

**The Right Hand Of Fellowship:  
Home Education in Nova Scotia and Ideological Challenge.**

by

**D.J.A. Harrison Pollock**

**A thesis submitted in partial fulfilment of the requirements for a Master  
of Arts in Education degree at Saint Mary's University**

**June 1994**

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**Abstract**

**'The Right Hand of Fellowship:  
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**This thesis presents home education in Nova Scotia as a revitalized, rational social movement. Home education is examined within the "revitalization model" described by Anthony F.C. Wallace (1958). Wallace's conversion analogy was chosen not because of any bias either for or against any religious motivation, but, instead, to delineate the process of cultural conversion in its entirety from the recognition stage to that of regeneration and transformation. This model proves an apt metaphor for describing the small "s" spiritual journey taken by parent-educators in the formation of the Nova Scotia Home Education Association as a non-sectarian political group and the structure of new Departmental regulations for 1993/94. By employing this model and utilizing a variety of interview techniques, a snapshot emerges of a group who resembles, in many respects, the larger public school community.**

**Although this study provides current estimates of home schooling families, it is not intended as a census of a dynamic and growing movement in the province.**

**The study also examines Canadian legal precedents, explores the roots of alternative education and identifies the principal curricula proposed by leading home education thinkers. The study raises implications for the public school system and concludes with suggested recommendations for the professional educator.**

## Table of Contents

Foreword	1
Introduction	1
Impetus to research	1
Method	6
 1. <b>To Be A Pilgrim.</b>	 12
Educational Conflict and New Social Movements: A cultural laboratory for re-thinking community.	
 2. <b>In Search of the Anxious Seat.</b>	 21
2.0   The Concept of Revitalization.	21
2.1   The Nova Scotia Experience.	25
2.2   Educational Rights and Policies.	31
Figure 1. Survey of Nova Scotia School Boards, 1993.	33
2.3   Demographics	35
Figure 2. Reports from Regional Inspectors, 1994.	37
Figure 3. Canadian Registered Home School Population.	38
 3. <b>The Fight without, the Fear within.</b>	 45
3.0   Confrontation.	45
3.1   Defining Distortion.	45
3.2   Dire Events (Case Reviews).	48
i.     Alberta and Larry Jones	48
ii.    Nova Scotia and Andre Masse	51
iii.   Related Civil Rights Decisions	55
iv.    Manipulations	57
3.3   New Legislation and Compulsory Attendance.	60
Figure 4. An Overview of Home Education Regulations in Canada.	61
3.4   Other Roads to Zion	66
 4. <b>Testimony from the Mourner's Bench.</b>	 72
4.0   Consolidation. Early Reformers and John Holt.	72
4.1   Christian Ultra-Conservatism and Raymond Moore.	82
 5. <b>The Right Hand of Fellowship.</b>	 93
5.0   The New Steady State.	93
5.1   Fellowship of the Community.	96
5.2   Boxes, Conflicts, and Values.	98
5.3   Implications and Conclusions.	103
 References	 113
Appendices	123
A.   Question Guide.	
B.   Lunenburg Letter.	
C.   NSHEA Survey of Membership.	
D.   School Board Survey.	
E.   Leading Curricula Distributors.	
F.   Home Education Regulations, 1993.	
G.   Sample Curricula.	

## **Foreword**

Preparation for this study was initiated by an interest in alternative education and an enthusiastic belief in school reform. The project took shape with the help of the executive and members of the Nova Scotia Home Education Association, various homeschooling support groups, interested professional educators, friendly editors and educator-parents throughout the province. I am indebted to all who participated in the interview process but particularly to Jane Dietert, Jennie Ernst and Marion Homer for their positive comments, for their help in locating respondents and for turning my countless questions into "teachable" moments.

## **Introduction.**

### **The Right Hand of Fellowship:**

#### **Home Education In Nova Scotia and Ideological Challenge.**

##### **Impetus to Research**

This thesis is the result of conversations held in 1993 with home educator families throughout the province of Nova Scotia. We talked of many things, but specifically about schools, education and schools, and alternatives to schools.

The existence of an alternative school system is neither recent, remarkable, nor remiss. What is recent is public, compulsory, age-graded education. What is remarkable is the lack of attention given to those who have chosen to educate their children at home. What is remiss is the lack of research by both parent educators and public agencies on what the home school advocates refer to as "the proof of the pudding." Home education literature is scant on the assessment of any outcome of the movement's primary objective, that of the best education for children. Given the time constraints of a graduate programme, this line of inquiry must be deferred until some future publication.

This thesis will address, however, the emergence of a homeschooling movement in Nova Scotia that represents a significant challenge to educators. Recent media commentary has suggested that the family upon which this alternative institution flourishes is going the way of the dinosaur. Certainly, the information from the seventy-five complete interviews incorporated within the structure of this paper appear to replicate the family characteristics described by Garrison Keillor in his Lake Wobegon stories rather than the

"blended" family units that are featured in contemporary society. Indeed, demographic information, problems of socialization, and questions on motivation are the focus of much of the largely American literature that exists on this topic. Although these areas are discussed within the body of this research, I have treated them as variables to the movement rather than as effective measurements. It seemed obvious to me that if the goal of home schooling was defined as education, then it seemed equally obvious that the focus of this paper should be on the progress in reaching that goal in Nova Scotia.

The goals of this paper are, therefore, complex. My purpose was to examine the extent to which home-based education is a revitalized and rational social movement, and/or an aberrant, educational fad; and with Nova Scotia as a battleground for parental rights, to what extent home-based education repeats an ideological challenge to the apparently liberal status quo. In fulfilling this purpose, however, questions arose about the constant intervention, interpretation and interference scenarios that dominate the home education and public discourses. Conflicts between the powerless and those in power or the assessment of home education through the lens of the more traditional spectacles of the public education system, thus, appeared as a mismeasure of a group whose actions are merely the logical outcome of liberal purpose. They are, in a sense, educational Antinomians who have chosen to leave the public system, chosen to educate their children legally in an institution that theoretically is considered the cornerstone of the liberal system --the family unit.<sup>1</sup> Such goals are in keeping with those early liberal reformers whose concepts shaped the radical dynamics of the 1960s and influenced proposals on alternative education, namely, those of Ivan Illich,



Paulo Freire, John Holt, Everett Reimer and Jonathan Kozol.

Kozol's description of the Harlem school system as an American Auschwitz or Illich's assembly line metaphors are still difficult concepts to dismiss. These de-schooling advocates denounced the dominance of professional regimes that led to student crippling and service for value curricula. Illich (1971) suggested that this dominance enslaves the mind. Ian Lister, a British de-schooler, commented that school "indoctrinates us: to believe that other people make all the decisions" (1974:93). Attempts to improve schools externally by cosmetically re-forming institutions resulted not as the de-schoolers envisioned but in increased bureaucratization. Challenges to basic assumptions on power or "schooling problems" put the professional garrison on the defensive. Such criticisms were interpreted as idolatrous reflections on dogma.<sup>2</sup> Defensive postures by school officials and/or teachers often led to further conflicts with the public domain. In a sense, such conflicts led to rhetoric that encouraged teaching to acquire an undesirable dominance in the educational process.

The establishment of those within the educational structure who were unaware of or indifferent to such critical conflicts effectively led to the entrenchment of a rarely questioned and unchallenged power. The institution, armed with the forces of cultural ideology and social myth, imposed the notion that every child must attend school, not that every child must acquire an education (Guterson, 1992). The idea that children can and do flourish outside the traditional institution in another, still traditional social institution precipitates responses from the general public that range from complete dismissal to suggestions of mental imbalance.

In an interview in *Phi Delta Kappan* (February 1982:393) John Holt,

referring to Public School dismissal of alternative education, suggested that traditional institutional learning was inherently dull and passive. Teaching, he remarked, was made deliberately mysterious so that failure to learn, like failure to thrive, was linked to a failure in the child. Therefore, too much importance was assigned to teacher diagnoses of student neurological and psychological disorders. Those who disagreed with this pedagogy were, thus, part of an oppressed minority who posited that

Not in the foreseeable future can we imagine a school district saying-- you can read anything you like, and as much as you like, and we aren't going to grade you on it!--Or, You can study whatever you want, and we don't care what grade you're in--Or if you are working on some project, take as much time as you need to finish it. If educational experiments such as these are ever to be undertaken on a large scale (as they should be), it is not likely to be in schools as we know them. . . . There is only one place where this kind of research is likely to be carried out and that is the home.

In the course of this research, I have found those families who have taken this advice conform to no one standard; they differ vastly, not only in their choice of curricula but also in their educational philosophies. Ideologically they can be loosely typed within two categories. One group, seen as descendants of Rousseau and similar to those termed as "pedagogues" by Van Galen (1986:63) are free spirits who place great value on intrinsic motivation. Their learning is child-centred as opposed to accepting a more structured curriculum. They tend to see the school as inept and regard themselves as personally independent of bureaucracy. They are often people who are involved in other "movements." Such movements often advocate "back to the land" survival methods, or emphasize those roles central to the La Leche League, or the Midwifery Association. These parents tend to view John Holt as the essence of humanistic, liberal school reform.

The second type are those with fervent religious convictions who

resemble Van Galen's "idealogues". Such parents often create a formal and rigid learning curriculum that tends to reflect the values they consider important. These mothers and fathers take their cue from Deuteronomy 6.6.7, which says that parents have a moral and binding right to teach.

6. And these words, which I command thee this day, shall be in thine heart:

7. And thou shalt teach them diligently unto thy children, and shalt talk of them when thou walkest by the way, and when thou liest down, and when thou risest up. (King James Version)

They tend to see schools as a battleground between Christians and their opponents, and interpret most legislation as an insidious spread of secular humanism. Such parents view Dr. Raymond Moore, Christian ultra-conservative director of Moore Canada, as the essence of conservative school reform.

A third group, neither pedagogues nor idealogues, and for whom there is no Van Galen term, emerges from the shadowy world of home education in Nova Scotia; this group, while they philosophically overlap, are a "catchment" containing those children who required special services or who fell victim to educational cuts or military moves.<sup>3</sup> In counties lacking private schools or adequate special needs education, concerned parents have responded by establishing home-based "school" educations. Reports of poor air quality in some schools and the subsequent re-opening of one environmentally unfriendly facility have encouraged some parents to consider home study (Quest, February, 1994). For French speaking children forced into an English Primary Programme because of a late Immersion entry, home education offers a means to deal with bureaucratic insensitivity. For this third group the writings of both John Holt and Dr. Raymond Moore function as useful guides in their home programmes.

Most homeschoolers share certain central beliefs: they generally refute the notion that at a certain age they must automatically surrender their children to the state; and they voice a profound and deep distrust of the public school system and its requisite bureaucracy. Observation and conversation suggest a third characteristic which, if it lacks universality, nevertheless is present in a significant percentage of the interviews. These parents perceive themselves as victimized by their own past school experience. Taking charge of their children's education is, therefore, a signal to the institution that they are prepared to take back responsibility for their own future and their children's "redemption."

My observation indicates that an alternative social institution emerged in March of 1993 with the formation of the Nova Scotia Home Education Association (NSHEA). Knit together by a common purpose that promoted the rights of the group, regular meetings, monthly newsletters, a political watch committee, and, most importantly, a deep commitment to the group's enunciated goals, the NSHEA signalled the arrival of a challenge to the dominant educational ideology. For members of this association, home education is a civil right and a vehicle for social change that requires very little capital, a lot of personal initiative, tremendous effort, and an acceptance of their division from mainstream society.

### Method

This study is empirically based and inspired by the philosophy of communication, which is both a forum and an outcome of education. It is only in opening the educational institution to this subject that civil society (as both consumers and supporters of education) can collectively repair the

institutional structure. Without communication, efforts to repair will fade and others will sagely observe that the "darkness comprehendeth it not" (John.1).

A formal search of available literature was my opening gambit. It became apparent as I worked through the various university libraries that, with the exception of notables like Reimer, Illich, and Holt, subject content ranged from "in house" publications by parents (Shackleford 1988; Spietz 1989; Williamson 1989; Guterson 1991) to education journal articles (Moore 1982; Common and MacMullen 1986; Madden 1991), documents (Saskatchewan Advisory Committee on Home-Based Education, 1992), and some interesting but diverse dissertations (Julia Webb 1990; Sandra Hill 1988; Susan Varner Groover 1988). A review of my bibliography indicates that this situation encouraged me to dig back through some rather unlikely sources. Such a statement is not meant to discredit those sources. Rather, their popular and related appeal to alternate lifestyles and ideas prompted me to reformulate my plan of formal data collecting methods in favour of a more ethnographic approach. This method, familiar to me from my undergraduate studies, seemed also to develop a fuller social picture through a combination of participant observation, observation of context, and informal interviewing.

My approach, however, poses questions about the influence of the silent observer. Did the group curb its actions to suit my programme? The executive of the NSHEA made it quite clear that they would accept my presence because I was neither a home educator/parent nor a member of the Nova Scotia Teachers' Union. Additionally, they argued an academic exposition of home education might bring them some future benefits. Did the Departmental Committee studying changes to homeschooling regulations in this province change its plans because of an academic investigation? My contacts

with the committee chairperson were brief and to the point. The committee had adjourned before I could question the members or seek answers about the committee mandate. Did knowledge of my inquiry affect those working within the educational system? Perhaps. An interview with a recent home educator indicated surprise at a newly apparent toleration shown by a regional inspector whom the group had designated as difficult.

A more immediate data source involved membership in the NSHEA. This organization, dedicated to challenging traditional forms of education, is an association held together by external and internal political tensions. It is a conglomeration of strange bed-fellows united in their concern for their children. Because it is an unknown and an "ethnically invisible" movement, I decided to use only those names that were public property.<sup>4</sup> The parents who took part in our conversations shall, thus, remain anonymous. It is important to note that the NSHEA was conceived as a response to a questionnaire from the Lunenburg County District Superintendent "that they [the members] considered intrusive and beyond the requirements of the current law in Nova Scotia" ( NSHEA 1993:(March)2).

The attached Appendix A, self directed or personal interview sheet, catalogues the questions that I used to guide my respondents in telephone, personal and mail-back interviews. These techniques could be criticized as susceptible to over-generalization and a less than "scientific" approach. This is perhaps a paradox of sampling (Rowntree 1981:23). A sample is misleading unless it is representative of the population. How can it be representative unless we already know what we need to know about the population? If the latter is already known, do we need a sample? What if the sample is a group who is misunderstood and covert?

Despite the fact that the paradox often remains unresolved, this study employs a research model to demonstrate that the Nova Scotia Home Education Association (NSHEA) is a revitalized, rational social movement and not an aberrant educational fad. To facilitate this purpose I examined home education through the "revitalization model" used by Anthony F.C. Wallace (1958) to describe a special kind of change phenomenon. Wallace used this phrase to describe a movement that he defined as a deliberate, organized, conscious effort by members of society to construct a more satisfying culture. In this conversion process, those involved perceived their culture or some areas of it as a system (whether accurately or not).<sup>5</sup> When, as a group, they judged that this cultural system (or those shared meanings/ values or symbols) were unsatisfactory, they were ready to not only dispose of certain items but also, to introduce a new belief system. Observation will demonstrate that the NSHEA is a social movement that perceives the traditional educational institution to be reflective of the values of a dominant and oppressive system.<sup>6</sup>

The Wallace model uses definable and overlapping stages beginning with contention or stress (chapter 2), confrontation (chapter 3), consolidation of organization (chapter 4) and transformation (chapter 5) into a converted and steady state to delineate the movement away from state-sponsored education. Each stage corresponds with behaviours that can be identified in all changing situations, religious, political or social.<sup>7</sup> I will suggest, both through interviews with home educators and by observation of their respective educational agendas, that my respondents are indeed the heirs of those who sought freedom from "thou shalt not" through the informal curricula and learning events advocated by Kozol, Illich, Freire, and Reimer.<sup>8</sup>

## End Notes Introduction

1. Contemporary educational criticism has focused on the reproduction of class values as found in the practices of the educational institution and its effect on the value systems of the private domain or the family unit (Payne, 1988; Corrigan, 1983-4; Walkerdine, 1990). If one views these criticisms as an extension of the educational reform movement of the 1960s and the 1970s (Reimer, 1971; Illich, 1970), it might be argued that a picture emerges of the public school system as a "secular religious institution" promulgating values (like competition) through certified salvation (the equation of a degree with success and immediate entry into the middle-class).

Homeschooling as voluntary withdrawal from this perception of community salvation has many historical antecedents. I use the term "antinomian" both as a metaphor for the withdrawal of the parent-educators and in reference to a courageous and revolutionary female prophet, Anne Hutchinson, who in 1638 challenged the certified route to salvation in the Massachusetts Bay Colony. As T.H. Breen has stated, Hutchinson posited, that "a justified person--a person predestined for salvation--might find the Holy Ghost within himself[sic]. In other words, she seemed to believe in personal revelation, a teaching which would have removed the need for churches, ministers, and even the Bible had it been widely accepted." See T.H. Breen. (1974). *The Character of the Good Ruler*. Toronto: George J. MacLeod Ltd, p. 55.

2. Please see the definition of idolatry established by Moshe Halbertal and Avishai Margalit, "Idolatry in Review," from the *Times Literary Review* (16 April, 1993) Cioffi, Frank. "The review suggests that the authors' characterize idolatry as the attribution of adjectives that are supposed to be exclusive to God. Their notion of idolatry, however, extends to any non-absolute value (political, social or economic) that becomes absolute and demands to be the centre of a dedicated life" (3). Although a standard definition of idolatry gives two meanings

1) The worship of idols

2) Excessive admiration or veneration; blind infatuation (Funk and Wagnall), the etymology of the term (of Latin/Greek > "eidolon" idol + "latreia" worship) suggests a strictly religious connotation. The authors trace the mutation of the concept of idolatry from alien gods to the misrepresentations of God, to inappropriate worship, to the "living of lives based on values which displace the true ones" (3).

In the extended sense discussed by the authors, the adoption of the scientific world-view is a natural candidate for designation as idolatry--a sense according to which Karl Popper's characterization of science as "the greatest spiritual adventure known to man" would qualify (3).

3. Susan Varner Groover in a 1988 study on parental motivation and home education identified three groups of parents: Type A parents were shown as John Holt supporters and those who found the school system inept; Type B parents were found to be more authoritative and those who wished their personal values and beliefs to be adopted by their children; Type A/B were those who fled to home education because of social, emotional, and peer pressure problems among many others. Varner found that Home Educators were more different from each other than from the Public School Parents also in the study. "They are not all driven by religious concerns nor are they cultural dropouts striving to isolate their children from the evils of greater society" (p.23).



4. I am indebted to Dr. B.Y. Card, Professor Emeritus, Sociology of Education, University of Alberta for the use of the term "ethnic invisibility." Dr. Card used the term to describe presumptions made about emigrating Mormon settlers to the American and Canadian West. I use the term to describe status quo presumptions made about parent/teachers and their children by the community. Certain agreed social assumptions reverse when in the ritual of ordered conversation, (ie: what is your name, how old are you and what school do you attend?), one meets a reply that is prefaced by, "none, I go to school at home."

I do not use the term in a literal sense, that is to suggest high visibility because of membership in this movement or entry into the establishment of a "new order." Rather I would like to suggest that within the larger community, homeschoolers are indistinguishable from their neighbours except for their perception of (and reaction to), the school as the source of their educational dissonance.

5. The conversion analogy used in this paper was deliberately chosen as a method of delineating the process of social conversion in its entirety, from the stage of recognition to that of regeneration and beyond. I have not used this analogy because of any bias either for or against those parents who claim religious motivation for Home Education. It is instead an apt metaphor for the small "s" spiritual journey, taken by every parent along the road to Tarsus, to the PTA, to the NSHEA.

6. The effort to understand other ways of life with both the sensitivity of an insider and the detachment of an outsider almost inevitably leads toward anthropological perspectives. Studies of "ecstatic" religious movements, in particular, show that such undertakings are part of the complexity of a "new heaven and earth." Faced with a period of perceived social crisis, individuals and groups characteristically attempt to return to their roots and reinterpret old values in a new social context. For groups like the Shakers and the Mormons these cultural models lay in the faith of early Christianity, as they understood it. They also provide an "ideal laboratory" in which the process of social change can be viewed at both the individual and group levels (Foster 1984:7).

7. An alternative Marxian model on which to build this metamorphosis from the PTA to the NSHEA might be the use of thesis, antithesis, synthesis. Such a process is apt here as it provides a link with the Wallace model of maze way stress and the ensuing difficulties and transformation that spring from not dealing with the status quo. Such a change would surge along the following lines:

1. recognition of school as undesirable;
2. redress/resolve issues (school yard problems, buses etc.);
3. rejection or perception of rejection;
4. retraction from the institution; and,
5. regeneration through process of change.

8. Paul Goodman saw freedom as negatively defined or as "thou shalt not". The freedom to attend school under this definition is, thus, thou shalt not stay out of school.

## Chapter 1

### To Be A Pilgrim.<sup>1</sup>

A hymn to hope in the 1960s declared that the Age of Aquarius signalled the opening of Pandora's mythical box and the release of those long imprisoned. In retrospect, however, the Prisoner was transformed through an extended confinement into a radicalized and militant Hope.

In the 1980s, marches, demonstrations, and protest tactics against institutional ills were adopted and transformed to suit the purposes of the militant and culturally critical. Collective movements advocating peace, women's rights, and gay rights, as well as single issue movements like anti-smoking or anti-gambling, adapted the tactics of campus protest groups and successfully brought messages of discontent to the broad public.

#### Educational Conflict and New Social Movements

How does one judge a social movement? Does the NSHEA fulfil the requisite criteria? Sociologists refer to social movements as collective attempts to promote, maintain or resist social change (Woods and Jackson, 1982). Some are associated with demands for change in the status quo or for improvements in the lives of disaffected groups. Peace activists demand changes in military practices that threaten our existence; gay rights activists fight to throw off the yoke of deviance; religious sects seek to recruit converts to their ideals. Whatever the goal, all of these groups can be classified as social movements.

Such groups are also regarded as reformers, as they attempt to replace an established institution or set of practices. John Dewey (1956:7), an early change-seeker, focused on such wants when he wrote, "What the best and wisest parent wants for [his or her] child, that must the community want for

its children. Any other ideal for our school is narrow and unlovely: acted upon it destroys our democracy."

John Holt (1972:210), a later reformer/un-schooler, offered this advice to parents who sought change for their children:

The school as a preservation site cannot exist in a world of mass media and telecommunication. . . . [they] must look beyond the question of reforming schools to the larger question of schools and schooling itself. Can they do what we ask? Are they the best means of doing it? What might be the better other?

In practice, change-oriented groups tend to range from reformers to radicals according to the degree of change they advocate in the status quo. In one aspect, the NSHEA might be regarded as heirs to those who opened Pandora's box. In its literature and mandate, the association attests to a reforming purpose. The members posit themselves as models in an appropriate public school reform. In this regard, they reflect the ideals of early activists like George Dennison (1969) and Ivan Illich (1970), who felt that schools confused process and substance. Such views, however, do not always lead to a suspicion of all institutions. Despite the rhetoric, reformers usually retain the hope of a just restructuring of democratic institutions.

The Nova Scotia group, however, has voluntarily turned from the larger concept of community to operate in a more narrow and strictly defined area. They are not institutionalized people, but rather see self-reliance as the optimum human condition. In this regard they are change-resisters; in this they are lonely wandering pilgrims prepared to "giants fight." They wish to avoid the competitive value systems and educational practices of the public school system that they find repugnant. They see their children neither as part of an educational process nor as its product. Such sentiments are closer to a "holistic" approach to education, in which learning is a continuous

process and one that is not divided into separate spheres. Historically, such sentiments also echo a return to early nineteenth century Jacksonian American values of individualism and the protection of citizen rights.

Views advocating resistance to changes in values were presented in a CBC radio report on home schooling in Prince Edward Island and Nova Scotia (15 April 1993. Maritime Noon). Parents interviewed by the reporter selected the following as points of contention within the existing school system:

- a) problems with other children on the bus--bullying and abusive language;
- b) the values learned in the school system are not those found in the home;
- c) parental objection to class and individual competitiveness as it is fostered in the classroom;
- d) abusive language in the classroom and "pornographic" materials presented by teachers.

These items suggest that some parents desire a return to a more traditional social order and the resistance of change. These comments also suggest that some parents view the classroom as a microcosm of the larger community. Patricia Lines (1983) suggests that such parents believe that traditional secular, public schooling is not right for every child because it is too liberal and devoid of moral and religious education. These parents believe that the latter is crucial to a child's education and are, thus, willing to defy the law rather than surrender children to a public school that is seen not as an ideal environment but as a forced melting pot.

