

Elective Home Education: An overview of evidence

This paper summarises evidence relating to Elective Home Education (EHA) in the UK and internationally.

Summary

There is no legal requirement for children to attend school. Home educating families are not currently obliged to register with local authorities (LAs) or follow the National Curriculum. The lack of registration means that it is not possible to identify accurately the number of children educated at home, although 2007 estimates range between 45,250 and 150,000. There are, however, some indications that the number of home educators is rising. Parents and carers in England choose to educate their children at home for a variety of reasons including: dissatisfaction with schooling, religious beliefs, special educational needs, health reasons and risk of exclusion.

Key Findings

Prevalence

- It is not possible to estimate, with any degree of accuracy, to say how many children are educated at home by parental preference as not all children who are being home-educated are known to LAs.
- A DCSF feasibility study conducted in 2006 estimated that the numbers of home-educated children **known to LAs** varied, but on the whole were very small. The total number of home-educated children known to the nine LAs sampled was 1,245. This ranged from 0.09% to 0.42% of the total school population in the areas concerned.
- There is some evidence to suggest that the numbers of home-educated children are increasing but it is not clear whether this is due to improved recording as opposed to an actual increase *per se*.
- There is a reported increase in the numbers of Gypsy, Roma and Traveller families opting for EHE. In this group there are believed to be twice as many children at secondary age, than at primary.
- Transition from primary school to secondary school appears to be a key point at which the numbers of EHE children known to local authorities increases.

Monitoring and supporting

- There is variability in processes at LA level for monitoring and supporting EHE.
- Children in receipt of EHE come to the attention of LAs via a range of routes – parents/carers, other LA departments/services, GPs and the police.
- 62% of LAs report that they do not always see a child during an initial and/or monitoring inspection visit.

Provision and practice

- A wide range of methods are being deployed in EHE from highly-structured programmes to informal, less conventional approaches to education.
- Parents and carers reportedly use a variety of methods in educating their children and some families pay for some sort of academic help, such as tutoring.
- Some parents and carers are employing 'formal' structured routines of learning, and several of these are following the National Curriculum.
- Some parents/carers may espouse more 'informal' practices that are responsive to the child's developing interests – this involves allowing the child to learn and acquire knowledge through everyday living experiences.

Attainment of home education children

- There is very limited evidence on the attainment levels of home-educated children. From this evidence there appears to be better performance among home-educated children; however, the scale of the research means that generalisations are not appropriate. The diverse characteristics of home-educated children makes it difficult generalise about their academic performance.

Reasons for home-educating

- Common reasons cited for opting to home educate include bullying, dissatisfaction with the quality of education provided in school, or parents' religious, cultural or ideological beliefs. Risk of prosecution for non-attendance and inadequate provision for SEN are increasingly considered as reasons to home educate.
- With regard to Gypsy, Roma and Traveller families, reasons cited for opting EHE are fear of cultural erosion, a judged lack of relevance within the secondary school curriculum and the fear of racist and other bullying.

International evidence

- Many countries allow parents to educate their children at home, although it is compulsory to attend school in some countries (e.g. Germany). There are differences in the degree to which home educators are regulated and monitored.
- Many countries (e.g. Australia, Sweden, Ireland) require home educators to register with local government authorities. The registration is often time-limited and subject to the assessment of the educational programme. By contrast, there are no requirements for home educators to register with local authorities in England.

Background

Regulation and Population

There is no legal requirement for children to attend school in England. Section 7 of the Education Act (England and Wales) states that:

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable: (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise.

There is little regulation of home educators in England. They are not obliged to register with LAs or follow the National Curriculum. Table 1 in Annex A provides details of the legal status of home education in England and also summarises local authorities' (LAs) statutory obligations regarding the identification and monitoring of home educators.

In England, there are no reliable data on the number of children educated at home. The most recent study, published by the Department for Children, Schools and Families (DCSF) in 2007, reports that:

The statistical evidence on the incidence of home education is inconsistent and there is no official recognised source. Numbers quoted in the literature vary widely and suggest the figure lies between 45,250 and 150,000.

