

# Kitchen Tables and Marble Halls:

## WPA and Homeschooling In Wisconsin



Revised Edition



Wisconsin Parents Association  
Madison, Wisconsin

Revised edition

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## Preface

For nearly 30 years, homeschoolers working together through WPA have rediscovered the vital importance of families exercising direct responsibility for their children's education. They have courageously stood up and reclaimed and exercised their rights. They have extended a helping hand to other committed parents and demonstrated how homeschooling works as part of their effort to maintain their homeschooling freedoms.

*Kitchen Tables and Marble Halls* is the exciting story of ordinary parents accomplishing extraordinary victories for their families and for posterity against great odds. It is a story of how committed people have risen above individual differences in areas as fundamental as curriculum, politics, religion, and philosophy to form a grassroots organization that safeguards the right of parents to homeschool according to their principles and beliefs.

*Kitchen Tables and Marble Halls* is also a call for homeschoolers to understand their history, including the courage, sacrifice, and principles that undergird it. This booklet offers new and experienced homeschoolers a chance not merely to marvel at what has been accomplished and have a vicarious or nostalgic experience of that history, but also to gain or renew our commitment to what will be required of us for this story to continue and for this history not to have been lived in vain.

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## **I. Heading for a Showdown**

Throughout history, most people have learned in their homes and communities, not in institutions called schools. The compulsory school attendance laws that currently require children in the US to attend school were not passed until the late nineteenth century. The modern homeschooling movement began as an outgrowth of calls for radical reform of education by people on the left like Ivan Illich and John Holt, who emphasized the ways people could grow and learn without attending conventional schools. By the late 1970s, homeschooling in the US was clearly on the rise. It grew rapidly in the early 1980s, fueled by people from the right and the left. Homeschoolers often learn at their kitchen tables, but they have to travel to the marble halls of the state capitol to reclaim and maintain their homeschooling freedoms.

### **A. "Is Homeschooling Legal?"**

Homeschooling pioneers in the 1970s and early 1980s were often asked, "Is homeschooling legal?" Those in Wisconsin chose one of three possibilities. (1) Some requested official permission from the Department of Public Instruction (DPI). (2) Others incorporated their home as a private school. (3) Most understood and acted on their rights as parents without official permission from the state.

1) Families who applied to the DPI for permission to educate their children under the education "elsewhere than at school" clause of Wisconsin statute 118.15 (4) found that the DPI was, as one homeschooler put it, "capricious, biased, hostile." Here are examples of the DPI's responses to families who submitted applications:

- A mother who also happened to be a certified teacher was told to notify her local school district if she and her children needed to leave home during school hours. Also, the DPI told her they could visit her home at any time, unannounced, and they did.

- A boy having problems in school had a chronic health condition that caused him to miss the equivalent of a year of school over a period of several years. Once he began homeschooling, his health and his academic standing improved. When he was then tested (at the DPI's request) for learning disabilities, the results were normal. Previous school problems were determined to have been the result of his poor health and resulting absences. However, the DPI ignored this evidence and refused to approve his homeschooling on the grounds that the public school could better provide for him.

- One family was required to hire a certified teacher from five to eight hours a week. They were told if their children got satisfactory results on required tests at the end of the year, they would be approved the following year. Although the children had had certain remedial problems prior to being homeschooled, all three school-age children tested two years above their respective grade levels at the end of the first year of homeschooling. However, the family was denied approval

the following fall because the DPI was concerned about their physical education, music, and art programs. They were informed that guitar lessons were an unacceptable alternative to owning a piano. When the family agreed to rent a piano, they were told that this was not sufficient even though the mother had studied piano for several years. She was asked if she had ever played in her high school band. She felt that nothing she could say or do would please the DPI.

- The DPI responded to one family's submission of their curriculum, schedule, lesson plans, etc. with a two-page letter that included this: "The written curricular materials should include philosophy, goals and objectives, instructional activities to be used in attempting to attain the identified goals and objectives of the respective subject areas, bibliography of print and non-print materials, and evaluation measures to be used for each subject." The letter went on to require a detailed daily schedule for each subject and copies of written curriculums for subjects including art, music, and physical education. The letter also asked the family to explain the parents' work hours and relate these to the homeschool calendar and schedule. The family had to show that their homeschool program would be "substantially equivalent to that of public or private schools in the area of residence." This letter was just one in a series of DPI requests.

2) Filing with the state to incorporate one's home as a private school was not an officially sanctioned way to homeschool. But some families did so in an attempt to increase the likelihood that, if they were taken to court, officials would rule that they were homeschooling legally. They hoped that the benefits of being officially incorporated would outweigh the risk they were taking by filing an application that let the state know they were homeschooling.

3) Most families recognized and acted on the fact that families have a right to choose for their members an education consistent with their principles and beliefs. Parents do not need permission from the DPI or any other government agency. They don't need a statute saying that homeschooling is legal because the right to homeschool comes from nature or God, not from the state, especially since there has never been a statute stating that homeschooling is illegal. At that time, Wisconsin's statute defining a private school was vague. Families who recognized their right to homeschool also understood that their home met the vague requirements for a private school, so their children were, in fact, attending a private school.

## **B. Homeschooling Before 1984**

Regardless of the approach homeschooling families chose, they were apprehensive.

- The threat of being contacted by officials was ever present. Most homeschoolers were convinced homeschooling was legal, but they were pretty sure officials disagreed. They worried about a truant officer or social worker knocking on their door, questioning them, and announcing that they would have to send their children to school or they would be taken away.

- Convinced that it was better to stay out of sight than to have to get out of

trouble, homeschoolers maintained a very low profile, mentioning homeschooling as little as possible. Parents and children dreaded ordinary questions like: “Where do you go to school?” or “Why aren’t you in school today?” Whenever possible, they avoided situations in which they might be suspected of homeschooling. This isolated homeschoolers, prevented them from finding each other, and increased apprehension.

- Homeschooling pioneers were sailing on uncharted waters. In the early 1980s there were very few reports about successful grown homeschoolers. Parents wondered if they were taking unreasonable risks with their children’s educations and futures. After all, where was evidence that homeschooling worked?

- Support was minimal and difficult or impossible to find. There was no WPA to assure families that homeschooling works and to explain how to comply with the law. There weren’t thousands of families in the state for whom homeschooling had worked and was working. Support groups, homeschooling curriculums, Web sites, and online discussion groups did not exist. The media did not carry positive reports about homeschooling. People who heard about homeschooling didn’t say, “Oh, yes, my neighbor’s sister-in-law does that.”

- Skepticism and criticism abounded. While some family members and friends were supportive, many were at best doubtful and at worst downright hostile. Homeschoolers who admitted having doubts were likely to hear, “So why don’t you just send them to school?”

Obviously, these concerns and others affected families as they homeschooled. Some devised ways of protecting their children and hiding them when necessary. One family assigned each of their six children a place to hide whenever someone came to the door and hid them under blankets to travel by car during conventional school hours. (For their story, see the WPA handbook, sixth edition, or the WPA Web site under “Conference Voices 2000.”) Many families stayed at home and indoors during school hours, sacrificing some outside learning opportunities to feel safer. Sometimes families who knew each other for non-homeschooling reasons didn’t realize they were both homeschooling. (For example, see the handbook or the WPA Web site under “Conference Voices 2005.”)

### **C. The Response of the Educational Establishment**

As the number of homeschooling families increased in the early 1980s, so did concern among many members of the educational establishment, which includes teachers, school administrators, teachers unions, school boards, and the DPI. Their reaction was not surprising for a number of reasons.

- Public schools were being strongly criticized. Reports such as *A Nation At Risk*, published in 1983, were seen as evidence that American schools were failing. Raising concerns about homeschooling provided a convenient way for school officials to divert attention and criticism away from public schools.

- Homeschoolers were viewed as competition that could lead to loss of enrollment,

prestige, jobs, and money. Frequent predictions warned that schools would lose teachers, special programs, and state funding.

- Many teachers and administrators strongly opposed the idea that children could be educated outside conventional schools.

- Many people simply could not imagine children learning and growing up successfully without conventional schooling. Not attending school was viewed as not just a violation of the compulsory school attendance law but as morally reprehensible and a threat to a child's future. Homeschooling seemed new, different, and untested to people who had forgotten how most people have learned throughout history.

- To make the news more exciting, media reports raised suspicions and often promoted controversy between homeschoolers and their opponents.

Members of the educational establishment began searching for ways to counter what they saw as a threat from homeschooling. One of Wisconsin's most outspoken opponents of homeschooling was Herbert Grover, State Superintendent of Public Instruction and head of the DPI.

#### **D. The Popanz Case**

Before long, a homeschooling family named Popanz was charged with truancy and taken to court. After their initial loss, their public defender appealed their case to the Wisconsin Supreme Court. On April 26, 1983, the Court reversed the earlier decision, declaring that Wisconsin's compulsory school attendance law was "... void for vagueness since it fails to define 'private school'" (*State v. Popanz*). In other words, homeschoolers could not be prosecuted for truancy under the current law. If the government wished to bring truancy charges against homeschoolers and other private school students, the Legislature first had to unambiguously define a private school. The opinion was written by Shirley Abrahamson, now Chief Justice of the Wisconsin Supreme Court and generally considered to be more liberal than conservative.

Superintendent Grover, the DPI, and other opponents of homeschooling had what they wanted: an opportunity to get a law passed that would give the DPI authority over homeschools, force them to become like conventional schools, and minimize the competition they posed to public schools.



## **II. Winning a Good Law**

The DPI's legislation was introduced in December 1983 as AB 887. The proposed definition of a private school included the requirements that "Instruction at the institution does not occur on premises used primarily as a private residence" and "The majority of pupils at the institution are neither related to nor under the guardianship of any instructor at the institution. In this paragraph, 'related' means within the 3rd degree of kinship under s. 852.03 (2)." These requirements would have prevented homeschoolers from stating that their homes were private schools. Families would have been forced to get permission to homeschool from the DPI, despite the fact that homeschools are private schools and should not be regulated by the DPI, and despite the unreasonable ways the DPI had treated homeschoolers in the past.

Homeschoolers were a small minority, had been as quiet as possible, were not known in the Legislature, and had not had experience as a group working with the Legislature. DPI officials probably assumed they would get their way. Little did they know . . .

### **A. The Founding of WPA**

Word of the legislation gradually spread among homeschoolers. Contacts were made and ideas exchanged by phone and postal mail; email and the Internet were not available. Eight homeschoolers from around the state met in Madison on December 20, 1983, and planned a statewide meeting to which anyone interested in homeschooling was invited.