Parents interviewed by the CBC stressed that the decision to educate their children at home was not an immediate one. All indicated a degree of hesitancy about their initial decision to home educate and even those well into what the Wallace model defines as the final or The Steady State, still spoke in

terms of proceeding one year at a time.

All of the parents testified to perceptions of community hostility once the lonely decision "gainst all disaster" precipitated the pilgrimage away from the Parent Teachers Association. A representative of the Prince Edward Island Teacher's Federation personified this antagonism responding that "its a rough world full of competition. . . . isolation will not prepare these kids . . . they are only shielding the child artificially from the world." Such criticisms were quickly rebutted by callers who deemed them insensitive and shallow. Schools, they noted, are a reflection of society and problems in schools are a reflection of problems in the larger society.

There is a certain irony in the historical conflict between moral values and education in Canada. Jud Purdy (1991) suggests that religion was one of the significant forces at work during the moulding of the common or public school. Purdy quotes the Rev. Egerton R. Ryerson, the first superintendent of schools in Ontario, as one who saw religion and morality not as sectarian, but the general system of truth and morals taught in Holy Scriptures. Certainly, the Evangelical wing of Protestant Christianity responded with much gusto in early school reform. Evangelical salvation and fundamental literacy were programmed by early change-seekers as essential factors in their attempt to redeem the individual and then, through these "new men", to regenerate society (93). Purdy stresses, however, that using the state to establish schools did not mean that these institutions would be secular institutions. The schools would be non-denominational, teaching "Common Christianity." It is logical to speculate, therefore, that the historical assumption of a special relationship between Christianity and education, is a fundamental part of the contradictory battlefield between homeschoolers and

publicly controlled schools.

In Nova Scotia, historian John Reid (1989) chronicled the importance of the development of the parish school system while D.C. Harvey (1933:7) referred to the de facto supremacy of the Anglican Church. Catholic interests in the province were safeguarded by a series of ad hoc arrangements with regard to the establishment of the common school. Nova Scotia rejected the notion of separate schools; instead, the provincial government reached an agreement which Beck (1957:206) refers to as "local elasticity." School trustees rented existing Catholic schools from a parish or convent as a part of the public system and continued to appoint Roman Catholic teachers to staff them. These schools were obliged to follow the same regulations and course of study as found in the Public System. In this way Catholic schools received public aid but had no legal status (Purdy, 1991). Thus, while Canada never accepted a state religion nor the American concept of a secular state, governments reacted in a pragmatic manner and made interesting accommodations with their voters.

One interesting accommodation with the voters is the reference to teaching Christian precepts in the Nova Scotia Education Act. Despite the retention of article 54 (3)<sup>2</sup> in the Nova Scotia Statute and its references to traditional Christian morality and virtues, challenges are appearing on the horizon that disturb fundamental Christians. *Suneet Singh Tuli v. the St. Albert Protestant Board of Education Edmonton* (1985) dealt with a Sikh student who won the right to take his kirpan (ceremonial dagger) into the classroom provided it was blunt and remained in its sheath. A later human rights board of inquiry found no religious discrimination but by the time the decision had been reached the student had graduated.

**Zylberberg v. Sudbury Board of Education** (1989) provided a further challenge to Christian hegemony. A number of parents of non-Christian students challenged a school board policy that required morning reading of the Lord's Prayer in a grade 2 classroom. School policy allowed exclusion from the exercise for those who did not wish to take part. A Court of Appeal determined that the practice was "coercive" and that children at a grade 2 level could not appreciate the "voluntariness" of their excused attendance. The children would feel singled out and different (MacKay 1992:45). In a related action, the **Canadian Civil Liberties Association v. the Ontario Ministry of Education** and the Elgin Board of Education (1990) a declaration was sought by a group of parents that the religious instruction provided by the public board was unconstitutional. After a lengthy discussion about religious instruction and the comparative aspects included in this programme, the court concluded that the primary purpose of this religious instruction was Christian indoctrination. Part of the evidence was a fill-in-the-blank question on a test that stated: "Jesus Christ is the \_\_\_\_ way to God." The word to be inserted was "only." The court determined that the programme was coercive and, therefore, violated section 2(a) of the Charter (MacKay 1992:46).

The Manitoba Association for Rights and Liberties Inc. , **Jesse Vorst v. Government of Manitoba Department of Education** (13 August, 1992) forced the department to strike out sections of the Public School Act which provided for the carrying out of religious exercises in public schools in the province. The judgement was framed by a reference to the Zylberberg decision [1989]:

Exemption imposes a penalty on pupils from religious minorities who utilize it by stigmatizing them as non-conformists and setting them apart from their fellow students who are members of the dominant religion. The non-sectarian nature of the schools was established in the Manitoba Act of 1890. . . . I see no reason to prefer one religion over another and that is precisely what the

present regulations provide.

In the light of these decisions, teachers who still observe religious exercises in their classrooms must, therefore, heed the signals being sent by the Courts of Appeal. Post-Zylberberg religious exercises are likely to consist of readings from various religious faiths. Given this trend in public education, it is not surprising that these exercises, developed for the public school, have little meaning for some "anti-teacher-teachers." These parents view such developmental education as a religion without a supernatural and, as proof of the dissatisfaction that marks the substance of change-resisting. The following remarks speak to this opinion and were given in an interview with a home educator/principal of a "private christian" school. They are her views about the pas-de-deux for secular school and religious home educator-warriors.

Schools are not environmentally friendly. They do not deliver what they advertise . . . they deliver something that is often very offensive. It seems to me, that they are in the business of teaching humanism, feminism, and New Ageism . . . . [the] school destroyed the relationship between my brother and myself when I was forced away from my parents [and into a public school]. People often say that what I am doing is crazy. . . that I am not a teacher and not a principal. . . but these are my children and I am not going to give them up to the government or to teachers who dislike children or parents for that matter . . . that's what forced me to go underground and to continue as their only educator parent and principal. . . I want to save my children from the problems that the [public] school brought me. (Halifax 1993)

It is difficult not to react to this statement. On one level it is intriguing to note the assumption of educational labels, like "anti-teacher teachers" or home-educator parent "principal" by those who seek neither the approval nor the formal recognition of the school system. When encountered by a professional educator, such references tend to throw down the gauntlet of the "untrained teacher" issue and raise the question of the meaning of a



"fundamental revolutionary." On another level, these statements are definitive of a particular variety of radicalism; one whose adherents think of themselves in terms of a social movement that grants them considerable power, a power that is subversive and unknown.

Power has its source in group action. A social movement also implies degrees of group action and shared goals. An interesting example of such criterion might be seen in parental objection to television violence. Separate unrelated acts do not constitute an anti-T.V violence movement; however, objectors grouped together and organized as a focused network promoting the need to change broadcasting policies could be characterized as a social movement. Likewise, individual parents removing their children from an institution that allegedly promotes contrary religious, political, or social values are not a home school movement. In this thesis, however, I will argue that the beginnings of a non-sectarian homeschooling movement in Nova Scotia (change phenomenon) appeared in January of 1993 as a direct consequence of the stress or "threat" perceived by concerned parents when a committee was formed by the Department of Education in concert with the Nova Scotia School Board Association to examine homeschooling practices. <sup>3</sup>

The reality of this movement/counter movement,<sup>4</sup> therefore, is a membership composed of both change-seekers and change-resisters who have found a channel that advances their goals and promotes interests not yet met in established institutions (Wood and Jackson 1982). A Marxian approach to this complexity might suggest that it is not the disorganization but the solidarity of the discontented that leads to movements for revolutionary change. Another Marx, equally well known, might approach such a dichotomy and say, "If it quacks like a duck and it waddles like a duck, you can bet your life it is a duck!"

End Notes  
Chapter 1

1. See Hymn 427, Book Of Common Prayer.

He who would valiant be  
'Gainst all disaster,  
Let him in constancy  
Follow the Master.  
There's no discouragement  
Shall make him once relent  
His first avowed intent  
To be a pilgrim. John Bunyan (1684).

2. The Education Act, R.S.N.S. 1989, c.136:

s.54. It is the duty of a teacher in a public school to:

f) encourage in the pupils by precept and example a respect for religion and the principles of Christian morality, for truth, justice, love of country, humanity, industry, temperance and all other virtues.

3. The original committee was composed of seven members. By April, 1993, this committee had become a committee of five. A letter to the School Boards Association questioning the demise of the original formation went unanswered. The committee members were: Patricia Mendes, Don Trider, Jim Gordon, David Richardson and Earl Lantz.

4. Social movements are not necessarily change-seekers. They may also be change-resisters. As certain concessions are gained, new movements arise to resist further change or to reverse some of the changes made and return to the old social order. These efforts to resist or reverse change brought about by social movements are called counter movements.

## **Chapter 2.**

### **In Search of the Anxious Seat.<sup>1</sup>**

#### **2.0 The Concept of Revitalization.**

From a cultural standpoint, a revitalization movement is a special sort of change phenomenon. Everyone involved in the process must perceive their culture, or some part of it, as unsatisfactory. They must be prepared to create a new set of relationships, not just change those that they have come to regard as burdensome. Unlike other social movements where change is often gradual, for example, cultural diffusion, revitalization shifts are abrupt as one moves into a new "gestalt abruptly and simultaneously with intent" (Wallace 1958:504).

Wallace posits that individuals survive in society by means of the creation and maintenance of mental images that regulate stress. Human society is defined here as a definite kind of organism, and its culture is conceived as those patterns of learned behaviour that certain parts of the system (individuals or groups) characteristically display. Stress is defined as a condition in which some or part, or the whole, of the social organism (system) is threatened with (more or less) serious damage. This perception of stress, particularly increasing stress, can be viewed as the "common denominator of the panel of drives or instincts in every psychological theory" (504). In this "holistic" view of society there is only one crucial difference between the principles of social organization and that of the individual: a society's parts are widely interchangeable, a person's only slightly. Therefore, it is necessary for an individual to maintain a mental image of society and culture, as well as their own body and its behaviours, in order to act in ways that

reduce stress. This regulating process is defined by Wallace as a "mazeway" since the body-personality-nature-culture-society system organized by the individual includes perceptions of a "maze" of objects and the ways this maze can be manipulated by the self or others. We can now see what "revitalization movements" revitalize. Whenever the individual is under chronic stress or when information distressing to the mazeway is perceived, provoking a distortion reflex rather than stress reduction, the individual must choose to tolerate either the stress distortion or to initiate change. It may also be necessary to make changes in the "real" system in order to bring "reality" into agreement. The effort to collectivize a change in the "mazeway" and "real" system in order to create stress reduction is the effort of revitalization; and the collaboration of a group of people in such an effort is called a revitalization movement. One might speculate, therefore, that the failure of the educational institution is perceived as a distortion of the mazeway image received by the members of the NSHEA. In failing to include the role of parents as a vital part of educational wholeness, the institution creates an imbalance that projects onto their objectives for education. Although the perceived imbalance could be corrected by a re-allocation of educational voice, the parents perceive the teacher/school relationship in a master-servant role (Reimer, 1971).

Such perceptions can be described in terms of a discourse on liberalism. A discourse can be defined as communication, as in conversation or writing. An author's name gives certain discourses a "function", however, that letters and conversation lack. An author, however, does not precede the works. Foucault(1984:119) says that the author is a "functional principle by which, in our culture, one limits, excludes, and chooses; in short, by which one impedes the free circulation, the free manipulation, the free composition,

decomposition, and recomposition of fiction." The author, who is traditionally regarded as the centre of the meaning, is instead placed at the convergence of several discourses. The writer, therefore, manipulates and is manipulated by the text at a particular historical moment. Questions of meaning become secondary to the assumptions that the texts make, what they include and what they omit.

A discourse on liberalism, therefore, encompasses both the public and private sectors of traditional social space. Liberalism informs us that people make rational decisions. Rational people are choosers. Choosers are, therefore, citizens who choose to exercise their public sector interests. The school is part of the public sector.

The family unit is the core of the private sector. The private sector in the liberal discourse is the site of the learner; traditionally, that space is populated by women, children and the insane (Bowles & Gintis 1988). A learner's status, therefore, does not reflect free choice or rationalism. The private sector, as the core of the family unit, also contains the un-schooler's alternative social institution, the home school.

In a liberal discourse, the market and the ballot box are part of the public sector. Both present a rational form of exit because both concepts promote an agreed list of acceptable alternatives. There are those who would question the term "agreed" and ask who agrees to them. In this discourse the chooser exercises his or her interests through these concepts. However, the choosers are presented only with those "concepts" that the powerful present. One could argue that "choice" in this instance is only perceived; they are not real "choices" because of restrictions.

Exit, according to this discourse, is a voluntary abandonment of a

product or a political party in favour of another. In a sense, choice is made with one's feet. Little is heard of voice. Children, and those outside of the prosperous classes (women and the insane) have little voice in the traditional liberal discourse. They are not considered rational choosers; therefore, they lack access to the traditional exit method (Callan 1983). Indeed, little is heard from the children involved in much of the existing research on home schooling. Future research must involve a long term study and follow up focused on the children who are the learners in this communication.<sup>2</sup> Consequently, one might suggest that in exiting the public sector, the NSHEA has demonstrated an inability to cope with institutional stress and has chosen a legitimate democratic exit from the public sector. One might also suggest, however, that others in the public sector might perceive such actions as less than rational.

J.S. Mill was often quoted in published home education research by those in the public and private sector to support their respective positions. A frequent argument for both sides stated, "the only purpose for which power can be rightfully exercised over any other member of a civilized community against his[sic] will is to prevent harm to others. His own good... is not a sufficient warrant" ( In Bowles & Gintis 1988:197-198; Sask. 1992; Webb, 1990; Guterson, 1992). Most citizens would place strict limitations on the use of the solicitude inherent in Liberalism and some would accept an absolute prohibition against such a threat to basic liberties (Callan 1983:45). Mill was not, however, referring to children but to adults. Children, according to J.S. Mill, were not "citizens" of the state but its wards. They did not exercise power or hold the right to vote. Children, as wards, like aboriginal peoples, is a long standing western perception; one that ultimately allows government

into the lives of its people. It is interesting, therefore, to speculate whether paternalism is justified in the case of children because it might benefit them more. If such speculations have any credence, are liberals less forgiving of non-beneficial paternalism? Are children more likely to come to harm because of ignorance and undeveloped rationalism or is the de-schoolers' challenge to beneficial standards really just a challenge to an elementary weakness in Liberalism? (That is the failure to regard children as citizens, and the inadequate protection of basic liberty). J.S. Mill is perhaps central to both public and private selves because liberty entails the "legitimate" use of power against an informed citizenry.

## 2.1 The Nova Scotia Experience

In February 1993, a number of home schooling families in Lunenburg county received a letter and an accompanying questionnaire (see Appendix B.) which began: "Dear--, It has been brought to my attention that you have children receiving training and instruction at home who are not attending public school." In the text of the letter the author reminded the recipient of section 63(f) in the Regulations under the Education Act which reads:

A child shall not be required to attend a public school and the parents are not liable to a penalty under the Act if  
 (f) an inspector and/or superintendent of schools certifies that the child is receiving training and instruction in a private school, at home or elsewhere, equivalent to that which he[sic] would be receiving if he[sic] were in regular attendance in a school serving the section in which he[sic] resides, and a teacher certifies that the child has passed a satisfactory examination in a grade of work suitable to the child's age and previous opportunities for receiving education; or (1993:41-42)

The balance of the letter defines what the regional Inspector referred to as common practice. In the Minutes of the first meeting of the NSHEA, the secretary noted that members of the new association questioned the points that

were represented as common practice. Members felt that they "were not substantiated by Nova Scotia law, but were rather points that local school boards desired to have implemented as policy"(NSHEA March Minutes, 1993). It was the opinion of the membership that "common practice" did not exist in Lunenburg County and that this letter signalled an imposition of an "alien" monitoring system into what they described as a workable relationship with individual schools.

On 16 October, 1993, this writer had a conversation with this inspector. His comments were honest and direct. The inspector came to his post from the Vocational School system. As Inspector, his mandate was to deal with the Lunenburg County administration as the Minister's representative and, as such, he was empowered to ensure that the School Act was being administered properly.

The inspector realized that there had not been an audit of the county school population for some years. Figures on the number of children engaged in home education were, at the very best, vague. He also recognized that by seeking to construct demographics on this section of the population, he was walking a political tightrope; moreover, he seemed aware that he was likely an inadvertent catalyst to the formation of the NSHEA (Private interview 16 October, 1993).

On the 28th of February, 1993, members of the Nova Scotia Christian Home Education Association had met with the inspector to discuss their apprehensions. Many felt that his letter and its accompanying survey signalled the first indication of a change in an historic board policy of toleration of home education. Unknown to many in the province, but true nonetheless, there has been a history of home education in Nova Scotia. In the



course of my research I spoke with several families who were themselves home schooled. All reported little or no interest in their lives by any school board.<sup>3</sup>

This February meeting led to the accidental discovery by the Christian Association of the existence of a Committee convened by the Nova Scotia Department of Education on behalf of the School Boards Association. The departmental committee was mandated to look into home schooling practices and board policies across the province. Christian home educators were both dismayed and alarmed to discover that this committee did not include any homeschooling parents or indeed anyone who knew much about home schooling. To meet the coming change suggested by the regional inspector's letter, a non-sectarian umbrella organization was formed and registered under provincial legislation as the Nova Scotia Home Education Association (NSHEA 1993).

In order to raise public awareness of their situation, the association arranged a number of media events. In an article in the Sunday Daily News of March 21, (Gee 1993:5) Don Trider of the Halifax County-Bedford District School Board (program director and member of the departmental committee) stated his opinion regarding the association's fears: "The board would view (home schooling) as a negative thing, although we recognize that many parents are able to do a wonderful job at teaching their children." Mr. Trider then cautioned the public that before starting on a home programme, parents were required to fill out a detailed application, explaining their decision to home educate and outlining their proposed curriculum. A supervisor would then meet with the family to discuss board expectations and point out the benefits of the public school system. Each home educated child would be

evaluated annually and might be placed in a classroom for a few days of assessment or given oral and/or written tests. "If the progress isn't up to snuff, a board can refuse to allow home schooling, Trider says" (Gee 1993). Mr. Trider concluded by stating that the committee had just developed a framework from which they proposed to work. It is possible, then, that the "common practice principles" that so alarmed the families of Lunenburg county had their roots not in years of experience but in the new policy framework described by Mr. Trider.<sup>4</sup>

Another article, ( Gee 5 April, 1993) bore the headline that the committee formed in January was illegitimate. In this article, Greg Ernst, a member of the NSHEA, suggested that "it's a closed shop," for members of his association were denied representation. In reply, a committee spokesperson welcomed oral or written submissions from groups or individuals.

The School Boards Association, according to the reporter, wanted the department to provide funding to school boards for those students who were taught at home. The School Boards Association estimated that member boards lost \$3000 for each student who was not registered at public school. Teaching staff and board employees, however, were expected to assess home based programmes. This position suggests that a link may exist between dollars and school board interest in the affairs of private citizens. Such an argument is consistent with the unspoken theme in the liberal discourse on the division of responsibility and power within the state and the family.

The NSHEA media campaign had positive results. On April 15th 1993, the NSHEA was allowed to make a presentation to the committee. The essence of the presentation by Dr Philip Horner, first chair of the NSHEA, dealt with the perceived conflict of interest between parental authority and the school

board's vested interest in forming a policy to govern home-based educators (Interview with Horner co- presenter Molly Bachman 22 July 1993).

The confrontation between the board and the parent/teachers, however, produced two interesting events. The first item of interest was a brief presented by Dr Horner on the existence and purpose of the Home School Legal Defense Association of Canada (HSLDFC). Like its American counterpart, this association exists to bring together a large number of home schooling families so that each can have a low-cost method of obtaining quality legal defense. The Canadian organization is managed by a board of directors that includes David Stasiewicz from Edmonton, Alberta, as well as Michael P. Farris and J. Michael Smith, president and vice-president respectively of the American association. The Home School Legal Defense Association's brochure promotes its \$125 annual premium as a low-cost method of giving families the freedom to home educate without the fear of facing legal threats alone.

In a newsletter dated 18 May, 1993, Dr. Horner enclosed a questionnaire based on four questions that he had received from the chair of the Nova Scotia Department of Education's Home Study Committee (Appendix C). Those questions were:

how should provincial Inspectors register home schoolers?

how should progress be monitored?

what should be done in cases of inadequate progress?

what type of process should be in place for conflict resolution?

In urging the membership to reply to the questionnaire before June 1, Dr. Horner confirmed the input of the Legal Defense Association. It was the opinion of their representative in Washington that the approach that the

NSHEA had taken was the correct one (NSHEA Newsletter, 18 May). In terms of a revitalization gestalt, however, the change from sectarian alliance to a political association suggests that recently described "common practice" or board policy and the implication of potential legal actions provided the effort to work a change in the maze and prompted the group collaboration component of the Wallace model.

A second event that arose from the confrontation between the board and the parent/educators was a review of board policy throughout the province. In the NSHEA newsletter of June 18, the editor addressed some of the concerns expressed in the Department questionnaire: "It is interesting to see how different the homeschooling policies have been around the province and that some of us will be more, and some considerably less, restricted if this draft becomes policy." Such comments suggest that most home educator parents knew policy throughout the province was inconsistent and common practice illusive.

One of the main criticisms levied at section 63 (f) of the **Regulations Under the Education Act**, the basis of these policies, is that the section is too vague. Patricia Lines, a researcher with the United States Department of Education, warned that vagueness in the law would ultimately lead to Ultra Vires actions (Lines, 1983).<sup>5</sup> Vague laws do not allow a law-abiding citizen to determine what is and what is not lawful. These laws also give too much discretion to enforcing officials and may inhibit the exercise of protected civil rights, as most of the legal judgments about home education in Canada have referred to discrimination under Charter rights. This creates an interesting rights paradigm because the Charter has forced educators to justify their actions when they limit the rights of students, parents or teachers (MacKay,

1991:206).

## 2.2 Educational Rights and Policies

Prior to the entrenchment of the Charter of Rights and Freedoms as part of the Constitution Act, 1982, education was strictly within the realm of the provinces, and educational rights and policies (by-law or guidelines) were defined by the provincial educational act (MacKay 1992:xiii). There was also considerable power left in the hands of local school boards. The Charter, however, establishes rights and freedoms for every Canadian citizen. Nova Scotia must now pay attention to what the courts are saying about rights and policies in the rest of Canada.

What is the difference between educational rights and educational policies? Policies are made by public agencies like a school board or a school. They are decisions or regulations made by ministers or school boards, reflecting statutory law. Since policies are made by agencies that are regarded as competent, they usually carry some measure of influence or compliance to ensure their objectives. These guidelines are the daily practical rules of operation that school administrators and school boards enact to govern their own activities. Normally they carry little weight in the courtroom, although a policy may have legal force if it is tied to statutory law or constitutional guarantees.

Rights differ from policies in that the latter allows for considerable flexibility and discretionary judgement (MacKay 1991). Rights are interests that have acquired sufficient societal acceptance to be defined by law. The courts are willing, therefore, to provide a remedy when a right has been violated. Rights are rarely absolute moral claims. A person's rights may

conflict with another as in the case of secular schooling versus a religious-based curriculum. What is at issue in this, as in other rights disputes, are conflicting values. The courts offer an arena in which to settle these conflicts; however, this "runs counter to school boards' tendency to compromise and work things out on an informal basis" (MacKay 1991:204).

In an effort to define provincial common practice, I sent a series of questions to each of the twenty-one Nova Scotia School districts (Appendix D). In essence, I asked each Board if they had any home education families in their districts; if they could estimate that population; and how their board complied with section 63(f). By November 1, 1993 I had received sixteen replies by mail and one reply by telephone. The four remaining boards were sent a second request and to this date no response has been received (See Figure 1 page 33).

Only two of the respondents indicated the existence of a formal policy to guide personnel dealing with home educators. Halifax County- Bedford District School Board appended that policy to its reply. Yarmouth was unable to complete the survey because the information was held by the regional inspector. Both Cape Breton and Northside-Victoria claimed that there were no home schools in their jurisdiction. This assertion is at odds with reports within the home school community of such activity in those jurisdictions.

