

WHERE ENEMIES BRING VICTORY AND ALLIES BRING DEFEAT: A CASE STUDY IN ORGANIZATIONAL CHANGE

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Homeschool parents have voluntarily withdrawn their children from the public schools believing that they could educate their children better than the system. Their departure, however, has been marked by repeated challenges by advocates of the public school system who believe that they have the children's best interest at heart. The opposition is part philosophical and part financial. All of it becomes political.

In February 2013, Representative Brannon (R-Spartanburg) introduced a bill that would have undermined the very reason parents choose homeschooling. These parents banded together on Facebook and repelled the threat with a powerful show of force. Within ten days, 2,500 homeschool parents (representing ten to fifteen percent of the South Carolina's homeschooling households) joined the newly created STOP Proposed Bill H. 3478 Facebook forum. They organized and caused three of the four cosponsors to withdraw their names from the bill. They held a rally and celebrated their victory. Then, factions within the homeschool community turned on each other and nearly lost all of the gains so quickly won.

When Bruce arrived at home, Anna had dark circles under her eyes. She had been crying. She was on the phone, listening carefully to the director of her homeschool association.

Anna pointed Bruce to an email alert. She was no lawyer, but she knew that if House Bill 3478 became law, it would fundamentally change how she would be permitted to educate her children.

"But what can I do?" Anna asked the woman on the other end of the line. Marge replied, "You might want to join this Facebook group that just started. I have put the word out to all of my association members. Thank you for contacting me about the bill."

THE RISE OF THE HOMESCHOOLING MOVEMENT

While education had always taken place in the home at some level, over the last 40 years, homeschooling had increasingly reemerged as a viable alternative to the public school system. Parents who choose to homeschool (also known as homeschoolers) were an independent lot. They had taken their children out of the public school system, voluntarily shouldering a heavy burden in both time and resources. Homeschoolers, like Bruce and Anna, had removed their children from the public system because they believed that they could do better than the public schools academically, for religious, moral, or family reasons, or for a combination of these reasons (See Appendix 1).

The homeschool movement mirrored the rise of private religious schools in the United States, as parents concerned about the state of public education in the 1970s began to look for alternatives (“Why ACSI Schools,” 2012). The Homeschool Legal Defense Association (HSLDA) began in 1983. HSLDA is the most prominent defender of homeschooling rights in the United States.

Led by Mike Farris, HSLDA had an overt religious orientation. The motivation comes through clearly in HSLDA’s Mission: “To preserve and advance the fundamental, God-given, constitutional right of parents and others legally responsible for their children to direct their education. In so doing, we rely on two fundamental freedoms—parental rights and religious freedom” (“Our Mission,” 2013, para. 1).

The homeschool stereotype of large, religious families was true in the early days. They did not quite look like everyone else. For example, because of their emphasis on modesty, homeschool girls were much more likely to wear long skirts rather than tight jeans or revealing clothing. Boys tended to have a clean-cut appearance. Homeschool curriculums were often religiously-oriented, with names like *Sonlight Christian Homeschool Curriculum*, *My Father’s World*, *Apologia Educational Ministries*, and *Accelerated Christian Education* (A.C.E.).

Though the movement largely attracted white, Evangelical Christians in the early stages, it has broadened to include a number of different camps including liberals, and libertarians. African Americans now comprised more than 10% of homeschoolers nationally (Haverluck, 2015). “Unschoolers” were one interesting subcategory that take a Montessori-like approach to education.

The Montessori approach allowed the child to pursue what he finds interesting in order to learn by exploration rather than by following an established curriculum. According to the North American Montessori Center:

The Montessori method of teaching aims for the fullest possible development of the whole child, ultimately preparing him for life's many rich experiences. Complemented by her training in medicine, psychology and anthropology, Dr. Maria Montessori (1870 - 1952) developed her philosophy of education based upon actual observations of children. ...Encouraged to focus her attention on one particular quality, the child works at her own optimum level – in an environment where beauty and orderliness are emphasized and appreciated. A spontaneous love of "work" is revealed as the child is given the freedom (within boundaries) to make her own choices. (What is Montessori," 2013, para. 1-2)

More recently, homeschooling and unschooling had attracted avowedly secular homeschoolers who oppose public education for entirely different reasons ("School's Out," n.d.). These secular groups tended to see the public schools as intolerant of their more liberal values, or they balked at the system's cookie-cutter approach to education.

