

# Charter School: A Trojan Horse to Home Schooling

by Colene Lewis

Charter schools are growing in Arizona. There are now about 170 charter schools located across the state. Most of the schools are traditional schools with buildings where children are taught by paid teachers. But some charter schools are actively soliciting enrollment of home schoolers in their "distance learning programs." This is presenting choices and tensions for home school families as they consider if there can be a union of charter and home school.

What is home schooling? First and foremost, it is the most private of private educations. Home schooling is parents keeping the responsibility and authority to educate their children as they deem right. The state statutes require parents to notify the county school superintendent of their intent to home educate. Parents agree to cover the subjects of math, reading, language arts, science and social studies. The specifics of values, worldview, content, texts, materials, sequence, testing and methods is not addressed, but left totally to the discretion of the parent. How, when, where, why, what and to what extent education takes place is left entirely in the control of the parents.

What is a charter school? First and foremost it is a government or public school. Charter schools are established by receiving permission to form a public school. The charter school must include a comprehensive program of instruction which fulfills the Arizona Essential Skills requirements, testing and evaluation of each student. The charter school receives permission to exist from either a school district governing board, the State Board of Education or the State Board for Charter Schools, all of which are governmental entities. The law states in A.R.S. (Arizona Revised Statutes)15-183:

E. The charter of a charter school shall ensure the following:

1. Compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance. The department of education shall publish a list of relevant rules, regulations and statutes to notify charter schools of their responsibilities under this paragraph.
2. ***That it is nonsectarian in its programs***, admission policies and employment practices and all other operations.
3. ***That it provides a comprehensive program of instruction*** for at least a kindergarten program or any grade between grades one and twelve, except that a school may offer this curriculum with an emphasis on a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts or foreign language.
4. ***That it designs a method to measure pupil progress toward the pupil outcomes adopted by the state board of education pursuant to section 15-741.01 including participation in the essential skills tests*** and the nationally standardized norm-referenced achievement test as designated by the state board and the completion and distribution of an annual report card as prescribed in chapter 7, article 3 of this title.

A charter school receives government funds as stated in A.R.S. 15-185:

A. A charter school that is sponsored by a school district governing board shall receive per pupil expenditures equal to at least the average cost per pupil for the district as a whole. The uniform system of financial records shall include guidelines for determining the average cost per pupil for the district for the purposes of this section. A school district is not financially responsible for any charter school that is sponsored by the state board of education or the state board for charter schools.

*Italics added for emphasis.*

Charter schools are public schools and home schoolers who enroll in them are no longer legally home schooling, but are enrolled in public school. You are no longer under A.R.S. 15-745 and you no longer need to notify the county school superintendent of your intent to home educate. You are now covered by A.R.S. 15-183 through 189 and under the authority of the charter school. Organizations such as Home School Legal Defense Association will no longer recognize you as a home schooler or help you legally because you have voluntarily enrolled your children in a public school. This is true even if you are doing the instruction in your own home. When the parent teaches the child under a charter/public school the proper term is "distance learning" or "remote site education", but not home schooling or home education.

Enrolling your children in charter schools means the education is no longer being directed by the parents. Some charters may promise "freedom to do as you like", but in reality the charter school is mandated by law to provide a comprehensive educational program as outlined in the Arizona Essential Skills Requirements. The Az. Essential Skills (soon to be reissued under the name Az. School Standards) are detailed guides to what children must learn. Both Judy Richardson (formerly of the Department of Education) and Jeff Cohen (of the State Board for Charter Schools) assert that the Essentials Skills and the ASAP test drives and directs the curricula of the school. Mr. Cohen went on to say that he doubted there was a religious curriculum that was aligned with the Az. Essential Skills even if you could use sectarian materials. In addition, charter schools must measure pupil outcomes. This includes participation in the essential skills test (ASAP) and the nationally standardized norm-referenced achievement test adopted by the State (now the Stanford Test). The achievement test is not curriculum based, but it geared towards general skills. But the ASAP test is an Outcome Based (OBE) test which is specifically curriculum bound. To do well on the ASAP tests you must cover specific material in the subjects of language arts, literature, science, social studies, health, work skills, and math. Also, the OBE curriculum and tests cover attitudes and beliefs as well as academic understanding.