Numbers on home schooling families varied with most boards admitting that they had no idea how many home educators there were in their district. Only Halifax County-Bedford District showed any consultation with principals and other boards. Certainly this lack of communication is particularly interesting in Lunenburg County. In a telephone conversation a supervisor confirmed that she had conducted a good deal of research into home education

**Figure 1. Survey of School Boards in Nova Scotia Concerning Home Education: July, 1993**

School Board	Are there Homeschooling families in your district?	If Yes, what numbers are involved?		Does your Board have a formal policy to guide personnel?
	Yes No	Families	Children	
Annapolis	Yes	10	12	No
Antigonish	No Response	No Response		No Response
Cape Breton	No	0	0	No
Clare-Argyle	Yes	1	2	No
Colchester-East Hants	Yes	15	21	No
Cumberland	Yes	16	23	No
Dartmouth	Yes	1	4	Yes; Inspector handles issue
Digby	Yes	3	3	No
Guysborough	Yes	5	6	No
Halifax County- Bedford	Yes	18	21	Yes
Halifax District	Yes	3	9	No
Hants West	No Response	No Response		No Response
Inverness	Yes	4	10	No
Kings	Yes	4	10	No (response by telephone)
Lunenburg	Yes	4	11	No response
Northside-Victoria	No	0	0	No
Pictou	No Response	No Response		No response
Queens	Yes	5	11	No
Shelburne	No Response	No Response		No Response
Yarmouth	Yes	Not Available		No; Inspector handles cases
Totals		89	143	

and had attempted to learn as much as possible about the various curricula available (3 September, 1993). She is the individual who has dealt with teacher/parents and students in the past and was surprised to learn of any change in regulations or monitoring personnel.

The main concern expressed by those boards who responded to the questionnaire centred on a perceived lack of social skills in those who are home schooled. This seems a legitimate concern.<sup>6</sup> In August of 1993, however, I attended a NSHEA picnic in Chester Basin where I was able to observe a large number of the "study" children. These children could by no means be described as either sheltered or pale hot house plants. That particular day, they appeared as noisy, rambunctious, healthy children, determined to push the boundaries set by their quickly fatiguing minders. What I recall most vividly, however, was the care and kindness these children showed to those among them who were either handicapped or otherwise challenged. Perhaps the concerned board monitors should read *Blackberry Winter: My Earlier Years* by that other monitor of social skills, Margaret Mead. In her autobiography she describes her early education as "In and Out of School."

Some years we went to school. Other years we stayed at home and Grandma taught us. That is one way of describing my schooling. Another way is to explain that between the ages of seven and seventeen I spent two weeks in kindergarten, one year--but only half days--in the fourth grade, and six years in high school (1972:71).

Opinions concerning schooling and social adjustment have often been made solely upon emotions and assumptions and not upon empirical research. The nature of home schools does not provide for regular classroom contact other than with siblings. A number of American studies have suggested that the lack of peer contact may lead to severe consequences (Taylor, 1986; Johnson, 1991). Alternatively, other studies have questioned the conclusions



of many educators that traditionally educated children are more socially well-adjusted than are those who are home schooled (Ray,1990; Shyers,1992; Smedley 1992). Given the bureaucratic nature of public school communications, one might logically ask if the traditional classroom is an enriched or an impoverished communication environment. Given the questionable aspect of age segregation in the public system, moreover, one might also query future student interaction with older and younger people in real life.

Among responding boards, a shared concern was with academic development and future re-integration into the system. All boards expressed a genuine concern with the lack of learning resources and support personnel in the children's educational development. They wanted to see "more written work", fewer American curricula especially in mathematics, less reliance on phonics alone and more evidence that children were able to sequence ideas and concepts.' Certainly those boards who had some dealings with home educators displayed concern with the children's development even if no evidence of a "common practice" emerged in their questionnaire responses.

### 2.3. Demographics.

It is difficult to estimate the numbers of home schooling families in the province. John Holt referred to home education as a "children's underground railway" (Holt 1976:218). Those who took his advice to help their children escape from traditional schools are difficult to trace. A telephone call to the Halifax County-Bedford School District office in March 1993 revealed that there were only nine families registered as homeschooling in that district. The **Daily News** (21 March 1993) suggested that there were 106 students being

taught in 67 homes throughout the province. This figure is also quoted by David Smith (1993) and was issued by the Deputy Minister of Education as a 1991 count of total number of "K to 12" students in the Smith survey (Smith, 1993:37). An article in the *Progress Enterprise* ( 5 May, Lunenburg) quotes Dr Philip Horner as suggesting that the NSHEA represented half of Nova Scotia's home educators.

The foundation member list of the NSHEA shows 29 families from the Halifax and Bedford County school districts. Some of these families were not registered with either board. The Treasurer's Report of the NSHEA, dated 13 October 1993, showed 59 paid members, drawing from Lunenburg, Halifax, and Annapolis counties. Attendance to these meetings, particularly that held in Halifax on 16 October 1993, was increased by a sizable group of parents who termed themselves as non-Christian home educators.

Although this study was not pursued as a home education census, by 11 November, 1993 I had identified 59 families by county and family name and a further 16, who wished to be identified by numbers of children and curricula only. It is interesting to note that neither the Catholic home educators from Cape Breton nor the Waldorf/non-Christian families, were members of the Nova Scotia Home Education Association. Letters to the editors of the 35 weekly provincial newspapers elicited a further 13 responses (30, November 1993). In an attempt to "test" the new regulations, I contacted the seven regional Inspectors (January 1994) and, on a more informal basis, asked for the number of children and families "enroled" under the new regulations in each area. Figure 2, (see page 37), presents their responses.

**Figure 2 Registration of Home Schooled Children Under 1993-94 Regulations As Reported By Regional Inspectors**

<b>Regional Inspector</b>	<b>School Board</b>	<b>Number of Children</b>	<b>Number of Families</b>
<b>Yarmouth</b>	Annapolis District Conseil Scholaire Claire/Argyle Digby District Yarmouth	2 1 3 3	No response
<b>Kentville</b>	Hants West District Kings County District Halifax County/Bedford District	2 24 30	1 15 20
<b>Port Hawkesbury</b>	Inverness Richmond Antigonish Le Conseil d'école du Grand-Havre	Total reported is 18	Total reported is 10
<b>Liverpool</b>	Lunenburg Queens Shelburne	Total reported is 52	Total reported is 25
<b>Truro</b>	Cumberland Colchester/East Hants Pictou	Total reported is 43	No response
<b>Halifax</b>	No response	No response	No response
<b>Sydney</b>	No response	No response	No response
<b>Total</b>		178	71

Although both Figure 1 and Figure 2, contain "no response returns," one cannot fail to note that the total number of children and families surveyed disagree with the statistics (1991-92) released to the media or those supplied to David Smith in his 1993 survey. (See Figure 3 page 38 for an overview of Canadian Registered Home School Population and the Nova Scotia total).

**Figure 3 The Canadian Registered Home School Population<sup>a</sup>**

Province	Total K-12 Students 1990/91	Official Home School Students 1992-93	Percentage of Total Student Population	Unofficial Home School Students 1993
Newfoundland	127,400	"less than 10"	.007%	unavailable
Prince Edward Island	24,523	54	.22%	unavailable
Nova Scotia	169,170	106	.06%	unavailable
New Brunswick	134,761	107	.07%	unavailable
Quebec	1,148,770	"très peu"	N/A	unavailable
Ontario	2,009,090	*1,327	.06%	5,000
Manitoba	219,859	710+	.32%	unavailable
Saskatchewan	212,278	750	.35%	unavailable
Alberta	507,460	3,000	.59%	5,000
British Columbia	564,627	3,230	.57%	unavailable
Yukon Territory	5,266	***30	***.57%	unavailable
Northwest Territories	14,079	~20	~.14%	unavailable
National Totals	5,141,003	9,344	less than .02%	30,000 (1991)

\* "School Board September Reports"

\*\* Records & Estimate

\*\*\* Accuracy questionable, because of estimate

~ Estimate

All official home school student enrolment figures from the Department of Education records, except where noted.

Unofficial home education enrolment figures sources as noted in text.

All K-12 1991 student enrolment figures from Statistics Canada, **Elementary-Secondary School Enrolment 1990-91**.

In September (1993), Dr. Brian Ray of the Western Baptist College, Salem, Oregon, directed a survey on behalf of the Home School Legal Defense Association of Canada. Dr. Ray expected to contact 1000 families across the country. Wendy Priesnitz of the Canadian Alliance of Home Schoolers claims to have sampled 30,000 home schooling families in the summer/fall of 1989 (*Daily News*, Friday October 1993:12). Whatever the figures suggested by the various boards, it appears certain that board officials have absolutely no idea how many children are being educated at home in this province. A preliminary estimate would suggest that any figures quoted by board officials should be multiplied by three ' (Guterson,1990; Fegley, 1992).

Figures on home educators in the United States range widely from 100,000 (Naisbett,1982),to 300,000 families (Moore, 1991; Lines,1991), to 1,000,000 (Holt,1988). Certainly the two main home schooling reports, *Growing Without Schooling* (GWS) and the *Moore Report* boast an impressive number of subscribers. Likewise, the British home schooling magazine, *Education Otherwise*, listed 1500 subscriber families in 1988. These lists appear to be expanding. David Smith (1993) suggests that the number of registered home schoolers in the United Kingdom (1989) was 4000. In a letter dated 18 September 1993, Jane Lowe, publicity officer for *Education Otherwise*, advised me that recent media coverage on the proposed British curriculum change had "caused a tremendous increase in our workload" (private correspondence,1993).

Whatever the numbers, the demographics of the Nova Scotia movement appear similar to those of other studies. Home educators appear to be drawn on a traditional white middle-class family model (Groover,1988; Ray,1990; Van Galen,1991; Mirochnik, 1991). Female householder families in Nova Scotia and

non-white householders constitute less than one percent of the total membership. Education is carried out by the mother who "forsakes" an outside career and/or professional financial independence. On average Ray (1990) found that mothers did 88% of the teaching, the father did 10% of the teaching and someone else did the remaining percentage. The mother was usually responsible for all subjects except mathematics and science. There were exceptions to this finding, however, in households where the mother was either a health studies graduate or a certified teacher. Parents have usually attended or graduated from a college or university, are involved in community endeavour and many are members of non-traditional (or conservative Christian) Protestant churches.<sup>10</sup> Research suggests that self-employment forms the greater occupational percentage, followed by professionals and trades (Priesnitz, 1990). Incomes fall into the mid-range salary bracket, with only a few earning over \$60,000 per year.

Religious commitment is fundamental to the lives of the majority of the NSHEA. Priesnitz (1990) posits that 23% of home educators are "born again" while Ray (1989) cites a national American figure of 70%. A study on home education in Connecticut suggests that one-third of those surveyed were "born again Christians" (Fegley 1992). My research suggests that the Nova Scotia group is closer to the Fegley figure; however, religious values were indicated as important by nearly all the members interviewed. Consequently, it is reasonable to argue that religious values are important to the homeschooling family as part of its overall values; however, the general impression of home educators as religious "zealots" or fundamentalist Christians by the larger community may be misleading in the case of Nova Scotia.

The split between rural and urban living is roughly equal, slightly favouring a rural environment. Families average 2.8 children--Ray (1990) cites 3.5-- utilize community resources like libraries and museums, are involved in other social causes and receive one or more home education periodicals. Despite their choice of educational independence, home educator/parents are not drastically different from their neighbours (Mayberry 1988). In fact they are more different from each other than they are from their public school community. One of the characteristics that differentiates them their more traditional neighbours, however, is the censure that they face from other family members, neighbours and school board officials (Ray, 1989). Letters to the editor of various county newspapers indicate that some of the general public feel that home educators have deeply insulted their home community (Ray, 1989). Such uninformed criticism only adds to the suspicion with which home educators are regarded and in turn increases or creates "sinner" defensiveness.<sup>11</sup> Such actions by the media or board officials, furthermore, enhance the perception that home education is an aberrant fad. In view of this perception, it is interesting to note that among these backsliders and sinners there are also a large number of trained teachers (Williamson, 1989; Priesntiz, 1990; Van Galen, 1991; Knowles, 1992).

The appearance of the Lunenburg inspector's letter may have represented the spark that the Wallace model required. My research suggests, however, that the framework for the non-sectarian "revitalized" organization (NSHEA) pre-existed the effort to work a change in the mazeway; and that framework was already in place in the Nova Scotia Christian Association. It was the implied threat of bureaucratic intervention, however, and the fear of the reimposition of alien values that generated the formation of the umbrella

group and brought the home educators to a higher degree of visibility in the general community.



## End Notes Chapter 2

1. The conversion ritual is central to all revival activities. It is only through conversion that young people can become a full member of their churches. It also gives the young an entry point to power. A good example of this "entry power" is the exercise of voting power in church business or in the choir. Finally, conversion gives them more status in the church community than they have enjoyed before.

At a revival meeting, the preacher admonishes the "sinners" that they had better join the "army of the Lord before its too late"(Williams 1982:70). These admonishments are purposely designed to strike fear into the hearts of all sinners, backsliders and other anxious souls. The preacher directs that all who need to be "saved" sit on the "mourning bench" or the "anxious seat" and, thus, physically separate themselves and their testimony from the rest of the congregation. Williams, writing on his own experience said, "that getting religion seemed like a social death to me, frightening almost, because it seemed to mean that I would have to be sad rather than happy and punishing rather than rewarding"(71).

2. This discourse might suggest that programmed education exits, like school board changes, are "publicly" assumed to change the quality and substance of teaching. The suggestion is in essence that only proven alternatives may be exercised: that an aversion/opposition to the undesirable socializing aspects of the school as a public sector institution, is not an "accepted" bone of contention; and that this unorthodoxy is a component of our mistrust, and that it is allowed to colour/condition our own maze-way reaction to these parents.

3. An interesting set of correspondence in the Nova Scotia Archives chronicles the life of Ralph B. Whittier, b.1899. Ralph and his sister lived in Rawdon Township, Hants County. They homeschooled their grade 11 departmental courses because their local school lacked a qualified teacher. A cousin who had already passed her grade 11 departmental tutored Ralph and his sister. They sat the examination in June of 1917 and were successful. Ralph then entered the Royal Army Flying Corps (PANS. Ralph B. Whittier Papers, # 77, Lade Correspondence).

In the course of this research I interviewed, in person, two home schooling "grandmothers" and a third by correspondence. All three mother/grandmother educators were certified teachers who had made the decision to home educate in the 1960s. It is also quite common to find home educators whose sisters or sister-in-laws are also home educating.

4. Such comments reflect assumptions that can be traced through School Board Association publications from 1986 to the present. See Owen (1986), McMullen (1986), King (1988), and Hill (1989).

5. Public Corporations such as municipalities are restricted in the range of their contractual power because of the limited power conferred by the statutes creating them. Actions which they purport to take which are outside of the statute will, if challenged, be declared by the court to be ultra vires [beyond their powers] and, therefore, void.

6. The phrase "perceived lack of social skills," though a legitimate concern, may seem an unsettling attack on the domestic sphere and its role as the producers of well adjusted, responsible children. One might argue that this comment attacks this concept and the role of the mother (i.e. her centrality). Most of the homeschooling mothers interviewed can be characterized as "maternal feminists" who were merely fulfilling their "duties" under the legacy of Jacksonian American ideals.

7. The following is taken from question 7 of the Home Schooling Questionnaire. This particular reply was unique, in its thoroughness.

--Many programmes contain American content. Program materials are not approved by Department of Education curriculum people who have the expertise to do so. Science programs that I have viewed seem to be lacking in scientific content and method. I am concerned that mathematics programs in the early grades may not provide enough manipulation of math materials and at higher levels may place an undue emphasis on the acquisition of knowledge of fractions. ( Fractions are taught more extensively in American curricula than in Canadian because of our metric system) There may not be enough emphasis on metric math instruction. . . . I wonder, as things stand now, who has the children's best interests at heart? Some parents do a good job, others do not. . . .It is difficult for me to strongly endorse or negate home study arrangement since obviously each individual case is distinct. In my opinion, care should be taken to ensure that there is equivalent training and instruction within the home environment (Survey Response,1993).

8. Reprinted with permission from D.S. Smith, *Parent-Generated Home Study in Canada: The National Outlook*, 1993, Westfield, New Brunswick, *Freemont Place/Research Associates*, 1993.

9. Conversations throughout the province with various principals suggested a more precise approximation of the number of home educator families was to be found in their respective offices. Perhaps the next "audit" by the Department of Education should include this information or Statistics Canada (which counts everything else) might be prevailed upon to include this question on their next census.

10. Statistics Canada (1991) Census figures note the following information on Religious Denominations in Nova Scotia.

Nova Scotia: Total Population- 899,942

Catholic	- 331,340
Protestant	- 482,180
Non-Specified	
Protestant	- 3,965
Buddhist	- 1,485

There are a large number of Roman Catholic homeschoolers in the province of Nova Scotia. Speaking at the HSLDA conference in Halifax, 16 October, 1993. Mr. Jordan Lorence, the guest speaker, suggested that the larger number of Catholic homeschoolers in this country was "at odds with American studies." He was referring to the larger percentage of Protestants among American homeschooling families.

11. See Editorial Expressions, 8 November & 15 November, 1993 in *The Lighthouse Log*, South Shore Nova Scotia, (p.4).

## Chapter 3

### **'The fight without, the fear within'**

#### **Confrontation**

By the second stage of the Wallace model, the culturally distressed begin to react to those elements that distort or interfere with their mazeway images. Some exhibit patterns of disillusionment, some display inter-group violence and others, apathy. More flexible persons try to make mazeway changes in their own lives. Failure to find satisfaction in stress reduction often leads to confrontational behaviour. Some behaviours become new cultural patterns. If a behaviour is judged by society as regressive, such actions increase guilt and/or stress. Such inadequacies in coping with stress and the consequent "dire events" that follow are, therefore, forestalled or postponed by an immediate revitalization.

If one defines the NSHEA as a revitalized social movement, the confrontation stage exhibits a political emphasis that can be distinguished by the "manipulation of human characteristics" (Wallace, 1958:510). This manipulation can be described as a power conflict between people seeking and those holding power (Dale, 1976:210). A good example of such a conflict is the clash of rights between home based educators and compulsory school attendance laws.

#### **3.1. Defining Distortion**

In the course of this confrontation in a number of Canadian jurisdictions, basic assumptions about the role of the state and those of the parents have been challenged: assumptions about freedom of religion and educational choice; assumptions about freedom of choice and goals for

education; assumptions about goals for education and the conflict of values; and assumptions about specific values and sincerity of practice. These bitter and sometimes senseless conflicts between the public sector and the family unit have been played out in the courts and have not yet impinged upon the minds of those who mould and instill educational policy let alone those who seek to educate away from the mainstream. In 1987, a decision of the Supreme court, *Jones v. the Queen*, was to prove a catalyst for subsequent investigations into compulsory attendance regulations. It is the "leading" Canadian case on home schooling. The principles enunciated in this highest court of law are binding on lower courts across the country.

The Nova Scotia Free School Act of 1864 introduced centralized supervision of public schooling. Reformed Public School systems created institutions whereby the state began to control some of the work of the private sector--that is the training of young children--through the use of compulsory attendance laws. By the 1890s these laws existed in most provinces and territories. Just as mass education insured an educated workforce, compulsory attendance was intended to counteract child labour practices. Such regulations are still found in most provincial Education Acts. One could also argue that these laws were introduced in order to "curb" immigrant and working class life, both of which involved gender conflict and the use of the state as an agent of socialization whose function was to "naturalize" alien familial organizations.<sup>2</sup> These nineteenth century laws, thus, might be seen as "state encroachment on parental authority" (Dickinson, 1991:217) or as a diminution of parental rights by the assumption of state power (Tompkins, 1986). In any case, one must be reminded that previous to the law, parents had the right NOT to give their children a formal education.

School attendance under the Nova Scotia Act is covered under items 59 to 62 of the Education Act (1993). Section 61 of the Act requires that "a child is not required to attend school and a parent is not liable to penalty under this act in respect of a child if he[sic] meets any exemptions contained in regulations made pursuant to this Act." Such an item is section 63(f) of the current Nova Scotia regulations.

Parents who wish to educate their children at home under section 63(f) of the pursuant regulations must notify by letter of intent an inspector or a superintendent that the child is receiving a standard of instruction, at home or elsewhere--equivalent to that provided in the Public School. Each year a teacher from the local board must evaluate the progress of the children and determine whether they are making progress "suitable to the child's age and previous opportunities for receiving an education" (N.S.R.1993:42). Permission to continue educating at home depends on satisfactory results in these annual reviews. As satisfactory results can only be achieved in accordance with Board standards (an institution the homeschooler has rejected), it is interesting that the NSHEA has not challenged these standards.

Observation suggests, however, that in practice, section 63(f) does not define equivalent instruction nor has it established "strong supervisory procedures.... to ensure that home educated children received a good education" (Saskatchewan 1992:5) The following is part of a conversation I had in June with a home educator whose intent to leave the system went as unchecked as did her subsequent curriculum.

I went to the school after the last incident (a series of beatings and an attempted "shake-down" by a twelve-year old bully). I told them that I was taking the boys out of school and that they would finish the year at home. I sent my letter thinking that they

(the school) would at least send their grades. That was two years ago and I haven't seen or heard from anyone since. There may be rules but no one has bothered testing or checking on the kids since" (June 1993, King's County).

### 3.2. Dire Events (Case Reviews)<sup>3</sup>

#### i. Alberta and Larry Jones

In 1984, Thomas Larry Jones, a pastor of Western Baptist Church in Calgary was educating his three children and twenty others in a church school called the Western Baptist Academy. He refused to apply to the Department of Education for approval of his private church school under clause 143(1)(k) of the Alberta School Act; nor would he apply to an inspector or a superintendent for a certificate of efficient instruction under 143(1)(a). Believing that his right and duty to educate came from God, "requesting the state for permission to do what he was authorized by God," he asserted, "would violate his religious convictions" (Jones 1987:588).

Mr. Jones stated that the School Act, contrary to Charter section 2(a), deprived him of his right to educate his children as he saw fit. This action, he claimed, was not in accordance with the principles of fundamental justice, contrary to Charter section 7 (life, liberty and security of person). The School Act, he alleged, gave power to a board employee in order that he or she might judge whether a person outside of the system was providing efficient instruction. The Act also limited the evidence of efficient instruction to a certificate signed by an inspector.<sup>4</sup>

In an appeal hearing (1987), Mr. Justice LaForest ruled that the goal of the Alberta School Act in regulating the young of the province was purely secular. Though it had no religious purpose, the Act did recognize the right of a parent to choose a religious-based education providing the authorities deemed the education efficient. Nor did the Act purport to force children to

attend a school over which a Board had control. Section 143(1) of the Alberta Act allowed for home education. The court found that the "effect" of the Alberta School Act constituted some interference with Larry Jones' freedom of religion but that this was saved by section 1 of the Charter.

Requiring those who sought exemption from the general scheme of education in the province to make application for this purpose was a reasonable limit on a parent's religious convictions concerning the upbringing of his/her children that was demonstrably justified in a free and democratic society (1987:594).

Mr. Justice LaForest concluded by stating that provincial interests in quality education were met in a way that did not "unduly encroach on the religious convictions of the appellant" (1987:593). In any case, he noted that the province must demonstrate justification for any interference in parental rights.

With respect to the Charter section 7 allegation, Mr. Justice LaForest stated that the appellant had not been deprived of the liberty to educate his children as he saw fit contrary to the principles of fundamental justice. Notwithstanding the vested interest of a superintendent of schools, Jones should not have presumed bias in certifying or failing to certify efficient instruction. "The court is in no position to question the validity of a religious belief but . . . it can look at sincerity when someone is claiming exemption from a valid law" (MacKay, 1987:24). LaForest concluded by stating that the provision under which Jones was charged was one of truancy in general. The charge did not per se violate the claimed liberty. The appeal was dismissed. In October of 1987, Larry Jones went to jail rather than acknowledge a vested government interest in his children.

Several questions arose from this case. Why did the court fail to inquire how far the province could go in imposing curriculum conditions or teaching

qualifications on home education? Should the state have an interest in a parent's teaching qualifications or should it, perhaps, consider only the results of the instruction?

It should be noted that "education" in Mr. Justice LaForest's summation for the majority did not refer to public education alone. Although public education assumes great economic importance in our society by virtue of large expenditures and compulsory attendance laws, education also refers to private schools and home education. Indeed, Mr. Justice LaForest noted that the School Act did not give the government absolute control over the education of children. "It does not purport to force children to attend a school of which a board has control" (Jones:1987). In essence, it does not provide for compulsory attendance at schools controlled by a board but for compulsory education (Quest 1994:(1)7).<sup>5</sup>

What was meant by efficient instruction? The implication of the Jones judgement seem to suggest that a responsible parent must demonstrate that he or she has undertaken the education of the child in accordance with the goals set by the province. In return, the province ensures its accountability by the "least restrictive methods." This would seem to preclude state imposition of government curricula or educational methodology. In short the state must weigh efficient instruction with religious, academic and philosophic beliefs.