The 70 people who gathered in Stevens Point on January 6, 1984, represented a wide variety of homeschoolers with various approaches to education and religion. A paper was presented outlining the pros and cons of agreeing to various proposals the DPI might make, including requiring standardized testing, review and approval of a family's curriculum, progress reports to local school districts, parent qualifications, etc. The paper was a key to the foundation of a new organization based on the following ideas that have guided WPA ever since.

- WPA would work to preserve the right of each family to choose an education consistent with their principles and beliefs.
- WPA members would stand together and not agree to requirements that would limit others even if they would not limit their own family. Parents of children who scored well on standardized tests would not agree to state-mandated testing for all homeschoolers. Parents who felt good about the curriculum they had purchased or developed would not agree that homeschoolers must have their curriculum approved by local school officials or the DPI. People with college degrees would oppose laws that required more reporting or testing for parents who did not have degrees. Standing together proved to be very important. Many other states passed homeschooling laws during the 1980s that led to unnecessary state regulation of homeschooling and loss of freedoms. Roughly half the states

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require some form of testing. Many require progress reports and/or review and approval of curriculum. Several states, including Minnesota and Iowa, require more of parents who do not have college degrees.

- As a statewide, inclusive organization, WPA would welcome anyone who was interested in homeschooling. Wisconsin Parents Association was chosen as a name that reflected this inclusiveness and did not limit the organization or its members to any particular approach to education, religion, etc. From its beginning, WPA has been composed of people with differing ideas, including conservatives and liberals.

- WPA would not endorse any curriculum or learning materials. It would stay focused on homeschooling and the right of families to choose for their members an education consistent with their principles and beliefs. It wouldn't mix causes or get involved in issues that would be divisive or were not closely related to homeschooling.

- WPA would be a grassroots organization. Individuals would work together in local communities and with their own legislators. No prominent, highly visible leaders would take most of the responsibility and get credit or blame for what happened. There are many reasons why this is important.

- A grassroots organization is founded on and gets its strength from people's basic rights and liberties.

- A grassroots organization disagrees with one of the basic operating principles that the Legislature and the media rely on, namely, that the majority rules and the minority loses.

- The organization does not risk losing its strength if a highly visible leader is attacked or makes a serious mistake.

- Ideally, the membership of a grassroots organization spans the political spectrum so it can speak to both Democrats and Republicans, win their respect and support, and continue its work regardless of which political party is in the majority. The organization tries to avoid being identified with or tied to either party.

- Operating on the grassroots level is the best strategy for small minorities that do not have much money or other political power. Working on the grassroots level allows a small group of very committed people to impact a whole state. It is much more difficult for large and powerful opponents to fight a grassroots organization than one dominated by a few leaders who can be used as targets.

- A grassroots organization reflects and is consistent with individuals and families taking responsibility for themselves and their children's educations. By its very nature, it encourages people to step up, develop more confidence, and become more capable. It demonstrates that ordinary people can and do take responsibility and work effectively.

WPA has always been and continues to be more than a bunch of people rallying or shouting or sending emails with a scripted message that the sender may or may not be able to explain or defend. WPA provides its members, legislators, and the

general public with accurate information and encourages members to act. WPA members have the commitment, courage, and accurate information necessary to talk with legislators, the media, local school officials, school boards, neighbors, relatives, and others about homeschooling issues. WPA's strategy from the beginning has been to count on committed and informed families to stand up and speak out. This is truly a grassroots approach, and it has saved homeschoolers from being ruled by the educational establishment again and again.

## **B. Homeschoolers Are For Real**

The fledgling organization had its work cut out and had to begin immediately. A hearing before the Assembly Elementary and Secondary Education Committee was scheduled for January 25, only three weeks away. WPA produced its first Informational Bulletin, which included background information, "How to Contact Your Legislators," and a four-page "White Paper on Assembly Bill 887" by the Wisconsin Parents Association Task Force on Freedom of Choice in Education. Two thousand copies were mailed.

Throughout the planning process, WPA informed key homeschoolers around the state and reassured them that their interests and concerns would be given a voice in committee hearings. WPA would not compromise their principles and beliefs or yield to powerful political pressure and agree to testing or review and approval of curriculum or parental qualifications. This time-consuming communication ran up huge telephone bills, took a lot of patience as people listened carefully to one another, and resulted in strong presentations, spanning the spectrum from very conservative to very liberal, at the hearing.

WPA also searched for non-homeschooling allies. Unfortunately, established parochial schools, which constituted the majority of private schools and had experienced lobbyists in the Legislature and substantial financial resources, did not seem to understand how AB 887 threatened their freedoms. They had already adopted many of the policies and practices of public schools and did not want to threaten their chances for state aids for education. So they supported the bill. Fortunately, small, independent Christian schools realized that their freedoms were at stake and worked with homeschoolers. Eventually, a group of elite private schools also realized what was happening and joined WPA in opposing AB 887.

Homeschoolers and their supporters contacted their legislators to explain the problems with AB 887 and why the DPI should not be given authority over homeschools. They used materials from WPA, including the White Paper, and also presented their personal convictions directly to their legislators, often more than once.

Thanks to this effort and the work of others, word spread throughout the state. People arranged carpools; churches chartered buses. Children prepared for a real civics lesson that would strongly affect their future.

The response to the hearing greatly exceeded expectations. WPA volunteers distributed copies of the testimony presented by WPA's spokesperson and other information. It explained to people how to register for or against the bill and how

to testify at a hearing. Although the hearing was moved to the Assembly chamber, the largest space available, the room was soon overflowing. Homeschoolers and their supporters spread throughout the marble halls of the capitol, sitting on steps and benches. When possible, they listened to testimony that began early in the morning and lasted well into the night.

Altogether an estimated 2,500 people converged on the capitol. Perhaps even more impressive was the fact that those attending represented the full range of homeschoolers. As one newspaper reporter wrote, “The audience ranged from Bible-thumping Baptists to granola-crunching back-to-the-landers.” WPA was off to a strong start as a statewide, inclusive, grassroots organization.

### **C. Turning the Bill on Its Head**

With the help of an advocate for small Christian schools who was committed to the same principles as WPA, two Democrats (Wayne Wood from the Assembly and Marvin Roshell from the Senate) stepped forward to put their names behind a substitute amendment to AB 887 that reflected WPA’s principles. Unfortunately, on March 1, after considering 65 separate motions and amendments, the Assembly voted 51-47 to pass the DPI version rather than the substitute amendment.

Given the odds against homeschoolers and their lack of political clout, it would not have been surprising if the bill had passed overwhelmingly. The close vote showed the effectiveness of homeschoolers and their allies. However, it was also very discouraging and eye-opening that key Republicans who had said they would vote for the substitute amendment evidently bowed to the tremendous power of the teachers union and failed to vote for it.

With the Legislature about to adjourn, the bill was quickly sent to the Senate. On March 13, the Senate Health, Education, Corrections and Human Services Committee held a hearing. WPA collected stories from homeschoolers and presented testimony that included the experiences of 17 families identified by name who had been harassed or treated unfairly by the DPI during their attempts to get information about homeschooling and/or gain DPI approval. Summary information was also presented from 25 additional families who did not want their names or specific stories used because they feared further harassment or denial of approval. Several of these families were required to send the DPI a picture of their children, copies of the floor plan of their house, and the daily personal schedules of both parents from the time they arose in the morning until they retired in the evening, seven days a week. Due to lack of time before the hearing, additional families who could have contributed their stories as well were not asked to testify.

The hearing lasted from 1 p.m. to 11 p.m. WPA’s strategy was successful. For example, Committee Chair Carl Thompson decided to support WPA’s position because he believed in minority rights and did not want homeschooling to be controlled by the politically powerful educational establishment. Thompson came

out of Wisconsin's progressive tradition of championing the less powerful which harkened back to Wisconsin's Bob LaFollette's work as a Republican reformer. Even though the committee did not pass the substitute amendment homeschoolers sought, Thompson's support was a victory and helped WPA gain support from other senators.

On March 27, the DPI version of AB 887 failed a preliminary vote in the Senate. According to *The Milwaukee Journal*, "The bill was returned to committee for rescheduling after backers of the legislation failed [by a vote of 13 to 18] to head off a substitute measure that Herbert Grover, state superintendent of public instruction, denounced as a joke. . . . Grover said no bill at all would be better than the one that gained tentative approval in the Senate." On April 4, after considering 26 motions and amendments, the substitute amendment WPA supported finally passed in the Senate. The next day, the Assembly rubber stamped the Senate version by a vote of 98 to 1. The lone dissenting vote came from a legislator who did not think a law was needed to give parents the right to homeschool. Although there was some concern that Governor Tony Earl, a Democrat, might veto the bill, he signed it. It was enacted into law on May 10, 1984.



### **III. Breathing Life Into the New Law**

While homeschoolers working together through WPA celebrated the remarkable and hard won legislative victory, they also realized that their work was just beginning. As the first WPA newsletter said, "To keep a positive climate for home schooling in Wisconsin, we need to be vigilant, organized and ready to act." Innovative thinking and hard work continued.

#### **A. Serving Homeschoolers: Newsletters, a Conference, and a Handbook**

Key terms in the law had to be defined. WPA seized the initiative. It informed people that the required "875 hours of instruction" did not have to be limited to workbooks and textbooks. As in public schools and conventional private schools, instruction in homeschools could include field trips, hands-on art and science projects, audio-visual experiences, work study programs, and many other learning experiences. A homeschool's calendar did not need to be the same as the local public school's. Homeschoolers could learn outside conventional school hours, on Saturdays, Sundays, and during the summer. Since a "curriculum" is a plan of study, homeschoolers could use textbooks and workbooks like those in conventional schools or develop their own curriculum using libraries, community resources, and a wide variety of learning experiences.

People needed to be informed about what the new law did and did not require, how to comply, and the importance of not doing more than the law required. The

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first WPA *Newsletter*, dated April 25, 1984, was typed on a manual typewriter, copied, and mailed. It included information on how to comply with the law; announcements of regional meetings to be held in May in LaCrosse, Madison, Janesville, and Milwaukee and the first statewide conference; and an invitation to become a member for \$15 per year. Members' names, addresses, and renewal dates were written by hand on 3 x 5 cards kept in a file box.