The lack of any legal obligations for parents and carers to register their intentions to home educate their children means that there may be home-educated children who are unknown to LAs. It was for this reason that the authors concluded that it would not be possible to ascertain reliably the number of home educated children in England. There is some evidence to suggest that the numbers of home educated children are rising. There are 1,245 children in receipt of EHE known to the 9 local authorities sampled. Based on the total number of children in school in England, it is possible to extrapolate crudely that the number of home educated children known to local authorities could be around 16,000. Comparing the figure of 16,000 to similar estimates given in 1999 suggests that the number of home educated children known to local authorities may have increased almost three-fold. However, this may be due to improved recording rather than an actual increase.

Although it is not currently possible to provide a reliable figure for the number of home-educated children in England, it is worth noting that provision has been made to record information on all children in England, which will provide this information in future. Section 12 of the 2004 Children Act set up the legal framework for the operation and maintenance of ContactPoint, a database which will contain basic demographic and contact information on all children in England, including 'contact details for services working with a child: as a minimum, educational setting (e.g. school) and GP practice, but also other services where appropriate.' ContactPoint is being phased in from January 2009. The aim is to provide a co-ordinated response to children's needs.

Defining Home Education

Before examining the evidence on home education, it is first necessary to offer a definition of 'home education' and provide some general background on the issue.

The Department uses the term 'elective home education' *'to describe parents' decisions to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at a school.'*

Evidence relating to prevalence of home education

In 1999, the Department commissioned the University of London in association with the University of Liverpool, to conduct a feasibility study of the prevalence of home education in England. The aim of the study was to report on the feasibility of carrying out a national prevalence study of home educated children. The main finding from the study was that it was not possible to estimate, with any degree of accuracy, how many children were educated at home by parental preference as not all children who are being home-educated were known to LAs. Based on a small number of responses from home-educating families the research found that:

- Parents choose home education for many reasons and combinations of reasons. A high proportion of children were reported to have been withdrawn from school.
- The educational background of the adults responsible for home education varied.
- Parents used a variety of methods of education their children and a large proportion (62%) of the families paid for some sort of academic help, such as tutoring.
- The study concluded that the only way to gather prevalence of home education would be to gather data through the National Census.

In 2006, the Department commissioned another feasibility study to assess whether the landscape had changed at LA level. The aim of the study was to assess the viability of determining the prevalence of home education in England.

This study concluded that it is not feasible to reliably ascertain the prevalence of home educated children through a national survey of LAs and home education organisations (as a route through which to access parents/carers). This is because despite improvements in LA records, there could be significant numbers of home-educated children who are not known to an LA.

The key findings of the study were:

- The numbers of home-educated children **known to LAs** varied but on the whole were very small. The total number of home-educated children known

to the nine LAs sampled was 1,245. This ranged from 0.09% to 0.42% of the total school population in the areas concerned.

- The extent to which LAs believed they were aware of all the home-educated children in their area varied but in the main most LAs felt that there may be numbers of children who were not known to them.
- Home educated children are represented across all the years of compulsory schooling. However, transition from primary to secondary marks a key point at which the numbers increase and there are far higher proportions of children being home educated at the secondary phase of education than at primary. In the LAs sampled almost twice as many children are being home-educated at the secondary phase of education than at primary.

The gender distribution of children receiving EHE in the LAs sampled was even. Whilst the majority of home-educated children are White British, there are high proportions of Gypsy, Roma and Traveller children receiving EHE. A DCSF study (2006) specifically investigated the situation regarding the current policy, provision and practice in EHE for Gypsy, Roma and Traveller children. The study found that there has been a marked increase year on year of the number of families opting for EHE. This was expressed as a concern by LA officials that EHE was being used as a device to avoid school attendance without legal penalty (Ivatts, 2006).

These findings match those in a similar study (NFER, 2006), which reported that the numbers of EHE children known to LAs is extremely small, with LA representatives cited as saying they felt there were significant numbers of children they were not aware of. In addition, this study also reported that transition from primary school to secondary school appears to be a key point at which the numbers of EHE children known to local authorities increases.