Should the state be allowed to enter a home to inspect a parent educator? Is this an invasion of privacy? The right to privacy is an important right under the Charter. From this comes the right of the parent to choose alternative forms of education. How much privacy exists if the state is permitted to evaluate parental motives behind decisions to educate their children?



Whose rights are at issue here? The primary right should be that of the child. Teachers, parents and school boards are the main litigants under a charter challenge. Although the use of religion as a defense by Jones against a compulsory attendance charge was decided as no reasonable violation of his individual rights, the section 7 challenge (fundamental justice) was not decided. Fundamental justice refers to life, liberty, and security of person. If security of person was interpreted as livelihood, then it might be reasonable to assume that the right to education was also assumed, but was not decided by the Supreme Court in *Jones v. R. (MacKay)*, 1991). Such an extension of rights might encourage advocates of social change that a wider reading of the Charter might benefit those who perceive themselves as powerless. What was also suggested, however, by this judicial decision was that school boards might be required to take greater care in formulating their educational practices and policies.

#### 11. Nova Scotia and Andre Masse

In September of 1984, André Masse appeared before Judge John Comeau of the Family Court of Nova Scotia, charged under the Criminal Code as a parent failing "to cause the said Julie Masse to attend school and continue in regular attendance at school contrary to section 96 (1) of the Education Act of the province of Nova Scotia".<sup>6</sup>

André Masse was an American missionary for the Northeast Kingdom Community Church and resided in Cape Sable Island for long periods of time with his daughter, Julie. When approached by the local principal about the education of the twelve year old daughter, Mr. Masse advised that he would not send his daughter to public schools nor would he comply with the regulations set out by the Education Act due to his religious beliefs. A witness

for the defendant, former Georgia State teacher William Mavity, stated that "it is the belief of his Church that the compulsory attendance provisions of the Education Act [infringes] on his and the defendant's religious beliefs" (DS-83-67:4). According to Mr. Mavity, the child received an educational programme from the church. The court was further advised of a previous charge under the Vermont State Truancy regulations. That charge had been dismissed because the state was not prepared to prove its case.

Mr. Masse's testimony in representing himself before the Nova Scotia court was eloquent on the subject of Julie's non-attendance:

God is no fool. He knows that in whatever way a child is raised, in that way he[gic] will live as an adult .... Raise up a child in the way he should go, and even when he is old he will not depart from it.... To whom do these children belong? My daughter belongs to God and I stand before God as her steward and father. The government does not own my child. I would no more agree to the province regulating the education of my child as would agree to Mao, or Sun Jung Moon or President Reagan (or anybody else that I do not know and have no reason to trust) regulating and testing her training. Where did they get their standards? Are they standards of God or "speculations" of experts in a system that has proven itself to have bad fruits ....the province in section 96 leaves no alternative but to surrender your child to be moulded to its ways, its norm, that of the majority....Does anyone have the right to NOT receive a secular, humanistic education? (DS-83-67:5-6)

The court found that there was no evidence that Mr. Masse had taken benefit from any of the defense set out in S.96 (3) of the Education Act [see N.S.R.(1993) S.63 (a-g)]. In dealing with the issue of the infringement of the Act's compulsory attendance section on the defendant's religious beliefs, Judge Comeau referred to R. v. Jones (1984) and A. Wayne MacKay (1984).<sup>7</sup> MacKay describes parental duties as follows:

There is no doubt that section 80 of the Education Act imposes on parents a positive duty to have their child<sup>ren</sup> attend school.... a parent must either convince the court after the fact that he or she was unable to induce the child to attend, or must serve notice of this inability before the fact.

Judge Comeau reminded the court that the facts were similar to R. v. Jones. The R. v. Jones (1984) decision on Section 7 of the Charter originally found that the exemption provision was contrary to the guarantees of liberty and fundamental justice in section 7, rather than in conflict with section 2 guarantees of religious freedoms. Following this reasoning, Judge Comeau said that proof of proper home instruction rested on an inspector or supervisor's certification and a teacher's satisfactory examination. The informant in the case, Owen Wheelock, was an employee of the Board and a representative of the Minister.

Limiting evidence of efficient instruction to an employee of the board or the Minister or his designate.... is the equivalent of saying the defense not guilty by reason of insanity can only be established by evidence of a Crown psychiatrist. Such a provision would surely contravene s.7 of the Charter-it is not in accordance with fundamental justice ... I hold that this case turns not on freedom of religion, but on the right of every parent if they [sic] choose to provide efficient instruction for their children outside the public school, a right provided by Regulation 92(f)[63(f)] of the Education Act of Nova Scotia. (16-17)

With reference to R. v. Jones, the Judge reminded the court that compulsory attendance was meant to ensure that each child was taught the basic skills. Efficiency of education should not be left to the school authorities to determine. The provision for certification in the regulations was a method for the parent to prevent prosecution, if complied with. If a charge were laid, Comeau said, "I am of the opinion [that] the defense of equivalent education is opened to the accused."

In R. v. Jones, an expert witness satisfied the judge that the accused's children were receiving an equivalent education.\*

The onus being on the accused to prove his daughter is receiving an equivalent education has not been met. If he had produced books or documents...I may well have come to a different

conclusion.

On the issue of religious freedom, Judge Comeau suggested that there is such a freedom but the action of practising one's religion cannot be carried to the point of disobedience of the law. He further stated that the Act makes provisions for persons to educate their children at home or in private schools, because of religious convictions. "What this does . . . is protect their religious freedom granted under the Charter"(21). The only requirement is that the courses taught be those equivalent to those in the public schools.

I cannot from the evidence, determine whether it [the home programme] is equivalent to that taught in public schools... I cannot see where the teaching of Mathematics or English is somehow bound up in religious freedoms if they are already being taught by the church as outlined by the defense witness, Mr. Mavity. No evidence was given by the defense that Mathematics or English education infringes on the accused's freedom of religion. As a result I find the accused guilty as charged.

Mr. Masse was offered an absolute discharge under the Criminal Code if he offered sufficient evidence that he was teaching his daughter Mathematics and English equivalent to that taught in the public schools. Failing this, the judge warned that the sanctions imposed by s.96.[s.68] would be imposed.

What was the outcome of the Masse trial? Mr. Owen Wheelock, a key witness for the prosecution, was gracious enough to reply to a series of questions I posed to him about the case. Due to the significance of Mr. Wheelock's comments, I have included them below in total. His conclusion seems sound, based upon the actions of the school board he represented.

In reply to your letter, dated August 5, 1993, please be advised that following the court case, Mr. Masse did return to Vermont with his daughter for a short time. However, before long they were back in Barrington Passage--continuing their lifestyle. Julie did not attend the public school system--but the Board

decided not to pursue the matter any further because: (1) of the legal fees that were involved and (2) the ridiculous outcome of the first court case --(ie) Mr. Masse was found guilty: he was fined \$10.00. I presume he paid the \$10.00 to the court: but the Board received nothing--not even a penny towards the cost of prosecuting him for violating a statute of the Education Act of the Province of Nova Scotia. It was to say the least, an exercise in futility! (private correspondence, 7 September, 1993)

### iii. Related Civil Rights Decisions

**R. v. Cline (Saskatchewan 1988)** confirmed the idea that public authorities must act fairly when receiving applications for home based education. The court also recommended that boards must establish uniform principles in evaluating home-based education programmes throughout the province. The court found for Cline because the actions of the (board) director were shown to be arbitrary and contrary to the principles of fundamental justice.

A related civil rights decision in Nova Scotia that bears on these issues was **Elwood v. Halifax Country-Bedford District School Board (1986).**<sup>9</sup> Although the case did not go to trial, Mme. Justice Glube granted a temporary injunction that effectively integrated physically disabled Luke Elwood into a nearby elementary school rather than being transported daily to a special education class located in a school approximately twelve miles away. Luke was integrated for one year until the case could be heard on its merits. Before the case could go to trial, the parties worked out an agreement that integrated Luke for seven years. The family had argued that "a person's right to education is not limited merely to a right to access to education. It is a right to an appropriate education" (MacKay, 1987:81). Under Charter litigation, the court recognized parental involvement in Luke Elwood's programme and his placement. Previous to this decision, parents were given little input or opportunity to be heard. These omissions provided additional grounds for a

legal challenge (MacKay 1991:210).

Mme. Justice Glube based her decision on *Jones v. R.* (1987). In her summation she noted that a right to education was not limited solely to access but also to an appropriate education. With reference to *Jones*, she said:

the role of education is to create good citizens--to transfer cultural values, to prepare a student for work and to help a child adjust to society. Simple access to education without the correspondent right to an appropriate education would deny some students the benefits the Supreme Court spoke about in *Jones v. R.* (1987). (MacKay 1987:81)

Similarly, under a decision reached in *Lavoie v. Cape Breton District School Boards* (1989) collective francophone rights were held as protected by the Charter:

It is not sufficient for a School Board to simply decide that if it is not too inconvenient to its other plans, it will provide a facility to comply with Section 23 Charter rights. The "minorities" have educational rights that are not dependent on the will of the elected representatives of the people but are guaranteed by the Constitution and should be enforced by the court if these rights have been infringed or denied. (MacKay, 1987:401)

This ruling reversed a dismissal of 29 July 1987 which declared that "no irreparable harm would be suffered by the Applicant's children through one further year of English Language instruction" (MacKay 1987:137).

A case of some immediate interest in Nova Scotia was *Lunenburg Regional School Board v. Aloni* (1990). Phillion Aloni, a secular Israeli living in the county, was charged by the Lunenburg Regional Board of failing to "cause the child to attend school and continue in regular attendance at school" (NSEA, 1992:68). Mr. Aloni argued that his son required a more advanced Mathematics and Science course than he was being offered in his district school. The father considered the boy extraordinarily bright and deserving of enrichment. He, therefore, elected to educate the boy at home. Mr. Aloni defended himself, calling his son to the stand as proof that his

mathematics and science programme constituted efficient instruction. The case was adjourned. The following year, the boy was enrolled in a late French Immersion programme (Private Correspondence: Unpublished Case: August 1993).<sup>10</sup>

#### iv. Manipulations

From a review of existing case law, the issue of compulsory attendance seems to have fallen into three categories: those in which the main issue is whether or not the home qualifies as an alternative school; those in which the question of educational equivalence has been central; and those in which freedom of religion and one or both of the above issues have been involved. This is very much in keeping with the findings of Knowles, Marlow, and Muchmore (1992) in the United States.

Certainly the arrival of the Charter encouraged disgruntled parents, frustrated by the quiet diplomatic approach, to prepare themselves to go to court (MacKay, 1991). The Charter is part of the Canadian constitution and, as such, its entrenched rights can only be changed by a constitutional amendment or the proper use of the legislative override in section 33 of the Charter itself. This allows a provincial legislature to opt out of specific charter rights or to undo a court decision if it declares that the statute operates "notwithstanding" the charter.<sup>11</sup>

The burden, then, is on provincial school boards and administrators to balance the interests of the parents and their children and those of the state. Such sensitivity is necessary in respecting the conscientious beliefs of parents in a manner consistent with the principles of fundamental justice. This may demonstrate that any limitations on rights such as those cited by Jones and Masse under freedom of conscience are reasonable ones.

Freedom of conscience is a substantive right. Such a right has its source in substantive law which consists of the rights and duties each person has in society. Some examples are the right to own property, to vote, to travel about the country unmolested, to enter into contracts, to obey traffic laws, customs regulations and other laws passed by the government.

Procedural law is concerned with the protection and enforcement of these rights and duties. For example, the substantive rule decides which of two parties is at fault in an automobile accident, but it is through the rules of procedure that the injured party receives a remedy. The right to vote is part of the substantive rule, but finding that your name is not on a voters list can be repaired by following a procedure. Fundamental justice is a procedural right. In reference to education, the right of every person over the age of five and under the age of twenty-one years to attend a school might be interpreted as a substantive right.<sup>12</sup>

Both Jones and Masse made reference to Section 7 of the Charter in their defence. Section 7 of the Charter has come to mean the American term, "due process." For school boards and home educators, this term implies that equity and fair dealing must be applied throughout all aspects of their relationship, from registration of intent to suspension of programmes. In order to establish a policy framework that is fair, however, public school officials must have some knowledge of the programmes that are in use.<sup>13</sup>

Such reasoning is in line with the decision made in **Lambton County Board of Education v. Beauchamp**. Mrs. Beauchamp removed her ten year old son from the public school system because of her religious beliefs and home educated him under a correspondence course offered by the Christian Liberty Academy in Prospect Heights Illinois. She was charged under the Ontario



Education Act of "neglecting or refusing to cause her child to attend school." (MacKay 1981:98-103) The court ruled in Mrs. Beauchamp's favour stressing that the board failed to prove beyond a reasonable doubt that the mother was guilty of the offense charged. In summing up, Judge Kent stated:

those seeking to invoke the compulsory powers of the state in the face of the parents or guardian to provide an adequate alternative and thereby impose the sanctions of a quasi-criminal legislation have a substantial burden of proof.

Judge Kent thus ruled that such an offense demands conclusive proof through substantive detailed and expert testimony. It was not sufficient to question her inability to pay her son's tuition fees at the Sarnia Christian School, or to suppose that her son's home programme lacked social stimulation from other students (MacKay 1981).

In spite of the lack of express language in the education act conferring rights on parents, silence does not mean absence (MacKay 1984:70). Interpretation of the statute law and development of the common law or "judge-made-law" have accorded certain parental rights. This body of law is based on the decisions of judges who hear cases across the country and is, thus, in a constant state of change. Parents have duties in relation to the education of their children. As parents have become more familiar with protection afforded by the Charter, however, there has been a "surge" of judgement law in the field of education. One might term this phenomenon a new "rights consciousness" on the part of parents or suggest, that to deny parental rights in education, would be inconsistent in a democratic nation that values the role of the family in society (MacKay 1984:70).

In the conflict between parental rights and state's interest both sides freely quote the Universal Declaration of Rights or section 26 of the Charter of Rights and Freedoms. All of these declarations tend to detract attention

from the very real issues addressed by Justice LaForest and Judge Comeau: what is educational equivalency? What is meant by the term school and whose standards should be used to measure equivalent instruction? Certainly the quasi-criminal sanctions imbedded in compulsory attendance requirements have not produced the tragedy of the John Singer episode in Canada (Fleischer & Freedman, 1983).<sup>14</sup> Outdated legislation and administrative insensitivity to the very private relationship of the parent and child, however, have encouraged a contentious atmosphere around what is to many a basic right, that of parents to choose where and how to educate their child (Lines, 1983).

### 3.3. New Legislation and Compulsory School Attendance

The confrontation between parents and school educators has focused mainly on compulsory attendance laws. In Nova Scotia, Quebec and Manitoba, a child must receive a standard of instruction at home or elsewhere "equivalent" to that provided in public schools. In Newfoundland, Prince Edward Island, New Brunswick and Ontario, a child must be under "efficient" or "satisfactory" instruction at home or elsewhere (see figure 4, page 61).

**Figure 4. Home Schooling in Canada: An Overview, as of December, 1993**

<b>Jurisdiction</b>	<b>Compulsory Attendance</b>	<b>Programme Title</b>	<b>External Standard</b>	<b>Supervisory Authority</b>	<b>Funding to Home Educators</b>
Newfoundland	Yes	Home Education	Efficient & Satisfactory	Certification & approval by local school board	None
Nova Scotia	Yes	Home Education	Equivalent to Public School	District Inspector	None
New Brunswick	Yes	Home Schooling	Efficient Education	Approval by District Superintendent	None
PEI	Yes	Home Schooling	Efficient & Satisfactory	Department of Education	None
Québec	Yes	Home Instruction	Equivalent to Public School	Local school board approval*	None
Ontario	Yes	Home Schooling	Efficient & satisfactory Instruction at home or elsewhere	Local school board	None
Manitoba	Yes	Home-based Learning	Equivalent to Public School	Ministry of Education & Training	None
Saskatchewan	Yes	Home-based Education	Subject to reasonable limits not an equal alternative	Letter of Intent to local board or Department of Education	None
Alberta	Alternative	Home Education	Home Schooling is alternative to Public School	Willing non-resident school board	Full grant recognition for home schoolers
North West Territories	Under Section 31.3	Home Schooling	An adequate education	Superintendent of Education	None
Yukon	Division 5: Optional Education	Home Schooling	Must meet the objectives of Section 31	Registration with the Minister	None
British Columbia	Alternative	Home Education	Home Schooling is alternative to Public School	Registration with school of parents' choice	Scaled grants to home schoolers

\* There is no movement among home educators to seek provincial regulations due to fears of language laws and imposed testing and monitoring by local School Boards.

In Prince Edward Island, New Brunswick and Manitoba, provincial department officials are responsible for certifying efficient/equivalent instruction. In Newfoundland, Nova Scotia, Ontario and Quebec, local board of education officials are responsible for certifying "equivalent" or "efficient" instruction.

15

Alberta and British Columbia treat home-based education as an alternative to the public school system. Such enlightened policies place the emphasis on compulsory education rather than compulsory attendance at school. Section 23 of the 1988 Alberta Act recognizes that, under supervision of a board, parents have the right to choose home education for their children. In this policy, the requirement for all children of school age to attend school is expanded by the following definitions:

- 1.(1) (q). "school" means a structured learning environment through which an education programme is offered to a student by...
- (i) a board
  - (ii) an operator of a private school
  - (iii) an early childhood services programme operator
  - (iv) a parent giving a home education programme or
  - (v) the minister.

The regulations now include the unique provision of the "willing non-resident" board. This concept allows home educator parents to go anywhere in the province for supervisory purposes.

- 1.(1). Prior to commencing a home education programme a parent who wishes to provide a home education programme shall notify in writing, either
- (a) the resident board or
  - (b) a willing non-resident board and the resident board.

Notification includes specific information on a Home Education Program plan which the Alberta Department of Education defined as:

a plan developed by the parent and the jurisdiction, which includes learner expectations, evaluation and monitoring procedures, resources and facilities to be used or provided and

[a] schedule of daily activities. (ABA.1991)

The change in the Alberta Education regulations has encouraged three of the smaller boards to become "willing non-resident boards." The Vermillion District School Board registered 20 home school students in 1990 . By Spring of 1992, it had exceeded its limit of 375 students. The growth spurt came after an appeal by parents for financial aid to help pay for materials for curriculum materials. The Vermillion district offered two things that parents needed: \$1,000 per child for supplies, and an unreserved commitment to home schooling. The provincial grant of \$2,100 per child goes to the Vermillion Board (Thomas 1992:A.1).<sup>16</sup>

Currently in Alberta, the major issue is assessment with the government moving towards mandatory testing of all home education students. A report by Raymond Strom of the Alberta Home Education Association that appeared in **Quest: The Home Educators Journal** (1993) suggests that since these assessment tests for grades 3, 6 and 9 are based on the Alberta programme of studies, home educated students would be at a disadvantage.<sup>17</sup>

Newfoundland, Alberta and British Columbia refer to home-based programmes in legislation as home education. In Nova Scotia, home study refers to those students who are in home programmes because of health, disability or location. There is full grant recognition for school-based instruction in the home.

In British Columbia, public and independent schools receive a provincial grant equal to one-sixteenth of the basic per student rate of funding for each student registered with the board in a home education programme. For the Public School Boards this amounts to \$500 per student, for Accredited Independent Schools \$250 per student, and for registered

Independent Schools, \$50 per student. In Alberta there is no distinction since boards receive full grant recognition on a per student basis. Saskatchewan and all provinces east of Saskatchewan regard home education as an exemption from compulsory attendance.

In October of 1992, the Saskatchewan Advisory Committee on Home Based Education published a Final Report to the Deputy Minister. Subsequent to the Jones verdict, Saskatchewan struck a committee, appointing Gordon Dirks, a private consultant, to study private schooling. The mandate of this group was extended to include both independent schools and home based education. The findings of both reports were based on guiding principles that made reference to the following;

- (a) Each child has a right to an education.
- (b) Parents have the responsibility to provide for the education of their children and to direct their children's education from their home in accordance with conscientious beliefs subject only to such reasonable limits...prescribed by law.
- (c) The government has a compelling interest in the education of all Saskatchewan children.
- (d) The government can exempt children of compulsory age from attendance at public school.
- (e) In the case of an alleged failure of parents to provide an adequate education... the burden of proof resides with the government. (Sask.[V.1]1992)

The Deputy Minister made it quite clear to the Dirks Committee that the province would not repeal the compulsory attendance sections of the Education Act; therefore, the committee recommended that parents must register with a public Board of Education or [for the transition only] with the Department of Education. School Boards would receive provincial grant recognition only for those home based educators who were registered with them. Alternatively, the committee suggested that those parents who registered directly with the Department could not expect to receive services from the department beyond the registration and monitoring of their programme!

The Saskatchewan regulations considered registration as a notice of intent. The registration is valid until the end of the current school year (30 June) and is renewable annually. There are no qualifications for parent-educators noted in the regulations apart from the stipulation that the parent must be directing the home-based education of his or her child directly. The curriculum followed must be consistent with the **Goals for Education in Saskatchewan**. Written plans, submitted at registration, must include the parents' philosophy of education, learning objectives and lists of support materials. Finally the committee suggested that the board/department monitor was "not liable for anything in good faith done or omitted to be done pursuant to or in the exercise or supposed exercise of those duties." <sup>18</sup>

Legislation was passed in Saskatchewan on 16 June, 1993. It recognized that, although compulsory education would not be repealed, education did not have to occur in a compulsory manner or place (Saskatchewan Vol.II, 1993). While it maintained compulsory education for children ages seven through fifteen, it provided for an automatic exemption from school attendance for children registered in a home based education programme. The minister, the Honourable Carol Teichrob stated:

I want to emphasize that these new measures are not intended to promote home based education. I should also emphasize that they do not formally recognize home based education as an equal alternative to school attendance. . . . Rather the new provisions simply recognize that home based education is a fact of life in this province and across Canada. The amendments reflect the balance of interests between the state, parents and pupils. They mean that each of the main parties recognizes the other's right to exist. They give us a legislative base for regulating home based education in an organized, constructive way (Hansard 1993: 1459-1460).

### 3.4 Other Roads to Zion

One should note that there are several American models that the Alberta, British Columbia, Saskatchewan or Nova Scotia Departments of Education might have studied. Twin Ridges Elementary School in San Juan, California began a home study program thirteen years ago. This programme assisted home educators and allowed them to use school resources and facilities. The programme sponsored workshops, offers a newsletter, and informs families of special musical and athletic events or of the dates when state testing for grades two through eight is available. With registration has come direct state funds of \$5000 per student. The first 65 students brought in enough money to hire two certified co-ordinators, buy resources and books, fund field trips, and still return a healthy profit to the district board (Dardick 1990).

A less positive approach to home education is that adopted by the Seneca Valley School District in Zellenople, Pennsylvania. This board issued a set of regulations that are as precise as they are extreme. The guidelines require an annual notarized affidavit to be filed with the School District Superintendent on or before August 1. Included in this affidavit and pursuant to article 1.(g) of the Home Education Act is a demand that a statement be included "that all adults living in the home have not been convicted of criminal offenses (Subsection E of Section III) within the last five years" (Pennsylvania 1969).

A more family-centred approach comes from Lake Washington School District # 414, on the outskirts of Seattle, Washington. This district accepts no state funds for home educators, has few of the Pennsylvania guidelines, and lacks the campus framework of the California approach. The Oregon programme acknowledges fully its legal obligations to home educators in its



district; and, after establishing intent, the district discharges its legal obligations by providing them with ancillary services, part-time enrolment and access to laboratories, libraries, and playgrounds (Washington District 414).

One need not turn to the United States or western Canadian provinces for examples of alternative, non-confrontational approaches to resolving the sometimes tense relationships between the state and home educators. In Nova Scotia there are local models available that the joint Departmental-School Boards committee might have identified. In Lunenburg county, ironically the seat of the original conflict created by the departmental inspector promulgating regulations that aroused home educators, there is a principal who has had a long standing relationship in support of parents who have chosen to educate their children at home. This professional deals with the parents and children regularly, provides them with books and resources, and maintains a lively communication between the school and the home educators. This professional was surprised when informed by this writer of the new regulations and work of the provincial committee. It is this lack of communication and absence of knowledge by those charged with the resolution of the issue that has created the confrontation and encouraged the emergence of a full-blown movement committed to alternative social/cultural goals.