WPA's first conference was held in Stevens Point on June 2, 1984, less than a month after the bill became law. Over 130 people attended general sessions on "Complying With the Law" and ways to get involved in the political process, including inside tips from a member of the Wisconsin Assembly. Smaller sessions discussed "How the Legislature Works and How Grassroots Movements Affect It," "Alternatives in 'Instruction' and 'Sequentially Progressive Curriculum,'" "How to Begin Home Schooling," and "Winning Support for Home Schoolers: Your Community, the Press and the Legislature." As the newsletter later reported, "It was unanimous that WPA should hold a conference again next year." Already WPA was both providing support and information about homeschooling and informing its members so they could work to maintain homeschooling freedoms.

The second newsletter, dated July 25, 1984, was "mailed to everyone on the WPA mailing list due to the urgency of this information and its impact on all of us." The newsletter alerted readers to problems with the DPI form and suggested ways to deal with them. (See below.)

It soon became clear that a handbook would be a valuable asset to homeschoolers, legislators, media people, and others. *Handbook on Home Education in Wisconsin* was a stapled, 35-page document published in September 1985. It covered requirements of the law, how to comply, record keeping, dealing with public officials, communicating with other homeschoolers, and working with legislators. It cost \$7.50 for members, \$10 for non-members.

To emphasize the fact that WPA is a grassroots organization, neither newsletter articles nor the handbook have authors' names, similar to the practice of the Founding Fathers, who, for example, published the *Federalist Papers* anonymously.

## **B. DPI's Continuing Efforts to Gain Authority Over Homeschoolers: The First PI-1206 Form**

The new law required that homeschools report to the DPI the number of students enrolled on the third Friday in September, just as other private schools and public schools do. In developing the form for homeschoolers to use, the DPI seized the opportunity to try once again to gain authority over homeschoolers. The first version of the form required homeschoolers to provide the name, date of birth, gender, and grade level of each child and the name, address, and telephone of the designated tutor, if any. WPA had worked hard to ensure that this information was not required by the law. Also, the form exceeded the law by

requiring parents to sign assurances stating, “2. Assurance is hereby given that a copy of the school calendar, daily or weekly schedule or other materials verifying 875 hours of instruction as identified in (c) is available for review. 3. Assurance is hereby given, for each of the six mandated subject areas listed in (d), that a course outline listing such items as goals, and objectives, instructional activities and printed materials and audiovisuals to document a sequentially progressive curriculum of fundamental instruction is available for review.” The cover letter from the DPI that accompanied the form stated that “An outline of your curriculum, including goals, objectives, instructional activities, content, and any materials used in the program of instruction, should also be on file in your home and available for review if requested.” It also stated, “Although the form is not due until October 15, an earlier submittal date would be of assistance in identifying attendance choices.”

If homeschoolers in 1984 had complied with these demands, which also implied that local school officials could request the materials at any time, a very significant part of the homeschooling freedoms that had just been recognized by the new law would have been lost as homeschoolers surrendered to the state even though they were not legally required to. But it took a lot of courage to stand up to the educational establishment, especially at a time when homeschooling was a new idea to the Legislature and the general public and most people were skeptical, if not critical. Fortunately for homeschoolers who came later, WPA gathered, organized, wrote, and distributed the necessary information and suggestions about how to act, and early homeschoolers had the courage to do what was required of them.

When a WPA representative contacted the DPI to demand that the form be changed so that it was consistent with the new law, the DPI agreed to remove the requirement for the names of children and tutors but insisted on keeping the assurances. WPA wrote to legislators on September 24, explaining that, “It appears that in drawing up the form mandated by law, the DPI has attempted to ‘legislate’ points it lost during debate and passage of AB 887.” WPA suggested that homeschoolers cross out Assurances #2 and #3, add a statement such as, “Our program (or school) meets all of the criteria of 118.165(1),” sign the statement but not the assurances, and not mail the form until after October 1.

Homeschoolers who crossed out the assurances received a threatening letter from the DPI stating, “The assurances are your statement that you can document, if asked, that you have 875 hours of instruction and a sequentially progressive curriculum. Stating that you meet the law and being able to show, in writing, that you meet the law are two separate items. As long as the assurances are filed, your local school district will accept your statement at face value and identify you as having complied with the law. If you are unwilling or unable to provide assurance that you can document that you meet the criteria in the law, your local school attendance officer may have to review your calendar and course of study to assure that you do.” In other words, the DPI was telling homeschoolers that

they should do more than the law requires and then trust that their local school districts would not ask anything further of them.

WPA persisted. It enlisted the help of Representative Wood, Senator Roshell, and the advocate for small Christian schools, and essentially forced a meeting with top DPI officials. The November 8, 1984, meeting was attended by a WPA representative, the Christian school advocate, Wood, Roshell, and DPI officials, including Superintendent Grover. WPA was successful in getting the DPI to do three important things. First, the DPI agreed that assurances #2 and #3 were not required under Wisconsin statutes and would not be required on future PI-1206 forms. Second, the DPI agreed to send a letter of clarification to all homeschoolers who sent in the form, advising them that they were in compliance with Wisconsin statutes whether or not they crossed out assurances #2 and #3. Third, the DPI agreed to inform local school superintendents that they do not have authority to review homeschoolers' curriculums or schedules. On December 7, the DPI sent a letter to homeschoolers stating, "In response to these concerns [about assurances #2 and #3], a decision has been made to change assurances #2 and #3 to recommendations on next year's form." Each year since 1984, WPA has scrutinized the new version of the PI-1206 form to make sure it does not allow the DPI or school districts to exceed the authority they have been given by law.



## **IV. Persistent Opponents and Effective Strategies**

### **A. The Educational Establishment's Search for Ammunition**

The educational establishment decided to search for evidence that homeschoolers were not complying with the law or educating their children and use it to request new legislation that would give the DPI and/or local school districts authority over homeschoolers. Using the open records law, WPA obtained a copy of a letter dated June 19, 1990, in which Superintendent Grover thanked the administrator of a local school district who had sent him information on homeschoolers and added, "I will use the information you have forwarded to me as I continue to do battle with those folks who think that home schooling is a satisfactory alternative to the public schools." WPA also obtained a memo dated August 8, 1990, from the President of the Wisconsin Education Association Council (WEAC), the state's largest teachers union, asking members to send him "concrete examples of students who had a home schooling experience and came back to the public schools with problems that we then had to correct" and "examples of students who are still in a home schooling situation and not receiving the educational services that every child should expect." (For copies of these documents, see the WPA handbook.)

## **B. WASB Gets Into the Act**

A resolution presented at the Wisconsin Association of School Boards (WASB)'s January 1986 convention asked the Legislature to give the DPI authority over homeschools. Through its grassroots network, WPA found out about the resolution before the convention, alerted its membership, and developed a fact sheet that it distributed to convention delegates explaining the issues involved. The delegates listened to WPA's concerns and voted to table the resolution.

In January 1987, a similar resolution was again introduced at the convention. Although WPA again took action, the factual basis for the resolution was misrepresented, and the resolution passed. WPA then defused the resolution by documenting the misrepresentation.

As an illustration of the persistence of the educational establishment's opposition to homeschooling, the WASB proposed another resolution calling for more regulation of homeschooling in January 1994. WPA countered this initiative, and it was not adopted by convention delegates.

## **C. Mr. Lufler and His Report**

The DPI kept trying. It paid \$16,000 to Henry S. Lufler Jr., Assistant Dean of the School of Education at the University of Wisconsin-Madison, to write a report on homeschooling. The basis of the report was narrow and highly questionable. One key chapter begins, "To determine how the home-based program statutes are implemented and administered at the local level and to access what effect these statutes have on children, we conducted telephone interviews with superintendents and officials from 44 local school districts." (*Home Instruction in Wisconsin* by Henry Lufler, Jr. and Robert Kranz, Jr., The LaFollette Institute of Public Affairs, February 1, 1987, p. 33)

Not surprisingly, the report was an inaccurate and misleading document intended to discredit homeschoolers. The final paragraph read,

*Some home instruction and unincorporated private school programs are worthless. Children enrolled in them are needlessly exposed to the danger of educational, physical, and emotional neglect and abuse in improperly regulated home instruction programs and private schools. This is a stain on the record of a state committed to educational excellence and, above, all, the rights of children. Some of these programs, on the other hand, are excellent. From our review of the national literature on alternative education, we find that those involved in meaningful alternative programs accept state efforts to introduce minimal safeguards or program standards they already surpass.* (Page 96)

But how could a small, misunderstood minority defend itself against the power of the DPI and the prestige of the University of Wisconsin? WPA worked hard on the grassroots level and used several safeguards of democracy. *WPA Newsletter #13* analyzed the report and documented its flaws. WPA asked the DPI and Lufler for the original research documents, but Lufler said they had been thrown away in August or September 1986. Homeschoolers contacted their legislators to explain

that the Lufler report was inaccurate. WPA representatives defused the report through radio and TV appearances and press releases. WPA asked Bill Gormley, Associate Director of the LaFollette Institute, to review the report and share his findings with the Associated Press. Gormley told the AP that the report was flawed and biased against homeschoolers. Based on its own analysis of the report, WPA convinced the Legislature to audit the report to see whether the researcher followed reasonable management guidelines for oversight and research procedures.

Evidently all this was too much for Mr. Lufler's report. Once the audit was completed, the report seemed to disappear. It was not used by the DPI to push for new legislation.

#### **D. Legislative Battles Continue**

Legislation proposed in December 1989 would have had the following results:

1) Homeschoolers would have been placed under the direct control and authority of local public school officials. Homeschoolers strongly opposed the idea of needing to be prepared for visits from school officials, having to get their approval of curriculum, and being required to report on their children's progress.

2) School district administrators could have taken homeschoolers to court more easily, weakening the important provision of the Wisconsin homeschooling law that homeschoolers are innocent until proven guilty and school districts need to have substantial evidence to bring charges that homeschoolers are not complying with the law; homeschoolers do not need to prove that they are.

3) Homeschoolers who were charged with habitual truancy could have been alleged to be in need of protection or services and put under the jurisdiction of social services.

4) Due process and some civil liberties would have been suspended and families' values, beliefs, life style, and child rearing practices investigated.

WPA developed an effective analysis of the legislation and published it in the WPA newsletter. In response, hundreds of homeschoolers and their supporters contacted legislators. WPA presented information to an ad hoc legislative committee discussing the proposal. No legislation was introduced.

