Suechting.

VENDOR WORKSHOP #2—Preparing for Life's Ultimate Question. From your first question your child asked you of "Why?" to the harder questions about life as they become teenagers, questions are one of the most valuable tools you have for sharing the values you hold dear with your children. Learn how to use questions and life events to help your children form a solid foundation that will enable them to answer life's ultimate question. Jenny Barwick, Author and Vendor



Art Classes for Children

All Supplies
Furnished for
Classes!



Sharon Jeffus with Visual Manna (www.visualmanna.com) is coming to our convention to conduct art classes for all children ages 4 and up. These classes will be held in the White Drug and Nierling Rooms during the general workshops and keynotes in the 2 upper south concourse meeting rooms.

Class length: 3 hrs. and 15 minutes

Class Cost: \$20 per student per class or \$35 for signing up for 2 classes in one day

Ages accepted: Ages 4-8, and ages 9 and up

How to Register: Directly with Visual Manna—1.888.275.7309 **Payment Method:** Checks or Visa/MasterCard

Free art CD for those who sign up
for 2 or more classes

Class #1—Basics of Art—Friday 9 a.m.—12: 15 p.m. - Snack break included

4-8 Year Olds

We will look at master works of art and do five complete art lessons using oil pastels, markers, dauber paints, scissors, glue, etc. Students learn the basics of color theory, drawing using geometric shapes. Students learn the basics of color theory, drawing using geometric shapes, foreground and background, and how to portray expressions. Students do five delightful projects on paper and one sculpture. Master works of art by Matisse, Bierdstadt, Miller, Audubon and Rembrandt.

9 and up

Students learn drawing techniques showing shading, shadow and texture. They learn how to create an original creature and what copyright means. Students learn to turn their favorite drawing into the color wheel. They also learn how to shade in color by using the complement. Students do a simple one and two point perspective. Students see four kinds of art including realism, expressionism, impressionism and abstract art. They see master art by Leonardo da Vinci, Rembrandt, Monet and Matisse.

Class #2—Geography Through Art—Friday 2—5:15 p.m. - Snack break included

4-8 Year Olds

We start off by learning basic shapes and drawing a nutcracker! Project one is to look at a Japanese scroll. We create a Japanese landscape scroll with a bonsai tree, a pagoda, and dragon and a crane. Project two is a mountain landscape with animals in the foreground and a precut picture of William Penn making peace with the Indians in the background. Children draw animals using basic shapes. Project three is an under the ocean picture where you can see the horizon line and students can put a boat at the top of the picture on the ocean and create an ocean floor picture. Project four is a desert landscape. Project five is sculpting an animal of the desert. Students learn how to make a coiled snake, a lizard and a desert flower.

9 and up

In this workshop, we start by making a picture of the earth on black paper with colored chalk. Students look at old maps and then make their own map and parchment paper. We take a quick trip around the world doing art projects from all corners. We will also talk about famous buildings in Europe and elements of architecture. Students draw the Eiffel Tower and then sculpt the Leaning Tower of Pisa. We will also learn one point perspective while drawing bridges from around the world.

Class #3—American History Through Art—Saturday 9 a.m.—12:15 p.m. - Snack break included

4-8 Year Olds

Students make a lantern and talk about Paul Revere. They learn how to make a tall ship and talk about the U.S. Constitution. They do a portrait of George Washington and an American Flag. They learn how to make a bird while looking at Audubon and a western picture while looking at work by Remington. They learn how to sculpt an eagle on a nest.

9 and up

We begin this workshop by looking at the works of great early American portrait artists, and then draw a structured portrait of George Washington on black paper using colored chalks and charcoal pencils. We look at pictures of John James Audubon's work and draw a bird picture using oil pastels. After looking at pictures by Frederick Remington and Charles M. Russell, students do a process of drawing of a horse head using pencils and a 12"x 18" white paper. We work with clay, learn pottery techniques, and make a sand painting design. We conclude with a discussion about Frank Lloyd Wright and Louis Sullivan. Students produce cityscape in one point perspective.

Class #4—Animals in Art Throughout History—Saturday 2-5 p.m. - Snack break included

4-8 Year Olds

Students do animals at the zoo project and look at works by Rousseau. They look at animals of the rainforest, animals of the mountains, animals of the desert and animals in the river. Students learn how to sculpt a turtle and a frog.

9 and up

Students learn drawing (charcoal) and color (pastels) techniques by doing art focused around animals. Students do birds and Audubon, they learn how to do implied texture while doing a "hare" and rhinoceros by Durer. Students make a lion and also look at oriental art and do a dragon/dinosaur. They sculpt a dolphin and they also learn how to make an Egyptian cat with clay.

THE NDHSA SERVICES

NDHSA is a Christian, non-profit organization that provides the following services:

Monthly newsletter

Covers state and national matters, book and curricula reviews, resources, human interest stories and periodic board updates. Sent to members.

Occasional E-newsletter

Contains upcoming events, inspirational articles, and practical tips for members.

Annual convention

Features vendor displays, support group leaders' luncheon, special evening event, nationally-known speakers, contests, displays, workshops, and used-book sale.

Support Group assistance

Assists in development and maintenance of local support groups; ministering to home educators.

Lobbying activities

Utilizes citizen lobbyists to represent issues of concern to home educators. Offers lobbying seminar to inform and network home educators.

Legal support

Answers questions regarding problems with local public schools, legal issues and support for special needs; refers to attorneys for legal counsel. Encourages membership in the Home School Legal Defense Association.

Home school packets

Offers a specially-designed packet for those beginning the home school adventure; features information on education philosophies, resource list, getting started section, copy of the law, testing information and much more.

ND Guide to Home School High School

Manual-size publication dealing with: college preparation, course requirements, credits, study skills, record keeping, AP and CLEP, SAT, the military, independent study, copies of the statement of intent, sample diploma, sample transcript, the home education statutes for ND and much more.

Other Information packets

Publishes Public School Superintendents' and Monitors' Information Packets.

Media relations

Provides credible research information and documentation to the media and others.

Outreach

Conducts home education informational outreach activities through radio, newspaper, television and community meetings.

Website

The NDHSA.org website is host to legal, philosophical, and practical forms and information about home education, including a small bookstore with important works.

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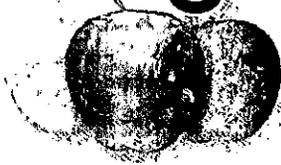
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Jeff and Karol Kapelle, Directors, Tola



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NDHSA.org

Home Schooling Achievement

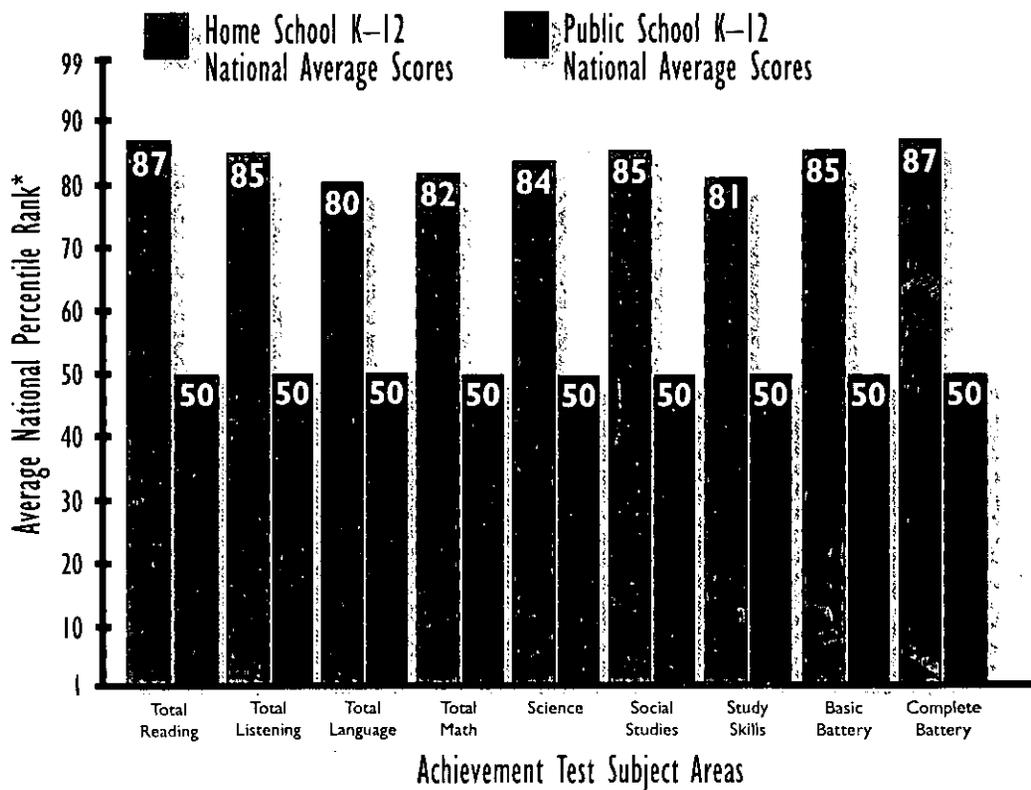


Why are so many parents choosing to home school? Because it works.

A 1997 study by Dr. Brian Ray of the National Home Education Research Institute (NHERI) found that home educated students excelled on nationally-normed standardized

achievement exams. On average, home schoolers outperformed their public school peers by 30 to 37 percentile points across all subjects (*Figure 1.0*).

Figure 1.0 — How Do Home School Students Score?



Footnote: (Ray, 1997) Data collected for standardized academic achievement tests for the 1994-95 academic year.

*For more detail about the non-equal-interval nature of a simple percentile scale which has distortion especially near the ends of the scale, see the complete study by Brian D. Ray,

Strengths of Their Own—Home Schoolers Across America: Academic Achievement, Family Characteristics, and Longitudinal Traits, 1997, Salem, OR: National Home Education Research Institute, www.nheri.org.

Does Parent Education Level Predict Student Achievement?

Key for Figures 2.1–2.3: Parents' Highest Education Level Attained

-  Graduated College
-  Some Education after High School
-  Graduated High School
-  Less than High School Education

Footnotes: (Ray, 1997) *For more detail about the non-equal-interval nature of a simple percentile scale which has distortion especially near the ends of the scale, see Ray 1997.

**Basic battery achievement test scores not available for public school students

***Public school data are for 8th grade writing scores and 13-year-olds' math scores based on tables from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics (1996, November). *National Assessment of Educational Progress (NAEP) trends in academic progress* [trends report and appendices]. Washington, DC: U.S. Department of Education.

Home school data are for grades K–12.

Figure 2.1 — Home School Achievement — Basic Battery Test

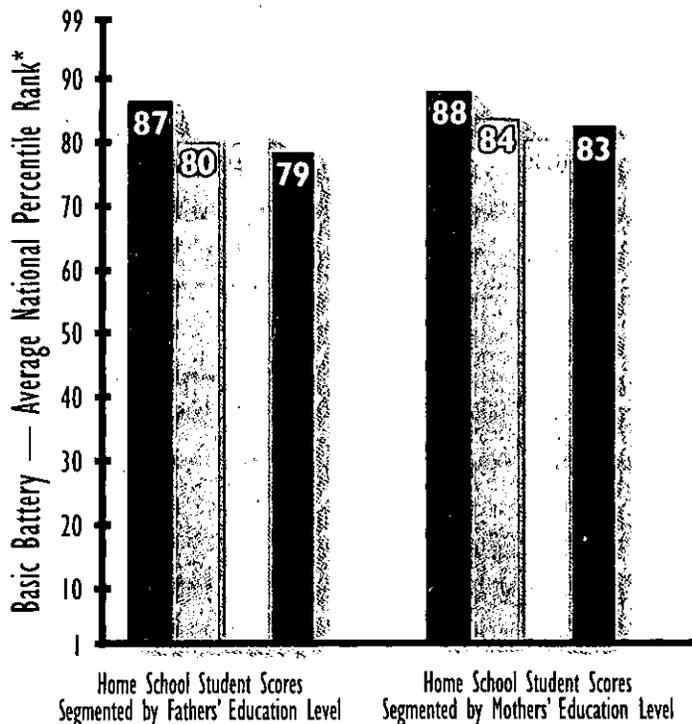


Figure 2.2 — Public School Achievement — Writing Test**

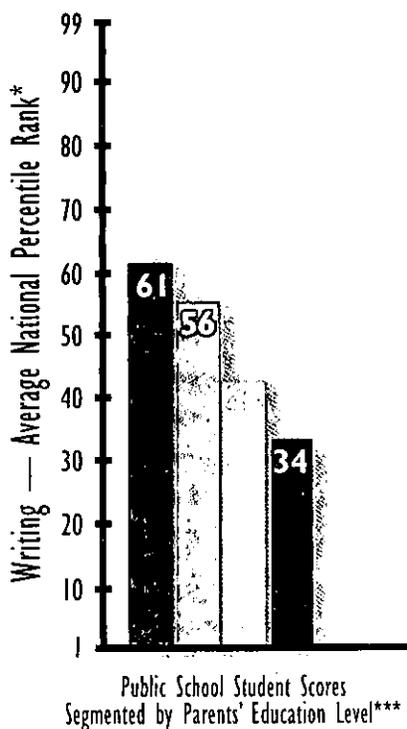


Figure 2.3 — Public School Achievement — Math Test**

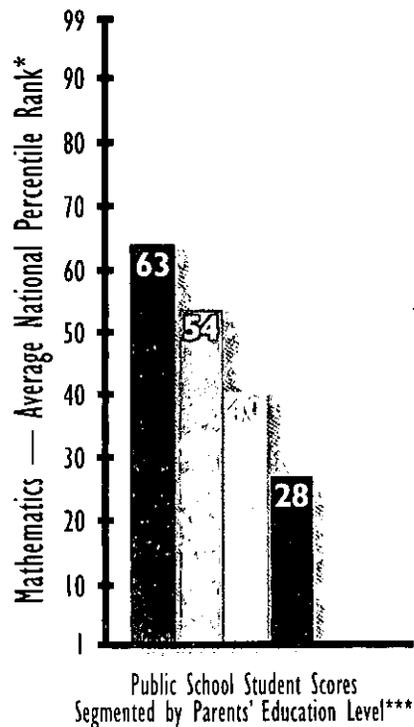
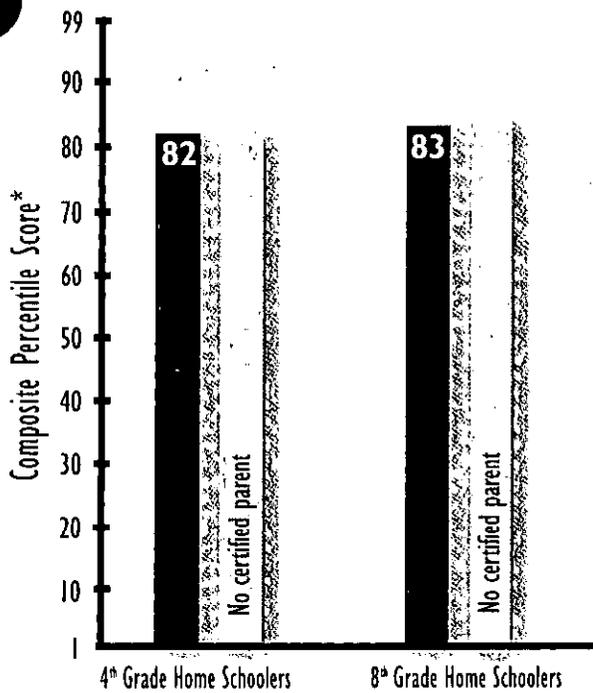
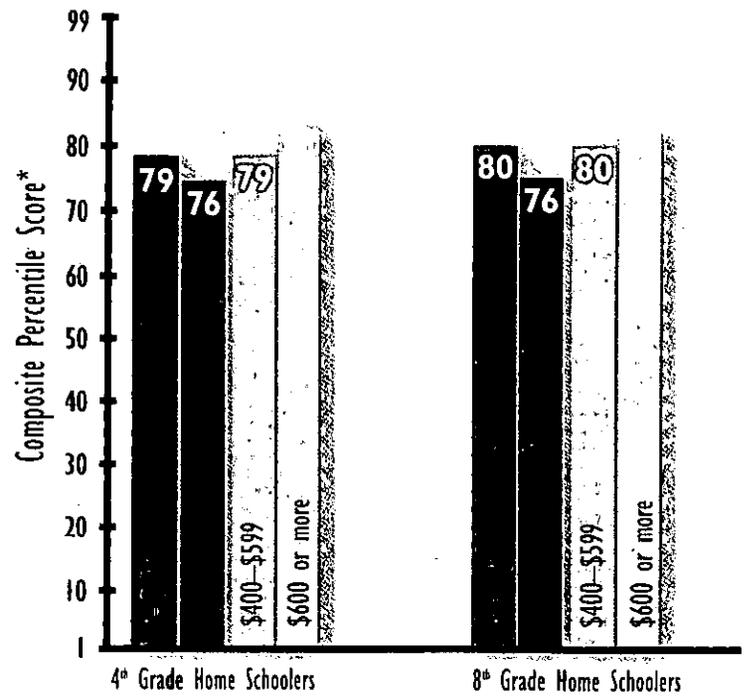


Figure 3.0 — Home School Percentile Rankings Based on Parent Certification



Footnote: (Rudner, 1999) *Composite Percentile Score refers to the percentile corresponding to the mean composite scaled score.

Figure 4.0 — Home School Percentile Scores Based on the Money Spent on Education per Child



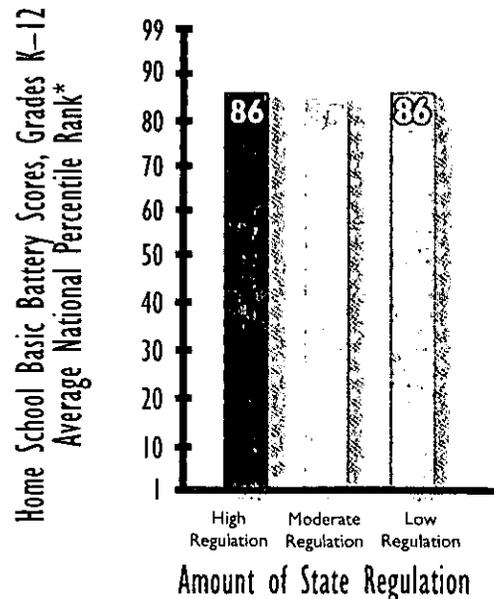
Footnote: (Rudner, 1999) *Composite Percentile Score refers to the percentile corresponding to the mean composite scaled score.

Is Government Regulation Necessary for High Achievement?

Key for Figures 5.1 & 5.2

-  **Low Regulation**
No state requirement for parents to initiate any contact with the state.
-  **Moderate Regulation**
State requires parents to send notification, test scores, and/or professional evaluation of student progress.
-  **High Regulation**
State requires parents to send notification or achievement test scores and/or professional evaluation, plus other requirements (e.g., curriculum approval by the state, teacher qualifications of parents, or home visits by state officials).

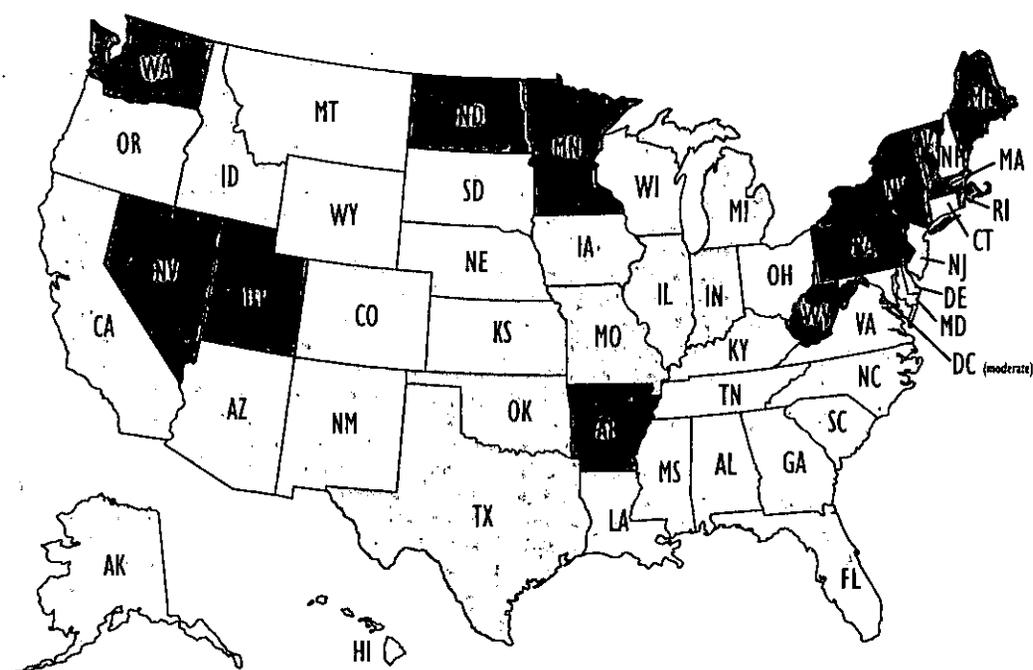
Figure 5.1 — State Regulation: No Impact on Home School Achievement



Footnote: (Ray, 1997) *See study for more detail about the non-equal-interval nature of a simple percentile scale which has distortion especially near the ends of the scale.

Figure 5.2 — Breakdown of States by Regulatory Policy

(Ray, 1997)



Home schooling's one-on-one tutorial method seemed to equalize the influence of parents' educational background on their children's academic performance. Home educated students' test scores remained between the 80th and 90th percentiles, whether their mothers had a college degree or did not complete high school (Figure 2.1).

In contrast, a parent's education level did appear to affect the performance of children in traditional school settings (Figures 2.2, 2.3). Students taught at home by mothers who never finished high school scored a full 55 percentile points higher than public school students from families of comparable educational backgrounds. Similarly, in his 1999 study, Dr. Lawrence M. Rudner found no difference in achievement according to whether or not a parent was certified to teach (Figure 3.0). For those who would argue that only certified teachers should be allowed to instruct their children at home, these findings suggest that such a requirement would not meaningfully affect student achievement.

Rudner also found that the median amount of money spent in 1997 on educational materials for home school students was \$400. Considering this relatively small expenditure in light of the high scholastic achievement of most home school students, it is reasonable to conclude that it does not require a great deal of money to home school successfully (Figure 4.0).