Secular homeschoolers and religious homeschoolers did not see eye to eye, but they did find common ground on the issue of parental choice in education and their shared desire to inculcate a love of learning in their children.

As is the case with any minority group, the secular minority were well aware of not only their own viewpoint, but also the views of the largely religious homeschool majority. This was reflected in statements on secular homeschoolers' websites. For example, the online *Secular Homeschooling* magazine stated that "Its readers and writers are committed to the idea that religious belief is a personal matter rather than a prerequisite of homeschooling" ("Markus, 2012, Para. 1). Similarly, *SecularHomeschool.com* had a tagline that reads: "Where secular homeschoolers ARE the majority" ("Secular Homeschool," 2013).

Still other homeschoolers did not fit any of these categories. These parents homeschooled because their children were bullied at school or because their children had special needs. Today, parents chose to homeschool for a variety of reasons. All, however, agreed on one basic assumption—that parents have the right, the authority, and the original jurisdiction over the education of their own children. Homeschoolers had old-timers and newcomers. They had reasonable voices that articulate their positions clearly, as well as a few fringe conspiracy-theorists. On balance, however, homeschooling shared many of the common characteristics of a committed social movement.

Bruce and Anna were products of the public school system, but they had negative experiences. They decided that they wanted better for their own children. They fit

the more modern stereotype. They were well-educated, Christian, suburban parents. Anna had been a teacher and Bruce was busy working his way up the corporate ladder. They were involved in their church and their community. Like many homeschool parents, they could not afford to send each of their four children to a private school, but they could live on Bruce's income while Anna stayed home to teach the children.

SOUTH CAROLINA POLITICS

South Carolina politics were unusual. Because South Carolina was uncommonly Republican, moderates and even some liberals ran as Republicans in order to get elected. They realized that the *real* election was the primary because if they won at that level, they would likely sail through the general election. This made it more difficult to tell who was on which side of a political battle.

South Carolina's homeschooling laws were also unusual. Different states had taken different approaches to homeschooling (See Exhibit 1). While some states were heavily regulated, such as those in the Northeast, others, such as those in Texas and Idaho, had no reporting requirements. South Carolina's laws were a function of an unfolding process that only made sense in light of that history.

According to the South Carolina Department of Education:

Parents or guardians may choose to home school their children instead of enrolling them in a public, private, or parochial school. South Carolina statutes provide parents or guardians with three different options for home schooling their children. Option One allows the parents to home school their children under the auspices of a school district, if approved by the board of trustees. Under Option Two, parents may home school their children with the support of the South Carolina Association of Independent Home Schools. In Option Three, parents may choose a home school association which has no fewer than fifty members and meets the home school requirements. The parents or guardians select the particular home schooling option that is best for the children. ("Home Schooling," 2013, para 1).

Before June 1988, homeschooling was regulated by "substantial equivalence." Essentially, the homeschool was supposed to operate as much like a public school as possible. The burden was on parents to prove to their local school board that what they did at home was comparable to the local public school, if the school district even allowed homeschooling at all. Permission was routinely denied and families that homeschooled sometimes faced criminal charges ("A History," n.d.).

“Homeschoolers had a difficult time proving ‘substantial equivalence’ to highly critical, and sometimes even hostile, school boards.” School boards were skeptical about how much education actually took place when children were not in the classroom (“A History,” n.d.).

Over time, these homeschooling families banded together in order to defend their right to educate their children in the manner that they saw fit. A number of organizations formed and this led to three major pieces of legislation that formally recognized homeschooling and progressively allowed greater freedom to homeschooling families. They were known as homeschooling options.