End Notes  
Chapter 3

1. The title is taken from Hymn 388 of *The Book Of Common Praise*. This hymn was listed at a memorial service in Morpeth, Northumberland, commemorating the 75th anniversary of the death of the local suffragette--Emily Wilding Davison. Miss Davison died under the hooves of the reigning monarch's horse in a suffragette demonstration at the racecourse at Ascot. Whether history recalls her as a martyr to the suffragette movement, as a "misguided woman" or, as a warrior for the Workers' Educational Association, she was above all, one who knew well the "fear within" (imprisonment and forced feedings) and the "fight without" (constant campaigns for the vote). The "fear" and "fight" scenarios became for the suffragettes the reality of their movement; a reality that formulated their "actions and goals" or as Emily termed them, "deeds, not words" (Inscription on Emily Wilding Davison memorial, St. Mary's Churchyard, Morpeth Northumberland).

2. See Katz, Michael. (1968) *The Irony of Early School Reform*. Cambridge Mass.: Harvard University Press.

3. The law can be very mystifying. In the past, lawyers and judges have often resorted to using legal jargon instead of plain language. Through numerous lectures and in-services, A. Wayne MacKay has been able "to gain, to some extent, a better understanding of the mysteries of the law as seen through the eyes of teachers and administrators" (MacKay 1992:xi).

I am not a lawyer. I am a graduate student attempting to sketch those "rights" cases that bear on the values conflict between the state and the family. I am quite willing to leave educational legal texts to lawyers. Nevertheless, those educators who are interested in education and the law, should inquire at the reference desk of the Law Library, of your local university, for the *School Law Commentary Series*.

As teachers and students, we know that the Canadian legal system was grafted onto British common law traditions. Each province, under the Constitution Act of 1867, has a "superior court" with an inherent jurisdiction to deal with any form of legal dispute. This superior court may be broken down into a trial division and an appeal division. There are also "inferior courts" created by statute (xv). These courts, like Family Court, have defined purposes and jurisdictions. The final level of appeal is the Supreme Court of Canada, whose decisions are binding on all courts at all levels.

Several of the case reviews presented in this section went through all of the levels in the judiciary system. Consequently their citations, for example--Jones v. R. or R. v. Jones--appear to be at odds. The change signals a change in trial level and time.

4. R.v. Jones (1984). 10 c.c.c. 3D ABA Court. Judge Fitch. See November 1986, *School Law Commentary*, Dalhousie Law Library Reference. Judge Fitch ruled that Alberta legislation on Compulsory Education was not contrary to the Charter of Rights and Freedoms.

5. Does the Nova Scotia Education Act likewise purport to force children to attend a school of which a board has control? The critical section is section 2 which says that "every person over the age of five years and under the age of twenty-one years has the right to attend a school serving the school district or school section in which

he [or she] resides(1993 (3)2). Section 2 contains no specific mention of "education"; rather it speaks of the "right to attend school. A.Wayne Mackay(1989:203) refers to this as a "qualified" right as it is subject to the Education Act and the regulations made under that act. Section 2, however, must be read in connection with the rest of the Act and in particular section 33 (2) "A school board shall make provision for the education and instruction of all pupils residing in the area within its jurisdiction in such subjects and services prescribed by the Governor in Council as are included in the school program." This 1982 amendment suggests that a board has a positive duty to provide education not just attendance. Sections 61-2 issues certificates of exemption under the regulations made pursuant to this Act (1993(61-62):34). School attendance is discussed in Regulations Under The Education Act (Feb. 3, 1993:41-43). The regulations state that every child "who has attained the age of six years. . . shall attend school in a school serving the section in which he[sic] resides," unless he or she is governed by one or more of seven categories one of which, section 63f, deals specifically with homeschooling procedures. Case law suggests that parents have no right to have their child attend a particular school within a school district: that it is a matter for the school board to determine. (See MacDonald v. Municipal School Board of the County of Halifax [1979]). However, Elwood v. Halifax County-Bedford District School Board (1986) also dealt with the right of a child to attend a school chosen by the parent. Perhaps the law simply purports to confuse.

6. See School Attendance, Section 60, item (1) of the Education Act and the School Boards Act as amended by legislation up to and including that of the year 1992.

(1). The parents of a child shall cause the child to attend school as required by regulations made by the Governor in Council from time to time.

Some confusion may arise over the discrepancy in section numbers in the Education Act: for example, sections 59 - 62, section 96 or section 80. The years, chapter numbers, and section numbers of all legislation which has amended a section since 1967, for the Education Act, and since 1991, for the School Boards Act, appear at the end of the last subdivision of the section. In these references "R.S., c.81" refers to Chapter 81 of the Revised Statutes of Nova Scotia 1967. The Education Act was so designated until the 1989 Revised Statutes were produced. A reference such as "R.S., c.81, s.4" therefore means that the section concerned was section 4 of the 1967 Education Act (See Notes for Users Of This Consolidation, Preface. The Education Act and The School Boards Act. 1992).

7. A.Wayne MacKay's various texts are a standard reference in most homeschooling families. A recent submission to the Ontario Royal Commission on Learning (15 November, 1993) by Rita Anne Hartmann, B.A., L.L.B. stated that according to A.Wayne MacKay (1984:58), "the primary responsibility for educating and raising children rests with the parents. . . and that parents have duties in relation to the education of their children."

8. In R. v. Jones an expert witness testified that there was equivalent instruction and yet the judgement went against the defendant. Here, in this quote, Judge Comeau offered Mr. Masse the same route, that is, accommodation to the defense offered in the Nova Scotia Education Act; registration, supervision and testing for "equivalency."

9. Some provinces, such as Nova Scotia, build the potential for exclusion into their statutory framework (MacKay 1992:52). Regulation 6(e) of the Nova Scotia statute reads as follows:

s.6. Each school board shall provide for all students resident in the area under the jurisdiction of the school board who are entitled to attend school and who are qualified to pursue the studies in the grade or courses for which they are enrolled:

(e) special education programs and services to be prescribed by the Minister for physically and mentally handicapped students between the ages of five and twenty-one who are capable of benefitting from such programmes and services. This provision has been criticized as excluding disabled children without 'properly establishing what education means' (MacKay 1992:53).

10. Parents pursuing an education law issue will discover that it is an often long and expensive fight. Their first step is to discuss the problem with the school board authorities, probably but not always, accompanied by a lawyer. If there is no satisfaction as in the Elwood case, the next step is to move into the trial division of the superior court of the province and institute legal proceedings. Preparation and completion can take up to two years.

The losing party must decide to accept defeat or to appeal the ruling. The next step is to the appeal division of the province, which can take up to a year. If the case is of national importance, the final route of appeal is to the Supreme Court of Canada. This can take a case from trial to Supreme Court as long as five years and can easily cost in excess of \$100,000 (MacKay 1992:xvi).

11. See the reversal in *R.v. Tuli* (1989) and a further ruling by the Ontario Courts General Division in April of 1991 that said: "the banning of kirpans discriminated against Sikhs." (*Globe and Mail*, A.7, 4 August, 1993).

12. Terese Ferri in her Legal Column in *Quest* (January 1994) discusses the Right to Education and the Jones case as follows: In the Jones case, the Supreme Court of Canada explicitly recognized the Charter right of parents to educate their children in accordance with their conscientious beliefs. Mme Justice Wilson regarded the above right of the parent to educate his or her children as part of the s.7 Charter right to 'liberty.' But she made clear by implication (as did Justice La Forest, Dickson C.J.C. concurring) that the parental right over education also stems from the s.2(a) Charter right of 'conscience and religion'. In other words, those rights are indisputably substantial rights and not just rights to 'procedural fairness'(6).

13. Mrs Ferri in her Legal Column in *Quest* (January 1994) notes that the Newfoundland Court of Appeal found that the Newfoundland School Attendance Act contravened the Charter in significant ways. The Act states that a child of compulsory age must attend school and that if he is excused under "efficient" instruction at home or elsewhere, approval has been given by the superintendent. A later section provides (s12 ) that proof of the child being absent without approval is prima facie evidence of the offence of neglect or refusal to cause the child to attend school.

Nevertheless the director of student services issued a letter to board superintendents that such students are required to follow the course of study and use texts prescribed or approved by the minister(1992). Such an imposition of the public educational environment would seem to contravene parental rights over education.

14. In the 1970s many home educators were considered as outlaws. John Singer a fundamentalist Mormon, was killed in a gun battle in 1979 by Utah police who had come to arrest him on charges related to the home education of his children.

15. As of 18 September, 1993, new regulations pursuant to the Nova Scotia Education Act, charged the monitoring of home based education to the provincial inspectors, not to the local school boards. (Please see Appendix F - 1993 Home School Regulations).

16. How different are the Alberta Boards? The County of Lacombe has a unique relationship with homeschooling parents. The first statement on its home school policy says "It is your right to home school your children. If you make the decision to home school, we will do our best to assist and support your child's education. . . Kids are kids; It's better to build bridges, not barriers." The County of Barrhead starts off in a completely different tone. "The board believes that most children should receive a formal education in a school setting but recognizes the right of parents to provide a home education program for their children. . . . We meet with you to discuss what kind of program best suits your child." (Taken from an article on changes in the Alberta Education Act, Quest April 1994:12)

17. A report in *Quest* (January 1994) notes that . . . a number of school boards are supervising home education under the willing non-resident boards clause (something that the Minister of Education has pointed to as a voucher system). The government caucus has expressed a strong desire to ensure that the regulation and policies clearly spell out the expectations and responsibilities of non-resident school boards. The reporter suggests that the Alberta Teacher's Union, the Public School Boards Association and the Alberta School Boards under the "guise" of having the interest of the child in mind are really more concerned with the funds going to the mainly Catholic non-resident boards. Bill 8, now in its second reading, may have a significant impact on this unique and successful vehicle for educational choice.

18. It is interesting to note that the Saskatchewan Committee did not follow the Alberta lead and create "willing" boards. Perhaps the April 28, 1990 decision in *Deschant v. the Calgary Board of Education* was a factor. During the school year 1989/90, discipline problems impeded the "teacher-parent-child" relationship in the Deschant home and disrupted the family's home education programme. The school board directed the parent to place her child in a district school( in accordance with the Alberta regulations) . Mrs Deschant refused. The court held that the School Board had the power to direct the student to a school other than his home school.

## Chapter 4

### Testimony from the Mourner's Bench.<sup>1</sup>

#### Consolidation

The consolidation of the revitalization process is a vital part of the ritual of conversion. Physically separated from the congregation the anxious meet and begin to examine the unique testimonies that legitimate their respective conversions. The sinners, thus, seek to submerge the old Adam through study and prayer, waiting in a semi-circular meeting "hearing stories of a new way of looking towards a re-birth. Each conversion is unique because getting religion is an individual pursuit and just as personalities differ so does their religious experience" (Williams 1982:76).

Such inward deliberation often encourages the emergence of a prophet or leader. This visionary or prophet-to-be usually explains his or her own and society's troubles as entirely or partly a result of the violation of certain rules. Wallace describes the leader as a "dreamer who wishes for the establishment of an ideal state of stable and satisfying human and supernatural relations (a Utopian content)" (Wallace 1958:508). Prophets, thus, seem driven to tell others of their experience or his or her visions for a new way of life.

The preaching may take the form of mass exhortations or quiet individual persuasion. As the prophet gathers disciples, these persons assume the responsibility for communicating the "word" or the belief system. Such beliefs must be held "with deep conviction . . . and the person holding the belief must have committed himself[sic] . . . to something that is difficult to undo" (Festinger et al 1956:4). It is the charisma of the leader, however,

that is critical to the organization of the movement. It is their power that is distributed to the agent/disciples in their adaptation of the new beliefs. Power is distributed by a group. It is as a member of this group of convinced and supportive persons that the belief is maintained and it is as a member that attempts are made to persuade others that the belief is correct.<sup>2</sup>

Wallace makes some very sage remarks about success and failure at this stage. The realism of the doctrine and the amount of force exerted against the organization by its opponents, seem to be instrumental in determining success. Realism is a very difficult concept to define without invoking the terms, "success" and "failure." While a great deal of doctrine in a movement is unrealistic by virtue of its stressful origin, only one criterion appears to signal success or failure and that is the ability to predict correctly the consequences of its moves and that of its opponents in a power struggle. Whether its culture will remain viable, therefore, depends upon high conflict-realism, low resistance and maze-way doctrines that lead to actions which maintain a low stress (Wallace, 1972:511).<sup>3</sup>

The doctrines of the home education movement are as polarized as those who claim membership. It is in the dogma of the movement that the courts sought the criterion of equivalent instruction. It is in the examination of the various curricula that bureaucracy will attempt to control or supervise this political movement. It is in this area that prophecy may fail.

Analysis of the literature published on the subject of home education would seem to indicate that there are a number of prophets emerging from the circle. Early articles generally consisted of pieces that were either supportive of the notion of home education or directly advocated it. John Holt, Ivan Illich and Jonathan Kozol are most frequently mentioned (Common and MacMullen,

1986; Shackelford, 1983; Colefax, 1983, 1988).

Julia Webb (1990) suggests that educational questioning began with Jean Jacques Rousseau and the identification of the relationship between political power and social change. John Coons (1978) saw a direct connection between Thomas Paine's re-distribution of public resources and Milton Freidman's voucher system. David Guterson (1992) cites John Dewey, Maria Montessori and Rudulf Steiner as progressive educators who championed the child. However, none of these reformer/educators suggested that schools should be abandoned or that families should abandon schools.<sup>4</sup>

Of the many issues raised in the 1960s, the concept of alternative schools provides some insight into the development of the home education movement. Alternative schooling suggests a school that is different from formal and traditional public institutions. Alternative schools are also called free or open schools. One of the early prophets-to-be, Jonathan Kozol (1972), was quite specific about the concept:

The inclination to escape is overwhelming, but flight to some rural acadia is not what is defined as a Free School.... free schools are 1.) outside of the public education apparatus. 2.)outside white counterculture. 3.) inside cities.4.) linked to the needs of urban blacks and those victimized by public education. 5.)small, de-centralized and localized. 6.) incur as little publicity as possible.

The notion of alternative schools was popularized by writers like George Dennison (1969), Paul Goodman (1964), and Everett Reimer (1971). Such schools were characterized by voluntary attendance, informal curriculums and learning events that were patterned after real life community events (Knowles 1991). Reimer held a negative view of American schools. He saw schools as institutions that existed to prepare the young to accept the status quo. Paul Goodman was a socialist - anarchist who saw good in people and evil



in most institutions (Lister 1974). Goodman looked to classical Athens and the establishment of mini-schools. Reimer looked to "technotopia" (Lister 1974:89). What is important about alternative schooling, however, is it promulgated the notions that conventional schools stifled the individual and that mass institutions of learning could not properly educate the young.

Perhaps the most radical of all the reform ideas of the 1960s and the 1970s was that of de-schooling, or the total elimination of formal schools in our society. Ivan Illich (1970), priest and marxist, maintained that the purpose of school was to confuse the pupil: to confuse teaching with learning, grade advancement with education, a diploma with competence, and service with value. School, as Illich defined it, was an age specific, a teacher-related process requiring fulltime attendance at an obligatory curriculum. Influenced by Michel Foucault's book, "Madness and Civilization," he began to refer to school as "the great lock-up" (Foucault 1965:5). Real learning, he wrote, occurred in skill exchanges and peer matching: "Much of the world's knowledge and much of its productive processes and equipment are being taught rather than learning as a movement" (Illich 1970:88).

The message that institutions were the problem and that the single best solution to educational problems was the dismantling of the institution was appealing to many early home educators. The liberation of the individual from the educational system was an attractive message even if the rhetoric was incomprehensible to the larger community. Most adults tend to romanticize their schooling. The idea that the dream was really an assembly line process where consumer-pupil reactions were studied and carefully monitored, was shocking to those who advocated a return to the basics. De-schoolers were portrayed as anarchists who posited that society required few don'ts and as

few do's as possible.

Early home educators drew upon de-schooling concepts. This is evident from the frequent references to them in their literature. (Priesnitz, 1980; Williamson, 1979; Colefax, 1983). The early editions of the newsletter **Growing Without Schooling (GWS)** founded by John Holt in 1977, made frequent references to the concepts of the early reformers. It is interesting to note that Susannah Sheffer, the present editor of GWS, refers to Paul Goodman in a recent issue:

Paul Goodman ....used to say that one good way to work for a truly different and better world was ...to treat children, even the youngest and smallest wherever we may find them, as we would want everyone to treat them in the society we are trying to make(GWS,1993:1).

A more concrete example of this link can be found in **Reformulations: A letter written after two weeks in Cuernavaca**. John Holt was an early school reformer. His early works, beginning with **How Children Fail** (1964), made his reputation as a schoolteacher-reformer. **How Children Learn** (1967) and **The Underachieving School** (1970) advocated the end of compulsory attendance laws but continued to focus on children and were written for teachers interested in de-schooling. The letter from Cuernavaca reflecting on time spent with Illich, Reimer and Paulo Freire, marks a change in Holt's thinking (Webb,1990).<sup>5</sup> From this meeting, Holt began to focus on the theories and knowledge of the educational and political difficulties of the peasants in South America.<sup>6</sup> Freire's suggestion that liberation in Brazil could only come about through critical dialogue and Illich and Reimer's beliefs that schools presented an effective means of keeping those at the top in position, found expression in the following:

Man[sic] is for the state and the function and duty of schools is to prepare him to fit into and serve the state as efficiently as his

nature and his talents will allow. And everything that was said in education about individual differences meant only that not all men would be the same participants, but that some would be gears, some nuts, some bolts, some cotter pins. (Holt 1974:44)

The entire tone of the letter reflects a change in vision. Holt refers to himself as ignorant, mistaken and rueful about his own previous naivety. His bleak language aptly conveys the pain of his revitalization:

to talk about reforming the school to make them places where human freedom and growth will be paramount is a little like redesigning a camel to make it into an effective bird. The job can't be done. (Holt.1974:45)

Vernon H. Smith, reviewing *Teach Your Own* in *Phi Delta Kappan* (1983:441), referred to the reformer/de-schooler/un-schooler as a dropout whom the system had failed.' The journey of the prophet from the classroom to the executive offices of Holt Associates (which was formed as a business to supply support services) can be traced through his publications.

"Nobody starts off stupid," wrote Holt, in *How Children Fail* (1964: 273). Unquestioned authority to direct and coerce students by teachers, made children "subject peoples. . . in a kind of jail". . . . where some children "may quite deliberately go stupid" (1964:262). Consequently Holt advocated a nondirective pedagogy :

The alternative--I can see no other--is to have schools and classrooms in which each child in his sic own way can satisfy his curiosity, develop his abilities and talents, pursue his interests and from the adults and older children around him get a glimpse of the great variety and richness of life. (1964:295)

By 1971, a year after the publication of Ivan Illich's *Deschooling Society* (1970), Holt began to shift his focus from pedagogical reform to child advocacy. In *Freedom and Beyond* (1972), he states that no amount of school reform would be enough to provide a good education for all people. Schools had developed certain missions and functions that were basically "weeding

out" processes (1972:249). Holt developed "un-schooling" strategies that included community resource centres as educational alternatives as well as proposals to change the traditional "S-schools" into "s-school" or "doing places for children" (1976). Holt described "S-schools" as those that insisted that children comprehend everything that they read and, that they read only what they could comprehend. "S-schools," said Holt, reflected a hidden curriculum whose values led to the neglect of healthy children. At the same time, Holt suggested that while parents whose children could cope with the traditional system were content to let well enough alone, others who disliked the hidden curriculum, the ranking and sorting, or who disliked the values taught, worried that their children might be corrupted.

As long as S-schools remain, compulsory, coercive and competitive, change will be on the surface only and short-lived. . The Children's underground railway is the Home School. . . keep children out of school. (1976:218).

Loving parents, Holt argued, should find ways of helping their children escape from school altogether because

education--compulsory schooling, compulsory learning--is a tyranny and a crime against the human mind and spirit. Let all those escape it who can, any way they can. (1976:222)

In the Plowboy interview (1980:10-16), **Mother Earth News**, Holt discussed his views on the failure of school reform:

Most of this country's so-called innovative education projects, and there were never very many for all the talk, were begun solely to get some money the U.S. government was offering for such programmes. When the Federal money ran out, the programmes stopped.

Holt rejected school reform because he saw that group behaviour led to either totalitarian consensus or disintegration. He argued in **Instead of Education** (1976) that the ascendancy of the "morally least fit" appeared to infect all human social associations except those of the family. In **Teach Your Own**

(1982), Holt confirms his thesis that escape to free or alternative schools is not a solution. Even in free schools, he contends, "too many people still do what conventional schools have always done" (1982:168). In response to a question on the ultimate failure of the child-initiated learning advocated in free schools, Holt placed part of the failure of the alternative system with the innovators themselves.

Some of us actually knew more about what we were against than what we were for...a few were trying to work out hangups about their own childhoods (1980:13).

By the time he wrote *Teach Your Own*, Holt was committed to the idea that groups outside of the family unit were collectively united to oppress the individual. In a letter to the American Civil Liberties Association, he refers to the public school system and its compulsory attendance as a

gross violation of your civil liberties ...which the state justifies doing to children as a matter of public policy, saying that only thus can it keep them from being ignorant and a burden on the State. (1982:21).

Those who chose to home educate their children, therefore, were the moral elite. Membership in this elite was simply a "matter of choice." The only criterion was to love the child and take responsibility for the scholar. Home schooling was beneficial for the whole family as it was a "family saving movement"(1980). Holt dismissed class, special needs and parental incompetencies as irrelevant considerations in the decision to join the moral elite (Franzosa,1991:121).

People's education is their private business as is their religion or politics....Most of what I know I didn't learn in school or in what people call learning situations." (1980:11)

It is interesting to examine this statement which is central to Holt's philosophy. John Holt was not a "trained" teacher. After service in the navy in the second world war and six years working against nuclear proliferation,

he learned to teach by observing teachers at the Colorado Rocky Mountains school.

The only difference between me and the average teacher was that--because I hadn't taken any education courses--I didn't know all the alibis that conventionally trained instructors use. (1980:12)

Personal experience was also the basis of his assertion that the decision to educate one's child was an exercise of personal choice. He expanded on the right of parents to pass on their beliefs to their children in a letter from a home educator that asserts ownership and eminent domain over their children.

The fact that my children exist and that I am their father confers upon me, (and likewise upon every man so situated,) by natural law, an eminent domain, and with that the inescapable original obligation, and with that, the sole natural right (and authority) to rear and to train them according to the dictates of my own conscience before God; therefore, by what law of justice (if any) can I be required or compelled to allow that obligation to be fulfilled by (or that right to be exercised by) another? (1982:23)

One can only be reminded of the arguments of Larry Jones and André Masse and their claims to sole responsibility for their children's education. Does such a stance, however, restrict the rights of the child to choose what and how he or she will learn? Does Holt's belief in the oppression of collective society and his romantic notions of a loving family unit oppose his earlier statement (1974) that children should be allowed to pursue their education in any manner that they wished? If one is owned, can one be free? Holt doesn't answer these questions. He maintained that those who were willing to surrender their children to the morally least fit disliked and distrusted their own children.

Home schooling is not a threat that's going to overturn the whole school system. Most people are never going to try it. . . they don't like their children enough to want them around all of the time. (1980:13)

The argument that Holt advanced in his unschooling-revitalization has grave implications for school reform. The only practical choice that Holt posed was between supporting the schools or rejecting them (Franzosa, 1990). The moral course for Holt and his followers was the individual rejection of all institutions. Failure to follow this argument was to name oneself as derelict, as less than a "best and wisest parent" (Dewey 1956:7) and as one who was prepared to forsake their children to the care of the morally least fit. Holt's argument offered no protection to children whose parents choose to exercise "their rights of eminent domain" unjustly. (Franzosa:132) It might be argued that such an argument also sanctions the institutional neglect of those left in the public school system. Responding to this charge Holt (1982:326) replied, "well what's so bad about that? You [public school] will then at last be able to give those poor children your undivided attention."

Holt's hopeful path for educational reform was the family and the individual self. It is a movement away from the community that had its basis in his own romantic philosophic beginnings. It could also be argued that Holt does not posit a movement away from the community, per se, but, rather, suggests family-centred reconstruction as a move towards re-integrating the community. The community in this argument existed in the golden age of the 19th century where the community was pre-eminent and the family was viewed as the rock upon which communities existed. This view, however, was supplanted and replaced by the erosion of communitarianism and the "capitalist" ascension of individualization (or acquisitive individualism). Such disillusionment, however, is not isolated or eccentric. Disillusionment with public institutions remains widespread. Some would suggest that the redirection of public social focus onto consumer ideals, rather than an

examination of political ills, is a prime example of institutional manipulation.

