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Context and Regulation of Homeschooling: Issues, Evidence, and Assessment Practices

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Abstract

The article discusses salient factors that influence the current context within which homeschooling occurs. Individual states have applied various approaches to establish regulations that both preserve the rights of homeschooling parents and fulfill the state's obligation to ensure that its residents receive the education to which they are constitutionally entitled. Case and ethnographic studies or research involving small and selected samples often appear in outlets associated with homeschool advocacy groups or in outlets that are not mainstream. The paucity of empirical evidence derived from methodologically strong research paradigms has led to little certainty about many aspects of homeschooling including its effectiveness in preparing an educated citizenry. From state to state, the understanding and definition of homeschooling varies widely, leading to equally wide variations in regulatory practices. The article documents and summarizes state-to-state variations in matters pertaining to homeschooling, and offers recommendations to help school psychologists work more effectively with students who are educated at home.

Keywords: assessment, home education, homeschooling, regulation, state by state

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Impact and Implications: This article reviews challenges in understanding factors that continue to shape the development of homeschooling in the United States. It summarizes information related to homeschoolers' academic achievement, socialization, and possible need for special education services. State regulations pertaining to testing requirements and state policies concerning the provision of services to students with disabilities are described. The article provides recommendations for school psychology practitioners to enhance or establish productive relationships with homeschool communities.

Context and Regulation of Homeschooling: Issues, Evidence, and Assessment Practices

Education long has been the purview of the states as individual states operationalize federal legislation via state-specific laws. Ultimately, each state is tasked with following the spirit of the federal law while articulating its own letter of the law. States must provide public education to its residents while at the same time allowing options for private education such as that offered by parochial schools, preparatory schools, single-gender schools, charter schools, magnet schools, military schools, and boarding schools. Parochial schools, which have been part of the U.S. education diaspora for centuries, comprise the best-known alternative to public education. Homeschooling appears similar to private schooling only when "private" is taken to mean "nonpublic." In terms of legal statutes governing homeschooling in individual states, homeschools are conceptualized as offering private education, equivalent education (to that offered in public schools), or home education (McMullen, 2002).

Although no federal legislation exists that governs or even mentions homeschooling (Knickerbocker, 2001; Lambert, 2001), several legal challenges concerning homeschooling initially brought at the state level were appealed at the federal level. A number of rulings by the U.S. Supreme Court established important precedents for homeschooling, especially in relation to parental rights and choices through which parents may control their children's education (McMullen, 2002). Many rulings have favored homeschooling parents; however, the courts simultaneously have delineated and preserved the state's interests in these decisions (Gaither, 2017; Lubienski, Puckett, & Brewer, 2013). This pattern has led to what Kunzman and Gaither (2013, pp. 25-26) termed "conflicting and vague jurisprudence" as well

as a “dizzying array of state statutes” forming a “patchwork of laws that vary widely between states.”

Every state in the U.S. has at least one homeschooling association (Editorial Projects in Educational Research Center, 2011). These associations offer numerous resources for parents who homeschool, including curricula, lesson plans, recommendations, and guidance about state-specific requirements, such as immunizations and attendance records. Homeschooling families also have access to hundreds of other organizations that support homeschooling based on parental motivations specific to their educational goals (Fields-Smith, 2015; Green & Hoover-Dempsey, 2007; Ray, 2015). In addition, several national organizations exist that serve as advocates for homeschooling parents. The best known and most influential organization is the Home School Legal Defense Association (HSLDA; n.d.), whose singular focus and ready accessibility have helped to stave off regulatory changes governing homeschooling in several states (Gaither, 2017; Kunzman & Gaither, 2013; Lubienski et al., 2013). These efforts have resulted in court rulings that limit state control over matters such as whether and how parents who serve as teachers of their children must be credentialed to teach (Kunzman, 2009). Similarly, state regulations concerning periodic evaluations of academic progress have evolved to provide options other than standardized testing through which parents may demonstrate that their homeschooled children are making adequate educational progress.