#### **E. Countering HSLDA**

Another challenge came from a new national homeschooling organization, the Home School Legal Defense Association (HSLDA). Organized in 1983 by a group of lawyers in Virginia, it tried to move into states and direct the work of homeschoolers from its national headquarters. It initiated state organizations that were designed primarily for fundamentalist Christians. This often divided homeschoolers in states that already had inclusive statewide organizations, weakening the political position of homeschoolers. Here was an example of the problems that arise when a small minority tries to rely on "outside experts" rather than a grassroots organization.

HSLDA emphasized getting laws passed that assured people that homeschooling was “legal” even if this meant agreeing to state required testing, review and approval of curriculums, etc. It failed to understand that parents have a fundamental right to homeschool their children according to their principles and beliefs; the state does not give parents the right to educate their own children. HSLDA was involved in legislative battles in states such as New York, New Hampshire, and Pennsylvania. These states ended up with some of the most restrictive laws in the country. HSLDA was not involved in the 1984 legislative battle in Wisconsin, and WPA has worked since then to keep HSLDA from opposing WPA’s strategy and causing problems in the state. Unfortunately, HSLDA has also been involved in a number of court cases involving homeschoolers in other states that have led to a body of case law that supports state regulation of homeschooling. Homeschooling freedoms would be more secure without these cases. (For more information, see Jane Henkel’s *Recent Court Cases Examining the Constitutionality of Other States’ Laws Regulating Home Schools*, available from the Wisconsin Legislative Council or at [http://www.homeedmag.com/HEM/185/henkel/info\\_memo90-23.html](http://www.homeedmag.com/HEM/185/henkel/info_memo90-23.html).)

## **F. The Legislative Council’s Study of Homeschooling**

The biggest challenge to date came in the spring of 1990 when homeschooling appeared on the list of possible topics for the Legislative Council to study. Each year the Council selects topics of concern, investigates them, and, in almost every case, recommends legislation to address the problem. The inclusion of homeschooling showed the strength of criticism and opposition to homeschooling. Usually studies focus on major issues or serious problems, not on topics like alternative approaches to education that are working well.

WPA was very concerned. Homeschoolers did not want to go through another legislative battle, especially after all the challenges they had faced and overcome only six years earlier. They did not want to risk losing the law that was working very well. The determined efforts of the educational establishment to produce evidence of problems with homeschooling had not succeeded. Why waste legislators’ time and effort and taxpayers’ money on an unnecessary study?

WPA alerted its members who contacted legislators on the joint committee selecting topics, and WPA secured the votes to prevent a study of homeschooling. But then one legislator changed their vote, reportedly in response to pressure from the legislator who had requested the study, and the study was approved.

The Legislative Council’s Special Committee on Home-Based Private Educational Programs was composed of eight legislators, five people affiliated with public schools, one from a conventional private school, and four homeschoolers.

WPA’s strategy was to provide information but refuse to have a representative on the committee. If a committee that included a WPA representative had recommended increased regulation of homeschooling, the committee and those favoring regulation could have claimed that WPA had agreed that a study of

homeschooling was needed, or that homeschoolers had been fairly represented, or that the major homeschooling organization in the state had served on a committee that recommended new regulation of homeschoolers.

Working as a grassroots organization, WPA drafted a petition supporting homeschooling and opposing increased regulation of private schools, including homeschools. Homeschoolers collected over 5,000 signatures which were presented to the Legislature.

WPA also encouraged members and supporters NOT to call, write, or meet with committee members, which would have given the committee power and legitimacy. Instead, WPA suggested homeschoolers contact their own legislators and explain why the committee should not exist.

In short, WPA limited its involvement to testimony by WPA's Executive Director in response to the committee chairperson's request for testimony from WPA at the first committee meeting. In addition, WPA monitored the committee meetings; secured official audio tapes of all the proceedings of the meetings; had a homeschooler transcribe key parts of these meetings; and provided information and analysis of the committee's work to WPA members, legislators, and the media.

During the Legislative Council study, a WPA member who was a school official alerted WPA to a study of homeschooling done by the Wisconsin Association of School District Administrators (WASDA). WPA contacted WASDA's Executive Director, met with him at his office, and requested a copy of WASDA's survey of public school district administrators and their responses. He allowed WPA to read the survey questions but not the responses, claiming the study was WASDA's private property, not a public document.

In one of WPA's key moves, it used Wisconsin's open records law and requested that the DPI provide documents, reports, letters, etc. it possessed concerning homeschooling. The result was a bonanza of hard evidence of the educational establishment's efforts to gang up on homeschoolers and use highly questionable tactics to gather information to use to further regulate homeschoolers. Among the documents received were the letter from Grover and the WEAC memo discussed above. Other documents showed that the WASDA "Home-Based Instruction Survey" had failed to uncover problems with homeschooling. The disappointment of people conducting the study was shown in the summary: "I hope that this document will have minimum circulation." In fact, the chair of the WASDA study committee refused to give a copy of the study to the Legislative Council's Special Committee.

WPA shared these documents with legislators and the media as evidence that the educational establishment was treating homeschoolers unfairly and had been unable to find evidence of problems with homeschooling.

Two actions by HSLDA during this Legislative Council study threatened to undermine WPA's strategy that was working very well. First, in written testimony submitted to the Special Committee, HSLDA said that homeschoolers could be charged with "educational neglect," ignoring the facts that the term does not appear

in Wisconsin laws and that introducing it would raise serious problems for homeschoolers. Second, Wisconsin Christian Home Educators Association, an organization that HSLDA had recently helped found, called for a standing room only rally of homeschoolers at one of the last committee meetings, a plan in direct opposition to WPA's strategy of not giving the committee attention, power, or legitimacy. After WPA encouraged homeschoolers not to attend the rally, it did not take place.

The study took five months and cost Wisconsin taxpayers over \$100,000. In the end, the committee did not vote for further regulation of homeschooling because of the strategy WPA had used and the humiliating evidence concerning the educational establishment that WPA had obtained. Instead, the committee voted unanimously to make no recommendations for changing the homeschooling law. This was highly unusual, since Legislative Council study committees almost always recommend legislation.

WPA held a Day at the Capitol on February 6, 1991, to celebrate another highly significant victory in the Legislature, emphasize this important decision, strengthen the respect it received from the Legislature, and promote communication between homeschoolers and their legislators. Over 2,000 homeschoolers and their supporters participated.

## **G. Back to the Marble Halls**

The conclusions of the Legislative Council study might have ended the educational establishment's drive for increased state regulation of homeschooling. Unfortunately, this did not happen. Actually, it was not surprising, considering how strongly the educational establishment had opposed homeschooling. So homeschoolers working together through WPA had to keep working to maintain their homeschooling freedoms.

A pattern emerged. Every year or so, an individual or organization would propose new homeschooling legislation. WPA members remembered or had heard about the challenges of 1984 and the hard work required to get favorable legislation, especially since amendments can quickly change a bill. WPA members watched for emerging new challenges and alerted WPA. WPA representatives would then try to nip the proposal in the bud. Sometimes a face-to-face meeting with a legislator or public official was enough, especially since WPA representatives could remind legislators and others of the 2,500 homeschoolers and supporters at the January 1984 hearing, the results of the Legislative Council study, the growing evidence that homeschooling works, and whatever specific information was appropriate to the proposal at hand.

At other times, another show of homeschoolers' strength and commitment was required. WPA would alert its members and give them the information they needed to understand the problem and discuss it with others. Sometimes a substantial number of calls to legislators and the media was enough to stem the tide.

But all too frequently, full-blown legislation was introduced and a hearing scheduled, once again requiring a clear strategy to enable a small minority to stop the powerful educational establishment and other opponents. In these cases, WPA wrote and distributed fact sheets which WPA members used to inform other homeschoolers, legislators, friends, relatives, the media, and others. Testimony from WPA was carefully prepared. WPA educated people about attending hearings, registering for or against a bill, and testifying effectively if they wanted to. When the big day of the hearing arrived, WPA members and their supporters turned out in impressive numbers, found their way around a confusing capitol building, presented themselves well, talked with their legislators, and participated in the hearing. Children demonstrated that homeschooling works as they behaved appropriately and learned civics firsthand. When the dust had settled, homeschoolers working together through WPA sighed with relief. It took a while to unwind after all the tension.

It was challenging to return to the Legislature again and again to defend what had become for many families much more than a way of educating their children; it had become a way of life. It was unfair and unsettling to feel under attack for having the courage to educate one's own children according to one's principles and beliefs. It was eye-opening to realize that it was not enough to be right, to know that parents have the right to choose for their children an education consistent with their principles and beliefs, to know that homeschooling works, to know that the attacks on homeschoolers were unfair and unjust. To win legislative battles, homeschoolers had to be right AND they had to figure out how to succeed in a system controlled by money and political power when they had very little of either.

Over and over, homeschoolers had to use WPA's strengths as a grassroots organization; rely on strong commitment and careful strategy; set aside differences in approaches to education, religion, and lifestyle; interrupt their family's normal life and homeschooling; and work long and hard through WPA to maintain their freedoms. But their efforts have paid off; no legislation to increase state regulation of homeschooling has passed.

### **Who Can Homeschool?**

A specific example of the kind of challenges homeschoolers faced was SB 106, a bill introduced on March 6, 1997, to prohibit habitual truants from homeschooling. The bill was introduced at the request of Judge Robert E. Kinney from the Rhinelander area. WPA researched the issues involved. It wrote a fact sheet informing WPA members that SB 106 was unnecessary because there was not substantial evidence that habitual truants were "escaping to homeschooling." More seriously, SB 106 would have set the precedent of giving the state the authority to decide who can homeschool. WPA also coordinated extensive testimony to be presented at a hearing on April 9 before the Senate Education Committee. Once again hard work paid off. About 400 people attended the hear-

ing. Sixty registered to testify against the bill while only the sponsoring senator and one of his constituents spoke in favor. Faced with the factual information from WPA and the strong opposition to the bill, the committee decided not to vote on the bill, which eventually died in committee.

## **H. Homeschoolers and Local School Districts**

Although many homeschoolers don't have significant contact with their local school districts, some families experience problems either initiated by the district or due to the district's uncooperative response to their requests. Again the odds are unfair: a well-established and well-known large institution versus a very small, often misunderstood minority (sometimes only one family). WPA has supported homeschoolers with accurate information, effective strategies, and encouragement, so they can solve problems in their districts.