One of the first entities was the South Carolina Home Educators Association (SCHEA). In 1985, the South Carolina State Department of Education proposed new legislation mandating that homeschoolers must a) use state-approved textbooks and b) have an accredited bachelor’s degree. These provisions were particularly onerous to homeschoolers. In the name of “standards,” and “accountability,” the state attacked the homeschoolers’ ability to inculcate their values (often religious) and, in some cases, even the ability to educate their children in the manner they deemed most appropriate.

In April of 1986, when the bill was being considered 300-400 homeschool supporters turned out to oppose the legislation. This delayed passage, and the bill was ultimately defeated in February of 1987 (“A History,” n.d.).

OPTION ONE

The State Department of Education again attempted to construct new anti-homeschooling legislation. This time, however, members of SCHEA worked with legislators and negotiated with the State Department of education. A compromise bill was reached, but it came with an amendment that required an Education Entrance Examination (EEE), an equivalency test prospective homeschool teachers had to pass to legally educate their own children. “Homeschoolers found this law to be burdensome, but overall, this law was a major victory for homeschoolers because, for the first time, all local school districts in the state were forced to approve any homeschool that met the new requirements” (“A History,” n.d.).

OPTION TWO

In spite of the partial victory for homeschoolers, many local school boards continued to make the process difficult for would-be homeschoolers. In 1991, HSLDA brought a class-action lawsuit against the state of South Carolina. “The case went all the way to the State Supreme Court, where the EEE test was ruled invalid in 1991” (“A History,” n.d.).

School Board members and officials from the State Department of Education sincerely believed that by their actions they were protecting children from substandard education. Homeschool parents experienced those same actions as discrimination.

In 1990, police in Lexington and Richland counties were sent to the homes of homeschoolers to enforce truancy laws. The charges led to legal action. This resulted in two court cases that led to the State Department of Education agreeing to provide legal status to SCAIHS. SCAIHS would act as an official body with the responsibility of homeschool supervision on behalf of the state. This provided homeschoolers with a second option beyond local school board oversight ("A History," n.d.). The State Department of Education, however, was not willing to allow homeschools to be truly self-regulated.

OPTION THREE

While some were satisfied with this new statutory protection of homeschooling, others in the homeschooling community were not. These insurgents continued to push for legislation that would allow private homeschool accountability organizations to form.

On June 20, 1996, the law was changed again, and homeschoolers gained the legal right to operate outside the supervision of the local school board or the officially recognized, state-sponsored SCAIHS organization (Associations for Home Schools; requirements, Statute 59-65-47). This was known as the third option. However, the way that the third option was developed, pitted some of the established second option leaders against some of the third option insurgents. Bad blood between second and third option leaders would continue for years. With the passage of the 1996 law, homeschoolers gained even greater freedom to operate without state interference.

AN UNEASY TRUCE

Homeschoolers and the State Department of Education have been quietly operating under an uneasy truce. Each side had a legitimate concern about the other's approach to education.

Public education officials believed that the state had an interest in guaranteeing each child a suitable education, and they could not uphold this duty if children were homeschooled. Looking at homeschoolers through the perspective of the system, they continued to see homeschooling as undermining the system. After all, the public school system lost revenue with the departure of each student. Moreover, when high-achieving students left, they simultaneously lowered the average GPA

and reduced funding to the system. By opting out of the public schools, homeschoolers inadvertently placed greater stress on the system.

On the other hand, parents of homeschoolers, did not feel that they must send their children to the public system simply because it existed. Many would prefer to be relieved of the burden of education, but they feel morally obligated to homeschool. They saw the education of their children as, in the words of the HSLDA Mission statement, a “God-given, constitutional right of parents.”

Many believed that they are double-taxed—once for the public system and a second time to pay for their children’s education. The average homeschool parent paid hundreds, if not thousands of dollars, for curriculum and tuition in private enrichment activities that would have been free at their local public school. In addition, most gave up a second income in order to educate their children at home. These two sides would clash again over.

EQUAL ACCESS

In December of 2010, one such skirmish began. A bill to allow homeschoolers access to public school athletic programs was introduced in the Senate Committee on Education.