The primary goal of this article is to deepen practitioners’ understanding of the historical and legal elements that laid the groundwork for the current context in which home education exists and to illustrate how specific regulations governing homeschooling may affect the delivery of school psychological services. The article focuses on aspects of homeschooling that align with those addressed in previous reviews (e.g., Gaither, 2017; Kunzman & Gaither, 2013) and that relate to recognized roles and functions of school psychologists. A second goal is to present strategies for school psychologists to consider in order to serve as resources for families who homeschool. While Kunzman and Gaither (2013) provided a comprehensive review of homeschooling research, this article provides a survey of selected research and scholarship on homeschooling and its regulation within the United States. State department of education webpages for all 50 states provided state-specific regulatory information about homeschooling. The

variability of regulations across states gave rise to further questions such as how homeschooling intersects with federal legislation, assessment of educational progress, and preparation for citizenship. Sources of information were sought and selected based on their relevance to the goals of this essay, quality of scholarship, publication date, citation frequency, and distinctiveness of implications. Finally, editorial feedback on earlier versions of the manuscript prompted the consideration of additional research. Although the homeschooling literature is extensive, very little of it reflects empirical research with sound methodology and only rarely has it appeared in school psychology journals. This article consolidates information from a variety of sources and locates it within the school psychological literature.

Within the context of homeschooling, the article selectively reviews (a) relevant history and current status, (b) legal decisions bearing on the provision of services to students with disabilities, (c) research concerning socialization, (d) research concerning academic achievement, (e) methodological challenges in conducting research, and (f) state-specific regulations related to assessment, followed by (g) discussion of practice implications. In this article, socialization refers to the process by which individuals learn the customs and expectations of the wider culture and to behave in a manner that is acceptable to society; this usage is consistent with the bulk of empirical research on the topic of homeschoolers' socialization (Kunzman & Gaither, 2013). Assessment refers to a broad, multifaceted process of gathering and integrating information from a number of sources, whereas testing refers to more narrow applications of measures that sample behavior in specific domains and use a standardized process to evaluate results (American Educational Research Association, American Psychological Association, & National Council on Measurement in Education, 2014; Horn, Mihura, & Meyer, 2013).

Historical Notes and Current Context

Beginning in the 1970s and accelerating thereafter, some parents in every state have chosen to educate their children at home, according to periodic survey results reported by the U.S. Department of Education (USDOE) National Center for Education Statistics and others (National Home Education Research Institute [NHERI], 2015; Prothero,

2018; Redford, Battle, & Bielick, 2017). Homeschooling has been legal in every state since 1993. Between 1999 and 2012, the percentage of children receiving education at home doubled, growing from 1.7% to about 3.4% of the school-age population residing the United States (Redford et al., 2017). The practice demonstrated steady growth until about 2016 when the percentage of homeschoolers appeared to stabilize (Prothero, 2018). Current estimates suggest that the number of students being homeschooled is about two million, possibly more (NHERI, 2015; Ray, 2011).

State-to-state variability in homeschooling regulations cannot be overstated. These regulations affect many aspects of homeschooling—from what is taught to who may teach it, from filing notice to reporting progress, from seeking special education services to participating in extra-curricular activities, and from documenting achievement to assessment practices. Precise figures about many facets of homeschooling are unavailable for several reasons, among them that some states do not ever require parental notification to the state (or its agent) of the intention to homeschool or to apprise the state about student progress. Indeed, only 30 states and the District of Columbia require annual notification by parents of the intention to homeschool (Huseman, 2015). The remaining states require notice one time only or not at all. Such “basic information [as] the size and nature of the population that homeschools their children in the United States . . . is unknowable due to the substantial degree of under- and non-reporting associated with the [homeschooling] movement” (Lubienski et al., 2013, p. 384). The most recent survey on homeschooling conducted by the USDOE National Center for Education Statistics (Redford et al., 2017) depended upon the postal system to send out survey forms and receive completed forms. In addition, the survey relied upon parental responses to identify households as homeschools. Such passivity and reliance upon self-reports are unlikely to yield robust data. Under these circumstances, complete and accurate records for homeschooled students simply do not exist. As Gaither (2017) observed, “Every state . . . has its own unique homeschooling law[s], and states approach data collection in a very haphazard fashion” (p. 214).