Holt proposed home schooling as a general social program. However, Holt's dictum that the loving parent can only educate their children outside of an traditional secular, public institution, was a departure from the alternative schooling professed by Kozol, Illich and Freire. When Freire spoke of teaching outside of the institution he used the term in the sense that his schools existed outside of the existing framework of traditional Brazilian education (Callan:1983). One might question how Holt's vision might have changed had Freire's experiment in Brazil not ended but had been transformed and enfolded into the established educational system?"

#### 4.1. Christian Ultra-Conservatism

Last November, the **Salt Lake Tribune** reported that the Latter Day Saints Church (Mormon) was undertaking a "house cleaning" by disciplining and excommunicating hundreds of ultra-conservative survivalists who were unduly preoccupied with the Last Days. Items in the profile of these persons interestingly included polygamy and, among others, home schooling! Proponents of home schooling were relieved when the Church issued a statement saying it did not oppose home schooling. Joyce Kinmount of the LDS Home Educators Association asked: "If the church were opposed to home education, would BYU Press have published **School Can Wait** by Seventh Day Adventist, Raymond Moore" (1993 (16)4:67-68)?

The Moore formula found in **School Can Wait** is based on 55 years of teaching teachers and students and is known as Study, Work and Service. Moore advocates late school entry. Parents are advised to drill their children daily through a combination of household chores, basic math and socialization



skills from 30 to 180 times a day; and to encourage service at home and in the neighbourhood. Moore posits a more empirical focus for home education. He suggests that children are "surrendered" by parents to the school system before they are emotionally or physically ready for this experience<sup>9</sup>. Moore suggests that Benjamin Bloom's research in cognitive development and early schooling fits into the "need for parent freedom and teacher jobs" (1982:359). Other researchers he argues, like Urie Bronfenbrenner, suggest that too many people around the child might lessen his or her opportunities for meaningful human contact.<sup>10</sup> Reading at an early age, warns Moore, often becomes a rote exercise marked by boredom and can lead to visual and auditory problems.<sup>11</sup> Moore carefully compartmentalizes his thesis and packs each section with references to Piaget, Luria, Carl Bereiter and Jerome Kagan, among others.

The **Moore Report** was established by Dr. Moore in the 1980s. In intent, this publication resembles **Growing Without Schooling**:

They provided a similar reference to Christian home educators in that they offered "reputable, carefully selected books. . . .Christian and Creation oriented . . . avoiding doctrine and sectarianism as much as possible. (Moore 1993:3)

A recent copy of the **Moore Report International** emphasizes "holistic" family participation in education, legal advice, do-it-yourself efforts such as "Various Studies Get Your Head in Shape" and advice on how to overcome home school burn out.

Moore speaks of home education as a "back to" movement. He often refers to early American leaders as examples of home education genius. Among those cited are, William Penn, John Quincy Adams, Abraham Lincoln, Douglas MacArthur and Pearl Buck. What he fails to note is that Penn and Adams were educated at home by a tutor, as befitted their class. Notwithstanding this

historical oversight, Moore argues that there are six reasons for home education success:

Home school parents exhibit enormous concern for their children in taking over total teaching responsibility.

Children thrive on routine that involves same family values.

Parents are able to demonstrate partiality that large classes cannot allow.

The child learns to respond on a one-to-one basis with an adult.

Without regimentation the child is freed to explore and think rather than regurgitate books.

Parents who give their children responsibility in the home turn out independent, self-directed children (1982:372).

Moore's alternative to early schooling is a Mother-Child home programme. In *When Should Your Child Go to School?*, Moore suggests home schools as an alternative to early schooling. The home approach, or Mother-Child Home Programme, involves trained assistants visiting homes at regular intervals to work with parents. Essentially these visitors function less as traditional teachers and more as consultants. Moore asserts that this concept can be adapted to meet concerns about children of working mothers. Such an approach, however, also reflects Dr. Moore's stance on day care and his arguments against "in loco parentis" articulated in *What Educators Should Know About Home School* (1987).

Given the atheistic philosophy of Plato and Aristotle, their doctrine of "in loco parentis" was logical, for the state was much longer-lived than the individual. Later Marx, Gandhi and Mao, likewise were willing to sacrifice the fabric of the traditional family for the economic welfare of the state. . . . However, Christ introduced the concept of personal eternal life which flew in the face of such temporal ideas, and placed much greater value on both the individual and the family." (1987:10)

This writer is familiar with the term "in loco parentis" from *Williams V. Eady* (1894) or Lord Esher and the careful parent test. This judgement was interpreted by teachers of my epoch as acting as a surrogate parent and assuming parental custodial responsibilities. The origin of the doctrine is found in English Law where "parens patriae" jurisdiction or guardian interest

was assumed for those who could not take care of themselves. Dickinson (1991) suggests that the emphasis on teacher-assumed parental authority has waned so that educators are now viewed in context of their role as agents of the state. Although the one-room schoolhouse and community school boards may have provided a venue for parental delegation of duties to teachers, parents in the 1990s are now separated from teachers by a maze of administrative structures. As agents of the state, teachers exercise a kind of guardianship over "various classes of persons who, from their legal disabilities stand in need of protection, such as infants, idiots, and lunatics" (MacKay 1992:xvii). Teachers, are hired, therefore, in this "parens patriae" capacity to act as state agents; agents who provide education to children. It is not difficult, therefore, to imagine a fundamental conflict such as values laden curriculum (or a lack of one) in which parents might attempt to revoke the delegation of authority by refusing to send their children to the state institution.

Moore does not embed his position in the language of liberal reform as John Holt did. He advocates, instead, biblical and religious rationales. The Moore Canada Child Development Centre brochure, therefore, features the following tenet: "Train up a child in the way he should go: and when he is old, he will not depart from it" (Proverbs 22:6).

Moore is, thus, the voice of the conservative right as it pushes inexorably towards self-determinism. In defense of his position, Moore often cites his own varied educational experiences. He served as a superintendent of city schools in California and church schools in Japan and Okinawa, was an official of the U.S. Department of Education, a college and university administrator and in-house consultant to the National Education Association

for Teacher Education. When Moore speaks of home education, however, he refers to an alternative school with roots before and throughout the Industrial Revolution. Such schools balanced work and service quite differently from the conventional classroom. Such schools valued achievement. The Moore home school, thus, is the frontline against attempts by the state to take over parental rights, revise family values, teach [questionable] sex education, push themes in eastern religion, doubtful psychotherapy, and even perversion (Moore 1993).

Some commentators have suggested that contemporary home schools are not closely tied to the liberal roots of home education (Knowles, Marlow and Muchmore 1991). Knowles suggests that references to liberal reform became home education "proverbs" and "folklore" during the shift from liberal to conservative positions regarding education in general (1991:227). This transformation emerged gradually, parallel to Moore. Home schools, according to Knowles, became "grounds of and for ideological, conservative, religious expressions of educational matters" (1991:227).

Moore's critique of early school entrance, however, might reflect some empirical agreement with Holt. Both educators agree that the public school system does not serve society's best interests. Both educators point to the family unit as the best site for learning. Whereas Holt might point to a curriculum that excluded life experiences, skills and judgments and reproduced societal inequalities, Moore, however, focuses on ideological dissent, an aversion to violence, detrimental peer pressure and repudiation of humanistic secularism on the part of parents with different values. Moore's formula for success, moreover, provides the avenue for the short move from parental intervention to the parents' right to teach.<sup>12</sup> Notwithstanding the

politics of their respective positions, it might be argued that Moore and Holt based their "un-schooling reform" on "the individual self" and familial isolation, rather than social relationships. Dewey, who coined the phrase "best and wisest" parents, might have seen such a social thesis as "narrow and unlovely" (Dewey 1956:7) and reminded both prophets that taking responsibility for one's children requires continuous participation in educational debate.

My observations of the NSHEA suggest that the Nova Scotia group has not reached such a definitive stage. The majority of the membership are new "converts " to the home schooling movement. Interviews suggest that these parents made the decision to home school before they began to deliberate over the various philosophical positions. The following testimony is representative of several conversations:

It wasn't until I was really into teaching the kids at home that I realized how short-changed I was myself by the school system. I mean I went-- and did well, well enough to go to university and teach--but I never really learned how to learn. I just did what I was told and memorized what the teachers wanted. Teaching the kids is like going to school again but this time enjoying it and really understanding what it is I'm learning. (Halifax, 1993)

I taught for five years. I saw too many children labelled as school phobic or late developers or even as slow learners. I knew that my eldest was not ready to go to school let alone able to take the violence that frightens so many young children in the school yard. So I kept her home, and taught her at home. Her brother and sister started to home school by just watching. I don't know if she will ever go into the system. That's up to her. (Halifax 1993)

Some responses indicated that a number of parents chose home education to "solve" unresolved parental school problems:

Q. Why did you take X out of ---- school?

A. I wanted something better for her. I think that learning happens outside of school.. other people don't make it happen- schools, books or teachers- it happens in the mind.

**Q. How does it happen?**

**A. Well to begin with, children don't need to be taught all of those necessary skills that teachers talk about. Those things will grow if the child is taught in a whole type of programme where the child will learn to learn.**

**Q. How does this differ from your own school experience?**

**A. Well, I never liked school but I never disliked it--I never had a good teacher--maybe one, or two in High School--I still can't spell though-- When (child's name) was in grade 2, she started to bring home these awful papers that were supposed to be stories and I knew that she would never learn to spell in that class. She has some reading problems and I knew that I could do better. I like to read and I want her to like reading and that will never happen in that school. (Dartmouth 1993)**

Responses of this type may indicate a link between parental educational experiences and parental reactions to their children's experiences (Knowles 1992). Whatever the particular Gestalt (stress distortion) that induces home education revitalization in the individual conversion, ideological choices seem to appear at a later stage and often overlap.

Ideological choices in homeschooling are often reflected in curricula. A survey conducted by the NSHEA on graded and complete curricula choice, showed those who used a complete package preferred A Beka from the Pensacola Christian School, Pensacola Florida. Lines (1991) estimated that the three leading distributors of complete curriculum packages were the Christian Liberty Academy, Hewitt-Moore Child Development Centre, and A Beka. Lines' research lists twenty-three companies distributing complete packages in 1988 (See Appendix E). Many home educators, however, design their own package from one or more ideological sources (Priesnitz 1993). This eclectic approach, however, is bound to create problems in the future when the Department of Education requires documented curriculums.<sup>13</sup> When discussing curriculum, the topic of parental motivation inevitably arises. The following conversation is an apt testimonial to the complex and often peculiar overlap of ideologies among teacher/parents.

I am asked this question so many times that I should have a good answer. It has to do with having children and wanting to see some of the good bits rather than just keeping them dry and fed. I suppose that it makes me feel better about staying home--it sort of makes it worthwhile--but if you push me, I guess that its for religious reasons. . . . I use a secular curriculum and it is expensive, (about \$450 for each child) and they don't allow you to re-use [it]. I'm just taking it one year at a time--if someone is slow to read or understand something--I can change programmes next year." (Lunenburg, 1993)

In response to letters to the Editors (on homeschooling) that I placed throughout provincial weeklies, I received a number of astounding replies from parent/educators. The following excerpt is from a letter that deserves singular recognition:

We currently have only one child still at home ( age 15). The others are in University in Halifax. . . . None of them attended any schools outside of their home except for the oldest who went to public school for two years. (When she started in grade primary she loved reading, by grade one she hated it and saw reading as a forced chore closely associated with boring questions and handouts to be filled out at the end of every little section you read.) After a year or two at home she slowly regained a respectful relationship with reading and writing. On Structure--we don't believe that young children (under the age of 11 to 12) understand nor need a lot of formal structural education. But at a certain level of maturity--you can tell when structured learning begins to make sense to them--its time to get formal, to apply some pressure and require that attention is given to their formal education. (Yarmouth Co. Nov.1993)

During a discussion with two mothers on the subject of personal motivation, the following testimony stood out:

I taught my son to talk and watched him learn to walk, run and ride a bike. I taught him to read. I wanted the pure joy that teachers have and that parents give up when they give away that privilege. (Chester Basin, 1993)

The 1990s are bringing new prophets to challenge Raymond Moore and John Holt. One might present the Home School Legal Defense Association of America/Canada (HSDLA) and Michael Farris as an example of this new "visionary."<sup>4</sup> Founded in 1983 to deliver low-cost legal support in truancy

cases, it also boasts a journal, **Home School Researcher** and a newsletter to keep members informed through the National Home Educational Research Institute. In his introductory message to Canadian home educators, Farris writes:

Although HSDLA is a Christian organization with a Christian board and staff, we believe it is our duty to advocate the right of all to home school. Membership with the HSDLA is in no way limited by the religious views of prospective members.

The HSDLA and Michael Farris are a good example of a real need being addressed. A current major concern of some of the members of the NSHEA, is that the group will be forced to disclose the names of those members who do not now and who will refuse in the future to abide by Departmental regulations. Brochure recommendations, like "the HSDLA spent over \$20,000 defending our family. If you don't think you can afford [the membership fee], where will you get \$20,000?" Columbia, OH, USA," appear supportive.

Other would-be-prophets are J. Richard Fugate of Alpha Omega Publications and Greg Harris of Christian Life Workshops. Their challenges are not philosophical per se but are grounded in differing religious ideological positions (Knowles 1991). The lecture given by Terese Ferri of the Alberta Catholic Home Schooling Association at the May 14-16 Human Life International Conference in Antigonish is another example of need support. Mrs. Ferri, a lawyer and mother of eleven children, spoke about her family's reasons for choosing home education and the problems and resolutions faced by Alberta Catholic home educators. Mrs. Ferri also writes a legal column in **Quest, The Home Educator's Journal**. This column is written to give practical guidance to would-be home educators facing various provincial policies. Wendy Priesnitz of the Canadian Alliance of Home Schoolers and editor/publisher of **The Alternate Press**, provides a medium for those interested in a more natural type



of education for their children. Indeed, the last two issues of *Natural Life*, an Alternate Press publication, featured letters that suggest a further division in the Alberta Association between those who do not support a "testimony" of faith as a premise of membership in the Alberta Home Education Association and those who do (1993).

The search for the supernatural and the choice of leader are thus, both the salvation the convert seeks and the re-enforcement of dogma within the movement. In terms of the Williams (1982) "anthropological testimony", the members have come to the moment of baptism, where they are submerged one at a time, in the water by the preacher. The conversion ritual is about to end. The members feel cleansed and chosen. Few converts stray as "getting religion is a serious business"(78). Immersion has buried the old life of sin, the old Adam, for a new one grounded in a faith in God (Mark 1:4-8).

Yet, as Anthony Wallace indicated, the power of the movement draws upon both the realism of the dogma and the force of its external opponents. It is interesting to note that leadership appears splintered among those home educators whose motivations are religious. One might argue that, as a dogma, homeschooling lacks sufficient realism to unify a significant element of its followers who seem incapable of overcoming their own ideological contention. So intense are these leadership challenges within Christian homeschooling affiliations that Raymond Moore (1990) made the following plea in the face of impending division.

Home schooling is coming of age. If we want it to be strong, it must be strong in truth lest it be caught by promoters who appear to have gentle concerns for the families, but in fact, pursue money, power, even fraud. Lets have unity . . . but not at any price. . . Our battle is for parent rights, not religious controversy.

End Notes  
Chapter 4

1. The title of this chapter is derived initially from the re-birth experienced by the sinners on the anxious seat. It seemed an apt metaphor for a discussion centring on the "prophets" and their "dogma" pedagogies. A second reason, is that the semi-circular meeting detailed in the Williams'(1982) article, and its ritual exposure of individual sin leading to an ecstatic possession of re-birth, is reminiscent of group behaviours observed at various homeschooling meetings. As a group, they accept, explore and support each others' personal school experiences (ie; those that precipitated the "effort to change") and provide a healthy psychological-stress-reduction for the stress distortions that I metaphorically call, testimony.

2. Max Weber's concept of "charismatic leadership" well describes the type of leader-follower relationship characteristic in a revitalization movement. In this thesis the visionary enters into an personal relationship with the supernatural and accepts the dominance (comfort and power) of this being. Many of the prophet's followers especially his or her close disciples, will experience visions and, thus, will enter into a parallel but subordinate relationship with the prophet. Other no less sincere followers, although they lack this experience will also accept his or her unquestioned authority as sanctioned by the supernatural. Followers defer to the leader not because of his or her status but because of a "fascinating personal power" or an "uncanny aura." The leader is, thus, expected to demand that adherents perform their duty to the "higher power." The routinization of charismatic power (preservation of revealed doctrine) is critical because unless it is distributed to others within the institution, the movement will fall. (Wallace, 1972:508-509).

3. The recognition of the importance of conflict-realism and homeschooling doctrine is creating some interesting opportunities for unemployed certified teachers. During the course of my research I received materials from a number of teachers who were prepared to help homeschooled students by way of "computerized bulletin boards", individual tutoring, testing services and drafting curriculum for parents that reflect Provincial educational goals.

4. John Holt is associated with the Home School Movement. However, until "Reformulations: A letter written after two weeks in Cuernavaca," he was considered a leading school reformer and child activist. Certainly in his own conversion process he moved politically from the far left to left of middle. See Ian Lister (1974), *Deschooling: A Reader*. Cambridge Press: Cambridge University, pp.43-46.

5. Cuernavaca, Mexico was the documentation base for publications that reflected deschooling activities. CIDOC or Centro Intercultural de Documentation is described by Ivan Illich in "Ivan Illich in Australia: questions and answers (1972) as a centre 'where we earn our economic independence by teaching, in a rigorous and scholastic way, adults who want to learn Spanish and speak it in two months.' See Lister, Ian (1974), pp.69-79.

6. For a discussion on Paulo Freire and John Holt and the awakening process see Holt, J. (1976) *Instead of Education*, p.210.

7. Smith's summation of Holt's homeschooling enterprise is interesting: I do not think that it will become the mass movement that Holt anticipates...[he] envisions future technoschools but his teaching style and yearnings reflect the past (p.441).

8. Those interested in the de-schooling legacy and the subsequent "radical schooling" literature of the 1980s and the 1990s, should refer to Kathleen Lynch (1989). **The Hidden Curriculum**. Trowbridge, Wiltshire: The Falmer Press. Chapter 1, "The Hidden Curriculum: A Reappraisal of Reproduction Theories," (pp.1-35) delivers a detailed analysis of many of the major contributors to this debate. They include Bowles and Gintis, Michael Apple, Henry Giroux, Peter McLaren, Paul Willis and Pierre Bordieu, among others.

9. In an article written for the **Journal of School Health**, February, 1986, Dr. Moore suggests "that interestingly the ancient BAR MITZVAH of the Orthodox Jew provided for no schooling until after the age of 12 when the child was considered able to accept full responsibility for this action."

10. See **The Moore Report International**, Sept/Oct. (1993 Vol.5, N.5:6), "Ashtabula Ohio Rotary hears about homeschooling" (editorial page):

One of the questions we asked ourselves as we contemplated the proper education for our children was: is it a real world to be confined to a room full of people all your own age? It was Urie Bronfenbrenner, Professor of Child Development at Cornell University, that said... Paradoxically, the more individuals that are around the fewer opportunities for meaningful contact.

11. Two Texas opthamologists, Henry Hilgartner, M.D. of Austin and Frank Newton, M.D., found that as school entrance ages moved from a relatively unpressured eight around 1908 to a more strictly enforced age of six in the early 1930s, the incidence of myopia... changed from one in seven or eight in 1910 to one out of five by 1962 (Moore & Moore, 1990:129).

12. Notwithstanding political labels, Moore, like Holt, might be considered to share certain basic tenets with early reformers like Everett Reimer. Both define the educational system as an institution crippled through custodial care, social-role selection and indoctrination of values. Moore, Holt and Reimer all regard the school as an institution that requires the attendance of specific age groups in a teacher-supervised classroom and the study of an age graded curriculum. The difference might be in the methods employed by the "prophets" to find the word.

13. In her 1990 survey of 30,000 Canadian homeschooling families, Wendy Priesnitz (Co-ordinator, Canadian Homeschooling Association) suggests that sixty-eight percent of those questioned characterized their curriculum as informal. Of those using formal home studies, only a third used the curriculum and work books as a formal method of teaching. It was not unusual, therefore, to receive information from a respondent who noted

I have been educating my children (3) since they were born.... and I make up my own curriculums. Peacefully yours. (Yarmouth Co. Dec.1993).

14. Raymond Moore, in the early 1980s, played an important part in assisting home educating families, offering his services in litigation especially for those involving a religious perspective. His position as an advocate of home education for young children made him a credible voice, although some debate surrounded these appearances. See Moore ( 1979, 1984a ).

## Chapter 5.

### The Right Hand of Friendship

Receiving the right hand of fellowship occurs the evening of the baptism. The convert is ready to give up his or her childhood status and activities as a sinner. Those who refuse the testimony required of the mourner's bench are physically separated from the chosen. The convert is welcomed into the fellowship of the community. The congregation lines up and shakes hands with the new converts. They are accepted by the community with the same rights and privileges as any other member of the church.'

#### 5.0. The New Steady State

Anthony Wallace posits that with the accomplishment of cultural transformation, the organization contracts and maintains responsibility only for the preservation of doctrine and the performance of ritual. In short, the organization has become a religion, a rebellion, or a movement. Culture, in this state, will be different in pattern and organization from the early period of cultural distortion.

Without belabouring the similarities between secular and religious movements, one might suggest that some secular prophets have had similar socio-cultural and psychodynamic experiences in the process of an ideological conversion. Many movements, however, dispense with the supernatural, reaching Utopia without religious stress and strain.

A major part of the revitalization process of the Nova Scotia Home Education Association has been to expel the culture of "foreign invaders or overlords" (Wallace 1958). This measure is undertaken to distance themselves from the curriculum offered by the public school system. This dimension is termed nativistic. Wallace suggests that the initial doctrines formulated by a group usually emphasize co-operation and understanding. He also suggests that the prophet and his or her disciples expect authorities to be reasonable and accepting. When these powers interfere with the movement, the response

is apt to lead to an increased nativistic component in the doctrine. It may be argued that the significant use of American curricula in Nova Scotia homeschooling signals the imposition of one "foreign culture" over another. However, American publications both secular and Christian, have been used to fill the void created by the lack of appropriate Canadian materials. For Christian homeschoolers in Canada the Christian content of American curricula outweighs its national origin; for other Canadian homeschoolers, the choice of American curricula is purely pragmatic.

It is not unreasonable, therefore, to suggest that evidence of such "reasonable behaviour" might be found in the post-mazeway curriculum selection. My conversations indicated that the first year(s) of home education usually involved a highly structured curriculum and a "reproduced" school timetable.

This is only my second year of home schooling and I'm starting to realize that de-schooling and home-schooling are two very different approaches. The homeschooling groups in my area bring the school home, imitating its timetables and practices. (Quest Reader Forum 1994:69)

It's not a fly-by-night decision. It's a dawn-to-dusk commitment and sometimes that can be a little overwhelming. It's quite a responsibility knowing that you are responsible for her education. You want to know you're doing as well or better than at public school..that she's not missing anything. (Halifax, March 1993)

I like to be sure I've covered everything. That means periodic tests and keeping up with curriculum. (New Minas, March 1993)

Among those who have home educated for four or five years, there is less emphasis on structure. Learning is considered a natural part of everyday living. Parents speak of education not for jobs but for development. They advise each other to "dejunk" their homes in order to facilitate household chores. They further suggest that parents should "de-school" themselves,

that this is a "ministry" or a way of life, and that children should be immersed in environments that allow them to develop when they are ready.

Its not natural learning when its forced. The girls participate in everything we do, tasks such as cooking, banking, grocery shopping and helping run the family business take up much of their time. ( New Germany, 1993)

I try to teach them self reliance, through a curriculum that is tailored to each child...in a home that has been set up to teach each child justice, ethics, and consideration for all. I didn't join the association because it will do more damage than good... I have a good relationship with the school. If the Department of Education pokes their nose into my business I will take my children and go back into the woods. (Queens County, November 1993)

It never made sense to me that just because a child was five or six that it was time or them to read...none of our children took a keen interest in reading until they were nine or ten. They could read but barely; there were so many other activities they liked doing...they loved to have stories read to them. However around the age of nine or ten-when they decided to read, they would pick it up almost overnight. Within a year they would be reading at their "age"level and in some cases beyond. (Shelburne 1993)

Thus, the union of change seekers and change resisters exists to promote those interests not yet met in the established institution; it is a response to the implied threat of bureaucratic intervention and the re-imposition of alien values. It represents, in a sense, the need to unpack the relations of the school as an institution, its knowledge forms and the role of the educator. It is an attempt to move each of these factors--where we teach, what we teach and who we teach--into their respective sites in an unequal society. It is an attempt to challenge perceived domination (Apple 1979:4-5). The discontented evince solidarity in doctrine: that schools should serve children's individual needs as well as the needs of society; and that schools do not serve society's best interests (Reimer 1971).