Monitoring and supporting of EHE

Hopwood et al, 2007, reported that there was variability in processes for monitoring and supporting elective home education. The study found that the team with responsibility for EHE varied across the LAs sampled. Some LAs were employing external consultants alongside or in place of Education Officers to conduct monitoring visits. Most LAs had written policies and/or procedures for EHE. These findings are echoed by findings from a small-scale scoping study conducted by NFER (2006) which explored the LAs role regarding EHE in 16 authorities. The study reported that within the sample, staff responsible for EHE were located in a range of LA departments, which reflected ambiguity for LAs in deciding where responsibility for EHE should lie (i.e. is it a welfare or school improvement issue?), (NFER, 2006). A further study by NFER (2007) found evidence of inconsistencies amongst LAs in their

approach to home education – reporting that whilst some authorities were encouraging and helpful, there was concern that many lacked sufficient knowledge about home education. The evidence is clear that there is no standard practice in relation to routine monitoring and inspection of provision.

The evidence states that children in receipt of EHE come to the attention of LAs via a range of routes –parents/carers, other LA departments/services, GPs and the police. Research has found that several LAs have robust procedures for dealing with de-registration from school in order to minimise the potential to 'lose' children from the system, although there is some evidence that children may become 'lost' at the point of transition from primary to secondary education or when moving from one LA area to another (Hopwood, et al, 2007).

Formal channels/processes for information sharing across agencies have been reported as being *ad hoc* in most areas surveyed. Research suggests that LAs are using databases to monitor young people on EHE, but the length of time they had been monitoring pupils varied considerably (NFER, 2006).

Most LAs monitored EHE on at least an annual basis although contact with parents was more frequent (six-monthly and termly) where there were concerns regarding the suitability of educational provision. The majority of LAs provided some support and guidance to parents as far as resources would allow. However, several LA staff considered the provision of advice to be difficult. This was because it was felt that ambiguity in the definition of a "suitable" home education made it difficult for LAs to advise parents/carers on what was considered "suitable" (Hopwood et al, 2007). 62% of LAs report that they do not always see a child during an initial and/or monitoring inspection visit

NFER report that where LA officers felt the education provided by parents was unsatisfactory, areas of weakness were highlighted and parents given time to improve the provision. Where no improvement was made, LA officers would suggest a return to school or consider a school attendance order, although these were seen as a last resort (NFER, 2006).

Research specifically investigating support issues found that national home education organisations were the most frequently identified support in the initial stages of education, followed by contact with other home-educating families to share knowledge and experience (NFER, 2007). It appears that the majority of LAs provide advice and support to EHE parents via websites, booklets and guidance, with the main areas of LA support was for college placements, work experience, and post-16 opportunities.

Provision and practice of home education

Evidence suggests that there is a wide range of methods are being deployed in EHE, from highly structured programmes to informal, less conventional approaches to education.

The evidence states that some parents and carers are employing 'formal' structured routines of learning, and several of these are following the National Curriculum. Some are using online teaching and learning websites. Others are using American-based, on-line materials or religious programmes of learning. Such 'formal' approaches often use text books, focus on formalised subjects and sessions and employ fixed hours of learning. Some parents/carers may espouse more 'informal' practices that are responsive to the child's developing interests – this involves allowing the child to learn and acquire knowledge through everyday living experiences (Hopwood et al, 2007).

An investigation of Gypsy, Roma and Traveller home-educated children (Ivatts, 2006), found that few parents of these children have the knowledge, skills and resources to provide or deliver a full-time education that is efficient and suitable

Attainment of home-educated children

There is very limited evidence on the attainment of home educated children.

In a UK-based study of 35 four-year old home-educated children from diverse socio-economic backgrounds, Rothermel (2003) reported that 75 per cent of home-educated children scored over 75 per cent on the Performance Indicators of Primary Schools (PIPS) baseline assignment compared with 5.1 per cent of children nationally. Socio-economic status did not appear to limit the children's attainment. Those from lower socio-economic groups outperformed their middle class school attending peers. In addition, Results from psychosocial data collection instruments reported that the home-educated children in the study were socially adept and without behavioural problems beyond the norm.

It is important to emphasise that these findings were based on a very small sample, so it is not appropriate to make generalisations on the basis of this

research alone. Rothermel's research does, however, report a similar general trend to the studies examined in the international evidence section.