### **Problems Caused by School Districts**

After the homeschooling law was passed in 1984, some school districts did not understand how limited their authority over homeschoolers was. Misunderstanding stemmed in part from the DPI's continuing antagonism and the misleading and inaccurate information it was sending to districts. Some districts asked to review homeschoolers' curriculums, visit their homes, etc. One homeschooler even reported a school official standing on trash cans to peer in her windows. Homeschoolers had lots of brush fires to put out around the state.

These problems were complicated by the fact that some homeschoolers were tempted to cooperate with school officials, especially if they knew them personally. They were eager to explain how well homeschooling was working and share exciting learning materials so officials would understand homeschooling. Having the reassurance that school officials had reviewed their homeschool and found it satisfactory appealed to some families being pressured by friends and relatives or doubting themselves. Some homeschoolers just wanted to resolve the tensions quickly and get back to their families.

WPA explained that when school officials exceeded their legal authority, homeschoolers who complied would set a harmful precedent for other homeschoolers and for themselves in the future. Also, as experience with the DPI had shown, bureaucracies tend to increase their demands. If homeschoolers submitted their curriculums in reading, math, and other mandated subjects, school officials were likely to demand their curriculums in art, music, and other subjects.

Homeschoolers responded in ways that maintained homeschooling freedoms even when inconvenient or not their first choice. Their efforts paid off. Gradually school districts have accepted the limitations on their authority. However, periodically a WPA representative has had to call officials to explain clearly and firmly that they were exceeding their authority. School officials also sometimes attempt to convince parents who want to homeschool that they are harming their children because they are not trained and qualified to teach them. Parents of children with special

needs or who have been labeled as learning disabled or ADHD are most likely to be pressured, partly because districts do not want to lose the extra state and federal tax dollars they receive for these students. The courage of these parents is inspiring, and their homeschooling experiences have shown how wrong school officials sometimes are. (For some stories, see the WPA handbook.)

Eventually the DPI began sending districts information that was closer to the realities of the law, but it took a long time and a lot of effort by WPA. As late as July 1992, the DPI sent a misleading and inaccurate document titled “Frequently Posed Questions and Responses Relating to Home-Based Private Educational Programs” to local school officials and people who contacted the DPI for information about homeschooling or a PI-1206 form. WPA analyzed the errors and published accurate information in its newsletter. It also sent a letter to school officials clarifying information about entry/re-entry, shared services, dual enrollment, and homeschools' status as private schools according to Wisconsin statutes. The DPI still includes a copy of a revised version of these questions with form PI-1206. Over the years, partly in response to pressure from WPA, the DPI has corrected many of the errors, but some remain.

### **Shared Services**

Homeschoolers who asked to take one or two courses in their local public school, or enter or re-enter school, got varying responses. Some districts were cooperative while others were difficult to deal with. In the 1980s and early 1990s, some adopted unreasonable entry/re-entry policies requiring that former homeschoolers take extensive tests, go through a trial period to assess their social skills, and meet other requirements. These policies were unfair and set precedents. If they hadn't been opposed, they might have been adopted by school boards throughout the state, since school districts often copy each other.

WPA provided homeschoolers with support, information, and arguments to use against the policies and effective strategies for dealing with school boards and officials. Some homeschoolers succeeded in having the policies removed or at least made more reasonable. However, many districts are still reluctant to give homeschoolers who enter after ninth grade credit for academic work they completed while homeschooling.

Throughout the years, school districts have also contacted homeschoolers, requesting responses to surveys and personal information about their families that clearly exceeds school districts' authority under the law. WPA has provided suggestions for ways to respond, including the use of the federal Family Educational Rights and Privacy Act (FERPA) which outlaws school districts' use of names and addresses of parents for purposes other than record keeping.

In an interesting turn of events, in the mid to late 1990s, school districts began actively trying to get homeschoolers to enroll in regular courses and special programs so the district could collect tax dollars from the state for them. WPA has repeatedly reminded homeschoolers that “there is no such thing as a free lunch”

and explained how easily participating in such programs could undermine home-schooling freedoms. Very few homeschoolers have enrolled in such programs.

### **Specific Incidents**

Here are a few specific interactions among homeschoolers, the DPI, and local districts.

- Legislation passed in 1988 required counties to develop truancy plans. WPA alerted members who reviewed many plans. Some had serious problems. For example, Marathon County's would have prohibited homeschooling. WPA members got the wording changed. A 1998 law established a position for homeschoolers on county truancy committees. WPA has provided information and support to homeschoolers on these committees.

- In November 1996, WPA opposed the DPI's proposal for a homeschooling consultant and \$10 filing fee for homeschoolers. The proposal was dropped.

- In February 1998, homeschoolers in Sheboygan were supported by WPA in their fight against truancy sweeps and ID cards.

- In June 1999, WPA successfully countered the attempt of a Walworth County committee to increase state regulation of homeschooling.

- In an August 2000 letter to school district administrators, WPA provided accurate information on several issues concerning homeschoolers, including truancy laws. It reminded them that the law requires compulsory attendance, not compulsory education, and told them that the vast majority of homeschoolers do not want to participate in public schools.

- WPA corrected the DPI's claim in December 2003 that school districts should be involved in determining grade placement in homeschools.

- Since 1997, WPA has worked with homeschoolers throughout the state to oppose local curfew ordinances and truancy sweeps.



## **V. Caught in a Web of Public School Issues**

As if WPA didn't have enough to do in dealing with homeschooling issues, it soon discovered the need to be involved in major issues facing conventional schools that would also impact homeschoolers. It was often frustrating that, although public school people were at risk from these issues, very few of them took action. However, the work of WPA and the few allies it found did have an impact.

WPA and its members worked extensively on issues outlined below, doing research, writing and distributing fact sheets, contacting legislators, attending and testifying at hearings, talking with people in informal conversations, writing letters to the editor, appearing on radio and television, and in other ways. However, because of space constraints, the issues are only outlined briefly here. More information is available in the WPA handbook, on WPA's Web site, in past issues of

the WPA newsletter, and by calling the WPA voice mail.

## **A. Education Reform Legislation**

A wave of legislation designed to reform public education appeared in the 1990s. Key components included state-mandated standards and goals for public schools and required testing to determine whether students were meeting the goals. Accompanying buzz words included America 2000 (later Goals 2000), outcome-based education (OBE), school-to-work programs, etc. The overall thrust was to increase government control of education. WPA opposed state control of education in general and did not want homeschoolers swept along with public school students.

WPA worked hard to oppose different pieces of the reform legislation. Particularly noteworthy was its opposition to legislation that would have given Goals 2000 the force of law. From November 1991 through March 1992, WPA members and their supporters worked together to bring over 1,100 people, the vast majority opposed to state-mandated goals, to hearings in nine cities. WPA was influential in slowing the passage of the legislation and in having some of the worst provisions removed, including the requirement for portfolios for three year olds. In April 1993, WPA published a fact sheet that outlined problems with OBE, state goals in education, state-mandated testing, and collaboration. After WPA members and others opposed state goals, the Governor and State Superintendent of Public Instruction decided not to push to have the goals enacted into law.

## **B. Opposing Standardized Tests and Winning an Exemption**

WPA strongly opposed the increased use of standardized testing that was part of the reform legislation. From its founding, WPA has worked to maintain the right of parents to decide whether their children should take standardized tests; if so, which tests and when; and who should get to see the results. Some homeschoolers use tests they have selected; others prefer alternative means of assessment.

WPA opposes state requirements for standardized testing of homeschoolers for several reasons. First, the tests are often inaccurate and unfair. They are biased in favor of the perspectives and values of the test makers and against anyone with different experiences and beliefs. They do not measure how much a person knows but only how well they performed on a given test on a given day. Tests do not measure creativity, integrity, good judgment, mechanical skills, physical ability, musical or artistic talent, or many other important qualities. Questions are often confusing or misleading.

Second, state-mandated tests give the state too much control over homeschooling. To prepare children for the tests, homeschooling families have to plan curriculums that cover the material on them and at least temporarily adopt the

values and beliefs of the test makers and the public schools. This interferes with families' rights to choose an education consistent with their principles and beliefs and forces homeschoolers to become like the conventional schools many homeschoolers want to avoid. Finally, there is the ever-present threat that children who don't score well will be prevented from homeschooling.

Preventing state-mandated tests for homeschoolers has not been easy. The widespread use of standardized tests in schools was relatively new in the early 1980s. Many educators heralded tests as a key to assessing and improving American education. Many people, including a few homeschoolers, saw tests as a good way for homeschoolers to prove to skeptics and critics that their children were learning. Homeschoolers frequently heard, "If you're doing a good job and your children are learning, you should be willing to have them tested. What are you worried about?"

Given all this support for state-mandated testing of homeschoolers, it wasn't surprising that half the states passed laws requiring it. WPA had adopted a minority position and had few allies. But it had a lot of determination.

In July 1987, WPA published "Perspectives on Standardized Testing," a gutsy 14-page paper that was ahead of its time in presenting arguments against standardized testing and specific reasons why homeschoolers should not be required to take such tests.

In light of the work WPA had already done to oppose state-mandated standardized testing for homeschoolers, it was in a strong position to oppose the proposed increases in standardized testing that were part of the education reform legislation.

Among other things, WPA supported legislation which would allow parents of public school students in Wisconsin to have their children exempted from the new state-mandated standardized tests and assessments for fourth, eighth, and tenth graders in public schools. Although homeschoolers are not required to take standardized tests, this exemption is consistent with WPA's commitment to reclaiming and maintaining parental rights in education. Also, if testing were ever proposed for homeschoolers, this exemption would be very valuable as a precedent that could be used in claiming that homeschooling parents should be able to have their children exempted from tests as well. The legislation passed in 1994 and became the first law of its kind in the US.

### **C. Parental Rights, Juvenile Justice, "Educational Neglect," and Truancy**

The Wisconsin Legislature was also working on revising the Juvenile Justice Code and resolving issues surrounding parental rights and the rights of the child. During 1994, articles in the WPA newsletter explained that the government is not the source of parental rights and that it is dangerous to ask the government to guarantee these rights through legislation or constitutional amendments. In March 1998, WPA helped defeat an amendment to the Wisconsin Constitution

that would have undermined parental rights by asking the government to protect them. This would have implied that parental rights come from the government, and it can take them away.

From January through May 1995, WPA brought to light some unreasonable proposed revisions to the Juvenile Justice Code and recommendations of a Legislative Council special committee studying legislation relating to Children In Need of Protection or Services (CHIPS). As part of this effort, WPA held a "Families First" rally at the capitol on March 17 that drew 400 people.