The bill stalled in 2011, but it was revived in 2012. It passed in the House 106-0 and the Senate 38-0 in May of 2012. *The Equal Access to Interscholastic Activities Act* was signed by the governor on June 7, 2012, allowing homeschoolers to participate in athletic activities in their local public schools.

STANDARDS FOR HOME SCHOOLING PROGRAMS: H 3478

In the next legislative session, homeschooling opponents struck back. On February 5, 2013, Representative Brannon (R-Spartanburg), introduced *House Bill 3478: Standards for Home Schooling Programs*. Brannon, was a strong defender of the public school system. He had plans to run for Superintendent of Education in the near future, and, though he was a Republican, he voted against every piece of legislation that supported private schools, charter schools, and homeschools.

The bill was co-sponsored by Representative Anthony (D-Union), Representative Jefferson (D-Berkeley), and Representative Horne (R-Summerville). In 2012, Representative Horne delayed a school choice vote, “in order to prevent the vote from being an ‘election litmus test’ for conservative legislators” (Bodnar, 2012, para. 1).

Homeschoolers were on the defensive again. This bill would undermine the rationale for homeschooling. The bill would amend earlier laws to include the following new provisions:

A student must participate in the annual statewide testing program approved by the State Board of Education for the appropriate grade level of the student. The test must be administered by a certified school district employee in the school district where the student being tested resides. The test may be administered to the student either along with public school students in a school in the district where the student resides or, at the option of the parent, in the home that is the student's normal place of instruction. If the parent opts to have the student tested in the home that is the student's normal place of instruction, the parent shall pay for the cost of the administration of the test.

Simply put, homeschoolers would be required to test to the state curriculum. The sponsors of the bill argued that, for the sake of accountability, homeschoolers should take the same tests as their public school peers. In this, they appeared to quite reasonable. After all, who is against accountability?

Yet, this presented a problem as most homeschoolers did not use the approved state curriculum. Either they would have to radically change what they taught, or they would be required to test on material they may not have covered, resulting in lower state test scores and increased scrutiny from the State Department of Education. From the homeschoolers' perspective, *accountability* was only a pretext for increased state control. Homeschoolers did not need additional accountability. According to the U.S. Department of Education's National Center for Education Statistics, in 2013 the *average* homeschooler was already in the 73rd percentile in math and 79th percentile in reading nationally ("Home School Statistics," 2013). Homeschoolers objected to testing to the state's lock-step curriculum, but not to nationally normed tests of general knowledge (e.g., Iowa, SAT, and ACT). They felt that they were being targeted because they were different. Moreover, private school kids were not required to take these state tests. Why should they be singled out?

The bill was introduced and referred to the education committee the same day. But this time, something was different. The ground had shifted, and neither side knew it yet.

FACEBOOK

Technology had come a long way since the 1990s. The tools to instantly organize had never been more easily accessible. The bill was introduced on Tuesday, February 5th. A homeschool mom started the "STOP Proposed Bill H3478"

Facebook group on Wednesday, February 6th at 4 PM. Bruce and Anna joined the group on Thursday.

Anna stayed up late into the night reading hundreds of posts. They had never been involved in homeschool politics before. Like most homeschooling parents, they just wanted to quietly live their lives, teach their children, and be left alone. In a couple of hours, the group had over a hundred members. By the second day, the group had over five hundred members. In five days, the group had nearly two thousand members. In less than two weeks, the group had over twenty-five hundred members. This represented roughly fifteen percent of the homeschool families in the state of South Carolina.

Anna felt right at home. Those who joined the group were overwhelmingly homeschool moms. Most were political novices. Some barely knew how to use Facebook, but members of the Facebook group helped each other get up to speed fast. Many contributed valuable information, insight, and encouragement to other members of the group. Some more experienced members volunteered for media interviews. A few political activists interpreted the law and strategized. Experienced homeschoolers picked apart the legislators' arguments and developed counter-arguments, but most simply got informed about the issues. Many contacted their legislators, providing their letters as encouragement to others. Everyone involved contributed whatever skills they possessed.