Motives for choosing to home educate

The DSCF feasibility study (Hopwood et al, 2007) examined the prevalence of home education in England based on a sample of 18 home educating parents, 9 local authorities and 6 home education organisations, noted the most common reasons for home education in England as being:

1. Dissatisfaction with school discipline and safety (including issues such as bullying, school phobia and dissatisfaction with the standards of behaviour in the school).
2. Dissatisfaction with the quality of education and/or the curriculum.
3. Religious or ideological beliefs. These included home education by Gypsy, Roma and traveller parents due to concerns over discrimination and erosion of their culture. Religious backgrounds (Muslim and Christian) were cited by several parents as a major reason for home educating. Several parents expressed an ideological opposition to the school system.
4. Children with Special Educational Needs (including dyslexic, autistic and gifted and talented children) – some parents felt that their children's needs were not being adequately met in school.
5. Choice of secondary school – some parents decided to home educate their children because they felt that the allocated school was unsuitable.
6. Health reasons – in one case, a child was home educated due to having missed substantial periods of schooling due to chronic illness.
7. Local authorities also cited risk of exclusion or prosecution as reasons why some parents opted to home educate.

This range of reasons indicates that the population of home educators within England is diverse. It is for this reason that Rothermel (2003) suggests that traditional taxonomies of classifying home educators by motivation are insufficient. Many of the taxonomies are based on surveys of home educators in the US, where a Christian faith-based rationale is far more common. Examining a sample of 491 home educating families in the UK, Rothermel noted the following parental rationales for home educating:

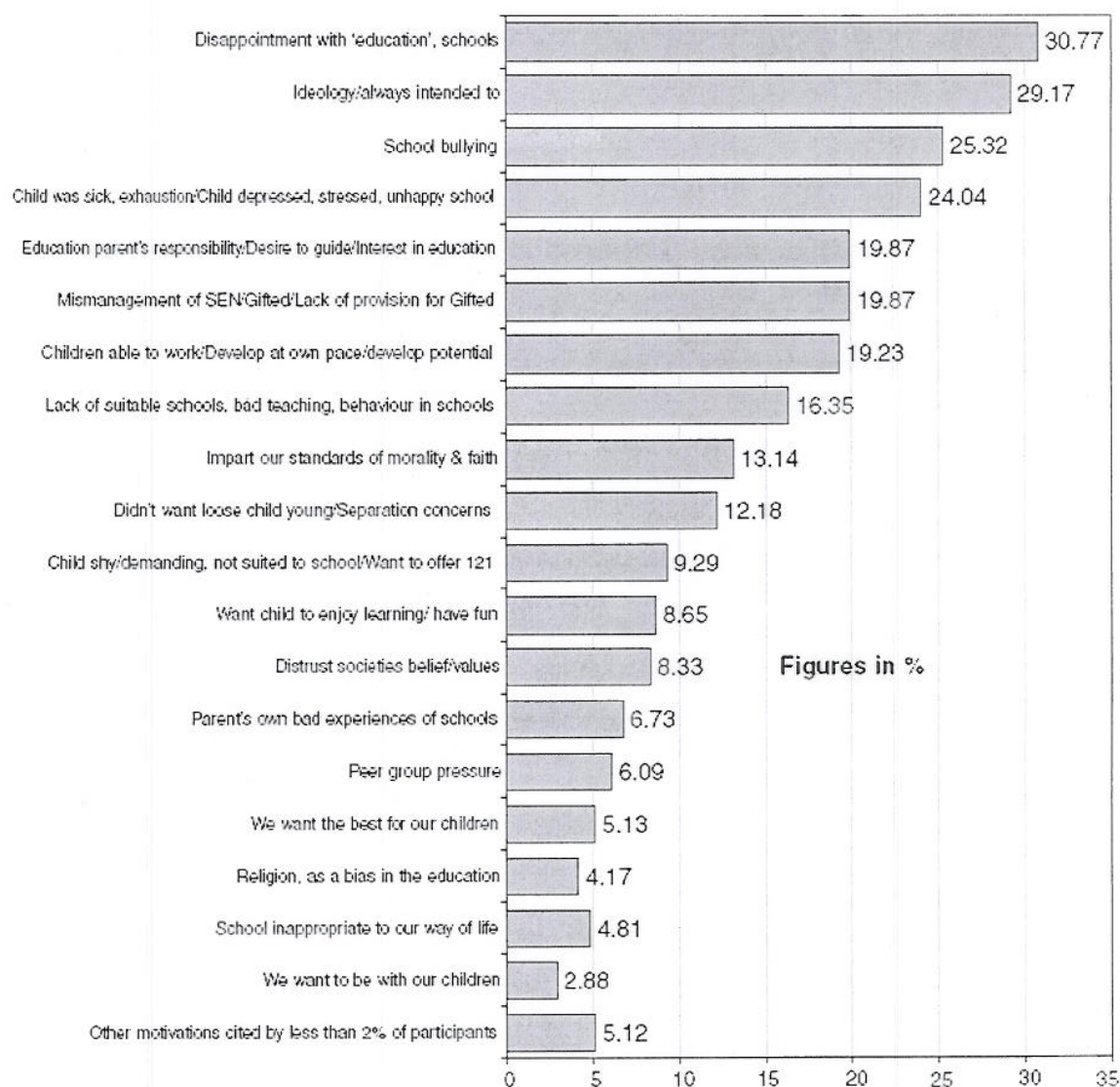


Figure 1: Parents' descriptions of what had motivated them to home educate (n=412). Participants could give more than one answer.

Rothermel (2003) notes that, 'Overall, the motivations could be divided very approximately into two groups, those concerned with school and those concerned with family ideology.'

Home Education: International Evidence

Summary

- **Legal status of home education** – Many countries allow parents to educate their children at home, although it is compulsory to attend school in some countries (e.g. Germany). There are differences in the degree to which home educators are regulated and monitored.

- **Registration and monitoring of home educators** – Many countries (e.g. Australia, Sweden, Ireland) require home educators to register with local government authorities. The registration is often time-limited and subject to the assessment of the educational programme. By contrast, there are no requirements for home educators to register with local authorities in England.
- **England** – There is no legal requirement for children to attend school. Home educating families are not currently obliged to register with local authorities or follow the National Curriculum. The lack of registration means that it is not possible to identify accurately the number of children educated at home, although 2007 estimates range between 45,250 and 150,000.
- **Australia** – home education is legal throughout Australia, though the degree of regulation is different in different states and territories. In New South Wales, home educating parents must gain approval from the Office of the Board of Studies, subject to an assessment based on a home visit. The registration period lasts between 6 months and 2 years. Home Educators are exempted from the activity requirements that lone parents are normally subject to if they are in receipt of the Parenting Payment benefit.
- **Sweden** – Home education is rare in Sweden, only 95 children are registered as home educated in 2007/2008. Parents can be allowed by the local education school board to educate their children at home for one year at a time. There are no exceptions from social benefit regulations based on home educator status.
- **Ireland** – Since the Education (Welfare) Act came into effect in 2002, home educators have been required to register with the National Educational Welfare Board (NEWB). Parents are required to submit a written application and the educational programme and environment are inspected by the NEWB. The Department of Social and Family Affairs' guidance on benefit receipt does not specify any exemptions relating to home educator parents.
- **Performance of home-educated children** – A review of eight recent studies comparing the academic performance of home-educated and schooled children in the US noted that all but one study found that home educated children had higher average scores than their comparison group. These findings should be treated with caution as the results may be attributable to parental characteristics (e.g. better educated, higher incomes). Some of the studies were also based on small samples and therefore of limited generalisability. A small-scale UK study (n=35) of home educated four-year olds reported better performance among home-educated children; however, the scale of the research means that generalisations are not appropriate. The diverse characteristics of home-educated children makes it difficult to generalise about their academic performance.

Background on international evidence

It is relevant to note that home education is quite a contentious issue internationally. Although published as academic articles or books, some of the available information is written by researchers who implicitly support the home education movement. For example, while Brian Ray's survey reports that on average home educated children are in the 87th percentile, or top 13 per cent of children in the USA, based on the results of standardised academic achievement tests, his work is sponsored by the Home School Legal Defense Association and families were contacted through home school organisations, thus potentially creating a sampling bias. It is therefore necessary to be aware that many of the academic papers, while relevant and informative, may also be ideologically inspired.

It is also important to note that the research on home education focuses on issues such as the academic and socio-emotional impacts of home schooling on children. The published evidence does not include information on the benefit status of home educator parents and whether home educators are exempt from conditions attached to benefit receipt in different countries.

Further consideration of the definition of home education is relevant when considering its legal status and the statutory obligations of the authorities with regards to home educated children. This issue is considered below in relation to the status of home education in different countries.