WPA worked particularly hard to oppose the addition of "educational neglect" to the list of complaints such as "physical abuse and neglect" for which parents can be investigated and prosecuted. WPA realized that many people would conclude homeschoolers were guilty of "educational neglect" unless they could prove that their children were getting the equivalent of a conventional public school education. Also, WPA has repeatedly pointed out that the law requires compulsory school attendance (which is reasonable to ensure that children do not become a burden on the state) but does not require compulsory education (which would give the government control over both public and private education and eliminate the right of families to choose for their members an education consistent with their principles and beliefs). "Educational neglect" would undermine the important distinction between compulsory attendance and compulsory education.

Largely because WPA informed its members who communicated with legislators, "educational neglect" was not adopted. This has proven to be very important. For example, a number of homeschooling families have been investigated by social services in response to an anonymous report. When social workers began adding homeschooling to the list of topics under investigation, WPA has been able to inform these families that the law does not allow for prosecution of parents for "educational neglect," and the families have headed off the challenge to their homeschools.

The juvenile justice legislation that passed included a new definition of truancy. A student who has five or more unexcused absences in one semester is now labeled a "habitual truant." Truancy rates have increased simply because of the new definition. By the 2003-2004 school year, there were over 80,000 habitual truants in Wisconsin. School officials and police began conducting truancy sweeps and taking into custody young people seen in public during school hours without an acceptable excuse. The August 1995 WPA newsletter alerted members to risks of truancy sweeps and suggested ways families could minimize the chances of having their young people taken into custody. Additional truancy legislation was proposed in the spring of 1998, which WPA worked hard to oppose. Although the legislation eventually passed, some of WPA's suggestions were adopted.

## **D. Current Issues**

In recent years, a number of issues have arisen that have not yet been resolved. Current issues that WPA and its members are working on include the following:

### **Preschool Screening**

Since 1986, WPA has been informing parents about preschool screening, including the fact that it is voluntary (despite letters from school districts that may give the impression that it is required). WPA has been encouraging parents to seriously question its effects and refuse to have their children screened.

### **Mental Health Screening**

The use of mental health screening has increased in recent years. Beginning in December 2004, WPA has researched and informed its members about risks from this increase, which is being promoted by drug companies and others, and ways to avoid or minimize such screening.

### **Opposing Institutionalizing Young Children**

WPA has worked for many years to inform homeschooling parents and others about the risks of professionals', institutions', and professional associations' continued usurping of the role and importance of parents and families, especially during children's early years. Since 2007 WPA has been working to "ensure that its members and others understand the positive role and result of parents and grandparents spending time with their young children and grandchildren, the tremendous benefits that result from this investment of nurture and support, the serious mental and emotional costs to children of institutionalizing them early, and the ways that expansion of three- and four-year-old preschool can impact homeschooling families." (WPA Resolution 2007). WPA has written in-depth articles and fact sheets and included workshops on preschool at its annual conference. Key points and a strong bibliography were included in WPA's testimony at a 2009 legislative hearing on the kindergarten legislation discussed below. This testimony and other materials are available on the WPA Web site.

### **Student ID System**

WPA alerted homeschoolers and others in March 2004 about problems with a new public school student identification system that the DPI devised so it could comply with the complex reporting requirements of No Child Left Behind. WPA explained why homeschoolers should not be included in the database and how to stay out.

### **Privacy**

Minimizing the amount of information the government has about one is especially important for homeschoolers because their alternative approach to education often leads to red flags on their records. WPA has offered strategies for maintaining as much privacy as possible and for dealing with specific concerns like health records, sharing of information among agencies, and the data base of high school students the military maintains and uses for recruiting.



## VI. Continuing Challenges and Eternal Vigilance

### A. Standing Firm in the Face of Temptation

Legislative challenges have come from homeschoolers seeking favors from the government and from legislators trying to grant favors to homeschoolers. Homeschoolers working together through WPA have said no to such favors because they realize there is no such thing as a free lunch, and they do not want to exchange their freedoms for favors, especially the questionable favors that have been offered.

#### **Sports**

Over the years, a few homeschoolers have expressed interest in playing on public high school sports teams. This is prohibited by Wisconsin Interscholastic Athletic Association (WIAA) rules that require athletes to be full-time students according to the DPI's requirements at the school whose team they are playing on.

WPA has opposed working to change WIAA rules because homeschoolers on public school teams would undoubtedly be required to meet the same academic standards as other athletes who must maintain a certain grade point, etc. Once increased requirements for athletes were in place, there would be great pressure to make all homeschoolers comply. Also, homeschoolers playing on public school teams could generate resentment against homeschooling among people who feel that prestigious positions on sports teams should be reserved for people who deserve them because they go through the rigors of being a student at the school. Therefore, WPA has explained its position repeatedly in newsletters, the handbook, and conversations with homeschoolers and legislators who have called the WPA voice mail to ask about sports.

The strongest threat from the sports issue came from AB 129, a bill that would have supposedly increased opportunities for the few homeschoolers who want to participate in public school activities, including sports. From January through September 1999, WPA opposed this legislation. As a result of WPA's actions, 300 people attended the hearing on September 8 before the Assembly Committee on Education Reform. Only five people registered in favor of the bill, including its sponsor. WPA representatives testified. AB 129 died in committee.

#### **Tax Credits**

At various times, a few homeschoolers have suggested that they want tax credits or tax deductions, or, in other words, money from the government to help cover their homeschooling expenses. Tax credits or deductions would undoubtedly lead to increased regulation of homeschooling for several reasons. First, if homeschoolers accept money from the government either directly in the form of reimbursements or indirectly in the form of reduced taxes, the government will

increase its authority to review and approve homeschoolers' curriculums, require testing, etc. to ensure that taxpayers' money is being spent wisely. Second, the state will decide which expenses qualify for tax credits. Third, inevitably homeschoolers' expenditures will be audited, regulations covering allowable expenses will increase, and more regulation of homeschooling will be demanded.

In addition, tax credits are basically not a very good idea. They would only be allowed for expenses the government considers "educational," which would give the state more control over what homeschoolers do. Religious curriculums and learning materials are seldom if ever allowed. Tax credits are reimbursements, not direct grants, so homeschoolers have to spend money first and then hope the government will approve the expenditures. Because the government cannot afford to give too much money to a small minority, tax credits are set up so families don't get much money. They are often limited to families whose income is below a certain level, but those families often don't have enough money to spend in the first place so they do not qualify for reimbursements. In short, homeschoolers working together through WPA have been strongly opposed to exchanging their freedoms for a limited amount of money that is hard to collect.

The issue of tax credits has come up a number of times. In 1998, WPA opposed legislation that would have offered homeschoolers small tax credits. In February, 2000, it opposed AB 712, a bill that would have provided a tax deduction of up to \$500 for "teacher" supplies bought by a teacher, including a home-school teacher. The bill died in committee.

The biggest tax credit challenge came on July 1, 2005, as the Legislature was hurrying to finish the budget bill. A surprise amendment to the bill that would have provided tax credits for homeschools and other private schools was introduced on the Senate floor sometime after 4:34 a.m. and passed at 5:05 a.m. The Assembly adopted it on July 5, and it was sent to the Governor. WPA used postcards to inform its members, and hundreds of callers asked the Governor to veto the provision. HSLDA strongly backed the measure and issued an inaccurate bulletin that included false claims that homeschoolers in Illinois and Minnesota had benefited from tax credits. The Governor vetoed the provision.

Undoubtedly there would have been more legislation affecting homeschoolers if WPA had not informed legislators and encouraged homeschoolers to contact them. For example, in 1999, WPA published a brochure titled "Legislation That Undermines Homeschooling Freedom" that explained that increased state regulation of homeschooling is unnecessary and harmful and that homeschoolers do not want benefits or favors from the government.

## **B. Countering Virtual Charter Schools**

In 2001, several private corporations initiated plans for virtual charter schools, in which public school students study at home under the guidance of a parent following a curriculum and instructions that rely heavily on a computer.

The programs were called “homeschools” and marketed directly and strongly to homeschoolers.

WPA quickly explained that families enrolled in virtual charter schools would surrender responsibility for their children's education and agree to comply with government standards, use government-selected curriculum, and have their children take state-mandated tests. Virtual charter schools are public schools, not homeschools. They threaten homeschooling freedoms by blurring the distinction between public and private schools and opening the door for extending government regulation of virtual charter schools to homeschools.

WPA led the opposition to virtual charter schools and set an example for other states in how to respond. It created fact sheets for homeschoolers and a separate one for public school people which were posted on WPA's Web site. WPA also testified before three school boards and at a hearing held by the Wisconsin Legislature. Responding to WPA's information, hundreds of homeschoolers attended virtual charter school open houses to distribute fact sheets, correct misinformation, and report on the meetings. The Lake Mills School District was convinced not to establish a virtual charter school, but two other districts agreed.

This hard work and persistence resulted in three major accomplishments. First, homeschoolers, virtual charter schoolers, legislators, the media, and much of the general public seem to understand that there are big differences between homeschools and virtual charter schools. Second, through its Web site, WPA informed homeschoolers and public school supporters in Wisconsin and other states about the problems with these schools. Many public school people appreciated WPA's information and perspectives and understood how virtual charter schools threaten conventional public schools. Third, virtual charter schools have not taken off as they might have, not the way promoters predicted and not as similar programs have in other states.

However, despite the slow growth of virtual charter schools, problems they create for homeschoolers have persisted. For one thing, public virtual charter schools advertise their programs as “homeschooling” on the Internet and in other places. WPA has emailed protests to superintendents of the districts involved, sent copies to Wisconsin legislators, and included them in the *WPA Newsletter* and on the Web site. This false advertising has been somewhat reduced but continues to be a problem.

A December 2007 Wisconsin district court ruling prevented the DPI from transferring funds to one of the largest virtual charter schools in Wisconsin. In response, legislation was introduced on how to define, regulate, and fund virtual charter schools. Because virtual charter schools had referred to their programs as homeschooling and many people, including legislators, thought homeschools and virtual charter schools were very similar, homeschoolers were likely to be affected by this legislation. WPA analyzed the situation; sent emails and postcards to members, homeschoolers, legislators, and others; and published articles in WPA

newsletters and on the WPA Web site. WPA encouraged homeschoolers to voice their concerns directly to their legislators.