Bruce began to read the posts too. One homeschool mom said that she knew absolutely nothing about political organizing, but, she volunteered, "I can bake cookies if that will help." When Bruce read this, his eyes filled with tears, and he determined that he would do his part too. He wrote every member of the House Education Committee and shared the letters he received from the members on Facebook.

One striking feature was how *leaderless* the movement was. Anyone who could communicate a sound strategy led the discussion. It was a true meritocracy. In fact, no heroic leader or team of established leaders led. Instead, the common goal of defeating the bill motivated the rank and file. While some of the Facebook moderators were directors of homeschool associations, none declared that everyone should follow her lead *because of her credentials*.

Second Option homeschoolers and Third Option homeschoolers united. Zan Tyler, the most prominent leader of the second option even held a teleconference inviting third option leaders to strategize. This was important because her organization, the South Carolina Association of Independent Home Schools (SCAIHS) stood to benefit from the new law as Option Two homeschoolers already operated under

more stringent requirements. Nevertheless, Zan stood with Third Option homeschoolers under the banner of parental rights.

Amid the battle, Anna could hardly distinguish a religious homeschooler from an unschooler from a secular homeschooler because they focused on the bill, not on their differences. A palpable unity in the midst of the diversity was clear in the array of stickers produced within a week of the bill's introduction (see Exhibit 2).

RESULTS

On Thursday, February 7th Representative Jefferson removed his name as a co-sponsor of the legislation. This was only the third day, and it was a topic of great interest on the Facebook page. Some parents were rejoicing; others, like Bruce and Anna, were encouraged to double-down. They had begun working with the more active political strategists to visit the co-sponsors of the bill and now they worked even harder.

The following week, the House was not in session so that legislators could hear from their constituents—and they would hear from them. Bruce called each of the remaining cosponsors. Others did the same. The exchange of information on Facebook led to an unbelievably fast mobilization. One representative claimed that he had received over 400 contacts from homeschoolers in less than a week.

The legislators returned to the House on Monday, Feb 18th. By Tuesday, February 19th, Representative Horne requested that her name be removed from the bill. She maintained that some sort of legislation was necessary to cure the accountability problem, but she had said that she no longer supported *this* legislation.

By Wednesday, Representative Anthony removed his name quietly. Even Representative Brannon, the chief sponsor of the Bill promised that he would take his name off the bill, but he could not do so once he had introduced it on the floor of the house. This was one of the unusual rules of the South Carolina Legislature. He wrote the Chairman of the House Education and Public Works committee: "I write to ask that H. 3478 remain in subcommittee without hearing. I no longer support this bill in its current form and do not want the bill to become law."

The bill would remain dormant through the legislative cycle, but the danger remained. A threat still loomed because it could be reintroduced at any time and because Representative Brannon no longer supported the bill "*in its current form.*" Neither he nor Representative Horne had disavowed the *intent* of the bill.

Members of the education committee were busy replying to the tidal wave of correspondence. One activist who had tutored a sitting U.S. Senator in

constitutional law said that, “it was unheard of for 3 out of 4 sponsors of a bill to remove their names from legislation that they sponsored.” Another activist said that “in 20 years of political activism, this was the most amazing reversal that he had ever witnessed.”

Bruce and Anna were elated. The last two weeks were like riding a roller coaster. They had been jarred from their apolitical existence, but they rose to defeat this existential threat to their way of life.

The momentum had shifted. Homeschoolers planned a rally at the capitol for Thursday, February 21st. A sizeable group attended the rally. Some went to see their representatives. Others heard speeches on the steps of the capitol, and declared victory. It was an exhilarating time. They had accomplished so much so fast.

A SHORT-LIVED VICTORY

Anna could not go to the rally, so she spent much of the following day on the Facebook forum viewing pictures of the rally (See Exhibit 3). She noticed that as the group began to discuss their next steps, they began to pull in different directions. Some felt the effort was over. Others warned that because the bill was not dead, it could be resurrected at any time. This led to significant discussion about offensive and defensive actions necessary to protect homeschool rights. Bruce sided with the faction calling for continual vigilance.