This loss of parental control includes the amount of time required to educate. By law students in charter schools must log a certain number of hours per day for the 175 days that school must be in session. The hours are as follows:

2 hours/day for Kindergarten  
4 hours/day for 1<sup>st</sup> through 3<sup>rd</sup> grades  
5 hours/day for 4<sup>th</sup> through 5<sup>th</sup> grades  
6 hours/day for 7<sup>th</sup> through 8<sup>th</sup> grades

The Department of Education has asked for the Attorney General to rule on the legality of distance learning charter schools. Though individual school districts have approved distance learning charters, the State Board of Education and the State Board for Charter Schools have not. They are waiting on the Attorney General's opinion. All public schools receive money based on attendance (time spent in the classroom). There is concern that there must be scrutiny to ensure public funds are being used appropriately. This issue may have to be resolved in court which could disrupt the charter school experience of some families.

The loss of parental control includes curriculum. The instruction must use only non-sectarian curriculum during the mandated logged hours. A Casa de Mesa Charter School staff stated, "If the term 'God', or the Scriptures overtly appears, the material is sectarian." Michigan charter schools have fought this interpretation of non-sectarian curriculum and they have lost every stage of litigation. Some charter schools in Arizona are saying that you can use religious curriculum. All public officials we have spoken to have disagreed. They say absolutely no religious curriculum may be used during the mandated instructional hours. This issue may also have to be resolved in court and the precedence set in Michigan is strong against religious curriculum in the public school setting.

The loss of parental control also includes the 'how' of home schooling. Charter education in the home will keep the tutoring aspect of home education, but will remove much of the spontaneity, the integration of subjects and the ability to pursue what interests the student. For the most part this will be replaced by fragmented learning based on a state curriculum scope and sequence. Certified school teachers are being used in all of the distance learning programs that AFHE surveyed. The tendency is for certified teachers to recommend a familiar educational program such as traditional textbooks and computer based programs. Typically the program will be based on a factory model geared to a large classroom setting.

Parental control will gradually be eroded by the supervising teachers. Parents are relegated to "instructional assistants", "adjunct instructors", "teacher's aides" or "volunteer learning facilitators". And who are these "real" teachers who will be guiding the parent "instructional assistants"? For the most part they are going to be certified teachers who have been trained to teach in secular, age-segregated, large group situations. One bewildered charter school official asked a home schooler, "Where in the world do you find curriculum?" She was not aware that we have support groups, that we can buy "real" curriculum or that we have a statewide convention with a curriculum hall. Many professional educators respect home schoolers and really want to help us. But there is a subtle change from helping us when we are in charge, and leading us when they are in charge. Who is in charge? The government is paying them to educate these children. We are simply assistants.

There is a loss of parental control as time and energy must be diverted to extensive record keeping and training. The charter schools require the parent to complete the studies as outlined in the students program, turn in weekly attendance forms (which keep track of hours in instruction), submit completed samples of work and the lesson activities sheets. All of the schools surveyed have some mandatory meetings and some have multiple, mandatory teacher training meetings.

The loss of parental control is psychological as well. Parents who receive money from the government to take care of the needs of their children place themselves in a subordinate position. Don't be misled, this is not keeping your money as a tax credit would be. This has nothing to do with keeping and using your own earnings as you see fit. This is welfare. Welfare is "a government program for giving away money or goods, usually to poor people." Subsidy is a similar term; It is "a government program for giving tax money away, usually to rich people or large companies." The word subsidy means literally to sit under. Receiving a subsidy, or welfare, puts parents in the situation of being dependents accepting government handouts rather than independent adults paying for and directing their own families.

The loss of parental control could reach to the loss of the right to privacy in your home. The home-based charter school places the physical location of public (government financed and controlled) education in your home. Normally the state cannot enter your home without a search warrant, but when the home is substituted as the normal place where a "public activity" is occurring, it has been suggested that the state has the right to control that public activity. This is especially true if you consent to home visits, as you do in some of the distance learning charter school's contract which you have to sign. Amendments IV and IX of the U.S. Constitution protect the privacy of your home unless you voluntarily consent by some means such as a written contract. Most charter schools have home visits in the contract which the parent signs. The Department of Education officials and one of the charter schools assured me they have no desire to make home visits. This is commendable.. The question remains, can they (or C.P.S.) legally do so if they desire?

Parents in Arizona have choices. They can choose home schooling, private schooling or public schooling. Public schooling is now broadened to include traditional neighborhood schools, traditional site-based charter schools, and distance learning charter schools. You have the option to choose public charter school. But don't refer to it as home schooling.