WPA's primary concerns included:

- To minimize the opportunities for state regulation of the interactions of parents and children in their own homes, the statutory definition and regulation of virtual charter schools should not include either the private homes or the residents of the homes of virtual charter school families.
- Because virtual charter schools are public schools, a reasonable basis needs to be established for ensuring that tax dollars are well spent and students are held accountable. However, public school oversight of what happens in the homes of virtual charter school students needs to be managed so it does not violate the sanctity of the students' homes, which would set a dangerous precedent for families.

The law that passed included a provision for a major audit of virtual charter schools by the Wisconsin Legislative Audit Bureau (LAB). In response to an invitation from the LAB, WPA wrote an extensive memo and met with auditors. Despite our efforts, the audit report was disappointing. As of this writing, the Wisconsin Legislature has not acted on the findings of the LAB's audit report. For more details about virtual charter schools, including WPA's review of the audit report, see the WPA Web site, Issues and Legislation.

### **C. Offers from Public School Districts**

Since the 1980s, public school districts have been trying to increase their enrollments and thus their budgets by convincing homeschoolers to enroll in public schools to take advantage of academic courses, extra curricular activities, or special offers. Very few homeschoolers have expressed interest in such programs. Most recently, a few public school districts have begun illegally offering homeschoolers who enroll in their district the opportunity to remain in their homes with minimal oversight by public school officials and receive curriculum, a computer, and extracurricular activities through the public school. These illegal programs offered by public school bring public school thinking and values into homes. They would save most homeschoolers little money because reimbursements are limited and because homeschoolers are very good at figuring out ways to provide their families outstanding learning opportunities without spending much money. Participants in these illegal programs risk not getting the grades, credits, or high school diplomas they are expecting.

### **D. Maintaining the Distinction Between Homeschoolers and Public School Students Who Study at Home**

As homeschooling has become more accepted, public school districts are continuing to search for new ways to make money from homeschooling, including the virtual charter schools and special offers to homeschoolers discussed above. These threaten the very meaning of homeschooling and our freedom to home-

school. We must maintain a clear distinction between homeschools, which are private schools in which families take full responsibility for their childrens' educations, and public school programs in which students study in their homes and parents turn much of the responsibility over to the state when they enroll their children in a public school, even though these programs allow children to study in their homes. The distinction between homeschoolers and public school students who study at home must be maintained for homeschoolers to remain free of public school regulation and for people to understand what is unique and important about homeschooling and parents' rights to choose for their children an education consistent with their principles and beliefs. If a clear distinction between homeschools and public school programs is not maintained, homeschoolers may be forced to comply with state regulations intended for public school students simply because the general public and the legislature do not understand the difference between homeschooling and public schools in people's homes.

### **E. Should Five-Year-Old Kindergarten Be Mandatory?**

Early in 2009, a bill was introduced in the Wisconsin Legislature to make successful completion of five-year-old kindergarten a prerequisite for enrolling in first grade in a public school. WPA provided the only testimony in opposition to the legislation. Although the bill passed, WPA worked for two amendments that minimized the damage. First, school boards are required (rather than just authorized) to allow exemptions from the prerequisite for qualified students. Second, the requirement was removed that children demonstrate "the social, emotional, and cognitive skills necessary for admission to the first grade" to gain an exemption.

After the amended bill passed, WPA provided information in its newsletter and on its Web site that, thanks to WPA's work and the amendments to the bill, the new law does not directly affect homeschoolers.

### **F. Yes to Parental Rights, No to a Constitutional Amendment**

WPA has explained the dangers associated with trying to secure parental rights by asking the government to ensure them, including working for a parental rights amendment to the federal or state constitutions. Parental rights come from nature or God, not from the state. But working for a parental rights amendment would imply that they come from the state or government. It would open the door for the government to limit parental rights and take over the traditional role of the family. It is much more effective to work for parental rights by educating yourself about your rights and informing others; exercising your rights, especially when they are challenged, even if the challenge seems small; and supporting WPA as it works on this issue and others.

## **G. Protecting Privacy in the Face of DPI's New Electronic Version of PI-1206**

As of this writing, the DPI is planning to switch from paper PI-1206 forms to an online, electronic version to save money. When WPA received advance notice from the DPI, the WPA Board discussed the issues involved, including protecting homeschoolers' privacy. A WPA representative gathered additional information from the DPI. WPA also spoke with a DPI manager about homeschoolers' need for a formal letter acknowledging that the DPI had received their form. WPA recommended the following language:

"This email letter is to officially notify you that the Wisconsin Department of Public Instruction has received your completed and signed report which satisfies the requirement under Wisconsin statutes for reporting to the DPI that you will be operating a home-based private educational program, commonly referred to as a homeschool, during the current school year."

WPA informed its members and reminded them that the form is not an application; it is a report of the enrollment in a homeschool as of the third Friday in September. WPA also cautioned both homeschoolers and the DPI about the increased privacy risks from electronic data bases, especially the use of homeschoolers' contact information by local school districts.

## **H. WPA's Eight Principles**

Since 1984, WPA's work has been based on eight principles.

(1) Know what Wisconsin's homeschooling law does and does not require and how it is interpreted and enforced. The WPA handbook explains this clearly and accurately.

(2) Do only the minimum required by statute or regulation. Doing more will reduce freedoms you and other homeschoolers enjoy.

(3) Do not ignore violations of your rights, even when they seem too small to matter or it takes time and effort to protest.

(4) Do not seek or accept benefits from the government. Such benefits are likely to be followed by increased regulation, especially since the government is accountable for how tax dollars are spent.

(5) Do not push for new homeschooling legislation. Small minorities generally have difficulty getting legislation passed. Also, legislation can be changed so much through amendments that it may end up working against the minority that introduced it.

(6) Stay out of court if at all possible.

(7) Understand and apply the distinction between compulsory school attendance and compulsory education.

(8) Work with other homeschoolers on the grassroots level. Set aside differences in approaches to education, curriculum choices, religious and philosophical

beliefs, etc. Work to maintain the right of each family to make its own decisions. For more on these principles, see the WPA handbook.

These eight principles are the reasons homeschoolers in Wisconsin have been able to maintain their freedoms. WPA has had to work hard to maintain them in the face of opposition to homeschooling from the educational establishment, some legislators, and some members of the general public. This work has been made more difficult by the fact that HSLDA has often gotten involved in issues affecting Wisconsin homeschoolers and taken action that undermines what WPA has been doing based on these principles. (For more information, see WPA newsletters and the handbook.)



## **VII. Providing What Homeschoolers Need**

### **A. "See You at the Conference."**

Fortunately, legislative battles and problem solving haven't consumed all WPA's resources. The annual Home Education Conference and Curriculum Fair has been a time to come together to celebrate homeschooling. Simply being surrounded by over a thousand homeschoolers (the attendance some years) is an inspiring experience. Old friends who have become experienced homeschoolers greet each other warmly and marvel at how each other's children have grown. Newcomers are thrilled to find information, support, and people who applaud their efforts instead of criticizing. People with widely differing approaches to education, different religious and philosophical beliefs, and different political loyalties discover how much they have in common because of their love for their children and their commitment to homeschooling. WPA conferences welcome everyone. Afterwards, people say things like, "I'm starting to homeschool next year, and I love the support I feel here." "I have never been in a workshop that hasn't helped me in some way. I've attended for 11 years." "We have been set on an exciting course because of this conference."

At the WPA annual membership meeting held at each conference, members have considered, discussed, and voted on resolutions on topics of concern to homeschoolers. The resolutions give the WPA Board input and direction from the membership and suggest actions for members to take. The resolutions are also concise statements and guideposts for what has been important to homeschoolers and what needs attention. The resolutions range from the definition of a home-school to vouchers to testing to homeschoolers playing sports in public schools to mental health screenings. (See the WPA handbook and the WPA Web site, Issues and Legislation.)

## **B. WPA's Web Site and More**

WPA's Web site has been upgraded several times since it was established in 1998, including a major revision in 2009 that has significantly increased traffic to the site. The WPA webmaster is a very skillful grown homeschooler. The site provides a place where homeschoolers and others can:

- Find quick answers to basic homeschooling questions and references for more detailed information.
- Keep up to date on homeschooling in Wisconsin.
- Get detailed information about the WPA handbook.
- See descriptions of workshops, family activities, and other special features of WPA conferences.
- Become a WPA member, buy a handbook, and make a donation.

The Web site is a good place to refer people seeking information about homeschooling and WPA.

WPA also maintains an email list so members can be quickly notified of important information and has had a Facebook page since 2009.

## **C. Those Yellow Newsletters**

Over the years, WPA publications have provided an enormous amount of support and information to homeschoolers and parents considering this option. *WPA Newsletter #104* rolled off the press in June 2010. In addition to keeping members up to date on issues that affect them, the newsletters contain practical information in the "Did You Know?" section; a Connections page with games and puzzles for kids, hints from homeschoolers, and families' favorite resources; inspiring stories from homeschooling families; WPA news; and other topics.

From the beginning, WPA newsletters have been written for at least four audiences. First are WPA members, other homeschoolers, and WPA's allies. Second, all 132 members of the Wisconsin Legislature receive a copy of each newsletter. Third, homeschoolers may need or want to share information from newsletters with the media, so articles are written to be as clear as possible, should they appear as sound bites or quotes out of context in the media. Fourth, the newsletter is written so it can be shared with the general public, including homeschoolers' families and friends. Having four diverse audiences means the newsletter is not written as an in-group or club publication. Consciously writing for these four audiences is more demanding, but it also results in a more substantive, technically correct publication that stands up over time. One indication of the newsletters' value is that the Wisconsin Historical Society owns a complete set.

## **D. The Handbook Comes of Age**

The WPA handbook has grown with the organization. The second edition was published in May 1987. Titled *Home Education in Wisconsin*, its 55 pages were held together somewhat precariously with a plastic slide-on binder. The

third edition grew to 125 pages, had perfect binding, was titled *At Home With Learning: A Handbook for Wisconsin Homeschoolers*, and was published in April 1990. In addition to being greatly expanded to 277 pages, the fourth edition (May 1996) looked like a “real book,” with its woodcuts by Caldecott medalist Mary Azarian, its index and bibliography, and its ISBN number. Many public libraries purchased copies, making it more widely available. The fifth (May 2001) and sixth (May 2006) editions are similar in format but fully revised, so there is much new material in each.