According to Ray, the degree of governmental regulation had no significant effect on the academic performance of home schoolers

(Figure 5.1, 5.2). Whether a state imposed a high degree of regulation, low regulation, or no regulation, home school student test score averages were nearly identical. Such regulations may be legitimately questioned since there is no apparent benefit to student learning.

Traditionally, gender and race have been consistent predictors of student performance. But home schooling is breaking down those barriers. Math and reading scores for minority home school students show no significant difference when compared to white's. A similar comparison for public schools students, however, demonstrates a substantial disparity (Figures 6.0).

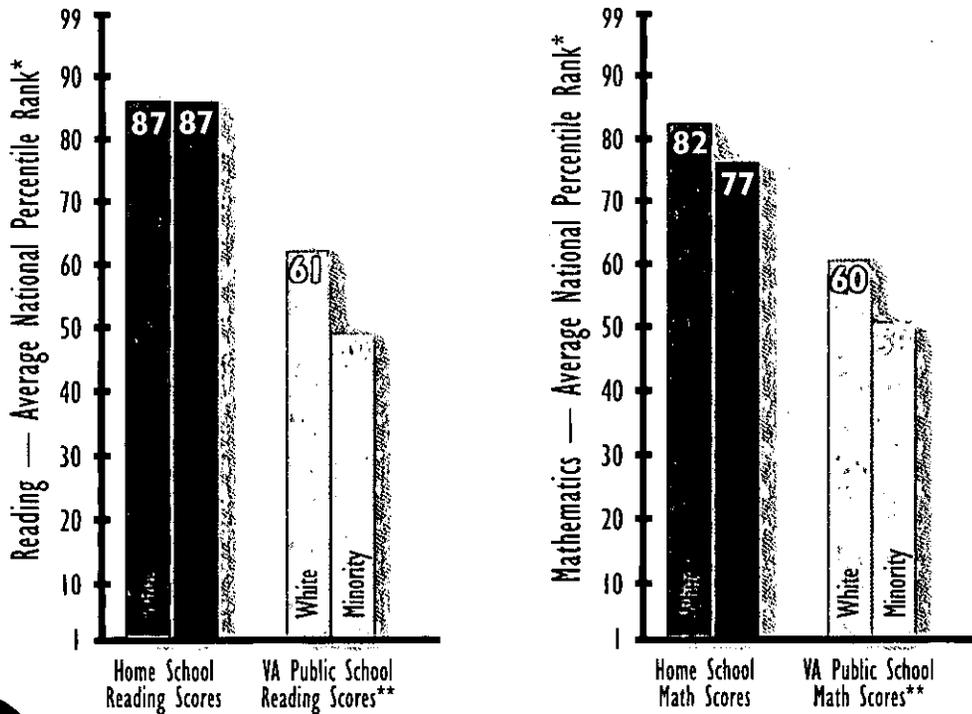
When segmented by gender, test scores for home schoolers reveal that boys are slightly better in math and girls are somewhat better in reading. Public school student performance in math follows a similar pattern, but public school boys' reading scores are markedly behind girls' (Figure 7.0).

The first question the general public asks whenever home schooling is mentioned is, "What about socialization?" Data on home school students' activities and community involvement reveal that, on average, these children are engaged in 5.2 activities outside the home (Figure 8.0).

Home schooling is an effective educational alternative chosen by dedicated and loving parents for their children. Not only is it working, it is working very well!

How Do Minorities Fare in Home Education?

Figure 6.0 — Race Relationship to Reading and Math Test Scores



Footnotes: (Ray, 1997) *See study for more detail about the non-equal-interval nature of a simple percentile scale which has distortion especially near the ends of the scale.

**Public school achievement data are based on 8th grade scores from Table 4 of *The Virginia Assessment Program: Results for the 1995-1996 School Year* (1996, July). Richmond, VA: Virginia Department of Education.

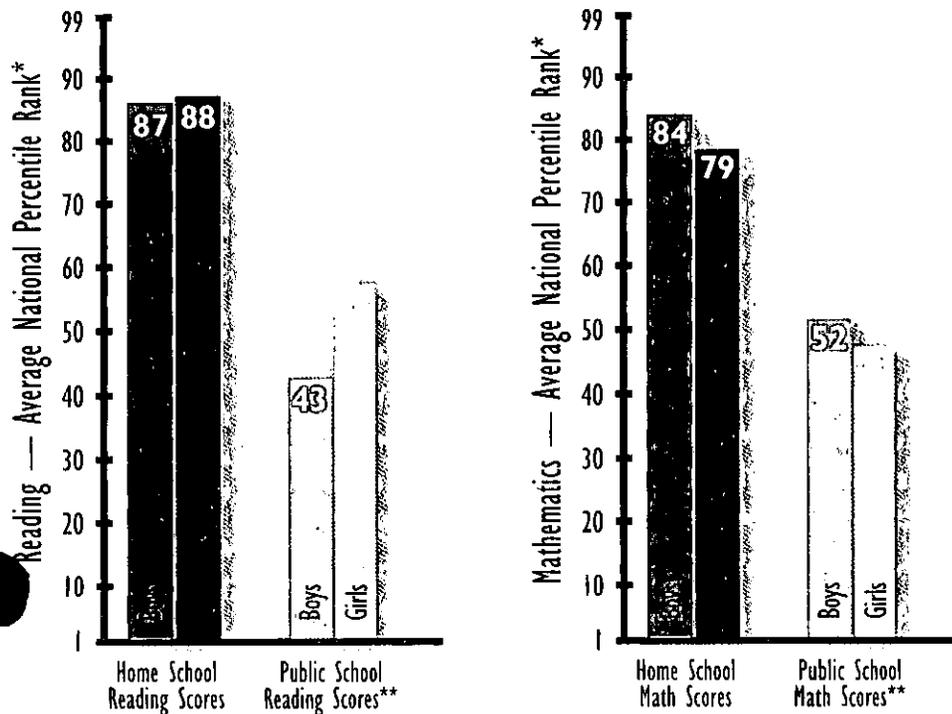
The Virginia minority scores were weighted according to the proportions of minorities in this study of home schoolers to arrive at the numbers in this figure. The minority groups were American Indian/Alaskan Native, Asian/Pacific Islander, black, and Hispanic. Of home school minority students tested in this study, about 63% were black or Hispanic.

Public school achievement data are similar for the U.S. in general but the same detail of data was not available for all public schools. See U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics (1996, November). *National Assessment of Educational Progress (NAEP) trends in academic progress* [trends report and appendices]. Washington, DC: U.S. Department of Education.

Home school data are for grades K-12.

What About the Gender Gap in Academics?

Figure 7.0 — Gender Relationship to Reading and Math Test Scores



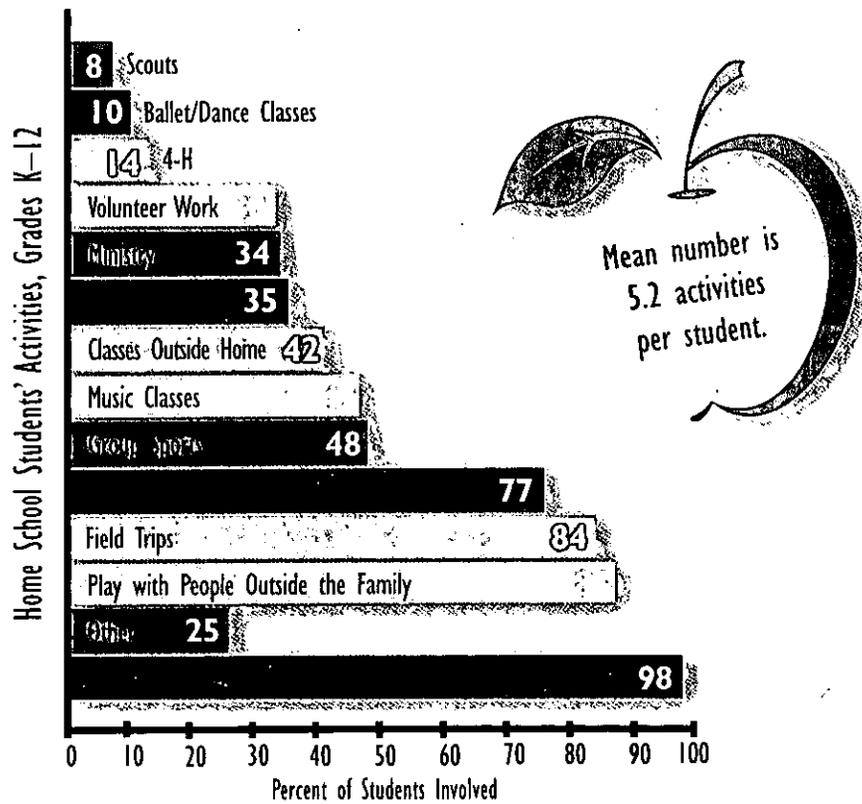
Footnotes: (Ray, 1997) *See study for more detail about the non-equal-interval nature of a simple percentile scale which has distortion especially near the ends of the scale.

**Public school achievement data are for 8th grade based on tables from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics (1996, November). *National Assessment of Educational Progress (NAEP) trends in academic progress* [trends report and appendices]. Washington, DC: U.S. Department of Education.

Home school data are for grades K-12.

What about Socialization?

Figure 8.0 — Home Schoolers' Activities and Community Involvement



Footnote: (Ray, 1997) *Participation in two or more of the 12 activities does not include "other activities." See Table 8 in study.

About the Research

Strengths of Their Own—Home Schoolers Across America: Academic Achievement, Family Characteristics, and Longitudinal Traits, Brian D. Ray, 1997 (book).

Dr. Brian D. Ray collected data on 5,402 home school students from 1,657 families for the 1994–95 and 1995–96 academic years. Nearly 6,000 surveys were sent to home school families. Some surveys were mailed directly to families (those randomly selected from numerous mailing lists and longitudinal participants from a 1990 study). Others were blindly forwarded to families through the leadership of independent home school support groups and networks in every state. This was the largest and most comprehensive study on home schooling to that point.

Brian D. Ray, Ph.D., is president of the National Home Education Research Institute. He holds a Ph.D. in science education from Oregon State University, has an M.S. in zoology (1979), and has been a professor and classroom teacher. NHERI conducts basic data gathering research; serves as a clearinghouse of information for researchers, home educators, attorneys, legislators, policy makers, and the public at large; and provides speaker services. NHERI also publishes research reports and the unique, academic, refereed journal *Home School Researcher*.

The full study is available from NHERI for \$8.95, plus \$2 shipping.

National Home Education Research Institute
P.O. Box 13939 • Salem, Oregon 97309
phone: 503-364-1490 web: www.nheri.org

The Scholastic Achievement and Demographic Characteristics of Home School Students in 1998, Lawrence M. Rudner, 1999.

Conducted by Dr. Lawrence M. Rudner and commissioned by HSLDA, this study involved seven times as many families as any previous study of its kind: 20,760 students in 11,930 U.S. families.

Unlike any previous study, families chose to participate before they knew their children's test scores, minimizing the possibility of selective reporting. All participants took the same tests: the Iowa Test of Basic Skills for grades K–8 and the Tests of Achievement and Proficiency for grades 9–12, both published by the Riverside Publishing Company.

Lawrence M. Rudner, Ph.D., is with the College of Library and Information Services, University of Maryland in College Park. He has been involved in quantitative analysis for over 30 years, having served as a university professor, a branch chief in the U.S. Department of Education, and a classroom teacher. For the past 14 years, he has been the director of the ERIC Clearinghouse on Assessment and Evaluation. Dr. Rudner holds a Ph.D. in Educational Psychology (1977), an MBA in Finance (1991), and lifetime teaching certificates from two states. His two children attend public school.

For a copy of the full report, see *Education Policy Analysis Archives* at <http://epaa.asu.edu/epaa/v7n8/>

WHICH PHILOSOPHY OF RIGHTS?

Name Source	Individual Rights <i>US Declaration of Independence</i>	Community rights <i>UN Declaration of Human Rights</i>
Purpose of Government	<p>Protect the natural or unalienable rights of each individual.</p> <p><i>"That all men are created equal, that they are endowed by their creator with certain unalienable rights ..."</i></p>	<p>Control the individual for the greater good of a global community.</p> <p><i>"Rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations..."</i></p>
In short:	<p>You're born with rights, government exists to protect them.</p> <p>You and the product of your labor belong to you.</p>	<p>Government grants, restricts, or withdraws your rights according to its needs.</p> <p>You and the product of your labor belong to the community.</p>

The North Dakota Constitution

February 4, 2009

ARTICLE VIII

EDUCATION

Section 1. A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people being necessary in order to insure the continuance of that government and the prosperity and happiness of the people, the legislative assembly shall make provision for the establishment and maintenance of a system of public schools which shall be open to all children of the state of North Dakota and free from sectarian control. This legislative requirement shall be irrevocable without the consent of the United States and the people of North Dakota.

Section 2. The legislative assembly shall provide for a uniform system of free public schools throughout the state, beginning with the primary and extending through all grades up to and including schools of higher education, except that the legislative assembly may authorize tuition, fees and service charges to assist in the financing of public schools of higher education.

EDUCATIONAL NEGLECT VS TRUANCY FACT SHEET

North Dakota Century Code Chapter 15.1-20-01, "Compulsory attendance" directs, that the caregiver(s) for a child "between the ages of seven and sixteen years shall ensure that the child is in attendance at a public school for the duration of each school year". This law also says that if a person enrolls a child of age six in a public school, the caregiver shall ensure that the child attends the public school for the duration of the school year. A caregiver may withdraw a child of age six from the public school. This section of the law does not apply if the reason for the withdrawal is the child's relocation to another school district. State statute also provides that a child may receive home education unless the child has a developmental disability that meets the legal definition. There are also other allowable exemptions in NDCC section 15.1-20-02.

WHAT IS EDUCATIONAL NEGLECT?

Educational neglect involves the failure of a caregiver to ensure that a child of mandatory school age attends school or is provided appropriate home schooling.

Educational neglect focuses on the behavior of the caregiver. For a child to be considered to be a suspected victim of educational neglect, the caregiver must have been unable or unwilling to meet the child's educational needs. Suspected educational neglect should be reported to Child Protection Services.

WHAT IS TRUANCY?

North Dakota Century Code Chapter 27-20- 02 (9; a) of the Uniform Juvenile Court Act defines a truant child as a child who: "Is habitually and without justification truant from school".

Truancy focuses on the behavior of the child. For a child to be found habitually truant, the child must intend to be absent from school. A general presumption is that a child twelve and older is truant, but this is not a hard and fast rule. Some children younger than twelve may intend to be truant from school, even though their caregiver(s) have encouraged attendance.

WHEN SHOULD EDUCATIONAL NEGLECT BE REPORTED TO CHILD PROTECTION SERVICES?

The policy manual of the North Dakota Department of Human Services; Children and Family Services Division; 640- 15-05-15-30, 'Educational Neglect', states, "Educational neglect may exist when a child aged seven to sixteen is not meeting the mandated educational requirements with consent, encouragement or insistence of the caregiver. Caregivers' actions or inaction has direct impact on the child's educational growth. **The school must demonstrate attempts to resolve the issue with the caregiver.**"

Educational neglect should be reported to Child Protection Services when:

- there is reasonable suspicion that a caregiver is not complying with North Dakota's compulsory school attendance law; and
- there is information indicating the caregivers' actions or inaction has direct impact on the child's educational growth; and
- efforts to resolve the situation with the caregiver, on the part of the school, have failed.

WHAT SHOULD BE INCLUDED IN A REPORT?

The North Dakota State Form number 960 "Report of Suspected Child Abuse or Neglect" should be used in reporting educational neglect as it is for any other type of suspected child maltreatment. This form is available through your local county social service office, or an electronic version can be completed for printing at: <http://www.state.nd.us/eforms/>. Include all the information requested on the form. It is also helpful to attach any supporting documentation to your report, such as the child's attendance record, any written excuses or other communication from the caregiver, and any record of contacts with the caregiver the school has made in an attempt to resolve the issues in the report. A social worker will be assigned to analyze and assess the report once it is received at the county social service office. The social worker that is assigned to assess the report may contact you for additional information. You may also contact the social worker to provide additional information or to inquire about the outcome of the assessment. The goal of the assessment is to assess the safety of the child and identify any underlying causes for school non-attendance along with any risk of future child abuse or neglect, and to work with the family to resolve the concerns.

WHY IS CHILD PROTECTION INVOLVED WITH A STUDENT'S EDUCATION?

North Dakota Century Code Chapter 50-25.1-02, commonly known as the Child Abuse and Neglect Law, defines that "Neglected child" means a deprived child as defined in chapter 27-20. NDCC Chapter 27-20-02 defines that "Deprived child" means "a child who is without proper parental care or control, subsistence, **education** (emphasis added) as required by law.....".

North Dakota law (NDCC 50-25.1) gives Child Protection Services the responsibility for "the providing of adequate services for the protection and treatment of abused and neglected children and to protect them from further harm". It is the job of child protection services to receive reports of suspected educational neglect as well as other types of child maltreatment, and to engage in the fact-finding process of an assessment in order to make a decision whether services are required for an abused or neglected child.

WHAT SHOULD NOT BE REPORTED TO CPS?

CPS works with protecting children who are suspected of being abused or neglected by a caregiver. Issues of disagreement between caregivers and school systems are generally not actionable through CPS. These types of reports would fall into this category:

- Caregivers who do not attend Individual Education Plan Meetings, parent/teacher conferences or other school meetings
- Caregivers who are not helping a child with homework at home
- Caregivers who do not pay school fees in a timely manner
- Caregivers who refuse to give their child medications that are unrelated to a medical need
- Caregivers who are providing home education and are suspected of not meeting state requirements

via [http://www.state.nd.us/humanservices/policymanuals/childabuse-508/Educational Neglect VS Truancy.doc](http://www.state.nd.us/humanservices/policymanuals/childabuse-508/Educational_Neglect_VS_Truancy.doc)

2007-08 Monitoring Summary by Grade Level

Grade	Non-District Monitor Provided	District Monitor Provided
PK	0	1
K	1	6
1	6	21
2	11	26
3	14	27
4	10	16
5	8	18
6	12	17
7	10	12
8	9	14
9	7	27
10	9	28
11	5	13
12	1	8
Total	103	234

The Home School Report

Volume 21 Issue 4

A publication of the North Dakota Home School Association

May 2007

DPI Receives 'Complaints' by Gail Biby

What are the 'complaints' offered legislators to dissuade them from relaxing home education's stringent North Dakota requirements? Are they legitimate?

The North Dakota Legislature has completed the 2007 session. It proved to be an informative and even eye-opening study of the machinations of the political process. Proof that one must strive diligently against becoming skeptical and sneeringly pessimistic.

The North Dakota Home School Association did not introduce legislation, but two bills dealing with home education were initiated at the behest of individuals.

'Complaints' on current laws

During the hearings testimony was presented regarding the 'many complaints' received by the DPI regarding the home education statutes. Rep. Mueller, in email correspondence with the author, offered to provide a "partial list" of the many and varied complaints; I immediately requested the list. With no resultant response, I again contacted Rep. Mueller for the list which was eventually forthcoming and had been compiled by Anita Decker and Tricia Lang of the DPI. An inkling as to how the DPI responded to each of the 'complaints' would have been helpful.

After consultation with several well-versed, astute, and long-time home educators, the responses to the 'complaints' follow. (DPI-generated complaint in italics and in the form received.) Each response is a composite of information garnered by the author from the aforementioned.

- *2006 - A parent called for information to home educate her child for one year since the parent and child did not get along with the assigned teacher at their school district and would re-enroll next year.*

This is a simple request for information and is a 'complaint' against the child's highly trained, licensed professional **not** the home school stat-

utes.

- *2004 A school administrator called asking for assistance on a student who is 18 years old, has dropped out numerous times, currently re-enrolled, and now wants to home educate if parent qualifies.*

It is good that the student wishes to complete his high school studies, but he is past the compulsory attendance age and therefore the home school statutes don't apply to this young person. No statement of intent needs to be filed and the parent does not need to qualify under the home school law. Did they encourage this student to study for the GED as clearly the institutional classroom setting is not working?

- *2004 - A visit from a mother and three children in our office, She wanted to home educate her three children while traveling with husband in their semi across the state. They would be out of the state for months at a time and they would need to be monitored based on their qualifications. She also requested for the materials to home educate from our offices. The curriculum choice is determined by the parent, there is no state curriculum.*

Again, this is not a complaint against the current home education statutes as inferred by the DPI. Some suggestions for this wonderful prospect for hands-on learning and out-of-this-world field trip opportunities would be: have mom take a national teacher exam to avoid the need for monitoring or hire a private monitor to allow for more flexibility in meeting the statutory requirements. Not all monitoring has to be done face-to-face.

- *2007 A call from a parent requesting to pull their child from school because he is having trouble focusing. The parents want to hire a tutor in their area to home educate the child because they don't have time. The recent Attorney General's Opinion states that the parent is the educator.*

The recent AGO states that the parent must do all

the educating. Think about that for a minute. That would mean the child could not take and count as part of their academics an Internet course, take ballet, piano, art class, field trips of any kind, attend historic reenactments as part of history class, visit the local water treatment plant, fire department, Heritage Center, legislative session or any activity that did not take place in the home and was taught by the parent. Silly. It must be addressed in future legislation. Most institutional school classrooms are set up to distract; focusing is hard for even the most task-oriented child, nevertheless, this parent must assume the role of educator and cannot hire out the job if she wishes to remove her child from the institutional setting.

- *2007 Grand Forks public schools calling for clarification regarding testing requirements and reporting core scores or composite scores along with which subjects should the score include - the subjects included in the ND State Assessment or the composite score of the alternative standardized test.*

This is a confusing issue and must be addressed in future legislation by clarifying the language. It is important to remember that the ND State Assessment test is designed to test the government curriculum. Home educators do not use government curriculum and therefore the scores will not be an accurate assessment of the child's knowledge.

- *District superintendent called: can husband home educate wife? Very young wife had dropped out of school to have baby.*

Again, this is not a problem resulting from the current home school law. If the wife has reached the age of 16 she has passed the compulsory attendance age and they can legally proceed in any way they wish. I trust the DPI encouraged her to study for the GED or take classes by correspondence.

- *Mother (a teacher) called. Wanted to home educate her son because he couldn't/wouldn't get to school and she was tired of being called to the office about it. She said she'd do four hours of home education at night when she got home from school.*

Since the mom is a 'highly trained licensed professional' surely the DPI supported her quest. If the child has reached the age of 16 it is a moot question. Of course she can home school in the evenings. The law does not state which 4 hours the parent must provide instruction. It may be problematic if the child is young and she should insure that she has good child care when she files her statement of intent to ward off any complaints

regarding an unattended child.