Australia

Regulation

Home education is legal throughout Australia, although the law varies in different states and territories regarding the degree of regulation required in terms of the registration and monitoring of home education arrangements. A summary of the legal status and regulatory requirements on home educators in New South Wales is provided in table 1 in annex A below.

In New South Wales, parents who decide to educate their children at home must have the approval of the Minister for Education and Training, an authority which has been delegated to the Office of the Board of Studies, in order to be registered. Application forms are submitted to the Office of the Board of Studies and a visit to the home is made by an authorised officer, who assesses the application, considering:

- Whether the teaching / learning programme meets the minimum curriculum requirements;
- Whether the programme is suitable for the child;
- That the time allocated is sufficient and comparable to the time spent in school;

- That the learning environment is suitable;
- Whether the learning resources are adequate to support the child's needs;
- That an adequate system of recording the child's progress is in place.

When the period of registration (between 6 months and 2 years) expires, the parents must renew their application for registration, which can be done either through a visit or through submitting documentation.

Home educators are eligible for some subsidies such as the Educational Textbook Subsidy Scheme and the Back to School Allowance.

A similar process for registration is in place in the Australian Capital Territory, which includes Canberra. Parents wishing to homeschool register with the Department of Education and Training. In the first instance a parent applies for provisional registration for six months followed by registration for up to two years to bring the period of registration up to Dec 31st of the next year. Provisional registration is done by completing an application form and attaching a program, assessment strategies and summary of record keeping. Continued registration is done through a registration visit.

Sweden

Regulation

In his article on 'Home Education in Northern Europe', Beck (2002) notes that, 'Sweden has Scandinavia's strictest official regulation of home education', with the number of home educated children remaining at around 100 since statistics were first collected in the 1990s (95 registered in 2007/2008). A summary of the legal status of home education in Sweden is provided in annex A below.

For exceptional reasons, parents can be allowed by the local education school board to educate their children at home for one year at a time. The school board has to assess that the education will be equivalent to compulsory school education and is also responsible for monitoring the home education and the results. The Swedish Education Act states:

S. 4 A child subject to compulsory schooling may be permitted to complete this otherwise than as provided in this Act, if it appears to be an adequate alternative to the education otherwise offered the child in the provisions of the Act. The requirement of insight into activities must be fulfilled. Permission may be issued for up to one year at a time. During the validity period, the result of the activities shall be assessed. The permit may be revoked with immediate effect if necessary insight into the activities is not provided or if it

for other reasons may be assumed that the conditions for approval are no longer present.

S. 5 Matters referred to in s. 4 shall be considered by the local education board for the school where the child would otherwise have undertaken its compulsory schooling.

In principle, there should be no difference between municipalities' stance on home education, however, they may differ in practice. Kenny Peterssen, an official in Statistics Sweden noted that there are two main categories of children who are home educated in Sweden: A. Children who have tuition at home only short periods for health reasons or while visiting parents abroad etc, and B. Religious groups promoting home education among their members.

It is the Municipal Education Committee (MEC), composed of lay politicians, which makes the decision whether an application for home education status is approved or not. There are no set criteria defining the content of applications or for the standards by which municipal committees consider the application.

Ireland

Regulation

Article 42 of the Irish Constitution sets out the relationships between the family, parents, children and the State with respect to education. It says:

1. "The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children".

2. "Parents shall be free to provide this education in their homes or in private schools or in schools recognised or established by the State".

3.1 "The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or in any particular type of school designated by the State".

3.2 "The State shall, however, as guardian of the common good, require in view of actual conditions that the children receive a certain minimum education, moral, intellectual and social".

4. "The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good

requires it, provide educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation"

The Education (Welfare) Act 2000 came into law in the summer of 2000 and repealed the School Attendance Acts 1926 to 1967 with effect from 5 July 2002. A National Educational Welfare Board (NEWB) has been established, to which parents are obliged to report their intentions to home educate. The educational programme and home environment are also assessed by an authorised person from the NEWB. A summary of the role of the NEWB is provided in table 1 of Annex A.

International Evidence on the relative performance of home educated children

Blok (2004), provides a review of recent studies comparing the educational outcomes of home-educated and schooled children, based on seven studies conducted in the US and one in Canada. These studies surveyed an aggregate total of 46,609 home educated children aged between 6 and 19. All but one of the studies used scholastic tests covering a range of basic subjects in the school curriculum (language, maths, social studies, science). Seven of the eight studies reported that home-schooled children had higher scores than average than their peers in school, only one found that home-schooled children did not have an advantage. I have included Block's table summarising the studies and their reported outcomes in Annex B.