The WPA handbook has played a key role in maintaining homeschooling freedoms. It increases WPA's credibility with legislators and the general public. It tells WPA members and others how to work with the legislature and deal with school officials. It has informed countless new homeschoolers about what the homeschooling law requires and how to comply. This is part of the reason the educational establishment has been unable to find substantial evidence that state regulation of homeschooling should be increased. The handbook also covers approaches to curriculum and learning, homeschooling for high school, getting started, working with public officials, experiences of homeschooling families, and much more.

## **E. Regional Coordinators and Voice Mail**

Since 1984, specific questions from thousands of homeschoolers have been answered by WPA's 15 Regional Coordinators who each cover several counties. Since 1997, WPA representatives have been responding to messages left on the WPA voice mail. The range of questions is extraordinary, from “I'm a new homeschooler. Where do I get the books?” and “How can I find a support group in my area?” to “How can I convince our technical college to admit my daughter?” and “How can I get the superintendent to stop harassing me?” Thousands of families have benefited from being able to get encouragement, support, and accurate information from WPA in a timely manner.

## **F. Reaching Out to Non-Homeschoolers**

WPA has developed and maintained good working relationships with legislators. Basically, WPA has worked on the grassroots level, using newsletter articles, the handbook, and conference workshops to inform homeschoolers and suggest ways to work effectively with legislators. Many homeschoolers have responded, often writing to, calling, or meeting with their legislators before legislation was introduced. WPA has also sent a copy of each newsletter to every legislator. Some legislators' offices report using the information to answer constituents' questions about homeschooling. WPA representatives have also met with key legislators, both allies and opponents, to explain WPA's positions and provide accurate information.

The effectiveness of this strategy can be seen in the following. An experienced

attorney from the Legislative Council who knew the Legislature well was asked at a county public meeting of school officials, social workers, and police when they would be able to get legislation to further regulate homeschools. She replied that it was unlikely to happen as long as WPA existed. At a hearing on one of the education reform bills that did not deal specifically with homeschooling, a legislator asked if anyone knew where homeschoolers stood on the issue because she realized that if the committee agreed to something homeschoolers opposed, they would hear from a lot of homeschoolers. Also, several people have asked WPA to change its position on homeschoolers playing on public school sports teams. These people have reported that when they asked their legislators for help on this issue, the legislators replied that they could not do anything until WPA changed its position.

Homeschoolers and libraries are natural allies, and WPA has encouraged the connection. WPA members have informed librarians about homeschooling and WPA both by providing them with information and by being cooperative patrons, library volunteers, and supporters of their local libraries. WPA began a Library Outreach Program in February 1996, to make accurate information about homeschooling available to more families through public libraries. It also worked for legislation to support state funding for libraries in June 1999, May 2001, and March 2002.

Despite the opposition to homeschooling from the educational establishment in general, WPA has worked with individual teachers, administrators, and others within the educational establishment, some of them homeschooling parents themselves. WPA has appreciated the people who could maintain their positions within the educational system and understand the perspectives of homeschoolers.

From the beginning, WPA has been aware that the more people who understood and supported homeschooling and the fewer who criticized and opposed it, the more secure the homeschooling law and homeschooling freedoms would be. In its work to win the hearts and minds of the people, WPA has informed its members through newsletters, the handbook, and workshops at the WPA conference about ways to discuss homeschooling with non-homeschoolers and deal effectively with the media, including focusing on aspects of homeschooling that the listener is most likely to understand and appreciate. Many families have worked hard to explain homeschooling to people they know and provide positive stories to the media. This has paid off. Homeschoolers are generally well regarded in Wisconsin today, despite the continuing efforts of their opponents to raise doubts about homeschooling.

## **G. Correcting Inaccurate Information**

Numerous times WPA has had to correct inaccurate information about homeschooling from a range of sources. Opponents of homeschooling and media people looking for controversy that will attract an audience continue to

## *Wisconsin Parents Association*

come up with misleading, inaccurate, or unfounded stories and reports about homeschooling. WPA has consistently responded by researching the issues raised, informing its members and suggesting ways they can act to minimize the damage, communicating with whoever is disseminating the inaccurate information, and making accurate information available to as many people as possible. This action is time consuming and takes a lot of effort, but it has proved to be very useful in developing and maintaining a strongly positive reputation for homeschooling in Wisconsin.

Here are some specific examples. (This list does not include the countless inaccurate newspaper articles and television reports that have appeared over the years, to which both WPA and many individual homeschoolers have responded.)

- An inaccurate, negative perspective on homeschooling was conveyed during the 1998 Wisconsin High School Mock Trial Tournament. The committee that wrote the materials included Judge Kinney who had requested the introduction of SB 106. WPA's response in February 1998 included an open letter that was sent with a WPA handbook to the Wisconsin Supreme Court Justices, some of whom were to serve as tournament judges.

- In December 1999, problems with both a report on homeschooling by the Wisconsin Policy Research Institute and a national study of homeschooling were analyzed by WPA, which then took action to try to minimize the damage.

- WPA corrected a Legislative Reference Bureau (LRB) brief in August 2000. It contained inaccurate information on homeschooling and incorrectly stated that homeschoolers had supported AB 129. The LRB issued a revision.

- During the spring of 2005, WPA corrected inaccurate information about homeschooling from the League of Women Voters and helped prevent adoption of a consensus question worded to strongly convey the need for increased regulation of homeschooling.

- Several times over the years stories have surfaced about families accused of child abuse who claimed to be homeschoolers. School officials, social workers, and opponents of homeschooling have consistently seized the opportunity to demand greater state regulation of homeschooling. While WPA is saddened by the tragedy of child abuse whenever it occurs, it has explained that child abuse is not a homeschooling issue. No law regulating homeschooling could prevent child abuse. Laws are already on the books that allow adults to be prosecuted for child abuse no matter how they educate their children.

An old legal maxim states, "Hard cases make bad law." In other words, a law designed to take care of the worst possible hypothetical case is almost certain to be long, difficult to enforce, and more likely to prevent good people from doing good than bad people from doing bad.

In addition to its work with and through the media, WPA and its members have done a great deal of outreach for and education about homeschooling. Responding to WPA's suggestions, many homeschoolers have held public meet-

ings to present basic information about homeschooling to interested people in their local communities. WPA representatives have presented workshops on homeschooling at conferences for college and university admission officers, the Wisconsin Library Association, Rotary clubs, and other organizations.

In all these ways, WPA is meeting the needs of homeschoolers.



## **VIII. Continuing Commitment**

WPA has made great progress since its founding in 1984. Homeschooling freedoms have been acknowledged by Wisconsin's homeschooling law and maintained despite continual pressure and challenges from the educational establishment and others. Thousands of homeschooling families have received the help and support they needed to begin homeschooling, continue despite difficulties, and help their children make the transition to adult life. WPA has worked hard with the Legislature, the media, and others to establish a favorable climate of opinion for homeschooling.

Is this the end of the story? Is WPA's work over? By no means. Much still needs to be done, including the following:

- New homeschoolers, now and in the future, need the information and support WPA can offer based on its clear sense of mission, its long years of experience, and its determination. Experienced homeschoolers need WPA's information and support as new questions arise, their situations change, and their children grow up.

- Challenges continue from the educational establishment and other opponents of homeschooling. WPA is needed to watch developments in the Legislature, the DPI, and other places. It needs to continue to track these developments, do research, prepare fact sheets, inform members, and develop strategies to counter developments that undermine homeschooling freedoms.

Thanks to WPA's reputation in the Legislature, new legislation that would increase state regulation of homeschooling is much less likely to be passed. To ensure that this continues to be so, WPA needs to continue as an active grassroots organization.

Despite WPA's accomplishments, it would take very little to place homeschooling issues on the front burner through the media and in the Legislature. An article in *The New York Times*, a vindictive judge, an executive director of one of the educational establishment's associations, a researcher, a newspaper editor, a homeschool group asking for favors, or a television news anchor could trigger a movement toward a very different homeschooling law in Wisconsin. If homeschoolers do not know their history, their rights and responsibilities, and how

fragile their hold on their freedoms is, and if they are not informed, organized, and prepared to act, the law could be changed in very little time.

- Issues that affect homeschoolers have not been resolved. WPA needs to continue to work on issues such as state-mandated standardized testing, preschool and mental health screening, privacy, student ID numbers, tax credits and other benefits for homeschoolers, and homeschoolers playing on public school sports teams.

WPA members today are part of a long and strong tradition that includes the kitchen tables of thousands of homeschooling families and the marble halls of the Wisconsin Legislature. They have much strength to draw from in their proud past and much work to do today and in the future.

The eight principles that have served WPA so well for nearly 30 years need to stay alive and well for many years to come. WPA needs to continue as a grassroots organization. Its strength comes from its members, the thousands of courageous families who have homeschooled despite opposition, supported each other, and worked together to maintain homeschooling freedoms. May their grandchildren and great-grandchildren inherit and treasure homeschooling freedoms.

## **What You Can Do**

Your help is needed as part of WPA's continuing work.

- Homeschool responsibly yourself.
- Keep up to date on issues, including reading WPA's quarterly newsletter.
- Renew your membership when it expires and encourage others to join. WPA's strength comes from being a grassroots organization. The more members, the stronger we are.
- Buy a handbook and recommend it to others.
- Attend the annual spring conference and encourage others to come.
- Inform WPA whenever you hear of potential problems.
- Refer people to the WPA Web site.
- Donate to WPA through the Web site, by calling the WPA voice mail, or by sending a check to the post office box.



For nearly 30 years, homeschoolers working together through WPA have rediscovered the vital importance of families exercising direct responsibility for their children's education. They have courageously stood up and reclaimed and exercised their rights. They have extended a helping hand to other committed parents and demonstrated how homeschooling works as part of their work to maintain their homeschooling freedoms.

*Kitchen Tables and Marble Halls* is the exciting story of ordinary parents accomplishing extraordinary victories for their families and for posterity against great odds. It is a story of how committed people have risen above individual differences in areas as fundamental as curriculum, politics, religion, and philosophy to form a grassroots organization that safeguards the right of parents to homeschool according to their principles and beliefs.

*Kitchen Tables and Marble Halls* is also a call for homeschoolers to understand their history, including the courage, sacrifice, and principles that undergird it. It offers new and experienced homeschoolers a chance not merely to marvel at what has been accomplished and have a vicarious or nostalgic experience of that history, but also to gain or renew our commitment to what will be required of us for this story to continue and for this history not to have been lived in vain.



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