It is reasonable, therefore, to suggest that should the Nova Scotia

Department of Education tighten its regulations and should the Minister revamp the School Act in 1994 to favour the larger community, the movement will likely begin to exhibit increased nativistic behaviour. Some parents will cease home education and assimilate into the mainline system. Others will, in the words of the parent in Queens County, go to the woods. They are the believers, the keepers of the doctrine. For them, prophesy never fails (Festinger 1956). For them, prophesy will be fulfilled. Their own discomfort will be heightened by increased dissonance. As Captain Willard explained to Chef in the film, *Apocalypse Now*, "Don't get out of the boat unless you are prepared to go all the way." These parents are prepared to go beyond Willard's dictum; they are ready to burn their boats.

#### 5.1. Fellowship of the Community

On 16 October, 1993, the NSHEA and the HSLDA held a Legal and Technical seminar for the Atlantic Provinces in Halifax. The HSLDA representative, Jordan Lorence, a Washington attorney, was the key speaker. After a brief description of the function of the Legal Association, Lorence directed his remarks to the 1993 Home Education survey conducted by Dr. Brian Ray of Western Baptist College and asserted "that this statistical survey will prove that we are normal...that we represent all types, though we are a Conservative Christian firm....and that there is no statement of faith." (NSHEA Conference, Halifax, 1993)

Mr. Lorence speculated that the spread of home education from western Canada was encouraged by the permissive attitude of the British Columbia government under Social Credit. He further indicated that a New Democratic government, though philosophically not opposed to home education,



repeatedly saw government as a solution to all problems. Such a dichotomy of purposes was, he stated, creating major problems in Ontario with aggressive home visits by board officials. A further problem in both Ontario and Newfoundland involved the paradigm shifts of liberal Catholic boards and the introduction of the Care programme.<sup>2</sup> Such a shift aggressively placed the government directly into opposition with family values and schooling rights.<sup>3</sup>

Families, Lorence emphasized, should have the freedom to educate their children. Differences in philosophies should not divide parents. In a later session, Mr. Lorence went on to define the contending philosophies. He described John Holt as a secular hippy leader who posited that children had an innate sense of what they should learn. His description of Holt as "touchy-feely" and his denunciation of evolution as "a most evil point of view" provoked an interesting set of reactions from some in the audience. Perhaps the most intriguing reply came from a visitor who announced himself as a teacher, a black theologian, a visible minority, and a principal of a Christian School in New Brunswick. "It was not wise", this visitor warned, "to engage in such polemics, when education was the only component under discussion. Furthermore," he asserted, "this was not the time or the place to discuss or offend someone's ideological differences" ( Rev. L. Hartley. With Permission. Halifax, 1993 ).

In support of Mr. Hartley and his remarks on the home education paradigm, a representative of the Buddhist home educators suggested that the power of spirituality was equally in evidence in the families of non-Christian home educators. A non-Christian movement, he urged, could be as powerful an influence on society as a whole and perhaps more empowering than an excessively Christian movement. "I agree with your purposes for the family,"

he stated but "I am slighted because you present too small a box" (Conference video, Halifax, 1993).

Mr. Lorence replied to these challenges by reminding the audience that his was the language of mediation conceived in his firm belief that

God created the world to operate this way. I don't wish to offend any people but to me this is God's ideology. This is the way the world was designed. You know that you can't run a Ford on sea water. The manual calls for gas. We are under the authority of God. We are created, it is revealed in [His] manual. . . . This truth is revealed in our time.

This statement prompted a rebuttal that was as eloquent as the initial doctrinal probe. It confirmed our observations on the internal ideological tensions within the Nova Scotia movement and the unresolved antagonisms within the fellowship.

We are not offended. That is one paradigm on theism but things are not always Christian or theistic. I am a Buddhist. My spirituality is also powerful. It is a different paradigm. We agree on home education..but.. if the only paradigm presented is Christian...it is too small a box.<sup>4</sup>

Movements for change which create new social identities can also contribute to new antagonisms within itself. This is especially true of movements composed of those whose "peoplehood" has become unfixed from the status quo and from each other. In the struggle to construct linkages or unity within the group, some "nomadic" activists remain frustrated in their desire to achieve equality. They become fragments, locked into their own marshalling area; and resist seeing the inter-relation of conflicts because the shift in priorities and structures, or the struggle-- "against", does not fully concur with their struggle--"for."

## 5.2. Boxes, Conflicts, and Values

In September of 1993, the Nova Scotia Minister of Education accepted the

departmental chairperson's report and published **Home Schooling in Nova Scotia: Roles and Responsibilities**. In the minutes presented to the meeting, 16 October, the Chair of the NSHEA reported that the committee report was in substance what had been presented by the association as a counter-draft. The Chair further suggested that the Association would conduct a review of the policy in the Spring of 1994. This review would give each home educator an opportunity to discuss areas of difficulty. It would also establish a "fait accompli" revised policy which would be attractive to any review committee to adopt ' (See Appendix F).

In his announcement of the provincial monitoring regulations, the Education Department representative stated that supervision in the past varied from place to place. The recommendations, he added, would help to "standardize" the procedure. The announcement concluded with the following statement:

The department will review the procedure next year so we can keep refining. We want to keep an eye on the process and make sure it is doing what it is intended to do. ( Daily News, 18 Sept. 1993)

The question of intention had already surfaced in the NSHEA meetings. At the Chester Basin meeting in August, there was tense discussion on the ability of the Department of Education to coerce the Association executive into providing that body with member names. Although the executive continued to allude to the regulations as "tolerable to most home educators", the membership persisted in questioning the legality of the regulations and the consequences of refusing to register. Given this ongoing behaviour, one might suggest that "the box" was too small not only for those who testified at the October conference, but also for some within the NSHEA. From a critical

perspective, one might suggest that the allocation of rewards at the centre of this ideological power struggle was not judged as either explicit enough or compatible with the group challenge to a basic hegemony (Apple 1979:22.).

I am indebted to Jane Hester of the Shambala Middle School and Christina Lohry of the Shambala Elementary School (scheduled to open in September of 1994 in Halifax) for their help in identifying a number of Buddhist home educators in the Halifax-Bedford area. I have included a copy of the Shambala elementary curriculum (Appendix G) as well as a sample of the curriculum followed by one of the Christian home schools. Though both exhibit the same degree of spirituality and adhere to the requirements of the Nova Scotia Act, they also represent the stark philosophical polarization or cleavage and commonalities typical of this movement (Mayberry 1988).

The Shambala-referred family network (all were not Buddhist) resembled the NSHEA demographics with reference to family structure, number of children, income, and structured versus non-structured programmes. There were, however, major differences in philosophy as well as attitudes towards the politics of the association.

Philosophically, these families resembled Van Galen's pedagogues. In ( and from introduction page 4). These educator/parents cite Holt and the reformers of the 1960s and 1970s as their mentors and tend to regard home education as an alternative school movement. Many professional educators would be impressed by their conscientious motivation and find themselves in agreement with many of their comments. Among these parents I found those who were anti-Ritalin, those who were alert to poorly developing self-esteem, and those who verbalized nervous reactions to school bus behaviour. Ray (1988) suggests that these parents are pedagogically driven by beliefs which

are an anathema to Christians. My own research suggests that all home educators have an overt political, social or religious message to enshrine in their curriculum. The difficulty lies in separating attempts to change the world from a philosophy of life that might be seen as being presented at the expense of others.<sup>6</sup>

Few of the non-conservative Christian and/or Buddhist families had registered with the province as home educators, nor were they aware of the new regulations or of the role of the NSHEA in structuring the final draft. Indeed, one parent introduced an interesting development in the interpretation of Departmental policy. When she approached her regional inspector for information on proceedings, he suggested that she forestall registration until after her child's seventh birthday. Consequently, though the child is not "legally" being home educated, in reality she is and will enter the system (perhaps) within two years at the grade four/five level. (Delayed entry into the later grades was a common finding in my research, especially among "certified" home educators).

When asked if they (pedagogues) would join such an organization or if they were interested in the HSLDA, these parents usually responded negatively and suggested that "there was talk of starting an organization that reflected their values only." One of the ideological values that this network identified as unrepresented by the NSHEA, was evolution. Support for such ideological resistance is found in articles written by Christopher Klicka (1992) and Jordan Lorence (1993). These conservative "prophets" urge the adoption of ideological support networks. Klicka and Lorence suggest, however, that home educators accept each other's right to be different but warn that there is "no point in offending someone's ideological differences" (conference video,

October 1993).'

Conversations with most non-NSHEA parents, however, left this writer with the notion that they preferred social and political isolation.

Academic and philosophic parents rarely use support groups in their home education. I have people that I can rely upon to spell me if I need their help. Most of us have a home schooler's telephone list. We are both teachers and simply felt that our girls could wait until after their seventh year to enter the public system. (Hants County, September 1993)

My boys have never been in the system and never will be. With two doctorates in Science, I think that we are more than adequate teachers. . . . We were not interested in that group . . . .they distort it [home education] . . . . it reminds me of a large engine driven by a small clique. (Halifax County, August 1993)

It is ironic that the lack of communication that encouraged the emergence of this alternative movement from the public system and its differing social and cultural goals appears to be replicated, to some extent, internally. Both of the above parents might, however, find commonality with parents who are philosophically compatible and members of the NSHEA who say, "I teach my kids at home because I like them" (Hebbville, 1993).

Recognizing that the home education movement appears to be growing, that much of it remains by choice underground, and that provincial regulations remain vague on the subject of "efficient instruction" and home visits, it appears that the implementation of any provincial regulations will be uneven and will fail to achieve the ends sought by both the Department and the NSHEA negotiators. In terms of the final stage of the Wallace model, although the doctrine displays some divisions, the ritual/function of the movement has been achieved: to structure a set of regulations that sanction learning/teaching situations where children spend the majority of the conventional school day in or near their home, in lieu of attendance at a

conventional institution of education; one where the parents or guardians are the prime educators (Ray, 1988).

### 5.3 Implications and Conclusions

Home Education: A Short Quiz.----- Answer T/F.

1. T/F Home Education provides an alternative social institution.
2. T/F Home Education is the result of inept schools.
3. T/F Parents are qualified to teach their children.
4. T/F Home Education meets the social needs of children.
5. T/F Local School officials are supportive of home education.
6. T/F Home education meets the academic requirements of Public Education.
7. T/F Changes in Home education regulations mark a small "p" paradigm shift in the communication between parents and boards.
8. T/F Unauthorized home visits are required to satisfy state interests in Home education.
9. T/F Home Education is legal.
10. T/F Regulations should desist from employing the phrase, to remove children, because citizen/parents claim responsibility for their children's education.<sup>4</sup>

There is no correct score for this quiz. The number of True and False answers entered will undoubtedly reflect one's personal convictions on this matter.

Home education is not a new invention. Parents have always been their children's primary educators (Van Galen, 1991). In fact, of more recent vintage is the interest of the State in ensuring all children receive an adequate education. Even though home education is legal in every province, the regulation and enforcement of policy issues by local authorities has proved

problematic. One suggestion has been to make parents responsible for their children's education, but Nova Scotia has not found that an equitable course of action (Saskatchewan Vol.1 1992:2). Another, a review of the compulsory attendance laws, failed to find any provincial support east of Saskatchewan. Nova Scotia School Boards have "stepped away" from home education, given responsibility to the provincial inspectors, and chosen not to provide any oversight or services.<sup>9</sup>

But home educator parents are tax payers and feel entitled to certain types of services from their local district. Sports, library usage, laboratory and laboratory equipment, clubs and school dances or, indeed, school outings are not available to home educated students. Unit Health services to the community through the schools, a government-sponsored policy, do not reach home educated or privately educated children. However, the difference in access may not be as consequential as might be supposed. Despite impressive statistics from the Provincial Public Health Services that 98% of children going into grade primary have had all preventive immunizations from private physicians, an employee with a local Public Health Unit agreed that the "crunch" is at the other end where there are no booster shots ( 6 Oct. 1993. Personal interview. Public Health Unit).

Throughout this study, this writer has been impressed by the ability of the parents to organize themselves into a viable association and to function as successful political lobbyists. All of the movement's achievements--the formation of a legislative watch-committee, the compilation of Information Kits for Home Educators and Inspectors alike, the negotiations with the Department of Education Committee--have been carried out by volunteers. Notwithstanding the diversity within the ranks, the parents knew, even if it



was not always carefully enunciated, that if they failed to work together, they were lost. The movement has, thus, been transformed from an educational one to a political one through a shared realization by the NSHEA that they must organize to protect their interests.

Home education interests are not well understood by the teaching community nor are they well supported by their friends and neighbours. A common response to the practice of home education is to view the parents as "religious nutters." The following comment by a concerned observer/neighbour on a Christian home school is a good example of this stance: "They do not want their kids to know that Jews, or Moslems or anybody that isn't them, exists" (personal interview, May, 1993.) Communities find them an irritant, often citing the costs involved. While School Boards complain about the costs of supervision and testing, teacher/parents remind detractors of the costs of buying educational programmes in addition to their tax payments.<sup>10</sup> Many parents, therefore, prefer secrecy rather than to have to deal with "harassment" from local boards. This writer was made uncomfortable on a number of occasions when respondents discussed fears of Social Service visits and attempts by media to ascertain whether certain home educator/parents were "abusive" (personal correspondence, April 1993). Incidents of this nature only increase negative attitudes and hostility on both sides.

One of the factors in the success of the home education movement is that its members seek less intrusion by the state. Unlike civil rights movements, this social movement argues that its interests are better served by minimal board interference (Ray 1988).

Future research may find a means of determining numbers through a

county audit or questions on a Statistics Canada census that focus on choice of public/private or alternative schools. The small size of the home school movement and its attendant secrecy make it difficult to impose regulations or to "outlaw" the movement. Testing may be related eventually to the curricula used by the majority of the parents rather than that of the Public School system, but such a development would require a full review of the major curricula. More empirical research might construct case studies of home educator families and their correspondent families in the Public, Private or Christian School systems.

Questions might arise on the lack of communication within the educational community as to why the Public School system is so unattractive to these members of the community. Future investigations may lead to possible changes in the Educational Act that include the needs and interests of all the community or may question whether such changes can occur at all. Boards may follow the lead of the Lunenburg Curriculum Supervisor and develop some understanding of home education and learn to critique alternative education. The Province might consider the examples of California, Connecticut and British Columbia, among others, and set up a liaison office to represent families' interests and facilitate interaction with officials (Connecticut 1990; British Columbia, 1989; San Diego County Office of Education, 1988).

Professional educators might perceive home education as a valid alternative form of schooling and not as an aberrant fad. Professional educators might attempt to introduce "homelike" variables into curriculum through lower adult/child ratios. Rather than dismissing this movement as irrelevant, professional educators might point to the growing movement in Nova Scotia as another social indicator of the "health" of our schools (Groover

1988). In an article in *Toronto Life*, "Learning The Hard Way", Wendy Davies, commenting on the exodus to the private educational sector, made some persuasive arguments about the health of the Public School System in general.

The greatest tragedy of what is transpiring in the public system is the colossal waste of human resources. Our most dedicated teachers are being ground down, our most involved parents are being driven away, and--in a world where resourcefulness is crucial--too many of our brightest kids are being shortchanged. (Davies 1993:39)

This study has provided this writer with a unique opportunity to investigate the "kind and loving" parents whose total dedication to their children caused them to challenge seriously the basic assumptions underlying the public school system (Apple 1979:21). The resulting conflict between those seeking and those holding power presents implications for both sides of the discussion.

Some of these questions are of more immediate concern to professional educators. My observation of some School Board behaviour suggests that the role of the local school board and its responsibilities to home educated children requires further exploration. What services can or should the Boards offer? What role are Board officials expected to assume under the new regulations? As the role of local superintendents change, so do their powers. Paradoxically, it appears that those who are no longer in charge under the new regulations are still held accountable by Board members and the larger community. Why did the School Boards chose to "step away" from home education? Were the rewards at the centre of this ideological power struggle too few or, in the exchange of total responsibility for newer administrative models that empower joint groups, have the lines of authority and power become blurred rather than challenged?

Who speaks for the child? Can a home educated child be declared truant

or can they "drop-out"? Legal precedent in Calgary suggests that the child will be ordered back to a public school. As the movement matures, however, fewer of these children have ever attended the public system.

Does the acceptance of non-standard education contribute to the de-professionalization of an already "troubled" field (Mirochnik, 1991:18)?

Supporters like Dr. Brian Ray (1990) suggest in their studies that

the findings of this study do not support the idea that parents need to be trained and certified teachers to assure successful academic achievement of their children.

The Nova Scotia Education Act and the pursuant regulations give no guidance on this subject. Detractors are more verbal concerning the lack of accreditation. This was evident in the responses received from the Provincial Boards. Research, however, added another dimension to the question of certification. Those families in which one or both parents were teachers reported little, if any, difficulties with Board officials either over their intention to home educate or about their chosen curriculum.

We had a little run in with authorities when we first started. In 1979 they had little concept of home schooling, but once they saw we were serious and that other families throughout North America were pursuing this they settled down. The two biggest concerns for the government authorities...was 1.) Halifax [Dept. of Ed.] had not specifically assigned anyone the job of inspecting and testing home schools--therefore, which bureaucrat was to take on the extra work-load? 2) Could someone without a "declared" teaching degree actively teach children?...I have a B.Ed. and taught for five years in the public schools, so the authorities felt comfortable with me. (Yarmouth 1993)

The reverse did not hold. One was left with the suspicion that professional educators are willing to tolerate "abberations" in fellow teachers but not in non-educator parents!

What is meant by equivalent instruction? Although this study was not undertaken in order to critique lists of curriculum publishers, it became

impossible not to garner such information or to draw conclusions on the content. Certainly the judgments of both Judge Comeau and Mr. Justice LaForest would seem to indicate that educational equivalency will be central to any future decisions. Just as certainly, the central conflict of values is most evident in the area of school curriculum.

An article in *Quest* (1993) entitled "Facing the Challenge of School Year 1993-1994," gives more definition to the cleavages involved:

Generally speaking the further right we move in our choices, the closer we operate near God's ideal. It is my observation that parents with a "revivalist spirit" (many homeschoolers being examples of this) can be plotted on the right in their educational choices.

Certainly, suggestions that a lesson on "fish" can begin with Jonah, move to an encyclopedia or the nearest fish market, and progress to a good Creation Science text intrigues curriculum specialists. The divide may not be as wide as we imagine, however. On a recent trip to the University of Toronto book store, I found a healthy sampling of both Creation Science and Creation History texts. Moreover, a lecturer from Creation College New Zealand spoke in Halifax the week of the HSLDA conference.

Materials advertising the "revised" McGuffey reader as a social studies text also suggest another disturbing curriculum bias. The Moore McGuffey set of readers, available from Moore Canada, are revisions of the 1936 versions and have "substituted more acceptable accounts from 1838, 1843 and 1853 editions."<sup>11</sup> Titles listed include Abraham Lincoln, Francis Scott Keyes, George Washington, Mahalia Jackson and William Jennings Bryan among others. Not surprisingly, no single Canadian hero appears in the stories that are purported to build American [Canadian?] character and literacy.

Throughout the many conversations involved in the construction of this

thesis, I have attempted to discuss the natural and legal rights of those parents who have reclaimed the responsibility for their children's education. I have used a conversion analogy not as a superimposed bias but as a model to describe the ideology that they affirm when they discuss the "de-junking" of the public concept of education, let alone the mundane tasks that are also performed in the home. The sources these parents cite for guidance are several and eclectic: Holt and Illich, on the one hand; and Moore and the Bible, on the other. Both are equally formidable and revered.

It seems clear that this movement/countermovement is facing two difficult challenges. The first involves the legalities or illegalities that encircle the endless debates on intervention, interpretation and interference. I have referred to the challenge metaphorically as a veritable pas-de-deux for the warriors amongst the home/public educators. The more central battle, however, is the one that is conducted by the individual parents as they recognize that in naming the state/school as the site of their discomfort, they are changing the lives of their children as well as their own, forever.

In an equitable world, as educators, we would dismiss neither the alternative school nor the state school. In an equitable world, as educators, we would recognize and alter the "myths" that constrict conversation between traditional secular, public education and alternative education. In our world, however, we can only urge the parents to develop educational potential, urge the school boards to find a positive accommodation and, as the majority behind democracy, urge ourselves to find tolerance of those who do not accept what we continue to perceive, as the universal education model.

End Notes  
Chapter 5

1. Hall, Robert, L. and Carol B. Stack (Eds.). (1982), *Holding on to the Land and the Lord: Kinship, Ritual, Land Tenure and Social Policy in the Rural South*. University of Georgia Press: Athens, Georgia, p.78.

2. Mr. Lorence is referring to the "Care" programme, a health studies programme that is being taught in schools in Ontario, Newfoundland and Nova Scotia. Mr. Lorence sees the attempt by the teacher to educate elementary students to the issues of sex, drugs and the world's environmental problems as providing information beyond their years. At the time of conference, the HSLDA was defending a family in St. John's Newfoundland facing legal problems over their refusal, on religious grounds, to expose their children to this programme as offered by the Catholic School Board.

Cathy and John Lester MacDonald of Judique, in an article in *The Oran*, 27 October, 1993, articulated a similar rejection of the secularism that they hold responsible for the promulgation of these programmes.

To be a Christian today deems you a radical. Religious instruction is no longer the responsibility of the school but there is still a religion being taught in the school system--secular humanism. Secular humanism runs the whole curriculum. Parents no longer have a say in the education of their children. We're relinquishing our responsibilities as parents and the educating system is replacing us. Where did the Department of Education get the mandate to move into social issues? Education is not the answer for everything and will not solve the breakdown of society.

(8)

3. Many public school officials in Canada, especially Ontario, require home school families to submit to home visits by school officials in order to educate their children at home. A home visit occurs when a public official enters a private home to observe instruction given by a parent to his or her children. It is the position of the HSLDA that such visits are unauthorized by any provincial laws and that they violate Section 8 of the Charter. Only the Saskatchewan Regulations 11(2) state that officials cannot require parents to submit to home visits, unless the officials take legal requirements and obtain a warrant. The Ontario law (like that of Nova Scotia) lacks any standards by which to determine "satisfactory" instruction (see *Quest/Lorence* 1994:52-56).

4. See Conference Report, *Quest* 1994, by Marion Homer, Treasurer, who stated: "In the context of a discussion about the nature of support groups, someone asked how to accommodate the Christian majority and the non-Christian minority without either group feeling repressed or proselytized. This is an important consideration because some non-Christians avoid home-schooling groups, assuming the Christianity will be overbearing. It is also important because there are places where Christians have taken a stand that they will not allow themselves to be represented by non-Christians. These Christians are fearful that a voting majority of non-Christians might support an issue which is counter to Christian beliefs. This would force the Christians to resign from the existing organization, yet leave them with no established voice in the political world."

5. Minutes of the Third Meeting of the NSHEA, 14 August 1993, Forest Heights Community School, Chester Basin.

6. Some readers might regard this separation as evidence of factionalism and an incomplete conversion. Others might suggest that the existence of homeschoolers who are disinterested in the organization or feel slighted, detracts from the Wallace model. I would remind the reader, that in the conversion process, there were those who refused or were unable to bring their testimony to the congregation and they were either left on the bench or they were separated from the converts. There is no suggestion that they left the Baptist community. Rather one might argue that they had not achieved "adult status" within that institution (ie: they have not been born-again).

The NSHEA, however, remains an umbrella organization/community that continues to function as the political arm of its various parts. The non-sectarian organization makes interesting accommodations with each section through its organizational infrastructure as well as allocating a section of its news-sheet to each "interest" group. Despite the differences in their institutional "chatter", despite the difficulties encountered in attempting to bridge links, the homeschooler-converts remain united, if still philosophically divided, in a steady state of "fellowship".

7. See *Quest* article by Marion Homer, treasurer NSHEA, where she states: "we represent individuals who retain their right to dissent. We have not tried to function in a 'labour union' or 'political party' style in which there is a platform everyone must support.... We hope that keeping our efforts sufficiently narrow and businesslike, and being vigilant in listening to each other will allow us to stay together and avoid internal conflict" (p.45).