- *Mother of three young children wanted to know if she could home educate. Had no degree. She didn't want to have to stay home while her oldest child was in school. When asked how she would educate the child, she said she'd educate in the car with books from Wal-Mart.*

Amusing call, but not related to the alleged difficulties of the current home school statutes. Age of children not mentioned; reason for not wanting to stay home not stated. Although I would use a more orderly approach that is not to say that 'home school in the car' won't work. Wal-Mart and Sam's Club provide many excellent and inexpensive learning materials.

- *Father wanted to home educate his son while the father drove truck around the nation. Said son didn't get along with mother. Father was high school dropout but couldn't be monitored because he wouldn't be in district.*

It is commendable that the father recognizes the need for the child's continued education., but the current statutes do not allow a high school dropout to supervise a home education program.

Again, if the child has reached the age of 16 it is an invalid concern.

- *School superintendent called this week. Mother of two students is working temporarily in Florida. Father has been offered short-term work (7 weeks) also in Florida. Wants to take grade school child with him but didn't want to enroll child in Florida school. Older child apparently will stay with friends while father is gone. Father has degree "don't know what area"-not education. He would not need to be monitored. I advised that the father should arrange with school for lessons to be sent/returned from school to Florida, from Florida back to school on a definite weekly schedule. When the child returns to school in 7 weeks, he will be caught up and will have completed work assigned by the local teacher. Note: this creates a burden for the teacher, but perhaps less disturbance to the child's education than other choices.*

Obviously the superintendent needed some help thinking through the various available options. It is likely that most school districts would accommodate this family and it really isn't a home school related problem.

- *2003 A call from a concerned individual*

aware of a mother home educating her daughter and questioned the mother's mental and physical ability to provide an education to her child. The caller felt that the child was the primary care giver for the mother and she notified social services. She was wondering what else she could do for the best interest of the child.

This 'concerned individual' may be well meaning, but she has notified the authorities. In addition, no proof of educational neglect is presented and the age of the child is also not mentioned (if 16, the law no longer applies). Caution must always be used when determining the validity of what some may consider 'town busybodies.'

- *2004 Grandparents stopped in to visit with me sharing their concerns with the daughter and her family. Mom and father separated and the father had the children for a period of time and was supposed to be home educating the students lead [sic] by his girlfriend. The daughter was given custody for some reason and when she tried to enroll the students in school she had no student records provided by the father or the school for the education the children had received for the past 2-3 years. The grandparents were concerned that the children were behind and would need to be placed in grades lower than expected for their age and the effects of that on their self esteem. They were upset that there was no requirement of recording [sic] keeping to follow these students over that period of time. They pleaded for assistance from the Department.*

Questions to ask these grandparents: Were the children behind and behind according to whom? Had they been in a monitored program? Had they taken achievement tests in grades 4, 6, 8 and 10? The law does require that parents keep "an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results" (NDCC 15.1-23-05). There are possibly many unfavorable family dynamics at work here, as well, including anger, bitterness and disrespect for the non-custodial parent which would lead one to be rather skeptical of the complaint.

- *2007 School administrator and counselor (counselor is also a teacher and the home education monitor) called wanting guidance on a home education family question. School feels that the family is not providing a quality education, they are not meeting testing requirements, not responding back [sic] to letters sent by the*

school and asking for guidance on what to do next. I shared an informal opinion from the assistant states [sic] attorney about reporting to the county state's attorney since they were in violation of the home education and therefore the compulsory attendance law. On the most recent visit to the family, the home education monitor was not allowed to enter the home for the visit.

There is no requirement in the law that the monitor ever needs to set foot in the home. The monitoring can take place in an agreed-upon neutral setting. If the parent is qualifying under the monitoring provision of the law then they must meet with or speak with the monitor as required by law. Sad to say, some monitors are very home school unfriendly. If the parents are not testing in grades 4, 6, 8 and 10 then they are not in compliance with the law. Parents do not need to respond to letters sent by the local school district nor do they need to ask for guidance from them. There are already provisions in the current statutes to deal with these difficulties.

- *Western part of state: Parents home educating a large family, very poor. School and neighbors offered clothes and other assistance anonymously and sensitively. Parents were proud. Refused help. Children were seen herding sheep all day. School called wanting to know what they could do; children were not being educated.*

There is not one shred of evidence presented in this anecdote that the children were actually educationally neglected. How old were the children? The most egregious part of this 'complaint' perhaps is the inference that poverty and a large family are signs of lack of education. It strikes me as rather prejudicial; should the poor be precluded from home schooling?

- *Anonymous caller called to complain that two children being home educated were working all day in the family store in town.*

Public school students are given high school credit (DECA) to work in a store all day! It is possible to work and receive a good education. What a great way to learn business, finance and a whole host of valuable life lessons. No evidence given for educational neglect. Also, I would immediately discount a tale from anyone who didn't have the courage to leave their name.

- *Worked with former asst supt [sic] in Minot. He had documents showing a home education center in a church basement in Minot. School provided transcript of course work and grades. No-*

tified state's attorney. He did not/would not prosecute. Accepted school's denial. This is apparently still going on.

If the evidence is not adequate for the state's attorney to pursue charges, that's the end of it. *If this is occurring it is a nonpublic, non-approved private school problem not a home school problem.*

- *Actual case call: grandparents wanted us to prevent their son and daughter-in-law from home educating their children. Said the parents were not good parents. Wanted us to DO SOMETHING!*

If they have children between the ages of 7 and 16, if they file the statement of intent in a timely manner, if they have some kind of educational program in place and if they test in grades 4, 6, 8 and 10 the rest is nobody's business (unless there are criminal activities occurring). I wonder what these family dynamics are like. I know of some grandparents who consider large families and home education in any form as BAD parenting.

Finally

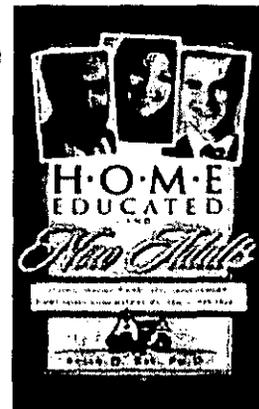
This is the entire list provided as testimony to the need to further restrict home education in North Dakota. Not much of a list and most have very little to do with the actual home school laws. I would also add: On many days and most weeks during the almost 9 years I was the Executive Secretary for the NDHSA I had more complaints about public schools than this whole list combined.

In almost 17 years that I have worked with homeschoolers I have had 1000s of calls from parents complaining about their local school district, their child's highly trained licensed professional and the physical danger experienced in their school. Would the Department of Public Instruction consider having the NDHSA help write new public school legislation because of all the complaints about government schools that we have heard over the years? I think not. Perhaps the opposite is also true then. Who should be writing new home school statutes? Those who know the law, have implemented the law and been instrumental in writing past laws.

It is hoped that during the interim an informal committee will do just that with the expectation of increasing the liberties of home schooling families in North Dakota as enjoyed in most other states and of clearing up some of the confusing language in the current statutes.

Home Educated and Now Adults: Their Community and Civic Involvement, Views About Homeschooling, and Other Traits

by Brian D. Ray, Ph.D. For nearly 20 years, critics and the curious have been asking about the homeschooled: But how will they do in the "real world" of adulthood? As a corollary, they have also asked: What about socialization? This unique study takes a look at the lives of over 7,000 adults from across the United States who were home educated during their elementary and secondary school years. The purpose of this study was to describe and gain more understanding about these adults. In particular, the focus was on their general demographics, attitudes toward their own home-education experiences, and successes in life. Success was evaluated with respect to civic, social, educational, employment, and worldview traits. The target population was all adults in the United States who had been home educated, regardless of whether thought positively or negatively about having been homeschooled. A written survey (questionnaire) and follow-up interviews were used to gather information about the participants.



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More Information About Report

This full-length research report addresses the following topics regarding the participants, the first wave of adults who were educated as a part of the modern homeschool movement:

- Homeschool background
- Family history
- Post-secondary educational and other history
- Civic involvement and learning, current events, style of living
- Thoughts about life, marriage, educational plans, and so forth
- Work, employment, household income
- Household, family, children,
- Beliefs and worldview
- Demographics
- Various other items

This comprehensive report, based on a long-awaited study, will answer many of the questions that you have ever had about homeschoolers and how they are doing in adult world after "graduation." **Some of the Findings*** Of the 7,306 participants, 5,254 had been homeschooled for at least seven years, and most of the findings and statistics in this full report are based on these adults responses. Some of the findings follow:

- Data on 205 variables were available for analysis.
- Table 1 presents for how many years the subjects (i.e., those homeschooled 7 years or more) were home educated. Thirty percent were homeschooled for 7 to 9 years and 70% were homeschooled for 10 to 14 years.
- Fifty-three percent or more were home educated for every grade level, K through 12th; 84% or more were homeschooled for grades 4th through 12th.
- The 10 reasons most frequently selected for why they or their parents engaged in homeschooling were (a) can give child a better education at home (79.5%), (b) religious reasons (76.7%), (c) teach child particular values, beliefs, and worldview (73.5), (d) to develop character/morality (69.2%), (e) object to what school teaches (61.7%), (f) poor learning environment at school (56.1%), . . .
- The formal educational attainment of all the participants, who were homeschooled for 7 or more years, is presented in Table 5. Table 7 shows the educational attainment of only the home-educated adults (all of whom reported that they had finished their secondary studies) who were

ages 18 to 24 and those in the general U.S. population who were 18 to 24. In the general U.S. population in this age range, 46.2% had attained some college courses or higher; 74.2% of the home-educated had attained some college courses or higher.

- The occupations of these participants are presented in Table 8. The most common was full-time student (49% of the subjects). The other three most common were homemaker/home educator (7.3%), other (7.9%), and professional 1 (e.g., accountant, RN, artist; 6.8%).
- The findings regarding the participants' attitudes toward having been homeschooled are presented in tables and figures. On a 5-point scale (i.e., 1=Strongly Agree, 5=Strongly Disagree), the mean response to "I am glad that I was homeschooled" was 1.3. The mean response to "Having been homeschooled is an advantage to me as an adult" was 1.4.
- 55% strongly agreed and 27% agreed with the statement, "I would homeschool my own children."
- 71% of subjects were participating in any ongoing community service activity (e.g., coaching a sports team, volunteering at a school, or working with a church or neighborhood association), while 37% of similarly aged U.S. adults and 39% of all U.S. adults did so.
- The degree to which the respondents thought they could understand and affect society and government was also addressed. For example, fewer of the home educated (4%) than the general public (35%) thought that "politics and government are too complicated to understand." About the same percent of the home educated (98%) and the general public (94%) thought that they "could write a letter to government official that clearly states his/her opinion."
- Statistics on the direct civic involvement of home-educated adults and the general United States population are presented. For all civic activities (e.g., working for candidate/political party/political cause, voting in national/state elections) and at all age groups, the home-educated adults in this study were more civically involved than the general population.
- During the last two weeks, about 97% had not had 5 or more alcoholic drinks in a row (on a single occasion) (mean=.07, s.e. mean=.007, median=.00, n=5254).
- 1.7% had ever been convicted of a misdemeanor.
- Taking all things into consideration, 59% of the subjects reported that they were "very happy" with life, while 27.6% of the general U.S. population is "very happy" with life.
- A variety of religious preferences were expressed by the participants. The majority reported that they were Protestants; Catholics, Jews, Muslims, and those who said they were "none" or "other" (in terms of religious beliefs) were also involved in the study.
- 94% strongly agreed or agreed to the statement, "My religious beliefs are basically the same as those of my parents."

Some of the Researcher's Conclusions

- Since the modern homeschool movement began to grow, . . . Questions have been asked about the extent to which they would one day be engaged in civic life, be an active part of public discourse, develop their own worldviews, and treat the values and beliefs of others. Negative critics have claimed, for example, that adults who were home educated would shy away from civic involvement, not be a part of public conversation and debate, not be exposed to values and beliefs different from those of their parents, and end up being intolerant of allowing others to express their viewpoints. Advocates of homeschooling, on the other hand, have long held that the homeschooled would one day be engaged in their communities and civic life and learn to properly function in the adult social, political, and philosophical world.
- These adults who had been homeschooled were much more civically involved than the average adult in the United States.
- Findings from this study also indicate that the home educated think that they can understand and affect society and government more than does the general public.
- The evidence from this study also suggests that adults who were home educated have a commitment to or tolerance of free expression of viewpoints or beliefs that is about as strong as that of the general public.
- Based on the findings of this study, the concerns stressed by Apple (2000), Franzosa (1984), Lubienski (2000, 2003), the National Education Association (2002), and Reich (2001, 2002), that homeschooling would somehow interfere with home-educated adults participating in essential societal activities or that homeschooling inhibits public debate, have no foundation.
- Second, [name of critic of homeschooling withheld] presumes that tax-funded, state-controlled education is good for both individuals and the whole in a nation that was built on principles such as liberty, justice, freethinking, and freedom of religious (and other) expression and practice. Third, he commits the fallacy of false choice; he implies that not committing one's children to

state-run schooling or removing one's children and family from state-controlled schooling is the same as withdrawing more from common endeavors than if one had joined or remained involved in state-run schooling. And in this he is perhaps also guilty of the slippery slope fallacy, suggesting that if a person removes himself from one form of community (common) activity then he will because of that then remove himself from more community (common) activities.

- There is evidence in this study that negative critics of homeschooling should be concerned if they want themselves or the state to have a stronger influence, and the parents a weaker one, on the education and upbringing of the children, which always involves the development of values, beliefs, and worldview.
- The findings of this study indicate that adults who were home educated are clearly engaged in their local communities and civic activity and will likely do so with a personal philosophy that is very similar to that of their parents and an attitude toward life that are different from the philosophy and attitude they might have learned in a state-run or private institutional school.

* The statements above are not necessarily direct quotes from the report, and should not be cited as such. 148 pages, book, paperback, with charts and graphs

Price: \$9.95

Order it Now!

This complete report on Dr. Ray's study of adults who were homeschooled is available only from the National Home Education Research Institute as of June 2004.

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The Home School Report

Volume 22 Issue 7

A publication of the North Dakota Home School Association

October/November 2008

DOES HIGH STATE REGULATION OF HOMESCHOOLING PRODUCE HIGHER TEST SCORES?

A recent study prepared by Dr. Brian Ray of the National Home Education Research Institute and Bruce K. Eagleson, published in the *Journal of Academic Leadership*, offers some instructive truths about the *unimportance* of state regulation of homeschooling. This information is most propitious and providential considering that during the 2009 session the NDHSA plans to introduce legislation that will remove parental qualifications other than a high school diploma or G.E.D.

It is estimated that 1.5-2.4 million children are now taught by their parents. The growth has been steady in North Dakota and across America. Unfortunately, many policy makers prefer that the state continue to regulate and even increase regulations of parent teachers. North Dakota's chief educator, Dr. Wayne Sanstead, Superintendent of Public Instruction, boasts about the restricted freedoms from high regulation of homeschoolers in North Dakota.

Does the research support high regulation? Are parents and children really better off when the state stringently oversees the education of all children including those that are homeschooled?

According to the researchers of this newly-published study, "The purpose...was to determine whether there is a relationship between the college-admissions (or college-aptitude) SAT scores of students who were homeschooled and the degree of state regulation of homeschooling."

Eight states, including North Dakota, are not included in the study due to either small sample size or degree of state regulation not the same for 10 years. However, what is true for other high-regulation states is likely true for North Dakota, as well.

The following comments are provided for publication by Dr. Brian Ray (**bold emphasis**

added by editor):

The SAT scores of homeschool students from low-, moderate-, and high-regulation states were first compared for states whose degree of regulation had not changed for the 10 years preceding and including the year of SAT testing. There were no significant differences between students' SAT scores in the three groups (of state regulation of homeschooling) for any of the three test scores (verbal, $F(2, 40) = 0.58$, $p = .57$; math, $F(2, 40) = 1.527$, $p = .23$; total, $F(2, 40) = 1.070$, $p = .35$). In all cases, **the states with the highest degree of state regulation had the lowest average SAT scores**. As previously explained, the unit of analysis was the state.

At least...three matters should be considered. First, the simple fact is that **no significant statistical relationships were found between the degree of state regulation of homeschooling and students' SAT verbal, math, and total scores**. No p -values were under .05. In addition, **no significant differences were found in SAT scores regardless of whether the same degree of state regulation of homeschooling existed in a given state for the periods of the past 5 years or past 10 years**.

Second, one must cautiously use the findings in light of at least two points pertaining to the study's design and the nature of the data. One is that some notable limitations adhere to the data. For example, it was not possible to ascertain for how many years, on average, students in a particular state were home educated, nor was it possible to determine for how long, on average, students had lived in a particular state. Ergo, it was not possible to know, in experimental terms, these elements of the homeschooling 'treatment' that the students had experienced.

Third, the use of these findings in education policy largely depends upon the socio-

political worldview of the person considering what policy should exist. At one of the most fundamental levels, the issue is whether the parents or the state should have primary authority over and responsibility for the education and upbringing of a child. One could believe that the state should be the default authority and responsible party rather than the parents.

On the other hand, if one thinks that parents should have primary authority and responsibility over their children's education, that person would likely argue that the parents should be allowed to design and execute the home-based education of the children without legal or regulatory intrusion from the state unless there was significant evidence that a practice such as home schooling generally harms children and youth. They would point out that most state constitutions simply give the states authority to make schools available to children, not to regulate the education of all children. [Editor's note: *N.D.'s constitution mandates the availability of a public education system but is completely silent on government oversight of private and home schools.*]

Those of this perspective might also argue that **these findings do not reveal a correlational relationship between state regulation and SAT scores and therefore advocates of regulation have no basis for claiming that increased state regulation of homeschooling might cause better preparedness for college**. Persons of this worldview might further argue that even if the state should exercise more authority to control home schooling, **the findings indicate no significant relationship between degree of state regulation and SAT scores** and therefore the cost of increasing state regulation (e.g., time, energy, money, political battles) would not be warranted.

The shaded box below contains the web address. Print and file this valuable research information.

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Ray, Brian D., & Eagleson, Bruce K. (2008, August 14). State regulation of homeschooling and homeschoolers' SAT scores. *Journal of Academic Leadership*, 6(3). Retrieved August 25, 2008 from: http://www.academicleadership.org/emprical_research/State_Regulation_of_Homeschooling_and_Homeschoolers_SAT_Scores.shtml

Testimony in Favor of HB 1171

Attachment 2

Madame Chairman and Members of the Committee:

My name is Cam Leedahl. My husband and I have graduated all three of our children from our homeschool program. I have been a leader in the homeschool community for many years. I would like to explain how this bill will change the homeschool law.

There are two main changes. The first change you see on the bill is Page 1, Line 10. This is the removal of the phrase "in the home" from the definition of home education. The reason this is being removed is because there has been officials interpreting the wording to mean that only what is occurring in the home can be legally counted as education. However, for twenty years, since the first homeschool bill, supervising parents have planned for and recorded all types of learning that occurs outside of the home. You will be hearing testimony to that fact. Home educators are not interested in starting schools. We are not interested in turning over the education of our children to someone else. We simply want flexibility in providing the best education we can for our children.

The strike on Page 2, Line 1 begins the second change in the bill: the removal of parental qualifications. With this change, there would no longer be the need for the supervising parent that does not have a baccalaureate degree to take a national teachers exam, or to be monitored. You will be hearing testimony as to why those qualifications are not necessary, and are instead a burden to home education.

The other strikes, renumbering and additions you see are administrative only. For example, on page 3, line 20 – 23 an addition was made to reflect the number of credits required for a high school diploma to be issued by the student's school district. This number is the same that is required for public school students.

The rest of the homeschool law would remain the same. The supervising parent would still need to file a statement of intent, ensure their student is receiving four hours of instruction for 175 days in the subject areas required by law, have their students tested in grades 4, 6, 8, and 10 with a nationally normed, standardized achievement test, and maintain an annual record of courses to be furnished, on request, if the student transfers to a public school district.

In preparing for this testimony, I searched for studies that would show that regulation improved a child's academic or emotional well-being. I looked for the research that could prove that regulation protects children from their parents. I even asked an official at the DPI. There was none. Nothing. Instead, I found many research studies done at universities and by private organizations, as well as papers published in peer-reviewed journals that showed there was no correlation between regulation and the success of a student. None. The facts all point to the reality that regulation is not necessary.

Every time I have been to a hearing on a change to the homeschool law, a legislator or public school person claims awareness of a nightmare situation involving a homeschool family, and gives the statement, "that is why we need restrictions" – to identify and supervise these nightmares. But when I inquire, I find out the situation is either hearsay or the details are vague, with nothing to validate exactly what is happening. During the last legislative session, one of the legislators produced for us a list of calls kept by the DPI, calls about home education that were considered alarming. I was on the panel of leaders in the homeschooling community that examined the record of those calls. From 2003 to 2007 there were 18 calls. One was for simple information. Nine wanted advice for unusual or complicated situations. Eight were suspicions of violation of the homeschool law. We provided an answer for each situation. But not a single one was a legitimate, alarming problem. That record and our response are in the information provided to you by Dr. Bartlett.

I think that there is a lot of misunderstanding over what actually happens in a homeschool program. Admittedly, very few are alike – homeschoolers generally don't use cookie cutter approaches. And many homeschool programs bear little resemblance to their public school or private school counterparts. (I have attached the written testimonies of my three adult children who attest to their unusual education.) Misconceptions of home education promote anxiety and conflict.

In the past twenty years, I have seen all kinds and types of homeschooling parents and watched their children grow up. I have seen parents with teaching credentials fail in their homeschooling endeavor, and parents who did not graduate from high school, succeed. I have seen parents stumble through their first few years of homeschooling, and then triumph through the rest. Their successes or their failures had nothing to do with their personal education.

When I took the national teacher's exam, my score proved that I knew how to write a short essay and could remember, at least for that day, how to determine the circumference of a circle. But having those skills is not what made our home education program work. Anyone who doesn't know those things can just look them up in a book. What makes a homeschool work is lots of love and hard work, and with the myriad of tools and resources that exist in our technology rich world, discovering the best way to equip that child to grow to his full potential.

My hope is that lawmakers, policymakers, the schools, and home educating parents NOT continue to spend money, time and energy, and endure endless political battles over regulations that simply cannot be justified.