It is, however, necessary to consider these results with caution. Block notes that the better achievement of home-educated children in these surveys is likely to be attributable to the characteristics of home educating parents, who are better educated, have higher incomes and are strongly committed to their child's development. It is unclear, therefore, whether the children's better performance can be attributed to their advantaged background, to being educated at home, or both. Caution must be taken when generalising from these studies as many of the surveys used small samples from specific populations; Block also suggests that more sophisticated comparison methods such as matching would be better than the general group comparisons used in the research cited.

Blok (2004) also reviews papers which compared the social and emotional development of home educated children to those of school pupils. The studies considered found either no differences between the two groups or that home educated children had better-developed social skills or sense of self.

Conclusions

- a) Is home education regulated or formalised in any way?

The evidence reviewed suggests that in comparison to other similar countries, England has minimal regulatory requirements relating to home educators. This in turn limits local authorities' ability to identify and monitor the education received by children being home educated.

b) Is there evidence on the success or failure of home education?

While existing surveys indicate that home educated children may outperform their counterparts in school, many of the studies rely on small samples or are drawn from specific populations (US-based surveys often draw samples from a largely Christian population, e.g. Ray 1997). UK evidence suggests that parents home educate their children for a number of reasons, so it may be difficult to generalise about the impact of home education on academic and social outcomes.

Annex A

Table 1: The Legality of Home Education in Different Countries

The information included in this table is derived from published research and relevant websites, including those of home education organisations. While efforts have been made to include up-to-date information, it is important to note that given that some of the material cited was published several years ago, legal changes in different countries may have occurred since the date of

publication. It is for this reason that I include publication dates and dates of access in the references. The level of detail of the information sourced on different countries varies according to the sources available.

Country	Legal Status of Home Education
Australia	<p>Home education is legal in all Australian states and territories. However, the law varies between different Australian states and territories regarding registration and the State's authority to oversee home education arrangements.¹ An index of legal considerations in each state can be found here.</p> <p>As an example, home education is regulated by the Office of the Board of Studies in New South Wales. The guidance on home education in New South Wales notes that under the Education Act 1990, parents are required to ensure that a child between 6 and 15 years of age is either enrolled in a government school, a registered non-government school, or is registered for Home Education.</p> <p>In order to register, an 'Authorised Person' contacts the applicant to discuss the plans for the child's education, including the learning programme and environment. If approved, the period of registration lasts from six months to a maximum of two years.</p>
Austria	Have not permitted home education sometime in the past but now do so.
Belgium	Accommodates home educators and have always done so.
Denmark	<p>Accommodates home educators and have always done so.</p> <p>There is in Denmark a legal requirement for formal education, but no specific requirement to attend school. There is no financial support for home education. Home Education is governed by laws on independent and private primary and secondary education.</p>
England	<p>Accommodates home educators and have always done so. Guidance published by DSCF for local authorities provides the following summary of the law relating to home education in England:</p> <p>The responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not. Parents have a right to educate their children at home. Section 7 of the Education Act 1996 provides that:</p> <p><i>"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –</i></p>

	<p><i>(a) to his age, ability and aptitude, and</i> <i>(b) to any special educational needs he may have,</i> <i>either by regular attendance at school or otherwise."</i></p> <p>An "efficient" and "suitable" education is not defined in the Education Act 1996 but "efficient" has been broadly described in case law as an education that "achieves that which it sets out to achieve", and a "suitable" education is one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so."</p> <p>Local authorities do not have a statutory duty to identify home-educated children or monitor the quality of home education on a routine basis. However, authorities shall intervene if it appears that parents are not providing a suitable education.</p>
Finland	<p>Education, but not school attendance is a legal requirement in Finland. The law states that the local authority is required to oversee pupils' progress. No financial support is provided for home education and home-educated pupils are required to sit tests.</p>
France	<p>Accommodates home educators and have always done so.</p> <p>Home education has been limited in France since 1998. Prior to this, home educators had been able to educate their children at home and were monitored when the children were 8, 10 and 12 years old. The Loi No. 98-1865 enforced compulsory registration at the local town hall and home visits by an employee of the Academie de l'Education, sociologists, and psychologists. Non-compliance can result in a fine or 6 month prison sentence. The areas which children must study are also closely specified.</p>
Germany	<p>Now no longer permit home education in the word of law but would appear to permit individual instances.</p> <p>School attendance is compulsory in all German states. Children from the age of six or seven are required to attend a public school or state-approved private school for at least nine years. Home education is not accepted as a reason for exemption from regular school attendance. Home education is regarded as an administrative offence and can be punished by a fine of up to several thousand Euro. The German laws on compulsory schooling belong to the most restrictive in Europe.</p>