Infighting between the factions intensified. Second and Third Option homeschoolers now exchanged words as the larger Third Option group began to take most of the credit for the victory. An even larger divide grew between the secular minority and the religious majority.

Anna cringed as she read each post. Distrust led to rancor. Language turned hostile. Forum moderators were asked to restrict or remove members who other members deemed “offensive.” This proved impossible because what was offensive to one side was self-evident truth in the eyes of the other.

For example, the secular minority took to bashing HSLDA. Secularists had long been less than pleased with HSLDA for many reasons. They widely perceived HSLDA to be slow in aiding secular homeschoolers. Perhaps they felt marginalized due to HSLDA’s overt religious orientation. In HSLDA’s defense, the organization is funded by members who essentially pre-pay for legal defense in the event that they may need legal assistance. Those who do not pay might not receive help.

As the acrimony intensified, some of the secular homeschoolers left the forum. They felt that their voices were not being heard while that they had been “putting

up with all the ‘We have to pray’ and ‘praise the Lord’ talk.” On the other side, many in the religious majority felt bashed by the small but very vocal secular minority. As a consequence, some of the religious homeschoolers left too. The sentiment was mixed on the forum and behind the scenes. Purists from both camps took a “we are better off without them” mentality, while the few political activists tried to keep them in the fold, reasoning that strength in numbers would be necessary in future political battles.

Over the weekend the situation worsened. One of the forum moderators wrote:

Please all – Stop attacking each other and allies. So you don’t like option _____ . Not a fan of HSLDA? OK, but other groups or organizations can help you move forward and defend your freedom. Work together or this forum will be useless.

Bruce also tried unsuccessfully to weigh in, appealing to their common purpose, but one faction’s appeals to “be civil” were construed by members of the other factions as attempts to censor free speech. Things had gotten so bad that forum moderators, in an attempt to salvage what remained, deleted three days’ worth of discussion, removed members’ ability to create new posts, and repurposed the Facebook group as an information-only page.

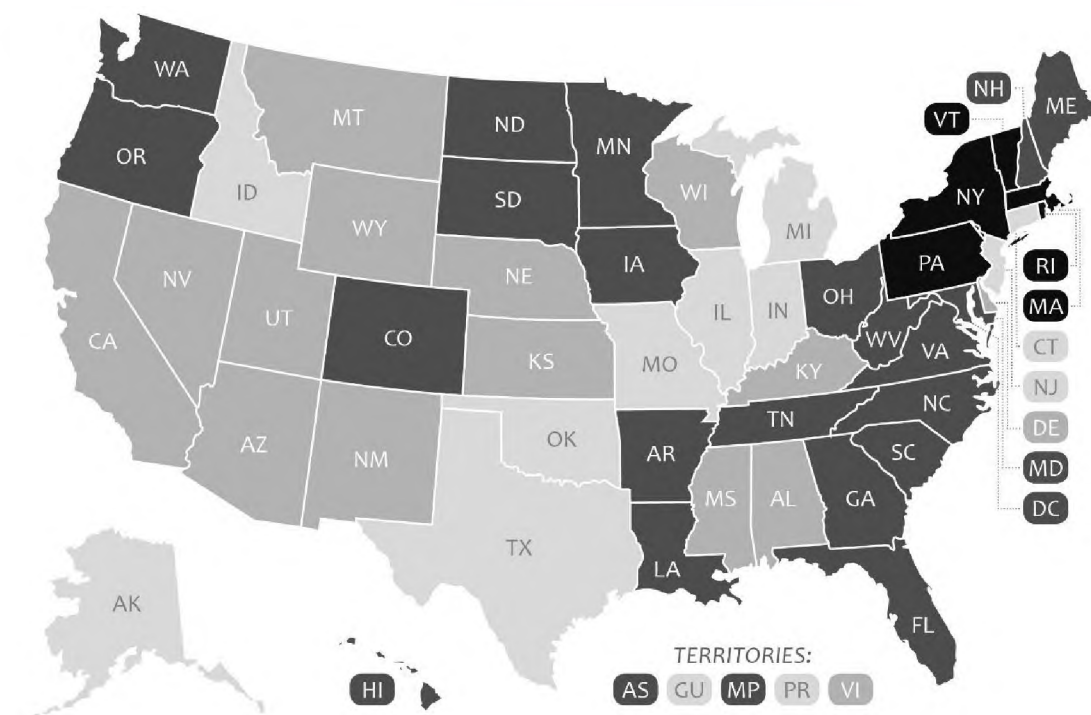
They decided that from this point on, the forum would serve primarily as a mechanism to alert homeschoolers to future threats. They all knew that their victory was not permanent. They had won this battle, but they would always be heavily outnumbered and now they were not sure they could count on other homeschoolers for support.