Cam Leedah
15470 County Road 2
Leonard, ND 58052
701-645-2578
camleedah@aol.com

Testimony in Support of HB 1171

Dear Chairman Kelsch and Members of the House Education Committee,

My name is Jonathan Leedahl. I graduated from my homeschool in 1999 and now reside in Olivia, Minnesota. I am employed as an emergency medical services helicopter pilot with North Memorial Medical Center. I also do flight instruction and aerial agricultural spraying.

My parents started homeschooling me in 1989, after the first North Dakota homeschool bill was passed. I was in third grade. Even though my father had a degree in Agricultural Economics and my mother was a Registered Nurse, she was required to take a national teacher's exam or be monitored by a certified teacher. She chose to take a national teacher's exam. That was a good thing, as I don't think a teacher would have understood our unconventional method of learning.

My parents structured my schooling to fit my interests and my needs. While I had textbooks for most of my classes and subjects, much of my learning and practice took place outside of our home. Whether on our farm and ranch or in our extensive travels or at the site of one of my parents' associates, we learned history, government, science, the arts, and communication in a hands-on, immersion style. I learned from my dad, veterinarians, college professors, crop consultants, my grandfather who is an amateur historian, overseas missionaries, my pastor, and others who were experts in their fields of profession or interest. I was provided leadership learning experiences. I enjoyed a well-rounded education.

When I turned twelve, my schedule allowed me to work nearly full-time on our farm. I applied the money I earned to getting a pilot's license. My mother incorporated aviation science and history into my schoolwork. By the time I graduated from Thief River Falls Community College (to get my aircraft mechanic certification), I was a commercial airplane pilot and a helicopter student, respected in the world of aviation and well-launched into my career.

Married, with two children, neither my wife nor I have a four year degree. Under North Dakota law we are not considered competent to oversee the education of our children. That's a good reason to stay on the Minnesota side of the border.

Jonathan Leedahl
February 7, 2009
110 South 6th Street
Olivia, MN 56277
701-371-4809

Testimony in Support of HB 1171

Dear Chairman Kelsch and Members of the House Education Committee,

My name is Peter Leedah. I graduated from my homeschool in 2005. Since then, I have been actively farming in Leonard, ND. I would like to speak to the issue of homeschool monitoring.

Home educated from the beginning, my schooling was structured to fit my interests and my needs. But if our homeschool program had been monitored, we would have run into problems. You see, I was not ready to read until I was ten years old. With all the resources that are available on the subject of reading readiness, Mom did not need a teaching degree to recognize that if she pushed me before I was ready, there would be serious consequences. When I turned ten, I suddenly began to leap forward with reading, and within three months was reading above my grade level. My mother's approach proved correct, but unconventional. A typical monitor would not have understood, and there would have been intense conflict. If someone from the outside knew that I could not read above a kindergarten level when I was nine, they would probably have thought I was being neglected. But I wasn't. Even though I could not read much, I was learning mathematics, science, history and the arts. My parents spared me the frustration and discouragement that would have occurred had I been forced through remedial reading programs. Homeschooling gave my parents the freedom to individualize my education.

My later elementary years of schooling were similar to that of my older siblings, but my high school years were somewhat different, with an emphasis on political science, economics and agricultural business.

Homeschooling taught me to be responsible for my education, and that to succeed in life, one has to continue learning. I have chosen to not attend a college, but instead got immediately started on my vocation of choice by getting on the job training as a farmer and businessman. I studied for CLEP tests, attend conferences, take short classes, and listen closely to the experts in my field.

Under the current law, if I were married with a school aged child, I would have to be monitored by a licensed teacher. Why? Because somehow the state does not think I would be able ensure that my children would learn their academic skills. That is ridiculous.

It does not take someone with a teaching degree, nor proof that I can pass a national teacher's exam to ensure that my children get a good education. Homeschooling requires interest and hard work. You can't measure those.

Peter Leedah

February 6, 2009

15470 County Road 2

Leonard, ND 58052

701-238-0710

Testimony in Support of HB 1171

Dear Chairman Kelsch and Members of the House Education Committee,

My name is Melody Overman. I graduated from my homeschool in 1999. In 2003 I graduated from NDSU with a Bachelor of Science in Nursing. I worked in Fargo until a short time ago, when I got married and moved to Florida. I am in support of the effort to remove parental qualifications from the North Dakota homeschool law.

In order to avoid monitoring by the local school district, my mother had to take a national teacher's exam. In spite of that unnecessary requirement, my parents successfully graduated all three children from their homeschool.

Our homeschool education was structured around our interests, our needs, and our lifestyle. To call it unconventional would be an understatement. But I graduated at age 16 prepared for college, with hard-earned money in my bank account, and a well-rounded education under my belt.

My mother signed a statement of intent as the supervisor of my education. She spent a lot of time making lesson plans. But she was not my only teacher. I learned from my father, from veterinarians, equestrians, a speech coach, pastors, biologists, college instructors, computers, my grandparents, and all kinds and types of persons expert in their fields of endeavor. Few of those persons had a North Dakota teaching degree. Yet I scored high on standardized achievement tests and was accepted into college.

My parents ensured that I got a good education, but if they had limited my learning to what came from my mother, or from what happened within the four walls of our home, then a great disservice would have been done. Instead, my life was a rich learning environment. I was taught to never quit learning and to make the most of what was offered to me.

My parents did not learn how to do that from a teaching degree. And the national teacher's exam Mom took did not evaluate her ability to provide such.

Parents and children do not profit from the current requirements in North Dakota's homeschool law. They are unnecessary towards the success of home education.

Melody Overman
February 7, 2007
102 Drew Circle
Pensacola, FL 32503

Testimony by Catherine Dalzell
Regarding: House Bill-1171
In favor

Today I would like to offer three points for thought as you consider loosening regulations on home schooling in North Dakota. I also have a brief statement about amending some language in Section 1.

My three main points are:

- **Workforce attraction and retention**
- **Student Success and Regulation**
- **Parent dedication**

Workforce Attraction and Retention

Due to the high demands in the energy and skilled trade fields, as a state we are encouraging people to get vocational degrees and certificate training, not bachelors degrees. If we do that, then we need to look at how that affects a parent's choice to home school.

- a. According to a recent study done by the North Dakota Department of Commerce, only 16% of the jobs currently open in ND require a BA degree.
- b. The requirements for home schooling really do not match what the legislature supports for workforce in North Dakota. We encourage our young people to go into the oil fields and plumbing, then move to a rural community, but we don't allow that person to teach their own children without taking an exam or having a four year degree.
- c. On the flip side of the equation, anecdotal evidence supports that our students are staying in North Dakota. From an informal survey taken by North Dakota home educator Carla Gellerman, of 123 formerly home schooled students in North Dakota, it was found that 65% stayed in North Dakota. Home schooling is a great investment in our state's future!

Student Success and Regulation

What proof do we have that a national teachers' exam makes parents better teachers? Is there a correlation between higher state regulation and greater student success? I did some digging and found statistical data from low regulation states and it is very encouraging.

Academic Achievement

From a study done by Dr. Brian Ray: "...in the most in-depth nationwide study on home education across the United States, collected data on 5,402 students from 1,657 families. Homeschool students' academic achievement, on average, was significantly above that of public-school students. In addition, the home educated did well even if their parents were not certified teachers and if the state did not highly regulate homeschooling."¹

Flip to the second page to see a supporting chart from this study with data.

Degree of State Regulation and SAT scores

According to research at the online journal, academicleadership.org, "No significant relationships were found between the degree of state regulation of homeschooling and students' SAT scores."

"The home educated in grades K-12 have scored, on average, at the 65th to 80th percentile on standardized academic achievement tests in the United States and Canada, compared to the public school average of the 50th percentile. In order to lend some control to the aspect of students' background demographics, researchers have explored and found that children in homeschool families with low income and in which the parents have little education are also scoring, on average, above state-school averages (Ray, 2000a, 2005; Rudner, 1999). In addition, studies have shown that whether the parents have ever been certified teachers has a weak or no relationship to their children's academic achievement."

ii

Anecdotal evidence in North Dakota

From an informal survey taken by North Dakota home educator Carla Gellerman, of 123 former home schooled students in North Dakota it was found that 85% went on to some form of higher education. iii

Parent Dedication

My final argument is one of first-hand knowledge. It can be difficult to home school a child. The parent who is willing to sit down with their right-brained child and teach them long division is not the one you need to worry about. These are people who are willing to purchase an entire k-12 curriculum. They are ok with using kitchen counters for science experiments. They coach the science Olympiads and lead the basketball team.

My appeal is to make this as easy possible from a state law perspective, because the journey of home schooling has enough tests along the way to weed out the parents who no longer wish to participate.

In regard removing the language that restricts home schooling to "in the child's home":

Traditional school children are regularly taken on field trips, as are home educated children. Both for public school and home schooled children, these are often valuable learning experiences. I support taking out language that restricts "education" taking places ONLY in a child's home.

- i. Ray, Brian D. (1997). Strengths of Their Own—Home Schoolers Across America: Academic Achievement, Family Characteristics, and Longitudinal Traits. Salem, OR: National Home Education Research Institute.

....	Reading	Language	Math
Public Schools	50	50	50
Home Education	65-80	65-80	65-80

Same numbers given to Senate.

· For learning disabled students, there are higher rates of academic engaged time in homeschooling and greater academic gains made by the home educated. "... [P]arents, even without special education training, provided powerful instructional environments at home..." (p. 11).⁴

- ii. Ray, Brian D., Eagleson, Bruce. (2008). State Regulation of Homeschooling and Homeschoolers' SAT Scores.
<http://www.academicleadership.org/cgi-bin/coet/acadorg/artman2/search.cgi?action=search&keyword=homeschoolers&categoryNum>

- iii. Gellerman, Carla. (2008). Where are They Now. Informal Survey of 123 North Dakota Homeschool Graduates.

The Where Are They Now display turned out to be a fascinating survey. I had hoped to garner 50 names or so, but ended up with 123! Very time consuming, but interesting. (As part of my extended informational binder, which was also a part of the display, I noted the degrees being pursued, as well as degrees already attained, along with career information for each student. It was about 25 pgs. long). Especially eye opening to me was that 85% of the surveyed students had gone on to some form of higher education That's amazing. Not only does it demonstrate the importance home schoolers place on education, it clearly shows that the students are being well-educated by their parents, or 1) they wouldn't feel capable of applying for advanced study, 2) they wouldn't be gaining acceptance into these higher institutions, 3) they wouldn't be excelling in or completing their continuing education programs. It was also amazing to see how diverse their interests and pursuits were and how they had branched out all over the map. 4% were abroad, 31% were across the U.S. and 65% remained in ND.

Testimony in Favor of HB1171

I am Barbara Jo Miller of Mandan. I have a BS in Elementary Education and am a licensed teacher in North Dakota. I have served as a standardized test administrator and a monitor for the Mandan Public Schools since 2005, and have monitored 12 children from 10 families.

What do I do as a monitor? I asked the school district the same question and was told what I could *not* do: I was not to tell the parent what curriculum to use or how to teach. My only guidelines were a form on which, twice a year, I list each subject and degree of progress, and summarize with this yes or no statement: "Based on my observations and discussions with the child and parent/s, the child is making reasonable progress considering the child's learning abilities."

Now you know what I do. You have the responsibility of determining whether or not this service benefits the child and the state. Permit me to give you some examples so that you may better evaluate this.

I have heard the justification of monitoring parents without a college degree to be that a high school graduate doesn't have the education or skills to teach a high school student. But parents of lower grade students are quite capable of teaching elementary material, particularly with the wide selection of curricula designed for parent educators. By the time their children reach high school grades, the monitoring requirements are already met, and the parent has developed a wide range of methods and resources for meeting their

children's educational needs, including networking with other experienced home educators. Monitoring at the lower grades because the parent has no college education has little benefit for these families.

A third of my monitored students have entered home schooling as high school students. Except for one family, they have used correspondence courses which guide their curriculum, evaluate their work, and issue credits and diplomas. They are already being monitored. Outside of asking, "How's it going?", there is little left for me to do. Usually I sit there an hour and leave. Some parents try to oblige monitoring requirements by discussing their student's progress—have you ever tried talking about a teen while he or she is present, for an hour at a time, week after week, for two years?

A third of the students I have monitored, and several whom I have tested, have learning disabilities. All of these students have Individualized Education Plans, developed with their school district, and some have additional private remediation tutors or programs. As a monitor, I add nothing to the oversight of these children's education.

Do I feel my time has been wasted? Not completely. Beginning a home education can be intimidating, and I have helped families make the adjustment to an individualized rather than a group-setting education. I answer questions regarding state requirements and let them know about available home educational resources. So I serve as a mentor, whose contribution is very much appreciated—initially. Usually, within a couple of months, the family has their curriculum and routine established, knows what their challenges are, and has

begun to address them. Mentors are a valuable aid. But the best mentor is someone experienced in the field—another home educator, not a teacher whose experiences are in a public setting (did I mention that I have home educated for 13 years?)

From my perspective, monitoring a family for two years has little benefit to the state or to the student. Attitude, not the parent's education level, is the significant factor. If the parents weren't already committed to effectual education, they wouldn't bother to home school—it's too great a sacrifice of time, energy and finances. They look for the materials that best suit their child—and the variety and quality are outstanding—and expect the highest effort. Every student I know must correct each mistake and master every lesson before moving on, something difficult to achieve in a larger classroom setting. The parents' concern for their children is naturally greater than the state's. They understand the consequences of an inadequate education and have no desire to handicap their children. I have known families who struggled with home schooling for various reasons; they subsequently re-enrolled their children in public or private schools. Monitoring does not make parents more conscientious or committed.

Nor does monitoring equip the parent without a higher education to be a better teacher. A college degree may or may not provide the specialized knowledge needed for some advanced high school subjects. But an adult is capable of accessing and using a variety of resources, and of training their students to do the same. Persistence, in education as in any other endeavor, achieves results.

One final example: a family I monitor would seem to fit the category you might

be most concerned about. The eighth-grader was diagnosed learning disabled, the junior was a C student when I first met them last year. The single parent worked three jobs, all of them unskilled labor. Her primary teaching method was to have her "learning disabled" student read the text aloud or listen to her read it at least twice before attempting the exercises or tests, not a method I would use for a learning disabled student. The results? The older student graduated in December and started taking classes from Bismarck State College this January. The "learning disabled" student is getting B's and C's using standard high school materials. The mom has dropped one of her three jobs so that she can build on her two associate degrees by taking on-line classes from a state college. Do they need a monitor to make sure they attain an education? I don't think so.

Thank you for your attention. I would be happy to answer any questions.

5

HB 1171
yes

Madam Chairman, Members of the Education Committee,

My name is Theresa Deckert and I am from Devils Lake, North Dakota. I have been homeschooling for 22 years. I am one of the original group of home educators who took a national teacher's exam in 1989 when the homeschool law for North Dakota was written. I chose to take that test rather than being monitored, as I did not want to be the "guinea pig" in our school district at a time when schools were trying to figure out what a monitor was or what they were to do. We were the only homeschoolers in our county so were already highly scrutinized.

The monitoring issue has been one that continues to cause misunderstanding by both home educators and school districts. Because I am a long time home educator, many people are referred to me yearly with questions regarding our N.D. law. I have received calls from teachers, monitors, parents and occasionally a school administrator.

Our state is the only state with a monitoring option for a parent without a B.A. I decided to research exactly how other states handle parental qualifications and found that 37 states have no parental requirements to home school, 7 require that a parent possess a high school diploma or equivalent, 3 states allow parents to homeschool who are deemed competent or qualified, 1 state allows parents to home educate under the umbrella of a satellite school, 1 state allows for quarterly reporting and then there is North Dakota. The yellow page illustrates the results of my research.

I find it highly prejudicial to think that parents without a B.A. or N.D. state certification some how need to "prove" themselves through a test or by being monitored. Every study that has been done shows there is no relationship between a parent's educational level and how well the child does on a standardized achievement test.

When I took the National Teachers' Exam, I wondered what was the point. I did not see how it truly reflected what I knew or helped me in any way in my endeavor. I remember reading the back of an educational psychology textbook I borrowed from a friend to prepare for the professional knowledge section of the test. I did not understand how knowing the theories of B.F. Skinner or Benjamin Bloom were applicable to homeschooling.

I felt the cost of that test was money very poorly spent. Most homeschool families are one-income families. That money could have bought several textbooks.

I also do not know how having a B.A. would have better prepared me for educating my own children. When I began to homeschool, who really knew what to do? I just knew that first of all I wanted to teach my children to read and secondly to give them a love for learning. Most of their education has centered around me being a guide and they learning on their own.

I want to tell you a bit about the two graduates of this homeschool taught by a Mom without a B.A. or teacher's license who thought she did not know what she was doing.

My oldest child is almost 27 years old. He is married with two children. He is currently a foreman for Gleason Construction in Devils Lake and worship leader in our church of about 300. He is a responsible citizen, hard worker and definitely a leader. In his high school years he earned many honors in the area of music. His homeschooling allowed him time to develop his talents and gave him the work ethic to persevere and be willing to learn new things on his own. This young man has a huge thirst for knowledge and is still constantly learning and growing.

My 2nd child chose to go to college, as she would like to teach at a college level some day. She earned a B.A. in 3 ½ years with a double major in theatre and Bible and music minor. Upon graduating she became an adjunct professor at her college for one semester, directing the speech team. She was married this fall and is working as an assistant speech coach at Bethel University and Moundsview High School, both in the Minneapolis area. She also loves to learn and is a very productive citizen. She received many honors in high school in the areas of speech, music, writing and drama.

I am still involved with homeschooling a senior and a 2nd grader.

I would urge you to support HB 1171. I believe I am proof that children can excel and become productive and responsible citizens when taught by a parent without a B.A. Easing our law would also give me personally more time for home educating my own children. I would not have to spend so much time on the phone answering questions about our confusing law.

Comparison of 50 state laws: parental qualification section

Information taken from the Home School Legal Defense Association Website

www.hslda.org/laws

This is a summary and is not intended to be legal opinion

*Same
handout given
to Senate.*

1. Alabama – none
2. Alaska – none
3. Arizona – none
4. Arkansas – none
5. California – none
6. Colorado – none
7. Connecticut – none
8. Delaware – none
9. Florida – none
10. Georgia – parent must have a high school diploma or GED or hire a tutor and they must have high school diploma or GED
11. Hawaii – none
12. Idaho – none
13. Illinois – none
14. Indiana – none
15. Iowa – none
16. Kansas – parent deemed competent, but the school board does not have the authority to evaluate parent for competency
17. Kentucky – none
18. Louisiana – none
19. Maine – none
20. Maryland – none
21. Massachusetts – none
22. Michigan – none
23. Minnesota – certified or supervised by a certified teacher or pass teacher's exam or provide instruction in a school that is recognized or accredited or have a BA or submit a quarterly report card in required areas
24. Mississippi – none
25. Missouri – none
26. Montana – none
27. North Carolina – high school diploma or GED
28. North Dakota – be certified in ND or BA or high school diploma or GED and be monitored by a certified teacher for 2 years or pass a national teacher's exam
29. Nebraska – none
30. Nevada – none
31. New Hampshire – none
32. New Jersey – none
33. New Mexico – high school diploma or equivalent
34. New York – be competent, a parent is deemed competent if they are following the law
35. Ohio – High school diploma or GED or be under the direction of a person with a BA until a child's test results shows reasonable proficiency
36. Oklahoma – none
37. Oregon – none
38. Pennsylvania – high school diploma or equivalent if children are not enrolled in a day school (satellite school)
39. Rhode Island – none
40. South Carolina – high school diploma or GED
41. South Dakota – none
42. Tennessee – high school diploma or GED to teach grades K – 8, BA to teach grades 9 – 12 or if associated with a church school, K-8 none, 9-12 high school diploma or GED
43. Texas – none
44. Utah – none
45. Vermont – none
46. Virginia – none
47. Washington – supervised by a certified person or have 30 semester hours of college or take a post secondary course on home education or deemed qualified by the superintendent
48. West Virginia – High school diploma or equivalent
49. Wisconsin – none
50. Wyoming – none

State percentage breakdown

No regulation – 74%

High School diploma or GED – 14%

Competent – 6%

No requirement/H.S. diploma if a satellite school umbrella – 2%

No requirement if quarterly report card submitted – 2%

Monitoring by a certified teacher for 2 years if parent only has a high school diploma or GED - 2%

These qualifications are only for a parent educator. Some states have other requirements if you are hiring a tutor to do the educating.

Madam Chairman, Members of the Education Committee,

My name is Jonathan Deckert, eldest son of Jeff and Theresa Deckert. I am 26 years old and have been married for 7 years. I have 2 children, one of whom attends public school. I am a jobsite superintendent for Gleason Construction, where I often must supervise and solve problems for people who are much older than I am.

I attribute my success in my job mostly to being educated at home. Home education allows students to be taught in a one-on-one environment by a teacher who sincerely cares about the well being of the student. Not to say a public school teacher doesn't care, but who cares more for what a child learns than their very own parent?

My mother, who incidentally does not have a B.A., taught me the value of hard work, the importance of honesty and integrity, and how to solve problems in daily life. My wife and I would greatly appreciate the privilege to have that same opportunity with our own children without being "over regulated".

I believe home education was instrumental in making me the person I am today, a hard working, honest, productive member of society. I appreciate your consideration of HB1171 and strongly encourage you to support it.

Respectfully,
Jonathan Deckert
Devils Lake, ND

*Same
given to
Senate*

My name is Larisa (Deckert) Netterlund, daughter of Jeff and Theresa Deckert. I graduated magna cum laude from Northwestern College on December 21, 2007 with a BA in Theatre and a Music minor. During my time at college, I was well respected by my professors, and was sought out as a Teacher's Assistant by two professors as well as the entire broadcasting department. Since graduating I have worked as an adjunct professor of forensics at my alma mater as well as at Bethel University, and have decided to pursue a Master's degree to further my career in postsecondary education.

I was also homeschooled.

I believe the best thing that homeschooling did for me was give me the desire to learn and the tools to do it. My mother did not have a bachelor's degree in education - or anything, for that matter- but she taught us to read and how to search for knowledge. My mother didn't teach us that she had all the answers, she taught us how to find the answers.

I have profited greatly from this independent way of learning. In my time as a Teacher's Assistant at college, I was greatly saddened by the number of students who would blame a professor for their lack of knowledge. This blame throwing was baffling to me; I was raised to believe that *I* was responsible for what I learned. Many of the students at my well-respected private institution expected their education to be served to them on a silver platter -- pre-digested -- and fed to them. I am so thankful for my educational foundation that taught me that the answers are just waiting to be found; I don't have to wait for them to be given to me.

same
given to
senat

Madame Chairman and Representatives of the Committee,

I am an eighteen-year-old homeschool student from Devils Lake. I urge you to support HB 1171. I am supportive of the removal of the wording, "in the home" because schooling in our home has happened in a variety of places. We consider field trips, library visits, and music lessons all as a part of school.