Greece	Now no longer permit home education in the word of law but would appear to permit individual instances.
Iceland	According to the Icelandic Education Act (grundskoleloven, 1995) school attendance is compulsory. Home education is not mentioned in the law. Nevertheless, in 2001 an Icelandic family started educating their children at home and were in discussion with the Ministry for Education.
Ireland	<p>Accommodates home educators and have always done so.</p> <p>The Education (Welfare) Act 2000 came into law in the summer of 2000 and repealed the School Attendance Acts 1926 to 1967 with effect from 5 July 2002. It provides a major reformulation of the law in regard to all matters connected with school attendance and children's welfare in education.</p> <p>School Attendance Officers have become Education Welfare Officers and the Gardai are no longer involved with school attendance matters. A National Educational Welfare Board (NEWB) has now been established on a statutory basis. The Registration and Assessment system for children educated in places other than recognised schools is now in place. Under the Act parents or guardians of home educated children are obliged to provide details of the educational provision to their child(ren) to the NEWB. Under the Constitution children have the right to receive a "certain minimum education". If the application is approved then their child(ren) will be included in the register. Registration is not an automatic process and may possibly be refused. An appeal process has been included in the Act for such an event.</p>
Italy	Accommodates home educators and have always done so.
Luxembourg	Accommodates home educators and have always done so.
Netherlands	Now no longer permit home education in the word of law but would appear to permit individual instances.
Norway	<p>Accommodates home educators and have always done so.</p> <p>Parents can give their children home education if they first notify the local authority by letter. The local authority is obliged to oversee this education and can summon home-educated pupils to sit tests.</p>
Portugal	Accommodates home educators and have always done so.
Spain	Now no longer permit home education in the word of law but would appear to permit individual instances.
Sweden	School attendance is normally compulsory in Sweden. There is provision for home education, but permission must be applied for and will be granted for only one year at a time. The local authority oversees home education and usually

	<p>performs tow inspections per year.</p> <p>The Swedish Education Act (skollagen 1995) notes: <i>out-of-school education must be an approved and equitable alternative; monitoring by authorities must be arranged; approved applications are valid for only one year; and, official permission can be withdrawn on short notice.</i></p> <p>Home education is considered as an exemption from schooling and the decision to exempt is made by municipal education committees.</p>
Switzerland	<p>Except for two cantons, Switzerland accommodates home educators and have always done so. The other two cantons do not permit home education in law, but appear to permit individual instances.</p>
USA	<p>Home education is legal in all American states, except for California, where its legal status is in dispute. Although home educators are subject to different levels of regulation in each state. A summary of the degree of regulation required in each state and an index of state legal requirements is provided <u>here</u>.</p> <p>On 28th February 2008, the California Court of Appeals issued a ruling that effectively made home education (except for tutoring by certified teachers) illegal in California and questioned whether parents had a constitutional right to educate their children at home. The ruling states:</p> <p><i>It is clear to us that enrollment and attendance in a public full-time day school is required by California law for minor children unless (1) the child is enrolled in a private full-time day school and actually attends that private school, (2) the child is tutored by a person holding a valid state teaching credential for the grade being taught, or (3) one of the other few statutory exemptions to compulsory public school attendance (Ed. Code, § 48220 et seq.) applies to the child.</i></p> <p>The Homeschool Legal Defense Association is seeking a review of the judgment in the Californian Supreme Court.</p>

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ⁱ Home Education Network Inc. (16/6/08) 'Frequently Asked Questions' in the Home Education Network Inc. webpage, available on-line at: <http://www.hea.asn.au/faqs.asp#16>,