Bruce was frustrated. Anna was numb. Many of those who joined the Facebook group felt the same way. “What happened?” Anna wondered aloud. “It seems that the public school system is more of a threat to us when they leave us alone than when they attack.” Anna’s words hung in the air.

Bruce was left alone with his thoughts. Anna was right. When homeschool parents faced a common threat, they unified. Without it, they turned on each other. Why did that happen? What could they have done differently? More importantly, what must they do to prepare for next time?

EXHIBIT 1

Homeschool laws across the United States. Used with permission for educational purposes from HSLDA: <http://www.hslda.org/laws/>



LEGEND:

- States requiring no notice:** No state requirement for parents to initiate any contact.
- States with low regulation:** State requires parental notification only.
- States with moderate regulation:** State requires parents to send notification, test scores, and/or professional evaluation of student progress.
- States with high regulation:** State requires parents to send notification or achievement test scores and/or professional evaluation, plus other requirements (e.g. curriculum approval by the state, teacher qualification of parents, or home visits by state officials).

EXHIBIT 2

Stickers created to protest H. 3478.



EXHIBIT 3

Protest at the Capitol Building (Photos by Ellie Lowenthal, Stephanie Gray and Joe Potter). Photos used with permission.



APPENDIX 1:
Top Reasons for Home Schooling (Multiple Answer Survey)

Top Reasons for Home Schooling (Multiple Answer Survey)	
Can give child a better education at home	48.9 %
A desire to provide religious or moral instruction	38.4 %
A dissatisfaction with academic instructions at public schools	25.6 %
Family reasons	16.8 %
To develop character and morality	15.1 %
Object to what school teaches	12.1 %
School doesn't challenge child	11.6 %
Other problems with available school	9 %
Child has special needs or disability	8.2 %

Source: U.S. Department of Education, National Center for Education Statistics.
Retrieved from <http://www.statisticbrain.com/home-school-statistics/>

APPENDIX 2:

H. 3478

A BILL

To amend section 59-65-40, code of laws of South Carolina, 1976, relating to required standards for home schooling programs, so as to delete the basic skills assessment program from the statewide testing required of home schooled students; to amend section 59-65-45, relating to required standards for home schools offering instruction under the auspices of the South Carolina Association of Independent Home Schools, so as to require student participation in certain statewide testing, to provide the testing must be conducted by a certified school district employee either with public school students in a public school or optionally at the home school of the student, to provide a parent who opts for a home school student to take the statewide test at home must pay for the administration of the test, to provide the state department of education annually must report results of the mandatory annual review of home school associations to the general assembly, and to provide a mandatory report of the association must include the name rather than the number of each home schooled student; and to amend section 59-65-47, relating to required standards for other home school association under which a home school may operate, so as to require student participation in certain statewide testing, to provide the testing must be conducted by a certified school district employee either with public school students in a public school or optionally at the home school of the student, to provide a parent who opts for a home school student to take the statewide test at home must pay for the administration of the test, to provide the state department of education annually must report results of the mandatory annual review of these home school associations to the general assembly.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59-65-40(A)(6) of the 1976 Code is amended to read:

"(6) students must participate in the annual statewide testing program ~~and the Basic Skills Assessment Program~~ approved by the State Board of Education for their appropriate grade level. The tests must be administered by a certified school district employee either with public school students or by special arrangement at the student's place of instruction, at the parent's option. The parent is responsible for paying the test administrator if the test is administered at the student's home; and"

SECTION 2. Section 59-65-45 of the 1976 Code is amended to read:

"Section 59-65-45. (A) In lieu of the requirements of Section 59-65-40, parents or guardians may teach their children at home if the instruction is conducted under the auspices of the South Carolina Association of Independent Home Schools. Bona fide membership and continuing compliance with the academic standards of South Carolina Association of Independent Home Schools exempts the home school from the further requirements of Section 59-65-40.