This language has been misunderstood by some to mean that home education must take place within the four walls of a house. Just as public school students have the privilege of counting field trips as a day of school, it should be made clear that homeschoolers also have this right.

Sincerely,

Jared Deckert

Devils Lake

6

Dear Madam Chairwoman and Members of the Committee,

My name is Amy Anderson. I have been home schooled from kindergarten to 12th grade. I will be graduating from our home school program this spring.

Neither of my parents have a baccalaureate degree. My mother took and passed a national teachers' exam but she did not feel that she learned any particular skills that improved her ability to teach us by doing so.

I have enjoyed a well-rounded education including learning experiences inside and outside our home. I have participated in music lessons, gone on educational visits to historical sites such as the Gettysburg Battlefield, and the homes of Thomas Jefferson and George Washington among many others. I was also able to participate in many activities provided by our local home school group such as a short speech class, science workshops, spelling bees, roller skating, ice skating, and skiing. I was also involved in a home-economics group including 5 girls from three other families. The mother's helped us learn a variety of skills from cooking to sewing. We also included a time to explore drama and acted out several plays for our families. Eventually, our mother's encouraged us to each write a play. We did that and then performed those too. For our Biology and Chemistry classes we joined with other families and did our lab experiments together.

My dad was involved with refurbishing several houses and included my brother and me in his projects teaching us about finances, painting and staining, shingling, hanging cupboards, carpeting, as well as relating to people of all ages.

The main portion of my physical education has been overseen by my parents during the summers through the sport of golf. I have had the privilege to compete in several local, state, and national tournaments with much success.

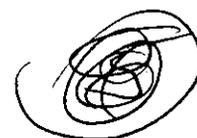
With the freedom allowed by home schooling, I was able to spend time developing my golf skills. I have been awarded a full golf scholarship to NDSU this coming fall.

Academically, I have felt prepared to take the achievement tests, the ACT, along with doing well in college level classes my final year of high school. As a result of my ACT score, I was awarded an academic scholarship to NDSU along with my golf scholarship.

I will have completed 15 credits in college level courses by the time I finish high school which will fulfill necessary general education credits. I will be graduating just before I turn 17 years old in July, which is a year ahead of my peers. My home school education has provided me all I have needed to succeed in anything I have attempted. I have had a rich and memorable learning experience that I believe has prepared me well for life.

(No name)

7



Madam Chairwoman and education committee:

Thank you for this opportunity to share my experiences with you about my family's homeschooling journey. I am a new resident to the state of North Dakota and I hope to bring a different point of view to the issue before you today.

What is the main difference in the homeschooling laws in North Dakota, a red state, and in our previous state of Indiana, a green state? The current law and proposed changes of North Dakota are already before you. The Indiana state laws state, "Home schools are nonpublic, nonaccredited schools. As such, the parent, not the state, legally establishes the school. No state or public 'permission' is required," and "There is no statutory definition of equivalency of instruction, nor is there any legal authority for public schools to monitor, or impose curricular requirements upon, nonpublic schools" (<http://www.doe.in.gov/sservices/hsefaq.htm>).

How does the general public perceive homeschoolers in North Dakota? What is it like for me taking my children out in public in the middle of the traditional school day? My experience in North Dakota has been very different than in other states. Usually I notice people staring, pointing and looking at my children. Someone always asks, "Why are your children NOT in school?" "Did you have a Dr's appointment?" "Are you too sick to be in school today?" When I say that we homeschool, the usual response is, "But we have good schools here in North Dakota" or "Well, I guess that's OK, since you're a military family and you won't be here long." Those comments do not encourage any family to remain in North Dakota beyond a military assignment.

Outings with my children in Indiana were more positive and the general public was more receptive. The most common questions were: What kinds of curriculum do you use? What groups or clubs do you attend? My most treasured comment was given by an older woman while standing in line behind us at a local grocery store. She leaned down to my children and said, "Your parents must really love you to spend so much time dedicated to ensure you a quality of education. I can tell you are homeschooled by how well behaved and polite you are while standing in this line." That was such an encouragement for me that day.

I can remember a few years ago, Dr. Suellen Reed, Indiana Superintendent of Public Instruction, standing on the podium at the Indiana State Homeschool Conference thanking us for doing an invaluable service to the state and for our dedication to our children in their pursuits of excellence in education.

We can see a common thread of dedication and pursuit of excellence in our children's education, whether here in North Dakota or Indiana. North Dakota Homeschool Day at the Capitol is a great way for our public officials to interact with their homeschool constituents. Also, having our local legislators at our local meetings is another way to get a clearer understanding in a more relaxed atmosphere.

Although, I may hold the college degrees in our family, my husband's ability to teach our children has just as great of an impact on our children. My husband may not have that college degree, but he has far superior ability to teach certain subject areas, that I had little training in for my area of studies in college. As one example, my husband's

math skills are far superior to my own. He is able to do advanced algebra in his head. His military training and my college experience compliment one another and provide additional depth to our home school instruction. His "real world" experience has brought an extra enrichment to our children's education. This CANNOT be measured by a piece of paper with a college stamp or a teacher's certificate.

We are a military family, and North Dakota is our last duty station before retirement in 4 years. The current N.D. home school regulations are impacting our decision to MOVE OUT of this state to another less regulated state upon retirement. We also want our children to have the best opportunities for education, and those opportunities are currently NOT available to my children in North Dakota.

9

February 9, 2009

During my senior year in high school, I spent many winter evenings at the kitchen table with my parents discussing my future and making college plans. In the end, the decision was made that I would go to a one-year technical college instead of pursuing my dream of getting a four-year degree. How was I to know that decision would come back to haunt me nearly thirty years later when I moved to North Dakota?

My husband and I spent most of our married life raising our family in Washington State, where homeschooling is a household word and families, of every size, shape and color homeschool. Laws are less restrictive and allow for creative educational approaches. In this homeschool-friendly environment our children thrived.

After homeschooling for thirteen years, we sent our first son, Stephen, off to the University of Dallas, where he graduated magna cum laude with a Bachelors Degree in English and concentrations in both Ancient Greek and Computer Science. A few years later, our second son, Philip, headed off to the University of Portland. After being inducted into Tau Beta Pi, as a junior, he also graduated magna cum laude in Computer Science. Both of the boys went on to receive their Masters and are now pursuing Ph.D.'s at Notre Dame.

When our family considered moving to North Dakota, to pursue a simpler and more wholesome lifestyle, we immediately checked out the homeschool laws, which were not very inviting. After much consideration, we decided to transfer anyway. After successfully homeschooling for eighteen years and having two children prospering in college, the state of North Dakota deemed that, because I did not have a college degree, I was not qualified to teach my children unsupervised. I was required to have a schoolteacher oversee my homeschooling.

My monitor was a nice enough lady, and I was happy to get to know her, but could she really offer me any guidance on how to educate my children better than I was already doing? Just because she had managed a classroom of kids, could she really offer me any practical advice on how to help my kids learn at home, (where the child's interests might take the lead? Where making a ziggurat cake might teach not only Mesopotamian history but also math skills for the day. And perhaps, percentages might best be taught in the clothing section of the nearest Herberger's store during their "yellow dot" sale rather than out of a math book. Or where a charitable work might take precedence over books altogether for a day knowing that there are some things that are more important in life than good grades: things like serving and loving others or growing up to be responsible citizens.)

Instead of spending time pursuing lofty ideas and intellectual conversation with my children, our homeschool was relegated to textbooks to prove to my monitor that I was covering what was necessary to "help my children succeed academically". Instead of spending quality time with my kids, I was preparing paperwork for my monitor and spending time with HER. After six months of this, I decided that it was more important to have time with my kids so I took and passed the Praxis exam thus removing the legal requirement of being monitored.

I don't have a college degree. My husband doesn't have a college degree. By North Dakota's legal standards we are not qualified to teach our children. We aren't geniuses, but we love our kids. We play with our kids. We nurture their love of learning. We let them pursue that which is most interesting to them. This approach can't be used in a classroom. I understand that. We can't allow each child in a classroom to pursue his or her interests or total chaos will ensue. But let us not put the shackles of classroom education on the homeschool experience. Educated parents don't make better homeschooling parents. Loving parents do. Our two eldest sons will each receive their Ph.D.'s within the next two years, one this year and one the next. I ask you: Could they have done any better if I had a college degree?

Respectfully submitted,
Barbara Little
Dickinson, ND



Dear friends,

If you visit me at the University of Notre Dame today, you will not be able to find my office. If you ask for my work telephone number, you will discover that my office does not have a telephone. A graduate student teaching composition to freshmen is about as low in the academic ranks as possible-not yet attaining the status and benefits of a professor, no longer receiving the social and academic support of a student. And that is as it should be-I am no one important. I am just a father and husband, trying to support a family while finishing my doctorate, looking forward to the lowly life goal of teaching the humanities to young men and women in a small college.

This is my modest dream. Yet such as it is, I owe it to the vision of others who dreamt small, perhaps, in the eyes of the world-but who in my eyes perceived a great hope, the hope that their children could be better educated than themselves, and who saw that hope through to completion. For my parents were not well educated, in the usual sense of the term: my father had two years of college, my mother only one. He is a postman, she a full-time homemaker-but it is to them, and only to them, that I owe the fact that, on this chilly January morning in South Bend, IN, I am a Notre Dame ABD doctoral student.

From my perspective as a former homeschool student, the strength of homeschooling resides in this paradox: that it is not primarily education that makes one educated. In W.B. Yeats' famous metaphor, education is not the filling of a pail, but the lighting of a fire-an interior fire, a love for learning that burns from within and powers the dynamo of mind and heart. So without much education herself, Mother taught us to love to learn. With minimal guidance from her, but with much encouragement and inspiration, I taught myself through reading and personal exploration: math, the sciences, poetry and writing-all the skills proper to a pre-college education. Once on my own, in the world of higher education, I did not depart from the ideal she bestowed: I continued to love my work and my world, a gift not shared, unfortunately, by some of my non-homeschooled peers.



She educated me, moreover, without any state certification or formal education. To require special state recognition before a woman is allowed to educate her own children does not, I think, recognize the most important part of education-inspiring the desire to learn, and teaching the habits of moral self-formation. Anyone can teach the mind; not everyone can teach the heart. Without the education of the heart, schools create "men without chests," in C.S. Lewis' words-individuals who know everything except what matters, namely, the skill of self-guided formation. If the heart is educated, in my experience, then the head will follow.

In my experience, again, this more than a nice thought-it is concrete reality. My mother, with less education than most teachers, educated me through more grades than most teachers will ever teach. A woman without her Associates degree sent her son on to get his Ph.D.-and she did so alone, without state assistance or certification. This is less mysterious than it sounds: a mother loves her children more than anyone else; she knows them better than they know themselves. She is best equipped to teach her children to equip themselves, and for this she should be given an unfettered hand. Thank you, Mom.

All the best,
Stephen Little, ABD
Ph.D. in Literature Program
University of Notre Dame



Philip D. Little

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Education

M.S. Computer Science and Engineering

University of Notre Dame, South Bend, IN, May 2008, *GPA: 4.0*
Thesis: *Online Algorithms for Dynamic Data and Query Shipping in Object Caching*
Thesis Advisor: Amitabh Chaudhary

B.S. Computer Science (ABET accredited), Magna Cum Laude
University of Portland, Portland, OR, May 2005, *GPA: 3.87*

Research Interests

- Online and Randomized Algorithms
- Natural Language Processing and Artificial Intelligence
- Data Mining and Machine Learning
- Graph Theory and Approximation Algorithms

Professional Experience

Oregon Graduate Institute Beaverton, OR 2004
Research Assistant

Assisted the Database and Object Technology group with data analysis for the Coastal Research Institute. Created Perl and C++ tools for data flow automation and workflow management. Developed Java tools to interface with and monitor SQL databases.

Hartland Financial Solutions Portland, OR 2003
Development Intern

Automated and debugged product build processes. Implemented automated regression test frameworks for pre-release products.

University of Portland Portland, OR 2001 - 2004
Assistant Manager in Computer Services

Directed technical support personnel and provided call center and on-site support for a wide range of systems. Directed web development projects.

Publications

Little, P. and Chaudhary, A. 2008. Object Caching for Queries and Updates. To appear in *Proceedings of the 3rd annual Workshop on Algorithms and Computation (WALCOM 2009)*.

Little, P. and Rylander, B. 2006. Problem partitioning in hybrid genetic algorithms. In *Proceedings of the 5th WSEAS international Conference on Circuits, Systems, Electronics, Control & Signal Processing* (Dallas, Texas, November 01 - 03, 2006). G. R. Dattatreya, Ed. World Scientific and Engineering Academy and Society (WSEAS), Stevens Point, Wisconsin, 258-262.

Morcos, F., Chantem, T., Little, P., Gasiba, T., and Thain, D. 2006. iDIBS: An Improved Distributed Backup System. In *Proceedings of the 12th international Conference on Parallel and Distributed Systems - Volume 1* (July 12 - 15, 2006). ICPADS. IEEE Computer Society, Washington, DC, 58-67.

Academic Experience

CSE 20110 - Discrete Mathematics

University of Notre Dame 2007

Teaching Assistant

Course introducing mathematical techniques foundational to computer science and engineering. Taught a weekly tutorial and provided individual tutoring assistance to students. Graded homework assignments and exams.

CSE 40113 - Design and Analysis of Algorithms

University of Notre Dame 2005

Teaching Assistant

Course introducing techniques for designing and analyzing computational algorithms. Provided individual tutoring assistance to students. Graded homework assignments and exams.

Various

University of Portland 2003-2005

Teaching Assistant

Five courses introducing programming in Java and C++, data structures, and the theory of computation. Assisted with weekly laboratory exercises. Provided individual tutoring assistance to students. Graded homework assignments and exams.

Honors and Awards

- Arthur J. Schmitt Foundation Fellowship, University of Notre Dame
- Tau Beta Pi Engineering Honor Society, Oregon Gamma and Indiana Gamma chapters
- Senior Award in Computer Science, University of Portland
- Presidential Scholarship, University of Portland
- Dean's List, University of Portland (all semesters)
- Louis T. Moore Scholarship in Computer Science, University of Portland
- Bridget M. Connel Scholarship

Leadership and Service

Schmitt Fellows Strategic Planning Committee

University of Notre Dame 2007-2008

Piloted a project with three other fellows to organize fellowship recipients into a service organization. Worked directly with the fellowship board of directors, university administration, and fellows. Service projects included green initiatives, community gardens, and public education on technology and the environment.

Building Tomorrow Project

University of Notre Dame 2007

Organized fundraising efforts within the graduate student community for a university-wide project that raised \$35,000 to establish a school in Kampala, Uganda.

Tau Beta Pi

University of Notre Dame 2006-2007

Served as an officer (Cataloguer) for the Indiana Gamma chapter of Tau Beta Pi. Handled membership records and communication with the national office.

Tau Beta Pi

University of Portland

2004-2005

Served as the director of the tutoring program for the Oregon Gamma chapter of Tau Beta Pi. Organized 35 tutors to provide ten hours of tutoring a week on seven subjects.

Webmaster

(Various)

2001-Present

Developed and maintained websites for more than ten campus, non-profit, and small business organizations.

**TESTIMONY ON (HB # 1171)
EDUCATION COMMITTEE**

February 9, 2009

by Linda M. Paluck, Director of School Approval & Accreditation

701-328-1718

Department of Public Instruction

Madam Chairman and members of the committee:

My name is Linda Paluck and I am the Director of School Approval and Accreditation for the Department of Public Instruction. I am here to speak in opposition to HB 1171 relating to supervision of home education and regarding the qualifications and monitoring of parents supervising home education.

Our unit has dealt with several home education questions within the past three months. The following testimony deals with three of those issues:

1. A school board questioned what documentation they should have on file regarding parents who were home educating their children. The district had sent out a "statement of intent" for the parents to complete and return to the school. The document was not returned and when questioned by the district they were told by the parent that they were being monitored by someone in vicinity. In the follow-up it was discovered that the monitor had not provided services to the family since 2003-2004. The school district was unsure if this parent met the two-year regulation or not and is currently providing follow-up. (If a parent who provides home education meets the parental requirements of a high school diploma or GED the monitoring is only required for the first two years.)
2. A social worker contacted us indicating that a parent providing home education was not following through with the child's education and in addition had not submitted the "statement of intent". We reiterated that it is the district's responsibility to ensure that the home education law is followed in North Dakota. In addition the district should receive assessment results for the child in grades 4, 6, 8, and 10. If the "statement of intent" and/or the assessments are not on file this could be a case of educational neglect, in which case social services would be required to follow up upon the decision of the local school board.

3. In a letter addressed to the Department of Public Instruction last fall a couple expressed their concern with efforts being made to reduce or eliminate the oversight as named in statute. They realize that many children benefit from home school environment, however their concern was for those who abuse the home education regulations. They admitted that members of their own family had not received the education they deserved. These individuals now suffer due to poor choices. The question before us was, "What happens to these children who are left behind?"

Some concerns that the Department faces may also have a common link with parents who have children who are home educated, public or private schooled.

- Do we know what children receive a public education ages 7-16?
Yes!
- Do we know what children receive a private education ages 7-16?
Yes!
- Do we know what children receive a home education from ages 7-16? NO! Our 2007-2008 data reports that 1,366 students were reported to be receiving home education. In addition 202 districts reported that they provide monitoring. We can only estimate the numbers of children we may have missed as it is not required that this data be provided to the Department.
- As you can tell many home education parents comply with the statute with the understanding that we are all responsible for protecting our children.
- We fear however, for even ONE CHILD who may not be counted, and be placed at risk. For this purpose the school districts have accepted this responsibility to provide monitoring for home education.
- A sample of the one-page "statement of intent" is attached to this testimony. This statute was set in place NOT to be punitive but to ensure that our ALL of our North Dakota students are safe, accounted for and instructed by qualified individuals.

Madam Chairman, this concludes my testimony. I stand for any questions you may have.



**STATEMENT OF INTENT
HOME EDUCATION – STATUTORY REQUIREMENTS**
DEPARTMENT OF PUBLIC INSTRUCTION
SFN 16909 (rev. 9/04)

North Dakota Century Code (NDCC) 15.1-23-02 - "At least fourteen days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter, a parent intending to supervise or supervising home education shall file a statement, reflecting that intent or fact, with the superintendent of the child's school district of residence or if no superintendent is employed, with the county superintendent of schools for the child's county of residence."

Name of parent supervising home education		Address	
City	State	Zip Code	Telephone (optional)
Name of child receiving home education		Birth date of child	Grade level of child

Proof of identity as it relates to NDCC section 54-23.2-04.2 has been provided

Proof of immunization as it relates to NDCC section 23-07-17.1 has been provided

Public School at which child may enroll in academic courses:

Academic Course	Academic Course
Academic Course	Academic Course

My child will participate in extra-curricular activities at the following school:

Extra-curricular activity	Extra-curricular activity
Extra-curricular activity	Extra-curricular activity

Qualifications of Parent (NDCC 15.1-23-03): Check the appropriate category and attach supporting documentation.

<input type="checkbox"/> North Dakota Educator's Professional License	ND License Number	Expiration date
<input type="checkbox"/> Met or exceeded the cut-off score of a national teacher exam (NTE or Praxis II) in North Dakota or in any other state if North Dakota does not offer such a test Year _____ Attach a copy of the NTE or Praxis II report		
<input type="checkbox"/> Bachelors Degree	Year Graduated	College or University
<input type="checkbox"/> High School graduation or General Equivalency Diploma (GED)		
High School	State	Year Graduated
GED Year (Attach copy of General Equivalency Diploma.)		

Monitoring Information

If the monitoring requirements of NDCC section 15.1-23-06 have been fulfilled, please check the appropriate choice:

- monitoring has been completed for the first two years, OR
- completion of monitoring requirements on first child home educated.

If the monitoring requirements of NDCC section 15.1-23-06 have not been fulfilled, please complete the following:

Name of Monitoring Teacher	ND License Number	Expiration Date
----------------------------	-------------------	-----------------

I am the parent of the above identified child and intend to supervise that child in home education.

Parent's signature	Date
School District	Date filed with school district
Superintendent or County Superintendent signature	Date

A separate Statement of Intent must be completed annually for each child in home education.

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Testimony on HB 1171

By

Dr. M. Douglas Johnson, Executive Director—NDCEL

Madame Chair Kelsch and members of the Committee, my name is Doug Johnson and I am the executive director of the ND Council of Educational Leaders which represents North Dakota's school leaders. I am here to testify in opposition to HB1171.

There are several reasons why the NDCEL opposes this bill. First, we believe that the proposed changes to ND Century Code relating to the qualifications and monitoring of parents supervising home education to be a paradox to the Commission on Education Improvement recommendations for providing adequacy in the educating of North Dakota students as put forward to the 61st legislative assembly in HB1400.

Late last week your committee gave HB1400 a Do Pass recommendation. By doing this your committee sent a message that you expect educational rigor, quality, and accountability for our public schools as well as improved academic performance from the students educated in our state's public schools. HB1400 provides for academic rigor by increasing graduation requirements in math and science, sets recommendations for increased teacher training through expanded professional development opportunities, and increases accountability by requiring schools to provide more interim (NWEA MAP Assessments) and summative assessments (ACT or WorkKeys) for their students.

While HB1171 would not change the expectancy that home schooled students are expected to meet North Dakota requirements for graduation, the bill lowers the state's standard for assuring accountability for our home schooled students to a less rigorous level. Currently, home school students are only required to take standardized tests in grades 4-6-8-10 and only need to report the

test scores to the ND Department of Instruction which would not be changed with the approval of HB1171.

However, with the approval of HB1400 public school students will be required to take state assessments in grades 3-4-5-6-7-8-11 in addition to the ACT or WorkKeys during their junior year. Further, these public student test scores are reported to not only the public but are also used to determine whether or not each school and school district has made the federally mandated Adequate Yearly Progress (AYP) requirements. The state assessments taken by home school students are merely reported to the NDDPI as required by current law and are not held up to any standard of accountability other than the monitoring of a parent whose home schooled child scores below the 50th percentile on a standardized assessment. In addition, HB1400 requires all public schools to at least once annually administer the Measures of Academic Progress (MAP) assessment or any other interim assessments approved by the NDDPI in grades two through ten. Interim assessments are not required for home schooled students in HB1171 and the bill actually reduces home school accountability by eliminating the requirement for monitoring of test administration by a public school employee.