8. Taken in part from Mirochnik (1991).

9. The NSHEA regards the present regulations and the "stepping away" of the school boards as beneficial. First, there is no provision in the regulations for financial compensation to homeschooling families. This could be seen as a weakness, but the membership felt that autonomy should be the prime issue. Second, the regulations place the families under the jurisdiction of Department inspectors, not the local boards or principals. The executive states that "this is a great advantage. We save the Department of Education money, so they are more inclined to tolerate us than the local schools who lose money because of us." (NSHEA Report, April 1994)

10. See the *Lighthouse Log*, Monday November 15, 1993. Editorial Expressions p.4. . . . "To the editor, In regards to the growth of home study, *Lighthouse Log*, November 1, I thought that it was sad but somewhat typical that the first concern mentioned by the school board was the money lost" (Sandra Blaxland, Le Have).

11. See *Books for the Family Booklist*. Order from Moore Canada, Child Development Centre, Box 500, Lillooet, B.C. V0K 1V0.



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## **APPENDICES**

Question Guide: Self-Directed or Personal Interview.

DATE: \_\_\_\_\_.

PLACE: \_\_\_\_\_.

I.D. #. \_\_\_\_\_.(To Be Completed by Interviewer)

Section 1. Family Structure.

1. Are there two adults in this home? Y/ N. (circle one)

2. Is this home headed by a single parent? Y/N.

3. How many female children live in this home?-----.

Please list them by age. 1-----.2-----.3-----.4-----.

4. How many male children live in this home?-----.

Please list them by age. 1-----.2-----.3-----.4-----.

5. How many of the above are being home-schooled?

Females age.-----. Males age.-----.

6. Have any of these children ever attended a public, private or Christian school? Y/ N. (circle one)

Please specify which system the child attended and the last grade completed.

Public-----.

Private-----.

Christian-----.

7. Do any of your children still attend a public, private or Christian School? Y/ N. (circle one)

Please specify which system this child attends and the grade that he/she will complete in June, 1994.-----.

Parental Demographics:

1. How many years of formal schooling has:

Mother completed.-----.

Father completed.-----.

2. Please clarify any degree completed.

Mother-----.

Father-----.

3. Is the principal wage earner;

self-employed-----.

a tradesman-----.

a teacher-----.

a farmer-----.

armed forces.-----.

sales-----.

ministry-----.

other----- Please explain.

4. Does Mother work outside the Home? Y/ N. (circle one)

Does Mother work Full-time.----- or Part-time.-----?

5. Who is the principal instructor in the Home?

Mother-----.

Father-----.

6. Are either parents certified teachers? Y/N. (circle one)

If yes, which one?-----.

7. Is your certificate current? Y/N. (circle one)

Certification is for.-----.

8. Do you hold a Nova Scotia Teaching License? Y/N. (circle one)

9. How would you categorize your religious preference?-----.

10. Do you consider yourself a conservative Christian?  
Y/N. (circle one)

11. Is the total Family Income;  
Below 30,000. Y/N.  
Between 30,000 and 60,000. Y/N.  
Above 60,000. Y/N.

**Pedagogy:**

1. Did you experience any difficulties establishing your intent to home educate with your local board?-----  
-----

2. Is your school board supportive? Y/N. (circle one)

Do they supply extra texts? Y/N.

Do they help with curriculum planning? Y/N.

Have they offered the use of sports facilities? Y/N

School Libraries? Y/N.

School Music Programmes? Y/N.

Support Staff? Y/N.

3. Have you ever been visited by board officials? Y/N.

Have you ever experienced any legal difficulties with your decision to home educate? Y/N.

If yes, please explain.-----  
-----  
-----

4. Do you belong to a home education support group? Y./N.

If yes, which one.-----  
-----

5. Would you categorize your teaching approach as:

Unstructured-----

Structured-----

Child-centered-----.

A Combination -----.

None of the Above.-----. Please explain.-----  
-----

6. How long is your school day?

7. Have you tailored your teaching programme to meet any physical or mental limitations among your students? Y/N

If yes, please explain.-----  
-----  
-----

8. Did you purchase your curriculum? Y/N.

From whom?-----

If it is complete, did you purchase one for each child? Y/N.

9. What would you estimate is the extra cost of home educating each of your students?-----.

Please include the cost of extra tutors (if involved) and other resources, such as books and computer programmes.-----  
-----

10. How many times a month do you and your students visit:

The Library-----.

A Museum-----.

The Art Gallery?-----.

Other-----, Please explain.

11. Do you subscribe to a home education periodical? Y/N.

Which one?-----

12. Do you own a computer? Y/N.

13. How do you use your computer in your curriculum?-----

-----  
-----

COMMENTS; Please use this section to further illustrate your expertise in this area. Thank You for your co-operation and Good Luck in your teaching.

Nova Scotia



Department of  
Education

Regional Inspector  
Liverpool Region

Copy of original mailing from Inspector

to home schooling  
parents.

PO Box 940  
Liverpool, Nova Scotia  
BOT 1K0

902 354-3011  
Fax 354-2453

Our file no:

February 11, 1993

Dear

It has been brought to my attention that you have children receiving training and instruction at home who are not attending public school.

The following information regarding home study is being provided for your information:

1. Enabling Legislation

There is only one reference in the Regulations under the Education Act which reads:

**Section 63:** A child shall not be required to attend a public school and the parents are not liable to a penalty if an Inspector of Schools or a Superintendent of Schools certifies that the child is receiving training and instruction at home equivalent to that which the child would be receiving if he were in regular attendance in a school serving the section in which he resides, and a teacher certifies that the child has passed a satisfactory examination in a grade of work suitable to the child's age and previous opportunities for receiving an education.

2. Common Practice

From time to time, parents have expressed a desire to teach their children themselves rather than sending them to a public school. Permission to

... 2



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Page 2 - Home Study - Continued

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*teach a child at home, either by the parents or by a tutor employed by the parents for their own children only, should be sought from the principal of the public school the child would normally have attended and from the Superintendent of Schools or his designate. This provides school and district officials an opportunity to explain available programs and to identify what parents perceive may be missing from the public school offerings.*

*The Superintendent of Schools, or the Regional Inspector of Schools will then ascertain that the program of home students compares with the public school program available that year before deciding if permission for home schooling is appropriate.*

*In late June, the Superintendent of Schools or his designate will ensure that the progress made by the pupil at home is similar to that he or she would have made if enrolled in a public school.*

*The total responsibility for obtaining books, materials and assistance during the course of the year rests with the parents who have, in fact, opted not to take advantage of the public school system.*

*This whole procedure is repeated yearly if the same child is not to attend a public school the following year.*

**Please complete the attached form for those children who are being schooled through Home Study and forward a description of the Home Study Program, courses outline and texts which are being used for each child.**

**If you have any questions or I can be of any assistance, you can contact me by phone at 354-3011.**

**Yours very truly,**



**Earl C. Lantz, CD  
Regional Inspector  
Liverpool Region**

**ECL/vej**

**ENCLOSURES**

## HOME STUDY

Name of Parents: \_\_\_\_\_

Mailing Address of Parents: \_\_\_\_\_

Include Street Address

and P.O. Box where applicable

Phone Number: Home: \_\_\_\_\_ Work: \_\_\_\_\_

NAME	GRADE LEVEL EQUIVALENT	PUBLIC SCHOOL WHICH THIS CHILD NORMALLY HAVE ATTENDED

Reason for Home Study: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Program being used for Home Study: \_\_\_\_\_

\_\_\_\_\_

Who will evaluate the children in June, 1993? \_\_\_\_\_

\_\_\_\_\_

Other Pertinent Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Parent Signature





**QUESTIONNAIRE REGARDING REGULATION OF HOME SCHOOLING**

Please answer all questions and return to the THE NOVA SCOTIA HOME EDUCATION ASSOCIATION, P.O. Box 118, Bridgewater, NS B4V 2W8 by 1 June 1993. Use reverse or a separate sheet if more space is needed. Feel free to photocopy to other homeschoolers for their use.

1. Would you agree to a registration form supplied by the Department of Education which would ask for the name of the curriculum you were using or a description of the course of study you intend to use? ☐ yes ☐ no

comments:

2. Would you agree to a twice yearly report to the Inspector of Schools for your region on the progress of your home educated child(ren)? ☐ yes ☐ no

If yes, what data indicating progress would be acceptable? (eg. teacher's journal, test scores, samples of work, etc.).

3. What should be done in cases of concern by the Inspector about possible inadequate progress of students?
4. Who would you prefer examine your child to determine if progress is being made? Give several suggestions in order of acceptability.
5. What process should be followed in cases of disagreement between parents and the Inspector of Schools?
6. What optional services would you like to see available to home schoolers?
7. Are you willing to participate in a survey of homeschoolers being conducted by the Home School Legal Defense Association of Canada? ☐ yes ☐ no
8. We are collecting data on what curricula are being used by home schoolers in Nova Scotia. Do you use a purchased curriculum? If so, which one?

Name \_\_\_\_\_

Address \_\_\_\_\_

**Home Schooling Questionnaire  
School Boards in Nova Scotia**

School Board: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

1. Are there home schooling families in your Board's district?  
Yes                      No
2. If Yes, how many families are involved?  
How many children are involved?
3. Does your Board have a formal policy to guide personnel dealing with home educators?  
Yes                      No                      (If you have a policy, I would appreciate receiving a copy.)
4. If your Board has a formal policy, did you consult with any of the following when framing that policy?  
  - Department of Education
  - Other School Boards
  - Nova Scotia School Board Association
  - Principals in your Board
  - Regional Inspectors
  - Home Educators
  - Others (please specify)
5. Was your policy initiated in response to the existence of home schooling in your jurisdiction?  
Yes                      No
6. Was your policy initiated in anticipation of the impact of home schooling?  
Yes                      No
7. Briefly, what concerns does your Board have about the education provided by home schoolers? If the space provided is inadequate, please attach separate sheet.  


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8. Have home educators sought financial aid from the Board for books or supplies?  
Yes                      No
9. Does your Board allow home schoolers access to educational resources? (library, gymnasium, etc.)  
Yes                      No
10. If Yes, please outline.  


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Thank you for taking a few moments to complete this questionnaire and returning it to  
Dorothy Pollock  
71 Lincoln Cross, Halifax, Nova Scotia, B3M 3S6

APPENDIX E: A SAMPLE OF LEADING CURRICULA AND TEXT DISTRIBUTORS.

Complete Graded, Yearlong Curricula.

1. A Beka. Pensacola FL. 32523-1960.\*\*  
\* 800-874-3592.
2. Abbott Loop Christian Centre. Anchorage AK.
3. ACE School of Tomorrow. P.O. Box 14380, Lewisville TX. 75067-1438.  
\*214-315-1776.
4. Advanced Training Institute of America, Oak Brook. IL.
5. Alaska State Department of Education, Juneau AK.
6. Calvert School. 105 Tuscan Road. Baltimore MD. 21220-3098  
\*410-243-6030.
7. Canadian Image Extension School. Prince Albert, B.C.
8. Christian Liberty Academy, 502 W. Euclid Avenue, Arlington Heights, IL. 6004  
\*708-2598736.
9. Christian Light Education, H.C. 01, Box 26, Kingston, ID 83837  
\*208-682-4363.
10. Clonara School, 1289 Jewett St. Ann Arbor, MI 48104.  
\*313-769-4515.
11. Evangelistic & Faith Enterprises of America, Inc. Oliver Springs, TN.
12. Hewitt Child Development Centre, P.O. Box 9, Washougal WA 98671-0009  
\*206-835-8708.
13. Home Study International, Takoma Park MD
14. Home Study/ Alternative Schools. K-8 Correspondence. Gaylen McGee. P.O. Box 10356 Newport Beach, CA. 92658.
15. International Institute, Park Ridge IL.
16. Marquette Manor Baptist Academy, Downers Grove IL.
17. McGuffey Academy, Milford MI.
18. National Academy of Christian Education, Reynoldberg, OH.
19. Oak Meadow Education Services. P.O. Box 712. Blacksburg VA 24063.  
\*703-731-3263.
20. Our Lady of Victory, Mission Hills, CA.
21. Pinewood School. 112 Road D. Pine Colorado 80470.  
\*303-838-4418.
22. Seton School Home Study, Front Royal VA.
23. Summit Christian Academy, Dallas TX.

\*\*See also A Beka Foreign Video School K-12. \$1500 one time lease fee. \$450 per students per school year fee includes student and teacher kits and their shipping and handling costs to a state address. Mail address is A Beka Foreign Video School, Pensacola Florida, 32523-9160.  
\*904-874-3592.

made  
xv. p.  
in.

Partial Curricula and Text Book Suppliers:

1. Alpha Omega Publications, P.O.Box 3153, Tempe, AZ 85280.  
\* 800-821-4443.
2. Ball-Stick-Bird Publications Inc. Renee Fuller PhD P.O.Box 592  
Stony Brook, NY 11790.  
\* 516-331-9164.
3. Bob Jones University Press, Greenville, SC 29614-0001.  
\* 800-845-5731
4. Child's Play. 120 Watline Ave. Mississauga, Ontario L4Z 2C1  
\*905-890-8111.  
Suzana Petite, 8A Central Ave. Bedford NS. B4A 2P8.  
\*902-835-7837.
5. Christian Light Education, H.C.01, Box 26, Kingston, ID 83839.  
\* 208-682-4363.
6. Char L Inc. 7705 Church. Apt.2E Decatur IL. 62522  
\*217 422-0077.
7. Good News Publishers Crossways Books. 1300 Crescent Street.  
Wheaton IL 60187  
\*708-682-4300.
8. Holt Associates. John Holt Books and Music Store. 2269  
Massachusetts Ave. Cambridge, MA.02140  
\* 617-864-3100, M-F 10-4 EST.
9. Konos, c/o. 7 Sunlake Way SE Calgary AB T2X 3E3  
\* 403-254-9493  
c/o. 310 Blucher St. Kitchener ON N2H 5V9  
\* 519-742-2482.
- 10 Master Books (Creation Science Materials).P.O.Box 1606, El  
Cajon, CA 92022.  
\*800-999-3777
- 11.More Than Books... Box 24145, 300 Eagleson Rd. Kanata, ON.  
K2M 2C3.  
\*613-592-4273.
- 12.Moore Canada. Child Development Centre. Box 500 Lillooet B.C.  
V0K 1V0.  
\* 604-256-7487.
- 13.Mortensen Math, P.O.Box.98, ID 83835-0098.  
\*208-667-1580.
- 14.Provident Project, P.O.Box 1760 Wichita Kansas. 67201.  
\*316-265-0321
- 15.Riverwood Publishers Ltd. P.O.Box 7, 6 Donlands Ave. Sharon  
Ontario. L0B 1V0  
\*416-478-8396.
16. Rod and Staff Publishers, Hwy.172, Crockett, KY 41413  
\*606-522-4348.
- 17.Science-By-Mail, Museum of Science. Science Park, Boston MA  
02114.  
\*800-729-3300.
- 18.The Alternate Press. P.O.Box 684, STN.P,Toronto, Ontario,  
M5S 2Y4.
- 19.The Home Works. 1760 Groves Rd. RR#2 Russell ON. K4R 1E5.  
\*613-445-3142.

20. The Joy of Art. Townsend House Art Gallery, 95 Dowsing Avenue  
South, Campbellford. ON K0L 1L0  
\*1-800-563-6024.
21. Tools Education Library. 181 Taradale Dr. NE. Calgary,  
AB T3J 2S1.  
\*403-280-4709.
22. Weaver Curriculum Series. 2752 Scarborough Riverside CA.  
92503.  
\*714-688-3126.

**APPENDIX F**

**REGISTRATION FORM FOR HOME SCHOOLING  
FOR  
1993-94 SCHOOL YEAR**

Please complete a form for each student being educated in the home.

**PERSONAL INFORMATION**

1. (a) Student's (Child's) Name \_\_\_\_\_ Grade \_\_\_\_\_  
(b) Street Address \_\_\_\_\_  
\_\_\_\_\_  
(c) Sex: Male \_\_\_\_\_ Female \_\_\_\_\_ Date of Birth: Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_  
(d) Most recent Public School experience:  
School: \_\_\_\_\_  
Grade: \_\_\_\_\_ Date Last Attended: \_\_\_\_\_
2. Person Responsible for Home Schooling:  
Name \_\_\_\_\_  
Phone (Home) \_\_\_\_\_ (Business) \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROGRAM INFORMATION**

1. Is the program used  
(a) commercially available? \_\_\_\_\_ If yes, please list title, level, publisher.  
Title: \_\_\_\_\_  
Level: \_\_\_\_\_  
Publisher: \_\_\_\_\_  
(b) Nova Scotia Correspondence Courses? \_\_\_\_\_ If yes, please list subjects and grades.  
Subjects: \_\_\_\_\_  
Grades: \_\_\_\_\_
2. Is the program being used one that has been developed by you? \_\_\_\_\_ If yes, please provide a description of the program and how it reflects the essential learning goals. (See attachment)

\_\_\_\_\_  
(Parent/Guardian) Date \_\_\_\_\_

\_\_\_\_\_  
Child Registered (Regional Inspector) Date \_\_\_\_\_

.....  
For Departmental Use:

School Board Area: \_\_\_\_\_

School that would have been attended: \_\_\_\_\_

School Board notified of Home Study: \_\_\_\_\_

**Home Schooling in Nova Scotia**  
**Roles and Responsibilities**

**A: Parents/Guardians**

1. To advise the Regional Inspector of their intent to educate their child(ren) at home.
2. To request and complete the registration form annually and return to the Regional Inspector.
3. To provide twice a year a report to the Regional Inspector on the progress of their child(ren). The report would be compatible with the program of study of the child(ren).
4. To ensure their child(ren) is/are diligent in attempting to master the studies described on the registration form.
5. To meet with the district school board officials if and when child(ren) is/are to be enrolled in public school.

**B. Department of Education**

Through the Regional Inspector

1. To provide parents/guardians with an information package which includes:
  - (i) registration form(s)
  - (ii) copy of Public School Programs
  - (iii) copy of list of Essential Learnings
  - (iv) list of available programs registered in the past (not available yet)
2. To meet with parents/guardians if parents/guardians so desire.
3. To certify the registration for home schooling.
4. To receive the twice yearly reports from parents/guardians.
5. To discuss with parents/guardians, if so desired by parents/guardians, any difficulties concerning home schooling.
6. To advise the Superintendent of Schools of the names of those being educated at home.

## **Essential Learning Goals**

The essential learning goals, which apply to all students throughout the school curriculum are as follows:

- To develop effective language skills and processes and the ability to communicate clearly, competently and confidently for a variety of purposes and through a variety of means and media (**COMMUNICATION**).
- To understand, appreciate and utilize mathematical patterns, and concepts (**MATHEMATICAL LITERACY**).
- To identify problems and effectively apply problem-solving strategies to a variety of situations (**PROBLEM SOLVING**).
- To develop positive self-esteem and respect for others, the ability to use and apply ethical reasoning and accept responsibility for one's actions, and the ability to work collaboratively (**PERSONAL AND SOCIAL SKILLS**).
- To develop reflective and imaginative thinking (**CRITICAL AND CREATIVE THINKING**).
- To use technology to solve problems and to encourage individuals to make connections among technology, society and the environment (**TECHNOLOGICAL LITERACY**).
- To enable students to reflect on their learning, make responsible decisions associated with their own learning, become proficient in finding, evaluating and using information effectively and become an independent, lifelong learner (**INDEPENDENT LEARNING**).



APPENDIX G.

Shambala Elementary School Curriculum. (With permission from Christina Lohry.

Recommended Curriculum for Christian Home School. (With permission from teacher/parent).\*\*

1. Christian Home School.

Grade One.

a) Language-reading aloud-simple words associated with phonics and sight vocabulary .Beginning handwriting, constructing sentences and punctuation. See A Beka Language Art Series... Language 1. or BJU Grade 1 Beginnings Programme (complete with Master teacher's manual, teaching visuals flip charts and phonics charts.

b) Math.-adding subtracting, time, money. Use BJU first grade math or Mathematics A (Hewitt-Moore) or Usbourne First Learning.

c) Biblical Studies.-Doing What's Right

Grade Two.

a) Language reading aloud-basic skills, phonics,building a written vocabulary, writing, reading. BJU level 2 programme or A Beka Language 2.(Stepping Stones.Tiptoes.Open Windows.Aesop's Fables.)

b) Math- BJU level 2. Moore Math B.

c) Social Studies- A Beka

d) Biblical-Character Foundation series-Learning to Think -Moses.

Grade 3.

a) Language-reading aloud.-extending basic skills-phonics,spelling rules, writing letters, parts of speech.

b) Math -continue basic skills-decimals, measuring, problem solving.

c) Biblical Studies-Building a Life-Daniel

d) Social Studies- BJU Heritage studies or A Beka.

e) Science.--God as the Creator of all things, heat sound,animals.

f) French-tutor for introductory oral work.

\*\* I have taken the first three grades only.

## 2. Shembala Elementary School Curriculum. (September 1994)

### SCHOOL CURRICULUM

Grade	Language Arts, Mythology & History	Mathematics	Science	Cultural Geography	Music	Foreign Language	Handwork	Movement & Sports	Art
1	Multicultural fairy tales, rhythmic poetry, speech work, letter & word identification, phonetics, plays	Whole numbers 1 - 144, the four processes, roman numerals	Nature observation, cycling	natural world in the surrounding neighborhood	pentatonic rhythms, seasonal songs, introduction to recorder	songs, dances & games	knitting	group games, coordination, balance & rhythmic exercises, slide, ice skating	<p>↑</p> <p>In grades 1 - 5, visual and sculptural arts are a central part of all curriculum areas and classes, and progress from work with colour mes to form. Early grades employ wet-on-wet watercolour painting, crayon drawing and basewitz modeling, and progress to dryer painting with watercolours, colour pencil drawing and clay modeling.</p> <p>high deck</p> <p>↓</p>
2	trickster tales & fables, legends of saints & elders, continued work w/ poetry, simple writing, reading, speech exercises, plays	Times tables, number patterns, place value, continued work with four processes	continued observation of nature, awareness of the seasons	The environment, the neighborhood	Art songs, folksongs, continued work w/ pentatonic scale	simple stories and plays, songs, dances & games	crochet	group games, coordination, balance & rhythmic exercises, slide, ice skating	
3	Multicultural creation myths, stories of farming, shelter, & vestment, poetry, composition & reading, simple descriptive writing, plays, speech work, creative writing, study of qualities of parts of speech	Measures of time, volume, weight & dimension, Barrow & uniting, simple graphing, continued work with four processes	Farm science, science of housebuilding materials	Housebuilding & farming	Rounds, introduction to musical notation, Diatonic scale	active directions, simple stories and plays, songs, dances & games	Knitting & crocheting	Begin team games slide, ice skating, archery, continued coordination, balance & rhythmic exercises	
4	Local history, mythologies emphasizing human relations, alliteration, poetry, reading, letter writing, more complex writing, plays, speech work, oral book reports	fractions, word problems, long division, factoring, prime numbers	animal studies	home surroundings, local culture, geography & history	Canons, reading music, individual instruments, Diatonic scale, Rounds	begin conversation & writing, stories & plays	cross stitch	archery, folk dance, continue coordination & rhythmic exercises, team games, sports, slide, ice skating	<p>high deck</p> <p>↓</p>
5	Golden ages of mankind through ancient history, Greek myths, biographies, reading, composition, spelling & dictionary work, book reports, plays	decimals, averages, mixed numbers, reciprocals, metrics	animal & plant studies	Canadian culture & geography	three part singing diatonic scale, rounds, reading music, begin chorus & orchestra	begin conversation & writing, stories & plays	four needle knitting, weaving	work w/Olympic sports archery, folk dance, continue coordination & rhythmic exercises, team games, sports, slide, ice skating	
6	Stories of heroes & heroines, transition from ancient to modern history, poetry & reading, spelling, outlining, report writing, plays, work with skeletal structure of language  culture of law reader	percent, interest, ratio, loss & profit, business math, geometry through construction	phenomenological study of astronomy & physics, acoustics, optics, heat & mineralogy	U.S. & South American culture & geography	harmonies & minor keys, chorus, orchestra, diatonic scale, reading music	begin conversation & writing, stories & plays, begin reading & independent working	designing & sewing by hand	challenge & wilderness courses, work w/Olympic sports archery, folk dance, continue coordination & rhythmic exercises, team games, sports, slide, ice skating	