(B)(1) The State Department of Education annually shall conduct annually a review of the association standards to insure ensure that requirements of the association, at a minimum, include:

(a) a parent must hold at least a high school diploma or the equivalent general educational development (GED) certificate;

(b) the instructional year is at least one hundred eighty days; ~~and~~

(c) the curriculum includes, but is not limited to, the basic instructional areas of reading, writing, mathematics, science, and social studies, and in grades seven through twelve, composition and literature; and

(d) a student must participate in the annual statewide testing program approved by the State Board of Education for the appropriate grade level of the student. The test must be administered by a certified school district employee in the school district where the student being tested resides. The test may be administered to the student either along with public school students in a school in the district where the student resides or, at the option of the parent, in the home that is the student's normal place of instruction. If the parent opts to have the student tested in the home that is the student's normal place of instruction, the parent shall pay for the cost of the administration of the test.

(2) The State Department of Education annually shall report the results of the annual review required in this section to the General Assembly before March fifteenth.

(C) By January thirtieth of each year, the South Carolina Association of Independent Home Schools shall report the number name and grade level of children home schooled through the association to the children's respective school districts to ensure compliance with the provisions of Section 59-65-10."

SECTION 3. Section 59-65-47 of the 1976 Code is amended to read:

"Section 59-65-47. (A) In lieu of the requirements of Section 59-65-40 or Section 59-65-45, parents or guardians may teach their children at home if the instruction is conducted under the auspices of an association for home schools which has no fewer than fifty members and meets the requirements of this section. Bona fide membership and continuing compliance with the academic standards of the associations exempts the home school from the further requirements of Section 59-65-40 or Section 59-65-45.

(B)(1) The State Department of Education annually shall conduct ~~annually~~ a review of the association standards to ensure that requirements of the association, at a minimum, include:

(a) a parent must hold at least a high school diploma or the equivalent general educational development (GED) certificate;

(b) the instructional year is at least one hundred eighty days;

(c) the curriculum includes, but is not limited to, the basic instructional areas of reading, writing, mathematics, science, and social studies, and in grades seven through twelve, composition and literature; and

(d) educational records ~~shall~~ must be maintained by the parent-teacher and include:

(4i) a plan book, diary, or other record indicating subjects taught and activities in which the student and parent-teacher engage;

(2ii) a portfolio of samples of the student's academic work; ~~and~~

(3iii) a semiannual progress report including attendance records and individualized documentation of the student's academic progress in each of the basic instructional areas specified in ~~item~~ subitem (c) above; and

(e) a student must participate in the annual statewide testing program approved by the State Board of Education for the appropriate grade level of the student. The test must be administered by a certified school district employee in the school district where the student being tested resides. The test may be administered to the student either along with public school students in a school in the district where the student resides or, at the option of the parent, in the home that is the student's normal place of instruction. If the parent opts to have the student tested in the home that is the student's normal place of instruction, the parent shall pay for the cost of the administration of the test.

(2) The State Department of Education annually shall report the results of the annual review required in this section to the General Assembly before March fifteenth.

(C) By January thirtieth of each year, all associations shall report the ~~number~~ name and grade level of children home schooled through the association to the children's respective school districts to ensure compliance with Section 59-65-10.

(D) This section is repealed effective July 1, 2014. Students homeschooled pursuant to the provisions of this section before its repeal and who wish to continue to be a student in a homeschooling program must be homeschooled in a program that satisfies the requirements of Section 59-65-40 or 59-65-45."

SECTION 4. This act takes effect upon approval by the Governor

Source: South Carolina General Assembly:

http://www.scstatehouse.gov/sess120_2013-2014/bills/3478.htm

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