A second reason the NDCEL opposes HB 1171 is that it would mean that the state of North Dakota, which expects all of its teachers in the public schools to be highly qualified to teach in specific content areas for our children, would allow a much lower standard of teacher qualification for students who are home schooled. HB1171, through the repeal of Section 15.1-23-03 and Section 15.1-23-06, removes all qualification requirements for those who teach home schooled students. This means that parents whom home school their children could do meeting a minimum education requirement of having high school diploma or GED and have no required monitoring of the progress of their home schooled child. It is our belief that if this standard has value for our

State's public schools it should have value for our State's home schooled students. Further, by the elimination of the phrase "in the child's home" for the definition of home education in NDCC 15.1-23-01, it is conceivable that this new definition of "home education" programs could raise home schooling to a level that could almost be considered private school status. HB1171 would change North Dakota law so that it would no longer require the parent to supervise their own child "in the child's home" but could ~~apparently~~ ^{possibly} have someone else be their child's supervising teacher. Our state, through the NCLB Act, requires teachers to prove through state licensure that they have knowledge of the content area in which they teach. Current law provides, at least at a minimum, the needed safe guards which ensure parents who home school their child have the needed knowledge to do so.

Finally, in their October 27th, 2008 testimony to the North Dakota Education Interim Committee, the North Dakota Home School Association stated:

"The changes in home education law desired for 2009 will take the first of three steps toward improving the North Dakota home school law to the equivalent of states like Alaska, Idaho, Texas, and others. The first step (2009 legislation) is to move North Dakota from a high regulation state (red), to a moderate regulation (orange) state as color coded by the Home School Legal Defense Association at <http://HSLDA.org/laws>. The NDHSA is planning two additional steps for future legislative sessions with the goals of moving North Dakota to a low regulation (gold) state in 2011, and to a no regulation (green) state in 2013. "

Madame Chair Kelsch and members of the House Education Committee it is the belief of the NDCEL that the North Dakota Home School Association will not relent with proposed changes to ND Century Code until they make North Dakota a "green" state with "no regulation." Here are the regulations for Alaska which is cited as a "green" state by the HSLDA:

ALASKA

Compulsory Attendance Ages: “between 7 and 16.” A child who is six years old and enrolled in the first grade in public school is subject to the compulsory attendance law. A parent may withdraw such a child from public school within 60 days of enrollment, and the child will not be subject to the compulsory attendance law until age seven. Alaska Statutes § 14.30.010.

Required Days of Instruction: None.

Required Subjects: None. *Home schools have five options, four of which are under alternative statutes*

Home School Statute:

Option 1. Alaska Stat. § 14.30.010(b)(12). If “the child is being educated in the child’s home by a parent or legal guardian,” the child is exempt from compulsory attendance. Under this option, there are no requirements to notify, seek approval, test, file forms, or have any teacher qualifications. The burden is on the state to prove that parents are not teaching their children.

Alternative Statutes:

Option 2. Alaska Stat. § 14.30.010(b)(1)(B). Tutoring by a certified teacher.

Option 3. Alaska Stat. § 14.30.010(b)(10). Enrollment in “a full-time program of correspondence study approved by the department.”

Option 4. Alaska Stat. § 14.30.010(b)(11). The child “is equally well-served by an educational experience approved by the school board,” after a written request for excuse from school attendance.

Option 5. A home school may qualify as a “religious or other private school” as long as it meets the following requirements:

- a. the child’s parent must file an annual notice of enrollment (Private School Enrollment Reporting Form) with the local superintendent by the first day of public school. Alaska Stat. § 14.45.110(a);
- b. before October 15 each year, file the “Private and Denominational Schools Enrollment Report” and “School Calendar” forms with the Department of Education;
- c. the school must maintain monthly attendance records showing 180 days of school attendance each year. Alaska Stat. § 14.45.110(b);
- d. the definition of a private school is a school “that does not receive direct state or federal funding.” Alaska Stat. § 14.45.200(1);
- e. the definition of a religious school is a “private school operated by a church or other religious organization that does not receive direct state or federal funding.” Alaska Stat. § 14.45.200(2);
- f. maintain and certify to department of education that records on immunization, courses, standardized testing, academic achievement, and physical exams are kept. Alaska Stat. § 14.45.130;
- g. according to the Alaska Department of Education’s *Guide for Establishing a Private or Religious School*, home schools are exempt from fire, safety, and asbestos regulations and developing a corporal punishment policy.
- h. if a school is not operated in compliance with this section, it is *not* exempt from other requirements and must make monthly attendance reports and annual reports to the Commissioner of Education. Alaska Stat. § 14.45.030

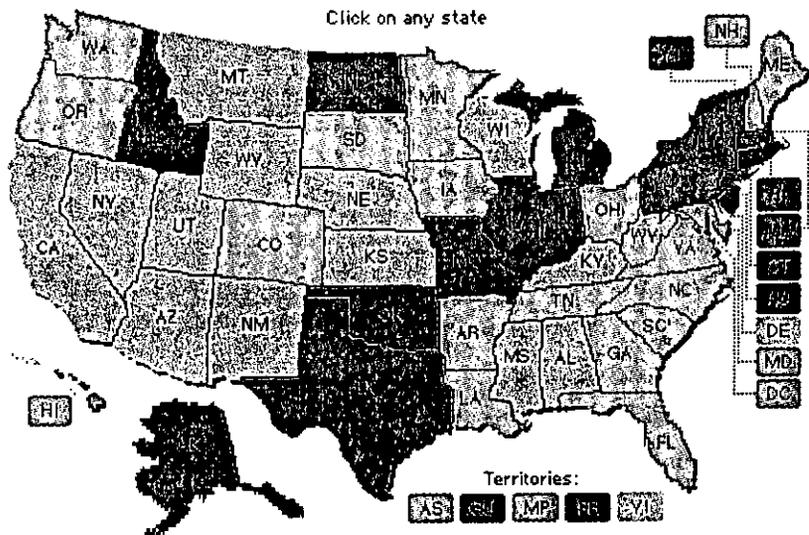
Teacher Qualifications: None.

Certification is required only if parents use a private tutor. Alaska Stat. § 14.30.010 (b)(1)(B) (tutors must be certified); § 14.20.020 (certification requirements).

Standardized Tests: None. However, if operating as a religious or other private school (option 5), testing is only required for fourth, sixth, and eighth grades. Standardized test results must be made available to the Department of Education upon request. The parent may select any standardized achievement test. See *Guide*. Alaska Stat. § 14.45.120(a).

Current North Dakota Century Code provides reasonable and prudent regulation of home schools in our state and is the only gate keeping process our state has to monitor the progress of its home schooled students. This process is critical in providing assurance that a child's home schooling will be a viable education which allows for the transfer of credit and college admission. Unless you as a committee wish that North Dakota become a "green" state like Alaska, I ask that you carefully consider the ramifications of passing a bill such as is presented before you as HB1171. It is for these reasons that I encourage you to give HB1171 a Do Not Pass recommendation.

Madame Chair Kelsch and members of the House Education Committee this concludes my testimony. I thank you for your attention and will be happy to answer any questions that you might have regarding this testimony.



LEGEND

- States requiring no notice: No state requirement for parents to initiate any contact.
- ▨ States with low regulation: State requires parental notification only.
- ▧ States with moderate regulation: State requires parents to send notification, test scores, and/or professional evaluation of student progress.
- ▩ State with high regulation: State requires parents to send notification or achievement test scores and/or professional evaluation, plus other requirements (e.g. curriculum approval by the state, teacher qualification of parents, or home visits by state officials).

February 9, 2009

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From: JoAnn Brager, Vice President of Public Policy for the North Dakota Association for the Education of Young Children

To: Chairperson Kelsch and members of the house education committee

Re: HB 1171, relating to the qualifications and monitoring of parents supervising home education

My name is JoAnn Brager and I am the Vice President of Public Policy for the North Dakota Association for the Education of Young Children. The Association represents 400 members who work with and on behalf of children ages birth through age 8 years.

This testimony is in opposition to removing "The qualifications of the parent who will supervise the home education" throughout 15.1-23 and repealing sections 15.1-23-03, 15.1-23-06, and 15.1-23-07.

Early care and education professionals believe that parents are their children's first and primary teachers and support that concept. Our children's education is enhanced by qualified teachers with four year degrees or higher. There are parents who don't have a four year teaching degree who are capable of teaching their children. The Association believes that children have the right to qualified teachers whether or not the parent is the teacher. Monitoring unqualified parents in a home education setting is the responsible course of action which has resulted in well-educated children.

No Child Left Behind has increased requirements to have highly-qualified teachers in public schools. The Association believes that monitoring parental qualifications, whether through a self-monitoring board or other similar process that ultimately reports to the local Superintendent, is self-regulation that would ensure the quality education for all North Dakota's children.

Attachment

13

February 9, 2009
Testimony in opposition to HB 1171

Good Morning Representative Kelsch and members of the House Education Committee.

I am Vivian I Schafer with Children's Caucus and the North Dakota Association for the Education of Young Children.

It is my opinion that this piece of legislation is not in the best interest of the child.

Page 2- Section 2- Line 1- With the striking of the "qualification of Parents", it is in direct contrast to the efforts of making sure that highly qualified instructors are provided for all children. I recognize that many parents are highly qualified to home school their children, but we need to make sure that all are qualified for all children.

Page 2- Section 4- line 20- Once again the qualification has been stricken so we are unsure of the qualifications of those working with special children.

As a child advocate, former teacher, and a strong supporter of education for our children, I ask that you promote and ensure a quality education and adequate monitoring for all North Dakota children.

Thank You


Vivian I Schafer

HB 1171

I am LaVonne Goetsch from Belfield, ND where I was born and raised. My grandparents homesteaded near Belfield.

I am a widow and the mother of six sons and two daughters. My girls are adopted grandchildren.

My son David will return in July of this year to my parents' family farm. My daughter Karen will return with her family in 2010. Cyle and his family had planned on moving back to ND in 2012.

Cyle's children have a mom who has a bachelor's degree in nursing. Cyle is a veterinarian, who has written a letter I am handing out and will read to you.

The Letter

I want my son to have the opportunity to fulfill his dream of coming home to ND. ND needs the skills his family has to offer.

ND needs to re-examine its homeschooling laws. Most states do it better.

As a life-long resident and taxpayer of this state, I see education in ND becoming more of an economic industry rather than addressing what is best for the children of ND. I would scream the loudest if my grandchildren were not getting an excellent education.



I want my children to be able to live in ND. It would be a dream come true. ND's restrictive homeschooling laws are depriving me of having my family together in ND.



Ladies and Gentlemen,

I understand that you are taking up passage of HB1171. I realize that some measure is necessary to determine if a child is receiving an education that will help them to become productive members of society. However, I disagree with your methods of ensuring that those education standards are met. My wife and I began homeschooling our six children in 1999 while I was stationed in Texas. Over the last ten years, six kids and postings in Texas, Germany, Belgium, Afghanistan, North Carolina, and currently New Jersey. We have found that homeschooling has served our children well for their education. They have all tested at or above their age level on standardized tests which are administered through a number of homeschool associations we have found. We have found that with the programs available we can monitor their progress in areas of reading, science, history and math and help them when they are having difficulty understanding a subject. In other words each of my six children have a chance to receive private tutoring.

That being said, over the years I have witnessed a number of incidences where local school officials have tried to hamper homeschooling through registration requirements, mandating curriculum to homeschoolers, and sometimes being outright hostile to homeschooling families. What many homeschooling families want for their children is a thorough and proper education without having to compromise their values. North Dakota has one of the strictest home school requirements in the United States. It is for this reason that my wife and I have decided not to take chances with our children's education and move back to where I call home. I grew up in Belfield, ND and my mother and most of my brothers still live there. I left there in 1985 to join the Marines. After leaving the Marines I used my GI Bill to receive my degree in Animal Science and then went on to become a Veterinarian. I returned to the military and have served in Europe and Afghanistan. Now that I am getting close to my military retirement I want to give my kids a chance to see what it is like to grow up in the midwest among small town people like I did. However, with the constraints I see being placed on homeschoolers in North Dakota, my wife and I have decided to achieve our goals in Montana or South Dakota. It is my belief that too much control is being given to the local public school systems in North Dakota and until there are some less restrictive approaches to homeschooling in North Dakota, my family and I will stick to visiting. Thank you for hearing me out.

CYLE R. RICHARD
MAJOR, U.S. Army
Veterinary Corps
Northeast District Veterinary Command

(732) 414-1362

Wall, John D.

From: Thomas, L. Anita
Sent: Friday, February 13, 2009 10:22 AM
To: Wall, John D.; Karls, Karen; Hunskor, Bob L.
Subject: Approval of schools

Representative Wall, Representative Karls, and Representative Hunskor:

NDCC section 15.1-06-06 is the section that requires approval of "schools" by the superintendent of public instruction.

15.1-06-06. Approval of public and nonpublic schools. Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 15.1-09-57;
3. The students are offered all subjects required by law;
4. The school is in compliance with all local and state health, fire, and safety laws; and
5. The school has conducted all criminal history record checks required by section 12-60-24.

Testimony by Cam Leedahl in Favor of HB 1171

Wednesday, March 25, 2009

Chairman Freborg and Members of the Committee:

My name is Cam Leedahl. My husband and I have graduated all three of our children from our homeschool program. I would like to explain how this bill would change the homeschool law.

The first change you see on the bill is Page 1, Line 10. This is the removal of the phrase "in the home" from the definition of home education. The reason this is being removed is because officials have been interpreting the wording to mean that only what is occurring in the home can be legally counted as education. However, for twenty years, since the first homeschool bill, supervising parents have planned for and recorded all types of learning that occurs outside of the home. Home educators are not interested in starting schools. We are not interested in turning over the education of our children to someone else. We simply want flexibility in providing the best education we can for our children.

The strike on Page 2, Line 1 begins the second change in the bill: the removal of parental qualifications. With this change, there would no longer be the need for the supervising parent that does not have a baccalaureate degree to take a national teachers exam, or to be monitored. Those qualifications are not necessary, and are instead a burden to home education.

The other strikes, renumbering and additions you see are administrative only. For example, on page 3, line 20 – 23, an addition was made by Anita Thomas to correlate with what is presently required for public school students.

The rest of the homeschool law would remain the same. The supervising parent would still need to file a statement of intent, ensure their student is receiving four hours of instruction for 175 days in the subject areas required by law, have their students tested in grades 4, 6, 8, and 10 with a nationally normed, standardized achievement test, and maintain an annual record of courses to be furnished, on request, if the student transfers to a public school district.

In preparing for this testimony, I searched for studies and research that would show that regulation improved a child's academic, emotional, or physical well-being. I even asked an

official at the DPI. I found nothing. Instead, I found many respected research studies that showed there was no correlation between regulation and the success of a student. None. The facts all point to the reality that regulation is not necessary.

Every time I have been to a hearing on a change to the homeschool law, a legislator or public school person claims awareness of a nightmare situation involving a homeschool family, and gives the statement, “ that is why we need restrictions” – to identify and supervise these nightmares. But when I inquire, I find out the situation is either hearsay or the details are vague, with nothing to validate exactly what is happening. During the last legislative session, one of the legislators produced for us a list of calls kept by the DPI, calls about home education that were considered alarming. From 2003 to 2007 there were 18 calls. One was for simple information. Nine wanted advice for unusual or complicated situations. Eight were suspicions of violation of the homeschool law. We provided an answer for each situation. But not a single one was a legitimate, alarming problem. That record and our response are in the information provided to you by Dr. Bartlett.

Misconceptions of home education can create anxiety and conflict between home educators and those unfamiliar with home education. Very few homeschool programs are alike, and many homeschool programs bear little resemblance to conventional classrooms. Many do not follow the same calendar year as the public school.

In the past twenty years, I have seen all kinds and types of homeschooling parents and watched their children grow up. Their successes or their failures had nothing to do with their personal education, and had nothing to do with whether or not they were monitored. The skills necessary to pass a national teachers exam are not what make a home education program work. Anyone who doesn't know those things can just look them up in a book. There is a tremendous amount of resources and support for home educating parents. What makes a homeschool program work is love and lots of hard work.

My hope is that lawmakers, policymakers, the schools, and home educating parents NOT continue to waste money, time and energy, and endure endless political battles over regulations that simply cannot be justified.

The Great Homeschool Bailout



The Federal bailout has been all over the news for several months now. First it was billions, now they're talking trillions. A few billions here, a trillion there, and pretty soon you're talking real money.

What does this have to do with homeschooling? (Aside from the obvious fact that we aren't going to be bailed out any time soon?)

Listen while I play with numbers for a bit, and it all will start making sense.

Public School Ain't Free

According to the 2007 American Legislative Exchange Council (otherwise known as ALEC) *Report Card on American Education*, the cost per pupil for public schools in the USA ranged from a high of \$15,155 in that bastion of educational excellence known as New Jersey, to a low of \$5,556 in Utah.

That money comes mostly from state funds and local property taxes.

So I thought, "Wouldn't it be fun to calculate how many of *other* people's kids homeschool families are putting through college?"

To put this another way: State governments are squawking loudly about how *they* need to be bailed out. Just the other day, for example, I read a story on California's budget woes. California officials might be delaying tax refunds as a pitiful attempt to stem the fiscal hemorrhage caused by the out-of-control budget gap. The number being thrown around was "\$41.6 billion," as in "Sorry, honey, we can't pay your refund because we're looking at a state deficit of over \$1,000 for every man, woman, child, and gerbil in California." This sad story is being repeated in state after state.

But wait . . . there's hope!

State governments pay the lion's share of a state college education. How much *less* money would they be able to spend on state colleges if none of us homeschooled?

What *couldn't* they do if we *weren't* homeschooling?

And finally, how could state governments' desperate financial needs be met if more families were encouraged to homeschool?

How We Are Already Bailing Them Out

Let's assume that the cost of public school per child is around \$10,000. The National Center for Education Statistics pegged it at "\$10,173 in fiscal year 2006." You can check this out for yourself by downloading their excitingly named report, "Revenues and Expenditures for Public Elementary and Secondary School Districts: School Year 2005-06 (Fiscal Year 2006)" at nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2008345.

According to the ALEC report, the federal government contributed just over 9 percent of public school funding as of the

The advertisement features a black and white photograph of a young girl with dark hair, wearing a patterned top, looking through a microscope. To her left is a diagram of a cell with labels: 'cytoplasm', 'cell wall', and 'nucleus'. Below the diagram is a circular logo that says 'Tools for discovery'. To the right of the girl is a large speech bubble containing the text 'Explore more, Learn more!'. Below the speech bubble is a paragraph of text: 'Give your kids the opportunity to explore science with hands-on experiment kits, chemistry supplies, curriculum, microscopes, and a full selection of discovery tools for K-12. Visit us online or call 1-800-860-6272 for a free science catalog.' At the bottom of the advertisement, the text reads 'HOME SCIENCE TOOLS THE GATEWAY TO DISCOVERY' and 'HOMESCIENCETOOLS.COM/PHS'.

The Great Homeschool Bailout

2005–2006 school year. Let's call it 10 percent, making the per-pupil payment by state and local government about \$9,000 per child. (Yes, I realize it's really more like \$9,155, but we're going to be multiplying by inexact numbers in a minute, so let's not sweat the small stuff.)

So, how many kids are receiving their college education thanks to us?

Let's say 1.5 million kids are currently homeschooled. I have reason to believe the number is larger, but that's the number the National Center for Education Statistics guessed . . . oops, I mean estimated, based on interviews with about 10,000 families, of whom 290 homeschooled . . . so we'll go with it.

At an average \$9,000 per child, that means state and local governments would have to pony up an additional 13.5 billion dollars to shoehorn our children into public schools. Of course, they would also have to build thousands of additional buildings, so let's add another 11.5 billion or so, to make it come out with an even number.

What can state and local governments do with that \$25 billion we're saving?

College Costs State Governments Real Money

As of 2005 (the latest year for which I could find statistics, courtesy of a May 1, 2008, *Inside Higher Ed* article titled "The Spending Side of the Equation"), the total actual cost of one year's attendance at a public research university (a school that awards doctorates) was \$21,064. The student only pays part of that. Federal aid (e.g., Pell grants and the G.I. Bill) pay some of the remainder. Fundraising activities also help a little. But state government pays most of the remaining tab.

At a public master's institution (i.e., one where the highest degree you can earn is a Masters), the total cost per student is significantly better—\$11,418 per year. And community colleges are the best deal of all, at \$9,119 spent per student.

Let's talk about community college for a minute. Around here, a single community college credit costs between \$72 and \$125, depending on which college you choose and whether you are "in district" or

"out of district." So total tuition comes to around \$3,000 per student per year. Any federal aid would usually cover only that amount, at best. So you can assume that the amount *not* covered by students or the feds is around \$6,000 per student per year, at community college. It's more like \$14,000 at a big-time state school.

So . . . depending on how much of a public school's budget comes from property taxes versus state money . . .

And I know that about five years ago, in the Southern states at least, the states were paying upward of \$5,000 per pupil (again, that does *not* include what local school districts kicked in) . . .

So let's say it's between \$6,000 and \$7,000 per pupil we are saving the state.

If you ask me, that's *real* money.

We're Making State College Affordable

Here's something I bet nobody ever told you: For each and every homeschooled student, one kid gets to go to community college. But since community college only takes two years, and most children are homeschooled 13 years (kindergarten plus grades 1–12), in actuality one single homeschooled child frees up enough state funds over his entire homeschool journey to send *six and a half kids* to community college.

Considering the state contribution per pupil to a major research university is about twice the amount they contribute to a community college, and that a four-year college education lasts, well, four years, one single homeschooled child frees up enough state funds to send 1½ kids to a major state university.

Let me be very clear about this. I am not saying that we are contributing scholarships (though state scholarship money is part of the state's contribution). I am saying that *the entire cost of a student's college education not covered by federal grants or their own tuition payments* is covered by us.

By you.

By me.

One homeschooled kid = 6½ community college educations.

One homeschooled kid = 1½ educations at Mizzou or the University of Florida.

So the next time some stranger asks why you homeschool, just say, "I'm doing it so you can afford to send your children to college."

How's that for real community service?

The Great Homeschool Bailout

We homeschoolers are already doing a pretty good job helping out our states.

But we could be doing even more.

According to the California Department of Education, there are currently about 6 million students enrolled in California public schools. Since the state saves at least \$6,000 per homeschooled student, if one-third of those public-school students were homeschooled, that would offset a major chunk of California's budget gap. No need to shrink anyone's pension. No embarrassed shuffling about delayed tax refunds.

Clearly, in this time of national financial crisis, more homeschooling would be a *very good thing*.

More families homeschooling could actually bail out our panicky state governments.

And where could all that public-school money be saved?

No teachers actually need to lose their jobs. Instead, here's a suggestion: Fire the hordes of facilitators, counselors, administrators, assistants to the administrators, community liaisons, assistants to the community liaisons, and other non-teaching personnel that clutter up the place. They only exist to make the classroom teacher's life miserable anyway.

To state government officials and politicians I say: Stop trying to grab our kids earlier and earlier. Reverse the trend of turning school into a daycare/hospital/mental health facility/recruitment center for trendy social causes/jail. When will you understand the state (1) does a horrible job at this and (2) can't afford it anyway? Are your massive multi-billion-dollar deficits a large enough hint?

Stop trying to make the schools into substitutes for parents. Get more parents to become substitutes for the schools instead. It's what works. It's what can bail you out. ♥

Mary Pride is the publisher of Practical Homeschooling.

Is Government Control Related to Academic Achievement Amongst Homeschool Students?

Brian D. Ray, Ph.D.

February 25, 2009

Research shows that there is no correlation between the degree of state regulation or control of homeschooling and homeschool students' academic achievement on standardized tests (Figures 8a & 8b; Ray, 2000). Many have argued that the government needs to regulate this form of private education to make sure children learn. No research evidence supports this claim. Home-educated children in states with low regulation score just as well as those in high-regulation states. Regardless of high or low regulation, their scores are above the public-school average.

Figure 8a. Government (State) Regulation and Homeschool Achievement

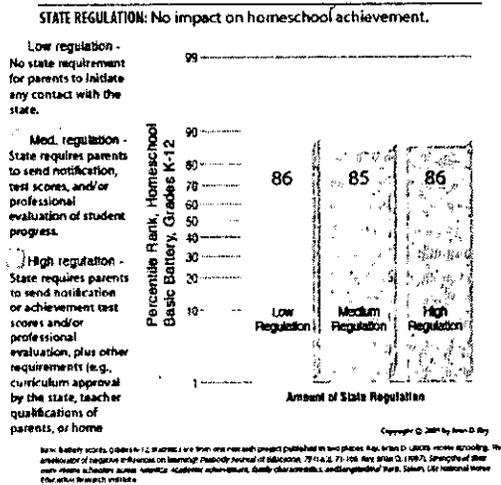
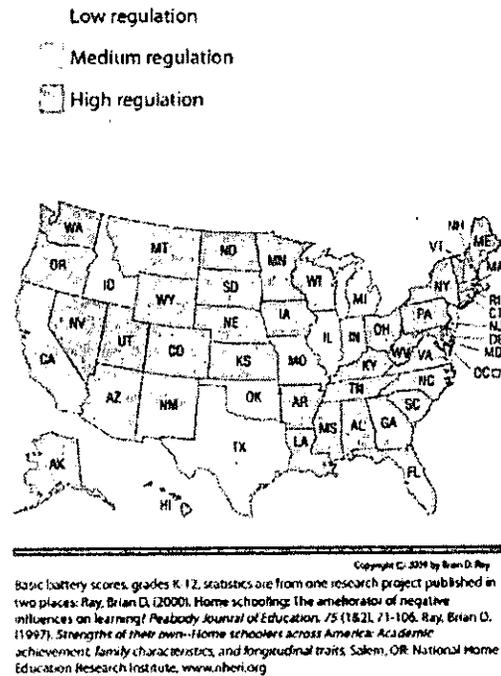
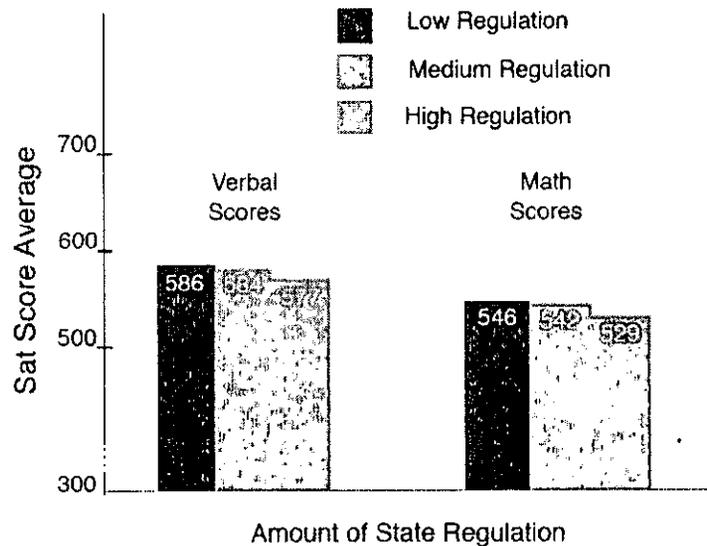


Figure 8b. Breakdown of States by Regulatory Policy



Furthermore, research by Dr. Brian Ray and Dr. Bruce Eagleson found no relationship between the degree of state control over homeschooling and home-educated students' scores on the SAT college-entrance exam (Figure 9, Ray & Eagleson, 2008).

Figure 9. Government Regulation And Homeschool College SAT Scores



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Note: Statistics are from Ray, Brian D., & Eagleson, Bruce K. (2008, August 14). State regulation of homeschooling and homeschoolers' SAT scores. *Journal of Academic Leadership*, 6(3). Retrieved August 25, 2008 from http://www.academicleadership.org/empirical_research/State_Regulation_of_Homeschooling_and_Homeschoolers_SAT_Scores.shtml. All of the home-educated student average SAT scores were above the public-school student average scores for the same year. Maximum score is 800 for verbal or math. Definitions of low, medium, and high state regulation are given in the study's report.

References and Notes

Ray, Brian D. (2000). Home schooling: The ameliorator of negative influences on learning? *Peabody Journal of Education*, 75(1 & 2), 71-106. (Notes: This is a peer-reviewed, refereed journal. Regarding state regulation: "Degree of regulation of home education in the state and [standardized academic achievement] test scores. An analysis of variance was conducted to test whether the degree of regulation of home education by a state has an effect on students' basic battery test scores. States were categorized as having either low regulation, moderate regulation, or high regulation (see Table 7). *Low regulation* was defined as [p. 84 ends here] no state requirement on the part of the home school parents to initiate any contact with the state. *Moderate regulation* was defined as the state requiring home school parents to send to the state notification or achievement test scores and/or evaluation of the student's learning by a professional. *High regulation* was defined as the state requiring home school parents to send to the state notification

or achievement test scores and/or evaluation by a professional and, in addition, having other requirements (e.g., curriculum approval by the state, teacher qualifications of parents, or home visits by state officials). There was no significant difference between students' scores in the three groups" [p. 84-85].)

Ray, Brian D., & Eagleson, Bruce K. (2008, August 14). State regulation of homeschooling and homeschoolers' SAT scores. *Journal of Academic Leadership*, 6(3). Retrieved January 23, 2009 from http://www.academicleadership.org/emprical_research/State_Regulation_of_Homeschooling_and_Homeschoolers_SAT_Scores.shtml. (Notes: This is a peer-reviewed, refereed journal.)

About the Author

Brian D. Ray is an internationally-known scholar and president of the nonprofit National Home Education Research Institute in Oregon, U.S.A. (www.nheri.org). He earned his Ph.D. in science education from Oregon State University, M.S. in zoology from Ohio University, and B.S. in Biology from the University of Puget Sound. He has been a professor of science and education at the undergraduate and graduate levels, has been a classroom teacher in both public and private schools, and has taught homeschool students. Dr. Ray does research and speaking internationally and provides expert testimony to legislators and in courts that focuses on homeschooling (home-based education, home education, home schooling) research and pedagogy.

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Testimony by Catherine Dalzell Regarding: House Bill-1171 In favor

Today I would like to offer three points for thought as you consider loosening regulations on home schooling in North Dakota. I also have a brief statement about amending some language in Section 1.

My three main points are:

- **Workforce attraction and retention**
- **Student Success and Regulation**
- **Parent dedication**

Workforce Attraction and Retention

Due to the high demands in the energy and skilled trade fields, as a state we are encouraging people to get vocational degrees and certificate training, not bachelors degrees. If we do that, then we need to look at how that affects a parent's choice to home school.

- a. According to a recent study done by the North Dakota Department of Commerce, only 16% of the jobs currently open in ND require a BA degree.
- b. The requirements for home schooling really do not match what the legislature supports for workforce in North Dakota. We encourage our young people to go into the oil fields and plumbing, then move to a rural community, but we don't allow that person to teach their own children without taking an exam or having a four year degree.
- c. On the flip side of the equation, anecdotal evidence supports that our students

are staying in North Dakota. From an informal survey taken by North Dakota home educator Carla Gellerman, of 123 formerly home schooled students in North Dakota, it was found that 65% stayed in North Dakota. Home schooling is a great investment in our state's future!

Student Success and Regulation

What proof do we have that a national teachers' exam makes parents better teachers? Is there a correlation between higher state regulation and greater student success? I did some digging and found statistical data from low regulation states and it is very encouraging.

Academic Achievement

From a study done by Dr. Brian Ray: "...in the most in-depth nationwide study on home education across the United States, collected data on 5,402 students from 1,657 families. Homeschool students' academic achievement, on average, was significantly above that of public-school students. In addition, the home educated did well even if their parents were not certified teachers and if the state did not highly regulate homeschooling."¹

Flip to the second page to see a supporting chart from this study with data.

Degree of State Regulation and SAT scores

According to research at the online journal, academicleadership.org, "No significant relationships were found between the degree of state regulation of homeschooling and students' SAT scores."

“The home educated in grades K-12 have scored, on average, at the 65th to 80th percentile on standardized academic achievement tests in the United States and Canada, compared to the public school average of the 50th percentile. In order to lend some control to the aspect of students’ background demographics, researchers have explored and found that children in homeschool families with low income and in which the parents have little education are also scoring, on average, above state-school averages (Ray, 2000a, 2005; Rudner, 1999). In addition, studies have shown that whether the parents have ever been certified teachers has a weak or no relationship to their children’s academic achievement.”

ii

Anecdotal evidence in North Dakota

From an informal survey taken by North Dakota home educator Carla Gellerman, of 123 former home schooled students in North Dakota it was found that 85% went on to some form of higher education. iii

Parent Dedication

My final argument is one of first-hand knowledge. It can be difficult to home school a child. The parent who is willing to sit down with their right-brained child and teach them long division is not the one you need to worry about. These are people who are willing to purchase an entire k-12 curriculum. They are ok with using kitchen counters for science experiments. They coach the science Olympiads and lead the basketball team.

My appeal is to make this as easy possible from a state law perspective, because the journey of home schooling has enough tests along the way to weed out the parents who no longer wish to participate.

Testimony in Support of 1171

Chairman Freborg and members of the Senate Education Committee,

My name is Theresa Deckert and I am from Devils Lake. I have been homeschooling for 22 years. I am one of the original group of home educators who took a national teacher's exam in 1989 when the homeschool law for North Dakota was written. I chose to take that test rather than being monitored as I did not want to be the "guinea pig" in our school district at a time when schools were trying to figure out what a monitor was or what they were to do.

The monitoring issue causes misunderstanding for both home educators and school districts. Some monitors, who are unfamiliar with the law, give erroneous information to new home educators. Conflict can occur when a monitor only familiar with classroom style learning does not approve of a method used by a homeschooling parent. It is not the job of the monitor to approve the methodology. Monitoring can be very intimidating to some parents causing them to try to satisfy the preferences of the monitor rather than what they think best for their child. A monitor will not pursue the best interest of the child to the same degree as parent would. Most monitors, unless they are also a homeschooling parent, are not a good resource person for a parent educator.

Monitoring is an unnecessary disruption to the weekly school schedule. It is also a waste of tax dollars as no evidence has ever been shown to prove it works or guarantees success.

Our state is the only state with a monitoring option for a parent without a baccalaureate degree. If you will turn to the yellow page, you will find a comparison study I did of how each of the 50 states handle parental qualifications. I found that 37 states have no parental requirements, 7 require that a parent possess a high school diploma or equivalent, 3 allow parents to homeschool who are deemed competent, 1 allows parents to home educate under the umbrella of a satellite school, 1 allows for quarterly reporting and then there is North Dakota.

I find it highly prejudicial to think that parents without a baccalaureate degree or ND teacher certification need to "prove" themselves through a test or by being monitored. Every study done shows no relationship between a parent's educational level and how well the child does on a standardized achievement test.

The National Teachers' Exam did not help me in any way in my homeschooling endeavor. The current test used by homeschoolers is the Praxis I. It costs \$120 plus a \$50 registration fee. This is money poorly spent as it could buy several textbooks. Most homeschool families are one-income families. Additionally, the many hours spent in traveling to and taking the test, as well as preparing for the test, would be better spent in lesson planning for the children.

A baccalaureate degree would not have better prepared me for educating my own children. When I began to homeschool, I knew that I wanted to teach my children to read and secondly to give them a love for learning. Most of their education has centered around me being a guide and they learning on their own.

I have attached on the pink sheets testimonies from my two homeschool graduates showing their success. I still teach a senior and 2nd grader.

I would urge you to support HB 1171. I believe I am proof that children can excel and become productive and responsible citizens when taught by a parent without a baccalaureate degree.

Testimony in Favor of HB1171

I am Barbara Jo Miller of Mandan. I have served as a monitor for the Mandan Public Schools since 2005, and have monitored 12 children from 10 families.

Twice a year I submit a one-page form summarized with a yes/no statement "... the child is making reasonable progress considering the child's learning abilities." For this sheet, the state pays fifty percent state aid. To make this evaluation, I sit in the child's home an hour a week for two years, and observe. I am not, according to my school district, to make any criticisms of material or teaching methods, but I do answer questions.

How does monitoring help? Parents of younger students are quite capable of using the many excellent elementary level materials designed for parent educators and of developing a variety of resources as their children mature. Most of the high school students whom I have monitored use accredited correspondence courses. A third of the students I have monitored have learning disabilities and have Individualized Education Plans with their school district, and/or remediation programs or private tutors. All these parents already have guidance and collaboration, either from appropriately designed materials or other educators.

Representative Mueller asked if I have ever monitored a family that had problems. Yes—the very same problems they had in the public system. And for every perceived problem with a home schooler, I could tell you a problem some

family perceived with the school system. Some families stopped filing statements of intent to home school when the student reached sixteen, but that doesn't mean they stopped educating, simply that they stopped reporting. You are concerned that a home educated child might "slip through the cracks." Yet, most of the families I have monitored withdrew from public school because they felt their child needed more individualized attention than it was possible to get in a classroom.

Legislators have asked why home schoolers mind being monitored. To many families, having someone repeatedly, without cause, for two years, enter their private home to oversee what they are doing with their own child feels intrusive and as if they are considered suspect. Besides this, monitoring is adds a distraction to five percent of the week's classroom time, and it's inconvenient--home educators have complex schedules to accommodate the variety of activities which public schools can provide in a single setting.

None of the parents I monitor has, to my knowledge, a political agenda against public schools. They simply saw a need that they felt was best addressed by home educating. They have a lifetime of experience with their child's strengths and weaknesses. They have access to excellent materials, and to advice and mentoring. Home educating parents make a tremendous sacrifice of time, energy and finances *because* they value their child's education, not because they are inclined to neglect it.

Good morning Committee Chairman Freborg and Honorable Senators. My name is Carla Gellerman. My husband, Don, and I have 7 children ranging in age from 26 down to 6. All have been home schooled K-12. To date, we have graduated 3. Our eldest son, Jeremy, has an A.S. Degree and technical certification in HVAC. He was the ND Skills USA champion and currently has an excellent job working for UP Railroad. Our 2nd eldest son, Timothy, also has an A.S. Degree and is double majoring in Engineering and GIS Technologies. He is on the college Dean's List. Katrina, our 3rd graduate and eldest daughter, is a 4.0 GPA biochemistry major and ND Scholar. She is currently involved in research on the heme transport system of bacteria, which they hope will ultimately eliminate the need for antibiotics in treatment of bacterial infections. At home we have a senior daughter, Rachel, and freshman son, Nick. They are ND State Science Olympiad Team Champions and are, along with their graduated sister, each individual 2nd place national medalists in Forensics competition. Nick was also the ND State Spelling Bee Champion this past year. And, we still have fourth and first graders, Sarah and Paul, at home. We have offered and taught at home classes from 1st grade through calculus, physics, adv. biology, adv. chemistry, as well as foreign language. Our 4 children who have taken the ACT college entrance exam have averaged scores over 30.

I've highlighted these few accomplishments not to brag, but to illustrate in a personal way, that educational success is not tied to parental monitoring or educational level. I am the primary educator in our home and have just a high school diploma. In the 20+ years we have been home educating we have never had or needed monitoring. You may find it interesting and ironic to note that I am a Science Olympiad coach for these amazingly successful students, who along with their teams, have garnered hundreds of medals. On the middle school level they have beat out all other public and private schools to become ND State Champions for 6 years. The three-year-old senior high team I coach has won the state title twice, thus far, and holds the incredible distinction of being the only home school high school team to win the right to represent their state in national competition. We have had 14 national medalists, to date, in this highly competitive and prestigious competition.

On Jan. 22, designated Home School Day at the Capitol, I and several other home schooling parents and our students, prepared a series of 15 displays that I hope you all took the time to briefly review. They demonstrated a myriad of interests and accomplishments of ND's home educated students. Another display focused on ND's home schooled graduates. We thought it would be fascinating to see what these graduates had done with their lives and how they had integrated into

society. Since it was impossible to make arrangements for these busy young adults to leave their careers and educational endeavors to meet with legislators during a busy weekday, I conceived of this display to visually illustrate it instead. With less than a week to gather information, I sent a message out amongst our local Bismarck/Mandan Area support group and asked the NDHSA to solicit participation in a survey themed, "ND's Home School Graduates: Where Are They Now?" I asked a few basic questions: 1) Name and year of home school graduation, 2) Where they were currently residing, and 3) What they were doing in life?

Despite the short time frame, the response was excellent. I was utterly amazed by the diversity of education and occupational pursuits. ND has home school graduates teaching in Ghana, Africa, serving our country in Iraq, living in Japan and Rome, Italy. They are working as educators, engineers, pilots, musicians, pastors, artists, veterinarians, foreign language interpreters, ranchers, IT techs, entrepreneurs, writers, graphic designers, lawyers, mechanics, prison guards, accountants, nurses, military officers, and more. But especially eye opening was the dedication to education that became apparent. Though not the initial focus of my informal study, I began to notice by the time I surveyed about 70 students, there seemed to be a large ratio of home schooled grads pursuing higher education. And so, I began to calculate the percentage of home school graduates that had obtained degrees and/or were currently employed in the pursuit of higher education.

Over 70 different educational paths were represented in this survey. (Please see attachment.) Ultimately, 84.6% of the 123 graduates were in the process of formal ongoing education, or had already received advanced degrees or technical training.

While this was an informal study, I think it clearly shows my family and its successes are not unique. ND's home educating families place a priority and high value on education. In addition, the fact that these home school graduates are capable of pursuing diverse higher educational paths, are obtaining advanced degrees or technical certificates, and maintaining successful careers, is a witness to the fantastic job that ND's home schooling parents are doing as educators and in preparing their children for life.

I urge you to support HB1171 without amendment

*Same
given to
House
without
last line
in handout*

ND Home School Graduates: Educational Paths

Accounting	Law
Acting	Liberal Arts
Aerospace, Air Traffic Control	Massage Therapy
Agriculture	Mathematics (& Secondary Math Ed)
Agricultural Economics	Mechanical Engineering
Art	Medical Transcription
Automotive Technology	Microbiology
Avionics	Midwifery
Biblical Studies	Music
Biochemistry	Nursing
Biology	Pastorate
Business Administration	Petroleum Engineering
Chemistry	Pharmacy
Civil Engineering	Philosophy
Commercial Art	Photography
Communications	Physical Therapy
Computer Graphics	Physics
Computer Technology	Piano Performance
Cosmetology	Pilot
Counseling	Plant Science
Criminal Justice	Political Science
Elementary Education	Powerplant Technology
Emergency Medical Technician	Pre-med Biological Science
Engineering Technician	Priesthood
Embryo Transfer	Psychology
English	Public Administration
Farming & Consumer Science	Radiography
Foreign Language	Sacred Music
Geopolitical Science	Saxophone Performance
GIS Technology	Sign Language
Graphic Design	Theatre
Heating, Ventilation & Air Conditioning	Theology
History	University Studies
Integrated Ranch Management	Veterinary Medicine
Intercultural Studies	Violin Performance
	Vocal Performance

TESTIMONY ON HB # 1171
SENATE EDUCATION COMMITTEE
March 25, 2009

by **Linda M. Paluck, Director of School Approval & Accreditation**
701-328-1718
Department of Public Instruction

Mr. Chairman and members of the committee:

My name is Linda Paluck and I am the Director of School Approval and Accreditation for the Department of Public Instruction. I am here to speak in opposition to HB 1171 relating to supervision of home education and regarding the qualifications and monitoring of parents supervising home education.

For the 2007-2008 school year, North Dakota districts reported 1,477 students as receiving home education. In the *Bismarck Tribune* dated Friday, March 20, 2009, James Bartlett, North Dakota Home School Association's executive director estimated the state has about 4,500 home schooled students. That's a difference of around 3,000 children! This discrepancy concerns the Department of Public Instruction.

- Do we know what children receive a public education from ages 7-16? Yes!
- Do we know what children receive a private education from ages 7-16? Yes!
- Do we know what children receive a home education from ages 7-16? NO!

As you can tell from today's testimony, many home education parents comply with the statute understanding that we are all responsible for protecting our children. Today you have heard a great deal of testimony from parents who have every intent of giving their child the very best in education. Ann Ellefson, Assistant Director for the School Approval and Accreditation, addresses many questions regarding home education within the unit and has a healthy working relationship among members of the Home School Association and home education parents in the field.

The department fears, however for even ONE CHILD who may not be counted, thus being placed at risk. There are times when we receive phone calls from angry parents wanting to pull their children from school and begin home educating

after a confrontation. When rash decisions like this are made, are they made in the best interest of the child?

I've spent several years working with educators around the state who have gathered together to study scientifically-based teaching methods that assist children in meeting the challenges of the 21st century. Timed tests, flash cards, and worksheets are taking a back seat to technological teaching strategies, professional learning communities, Response to Intervention, Positive Behavior Supports, and professional school & career counseling. I am unaware of how or if home educators receive some of the same opportunities to increase their own professional development and align it with the public/private sector.

In summary, I would like to address three issues:

1. There is a vast discrepancy in the number of children reported as receiving home education. The proposed legislation does not adequately address this issue.
2. Please consider an alignment between public/private educators and home educators regarding professional development.
3. The proposed legislation indicates a Sunset Clause in which the bill would expire on July 31, 2011. How will we know if changes made in the current law during the biennium are effective and in the best interests of children? (i.e., inconsistent participation data, inconsistent measurement and assessment data)

The department is willing to work collaboratively with the Home School Association and Legislators to address these issues perhaps by developing a study committee between home educators and the DPI during the next biennium.

Mr. Chairman, this concludes my testimony. I stand for any questions you may have.

CHAPTER 15.1-23 HOME EDUCATION

15.1-23-01. Home education - Definition. For purposes of this chapter, "home education" means a program of education supervised by a child's parent, in the child's home, in accordance with the requirements of this chapter.

15.1-23-02. Statement of intent to supervise home education. At least fourteen days before beginning home education or within fourteen days of establishing a child's residence in a school district, and once each year thereafter, a parent intending to supervise or supervising home education shall file a statement, reflecting that intent or fact, with the superintendent of the child's school district of residence or if no superintendent is employed, with the county superintendent of schools for the child's county of residence.

1. The statement must include:
 - a. The name and address of the child receiving home education;
 - b. The child's date of birth;
 - c. The child's grade level;
 - d. The name and address of the parent who will supervise the home education;
 - e. The qualifications of the parent who will supervise the home education;
 - f. Any public school courses in which the child intends to participate and the school district offering the courses; and
 - g. Any extracurricular activities in which the child intends to participate and the school district or approved nonpublic school offering the activities.
2. The statement must be accompanied by a copy of the child's immunization record and proof of the child's identity as required by section 54-23.2-04.2.

15.1-23-03. Home education - Parental qualifications. A parent may supervise home education if the parent:

1. Is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Holds a ~~baccalaureate degree~~ *high school diploma or GED*;
3. Has met or exceeded the cutoff score of a national teacher examination given in this state or in any other state if this state does not offer such a test; or
4. Meets the requirements of section 15.1-23-06.

15.1-23-04. Home education - Required subjects - Instructional time. A parent supervising home education shall include instruction in those subjects required by law to be taught to public school students. The instruction must have a duration of at least four hours each day for a minimum of one hundred seventy-five days each year.

15.1-23-05. Home education - Academic records. A parent supervising home education shall maintain an annual record of courses taken by the child and the child's academic progress assessments, including any standardized achievement test results. If the child transfers to a public school district, the parent shall furnish the record, upon request, to the school district superintendent or other administrator.

does not mean

~~to~~ **15.1-23-06. Home education - Required monitoring of progress.** A parent who ~~has a~~ high school diploma or a general education development certificate may supervise home education but must be monitored in accordance with section 15.1-23-07 for the first two years. If a child receiving home education obtains a basic composite standardized achievement test score below the fiftieth percentile nationally, the parent must be monitored for at least one additional school year and until the child receives a test score at or above the fiftieth percentile. If testing is not required by section 15.1-23-07 during the first two years of monitoring, the period of monitoring may not be extended, except upon the mutual consent of the parent and the monitor. If a parent completes the monitoring requirements of this section for one child, the parent may not be monitored with respect to other children for whom the parent supervises home education.

15.1-23-07. Home education - Required monitoring of progress - Reporting of progress - Compensation.

1. If monitoring is required under section 15.1-23-06, the school district shall assign and compensate an individual to monitor a child receiving home education unless the parent notifies the school district that the parent shall select and compensate an individual to monitor the child.
2. The individual assigned by the school district or selected by the parent under subsection 1 must be licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
3. Twice during each school year, the individual shall report the child's progress to the school district superintendent or to the county superintendent if the district does not employ a superintendent.
4. If one child receives home education, the individual shall spend an average of one hour per week in contact with the child and the child's parent. If two or more children receive home education, the individual shall spend one-half hour per month for each additional child receiving home education. If the child attends a public or an approved nonpublic school, the time may be proportionately reduced.

15.1-23-08. Monitoring or test administration. An individual who in accordance with this chapter monitors a child receiving home education or who administers a standardized achievement test to a child receiving home education shall notify the child's school district of residence.

15.1-23-09. Home education - Standardized achievement test. While in grades four, six, eight, and ten, each child receiving home education shall take a standardized achievement test used by the school district in which the child resides or, if requested by the parent, shall take a nationally normed standardized achievement test. The child shall take the test in the child's learning environment or, if requested by the child's parent, in a public school. An individual licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board shall administer the test.

15.1-23-10. Home education - Standardized achievement test - Cost.

1. If a child receiving home education takes the standardized achievement test used by the school district in which the child resides, the school district is responsible for the cost of the test and for the cost of administering the test. The school district shall ensure that the test is administered by an individual who is employed by the district and who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board.
2. a. If the child takes a nationally normed standardized achievement test not used by the school district in which the child resides, the child's parent is responsible for the cost of the test.

*ST 4/1/09
1171*

FROM THE OFFICE OF THE
NORTH DAKOTA HOME SCHOOL ASSOCIATION

March 2009

TESTIMONY OF JAMES BARTLETT ON HB 1171
BEFORE THE ND SENATE EDUCATION COMMITTEE

Chairman Freborg, Members of the Committee, Ladies and Gentlemen:

My name is Dr. James Bartlett and I am the Executive Director of the North Dakota Home School Association, which is a non-profit association that has been serving North Dakota home educators since 1985. Our office is located in Bottineau, and our mailing list currently contains over 950 North Dakota Families who home educate. Thank you for the opportunity to present this testimony in support of HB 1171.

HB 1171 Preparations

During the last three years, the NDHSA has collected input from ND home educators about their desires for change in the home school law. This data was collected through support group surveys, newsletter and enewsletter solicitations, a convention workshop and general session solicitation, eight regional meetings, and finally a conference call for those who could not attend or provide input in one of the other means. Input also came from home educators not affiliated with the NDHSA. The NDHSA Legislative Leadership Team and Board then summarized these inputs into a three legislative session plan.

Three Legislative Session Plan

The changes in the home education law desired for 2009 will take the first of three steps toward improving the North Dakota home school law to the equivalent of states like Alaska, Idaho, Texas and others. The first step (2009 legislation) is to move North Dakota from a high regulation (red) state, to a moderate regulation (orange) state as color coded by the Home School Legal Defense Association at <http://HSLDA.org/laws>. The NDHSA is

planning two additional steps for future legislative sessions with the goals of moving North Dakota to a low regulation (gold) state in 2011 and to a no regulation (green) state in 2013.

HB 1171 is the first of three incremental steps. It will remove the parental requirements restricts on home education and allow home education to happen outside the four walls of the student's home.

The Current Law

In order for a parent to home educate in North Dakota, the current law (NDCC 15.1-23) requires the parent to either: be a licensed teacher, hold a baccalaureate degree, take a national teacher exam, or be monitored one hour a week for the first two years of home education. The current law also restricts home school learning time to that occurring within the home. These restrictions on parental liberty serve no educational purpose and are a burden to home school families. Therefore, we urge you to pass HB 1171.

United States and North Dakota Constitutional Reference

From the legal viewpoint, the right to direct the education of one's child comes from the liberty clause of the Fourteenth Amendment to the United States Constitution,

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

and Section 1 of Article 1 of the Declaration of Rights in the ND Constitution.

All individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; pursuing and obtaining safety and happiness; and to keep and bear arms for the

defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed.

This speaks of the liberty of individuals and this provision is authoritative for the proposition that parents should be free to conduct home education for their children without state regulation.

The NDHSA and most home educating families believe that parents have the right and responsibility to educate their children and acknowledge the parental right to choose public, private, or home education; education that is not mandated or strongly influenced by views that are opposed to the beliefs, values and Christian worldviews of many home schooling families. They understand that the North Dakota Constitution limits the size and reach of North Dakota government, and that if the North Dakota Constitution does not authorize a statute, that statute should be removed in order to return constitutional liberty to the people of North Dakota.

The NDHSA and most home educating families also understand that the wording of the North Dakota Constitution authorizes a public school system, but provides no authority for the regulation of home education as consistent with American history, parental rights, and constitutional liberty. Therefore, the NDHSA and most home educating families desire the return of constitutional liberty to teach their children without state interference.

Your help in returning Constitutional liberty to the parents of North Dakota, so they can fully direct the education of their children without state interference, is most appreciated.

The Common Educational Neglect Question

It is common to wonder whether educational neglect would increase if fewer regulations were applied to home educating families. The fact is, that there is absolutely no correlation between educational neglect and the lack of government regulation of homeschooling families. There is no data to support that idea. It can be proven however, that educational neglect is occurring, with regularity, where the most regulations exist, in the public school system. Removing the parental requirements for home educators will have not effect on educational neglect as shown in the references below.

References

I have provided several handouts for your reference and want to quickly bring your attention to importance of each.

1. Comparison of government regulations for home educators (<http://HSLDA.org/laws>) map.
2. North Dakota Home School Association's 21st Annual Christian Home Educator's Conference, March 19-21, 2009.
3. Home Schooling Achievement (Home School Legal Defense Association, 2001), Demonstrates that parent qualifications do not predict student achievement, nor does government regulation.
4. Michael Smith, "Home-schooling popularity grows," The Washington Times, 1 February 2009.
5. Mary Pride, "The Great Homeschool Bailout," Practical Homeschooling, November/December 2008, 1. Shows that each home educated child frees up enough state funds to send 6.5 children to a community college or 1.5 children to a state university.
6. Michael Shaw, "Which Philosophy of Rights," Freedom Advocates, <http://freedomadvocates.org> (3 February 2009). Most home educators believe in inalienable rights, including the right to educate their own children without state interference.

7. North Dakota Legislative Council, North Dakota Constitution, Article VIII, Sections 1 and 2. Underlines shows that the N.D. Constitution does not require regulation of home educators nor require the legislature to ensure a quality education for every child in the state.
8. North Dakota Department of Human Services, Child Protection Services Policy Manual, Educational Neglect vs Truancy Fact Sheet. Shows procedure to identify and address educational neglect without need for home education monitoring or regulations.
9. Marlys Baker, North Dakota Department of Human Services, Children and Family Services Division, reported by telephone to James Bartlett, that the number of confirmed educational neglect cases in North Dakota for the years 2005, 2006, 2007 were 93, 99, and 104 respectively. None of these educational neglect cases were home educators because the procedure to investigate educational neglect first determines if a statement of intent to home educate was filed and, if so, the case is transferred to the local school district to “demonstrate attempts to resolve the issue with the caregiver” according to Child Protection Services Policy Manual, Educational Neglect vs Truancy Fact Sheet. 27 January 2009.
10. Gail Biby, “DPI Receives ‘Complaints.’” The Home School Report (North Dakota Home School Association, May 2007). Shows that irrelevant and unverified hearsay is used to propagandize legislators into increasing the regulation of home education. Asking for information, students beyond compulsory age, educating while traveling, hiring a tutor, school district questions, educating at night, books from Walmart, parent qualifications, grandparent pleading, home entry, daytime activities are not valid complaints against home education or legal violations. It is common for people to think neglect when in reality the parents are using an unconventional means of education such as delight-directed learning or un-schooling or when extenuating circumstances interrupt regular activities.
11. Jerry Coleman, ND DPI Finance, Email received showing that in 2007-08, \$270, 920 was spent by the school districts for monitoring 234 students. That is \$1157 for monitoring one home schooled student, one hour each week for 36 weeks or \$32/hour. In 2008-9 103 home schooled students had a monitor paid for by the family at a much lower rate. Since one hour per week is for the first student and ½ hour more for each additional child per month, then

for 6 children, the monitor would visit an average of 1.6 hours per week and the school district collect tax payer funds at the rate of six children or \$120 per hour.

12. Ann Ellefson, Assistant Director School Approval and Accreditation, North Dakota Department of Public Instruction, email to James Bartlett, "2007-08 Monitoring Summary by Grade Level," 27 January 2009. Most monitoring is done during younger student years. This demonstrates that the two year weekly monitoring period is not a tool for identifying educational neglect, as some mistakenly assume.

13. Dr. Brian Ray, National Home Education Research Institute, in email to Gail Biby, estimated that there were 4,000 to 5,500 home-educated students in K-12 in North Dakota during the spring of 2008. 2 February 2009.

14. Dr. Brian Ray, Home Educated and Now Adults: Their Community and Civic Involvement, Views about Homeschooling, and Other Traits, (National Home Education Research Institute. Shows that 74.2% of home educated go on to college as compared with 46.2% of the general population.

15. Gail Biby, "Does High State Regulation of Homeschooling Produce Higher Test Score?" The Home School Report (North Dakota Home School Association, October/November 2008). The answer is no, based on SAT scores.

Quick Facts to Dispel Some of the Myths

1. The ND Constitution does not require that ALL ND students have the RIGHT of a QUALITY education. That is United Nations language, not the ND Constitution or US Constitution. North does the constitution does not require that all students are tracked.

2. No Child Left Behind does not apply at all to home education because it has a home school exemption clause.

3. While teacher qualifications improve student performance in the public schools, it has been proven conclusively that teacher qualifications do not improve student learning or accomplishment in the home school tutorial atmosphere.

4. Home education laws do not correlate to a reduction in educational neglect, in fact where high regulation exists is where the most neglect occurs. The ND social service procedure to identify educational neglect works to identify neglect with or without the home school laws.

5. Home school tutorial student customized learning methods don't look like conventional education and don't need to in order to be effective.

6. Monitoring does nothing to ensure a quality education as proven over the last 20 years. It is an unnecessary expense to the state and an interruption of learning for home educating families. This is one of the reasons home school families don't move to ND or leave.

If legislators really want to ensure that no child falls through the educational cracks, then legislators would encourage more parents to home educate. Encouraging parents the take the proper responsibilities, to educate their own children, causes them to grow up into those responsibilities. Contrariwise, by taking away parental responsibility and giving it to the state, then parents will be more likely to abdicate responsibility further. Just like renting an apartment v. owning a house, when ownership responsibility is taken people take better care of things.

I'd be happy to answer any questions you have, and I expect that some of those questions will also be answered by the subsequent testimonies.

Thank you for your time and consideration. Sincerely, James Bartlett, Executive Director

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Encouraging multigenerational faithfulness to the Lord Jesus Christ. Psalm 78:6-7

Assisting home schoolers since 1985. office@ndhsa.org, ndhsa.org

Testimony on HB 1171

By

Dr. M. Douglas Johnson, Executive Director—NDCEL

Chairman Freborg and members of the Committee, for the record my name is Doug Johnson and I am the executive director of the ND Council of Educational Leaders which represents North Dakota's school leaders. I am here to testify in opposition to HB1171.

There are several reasons why the NDCEL opposes this bill. First, we believe that the proposed changes to ND Century Code relating to the qualifications and monitoring of parents supervising home education to be a paradox to the Commission on Education Improvement's recommendations for providing adequacy and increase rigor in the educating of North Dakota students as put forward to the 61st Legislative Assembly in HB1400.

Last week your committee gave HB1400 a Do Pass recommendation. By doing this your committee sent a message that you expect educational rigor, quality, and accountability for our public schools as well as improved academic performance from the students educated in our state's public schools. HB1400 provides for academic rigor by increasing graduation requirements in math and science, sets recommendations for increased teacher training through expanded professional development opportunities, and increases accountability by requiring schools to provide more interim (NWEA MAP Assessment) and summative (ACT and WorkKeys) for their students.

While HB1171 would not change the expectancy that home schooled students are to meet North Dakota requirements for graduation, the bill does lower the state's standard for assuring accountability for our home schooled students to a less rigorous level. Currently, home school students are only required to take standardized tests in grades 4-6-8-10 and only need to report

test scores to the ND Department of Instruction which would not be changed with the approval of HB1171.

However, with the approval of HB1400 public school students will be required to take state assessments in grades 3-4-5-6-7-8-11 in addition to the ACT or WorkKeys during their junior year. Further, these public student test scores are reported to not only the public but are also used to determine whether or not each school and school district has made the federally mandated Adequate Yearly Progress (AYP) requirements. The state assessments taken by home school students are merely reported to the NDDPI as required by current law and are not held up to any standard of accountability other than the monitoring of a parent whose home schooled child scores below the 50th percentile on a standardized assessment. In addition, HB1400 requires all public schools to at least once annually administer the Measures of Academic Progress (MAP) assessment or any other interim assessments approved by the NDDPI in grades two through ten. Interim assessments are not required for home schooled students in HB1171 and the bill actually reduces home school accountability by eliminating the requirement for monitoring of test administration by a public school employee.

A second reason the NDCEL opposes HB 1171 is that it would mean that the state of North Dakota, which expects all of its teachers in the public schools to be highly qualified to teach in specific content areas for our children, would allow a much lower standard of teacher qualification for students who are home schooled. HB1171, through the repeal of Section 15.1-23-03 and Section 15.1-23-06, removes all qualification requirements for those who teach home schooled students. This means that parents whom home school their children could do meeting a minimum education requirement of having high school diploma or GED and have no required monitoring of the progress of their home schooled child. It is our belief that if this standard has value for our

State's public schools it should have value for our State's home schooled students. Further, by the elimination of the phrase "in the child's home" for the definition of home education in NDCC 15.1-23-01, it is conceivable that this new definition of "home education" programs could raise home schooling to a level that could almost be considered private school status. HB1171 would change North Dakota law so that it would no longer require the parent to supervise their own child "in the child's home" but could ^{possibly} ~~apparently~~ have someone else be their child's supervising teacher. Our state, through the NCLB Act, requires teachers to prove through state licensure that they have knowledge of the content area in which they teach. Current law provides, at least at a minimum, the needed safe guards which ensure parents who home school their child have the needed knowledge to do so.

Finally, in their October 27th, 2008 testimony to the North Dakota Education Interim Committee, the North Dakota Home School Association stated:

"The changes in home education law desired for 2009 will take the first of three steps toward improving the North Dakota home school law to the equivalent of states like Alaska, Idaho, Texas, and others. The first step (2009 legislation) is to move North Dakota from a high regulation state (red), to a moderate regulation (orange) state as color coded by the Home School Legal Defense Association at <http://HSLDA.org/laws>. The NDHSA is planning two additional steps for future legislative sessions with the goals of moving North Dakota to a low regulation (gold) state in 2011, and to a no regulation (green) state in 2013. "

Chairman Freborg and members of the Senate Education Committee it is the belief of the NDCEL that the North Dakota Home School Association will not relent with the proposed changes to ND Century Code until they make North Dakota a "green" state with "no regulation."

Here are the regulations for Alaska which is cited as a "green" state by the HSLDA:

ALASKA

Compulsory Attendance Ages: "between 7 and 16." A child who is six years old and enrolled in the first grade in public school is subject to the compulsory attendance law. A parent may withdraw such a child from public school within 60 days of enrollment, and the child will not be subject to the compulsory attendance law until age seven. Alaska Statutes § 14.30.010.

Required Days of Instruction: None.

Required Subjects: None. *Home schools have five options, four of which are under alternative statutes*

Home School Statute:

Option 1. Alaska Stat. § 14.30.010(b)(12). If "the child is being educated in the child's home by a parent or legal guardian," the child is exempt from compulsory attendance. ~~Under this option, there are no requirements to notify, seek approval, test, file forms, or have any teacher qualifications. The burden is on the state to prove that parents are not teaching their children.~~

Alternative Statutes:

Option 2. Alaska Stat. § 14.30.010(b)(1)(B). Tutoring by a certified teacher.

Option 3. Alaska Stat. § 14.30.010(b)(10). Enrollment in "a full-time program of correspondence study approved by the department."

Option 4. Alaska Stat. § 14.30.010(b)(11). The child "is equally well-served by an educational experience approved by the school board," after a written request for excuse from school attendance.

Option 5. A home school may qualify as a "religious or other private school" as long as it meets the following requirements:

- a. the child's parent must file an annual notice of enrollment (Private School Enrollment Reporting Form) with the local superintendent by the first day of public school. Alaska Stat. § 14.45.110(a);
- b. before October 15 each year, file the "Private and Denominational Schools Enrollment Report" and "School Calendar" forms with the Department of Education;
- c. the school must maintain monthly attendance records showing 180 days of school attendance each year. Alaska Stat. § 14.45.110(b);
- d. the definition of a private school is a school "that does not receive direct state or federal funding." Alaska Stat. § 14.45.200(1);
- e. the definition of a religious school is a "private school operated by a church or other religious organization that does not receive direct state or federal funding." Alaska Stat. § 14.45.200(2);
- f. maintain and certify to department of education that records on immunization, courses, standardized testing, academic achievement, and physical exams are kept. Alaska Stat. § 14.45.130;
- g. according to the Alaska Department of Education's *Guide for Establishing a Private or Religious School*, home schools are exempt from fire, safety, and asbestos regulations and developing a corporal punishment policy.
- h. if a school is not operated in compliance with this section, it is *not* exempt from other requirements and must make monthly attendance reports and annual reports to the Commissioner of Education. Alaska Stat. § 14.45.030

Teacher Qualifications: None.

Certification is required only if parents use a private tutor. Alaska Stat. § 14.30.010 (b)(1)(B) (tutors must be certified); § 14.20.020 (certification requirements).

Standardized Tests: None. However, if operating as a religious or other private school (option 5), testing is only required for fourth, sixth, and eighth grades. Standardized test results must be made available to the Department of Education upon request. The parent may select any standardized achievement test. See *Guide*. Alaska Stat. § 14.45.120(a).

Current North Dakota Century Code provides reasonable and prudent regulation of home schools in our state and is the only gate keeping process our state has to monitor the progress of its home schooled students. This process is critical in providing assurance that a child's home schooling will be a viable education which allows for the transfer of credit and college admission. Unless you as a committee wish that North Dakota become a "green" state like Alaska, I ask that you carefully consider the ramifications of passing a bill such as is presented before you as HB1171. It is for these reasons that I encourage you to give HB1171 a Do Not Pass recommendation.

Chairman Freborg and members of the Senate Education Committee, this concludes my testimony. I encourage your committee to give **HB1171** a do not pass vote. At this time I would be happy to answer any questions that you have in regard to my testimony.