State-by-state information about homeschooling regulations is available at several online sites, including an article published by *Pro-Publica* (Huseman, 2015) as well as the websites of the Coalition for Responsible Home Education (CRHE; n.d.) and the USDOE Office of

Innovation and Improvement (n.d.). These resources address legal regulations concerning (a) providing notice of intent to homeschool, (b) curriculum matters, and (c) student testing (Knickerbocker, 2001), but may also include information about such matters as vaccination requirements and qualifications to teach. Data are typically provided in tabulated form and integrated with an interactive graphic map of the U.S. that expands to show state-specific information about additional regulations beyond the regulation of primary interest.

Students Eligible for Special Education Services

The lack of definitions of public and private schools coupled with the absence of even a mention of homeschools in federal laws governing education contributes to pronounced uncertainty when it comes to the question of providing services to homeschooled students eligible to receive such services (Knickerbocker, 2001; Lambert, 2001). The U.S. Court of Appeals, Ninth Circuit, established an important precedent in *Hooks v. Clark County School District* (2000). In *Hooks*, the parents of Christopher Hooks chose to homeschool him, after securing the appropriate exemption from the state of Nevada to do so. When he became eligible for speech therapy services, his parents requested these services from the school district and were denied. They petitioned the Nevada Department of Education, which dismissed the claim. On appeal, the Ninth Circuit upheld earlier decisions because, at that time, the state of Nevada did not include homeschools under the state's definition of schools, private or public. Therefore, the public school was not obligated to provide speech therapy services for Christopher.

The ruling in *Hooks* prompted dissent in legal quarters, as some writers (e.g., Knickerbocker, 2001) "examine[d] the intersection of home schooling, as governed by state law, with disabilities education, as governed primarily by federal law" and ultimately called for new federal legislation that would "satisfactorily provide for home schooling within its public versus private school framework" (p. 1518). Knickerbocker (2001) reasoned that the increase in homeschooling, together with expanded federal legislation to extend educational opportunities of children with disabilities (e.g., through the Individuals With Disabilities Education Act [IDEA] Amendments of 1997), should lead Congress to address homeschooling in the federal statutes. Similarly,

Lambert (2001) argued that the decision in *Hooks* “frustrates the purpose of IDEA” (p. 1709) and called upon the Supreme Court to “resolve this issue by interpreting the IDEA to guarantee educational services for all disabled children, regardless of the type of school they attend” (p. 1729). This basic tenet had been expressed decades before the initial passage and subsequent reauthorization of IDEA (2004), most notably in the Supreme Court’s ruling in *Brown v. Board of Education* (1954), which stated, “In these days, it is doubtful that any child may reasonably be expected to succeed in life if . . . denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms” (p.493).

“The extant literature pertaining to students with disabilities who are homeschooled is extremely small and primarily relies on small samples of convenience and case studies” (Cheng, Tuchman, & Wolf, 2016, p. 385). For example, Duvall, Delquadri, and Ward (2004) studied four students with attention-deficit/hyperactivity disorder, two of whom were homeschooled and two of whom attended public school. The goal was to determine whether the homeschooling parents provided an effective instructional environment that facilitated the acquisition of basic skills. Academic engagement was found to be higher for the homeschooled students, who realized more gains in reading and math, than students in public school.

Parsons and Lewis (2010) surveyed 27 parents in the United Kingdom who chose to homeschool at least one child with special educational needs, the majority of whom were in traditional schools at the time the decision to homeschool was made, and nearly half of whom had autism spectrum disorder. The researchers report that more than two-thirds of respondents indicated that “push factors,” such as bullying or the perceived inability of traditional schools to meet their child’s needs, prompted them to opt for homeschooling, leaving open the question of whether home education truly was a choice, similar to the perspective offered by Arora (2003). Parsons and Lewis (2010) observed that very little research in this area has been conducted, quoting a report from another small-scale study in Australia that, “there appears to be a total lack of research on the home schooling of children with disabilities . . . worldwide” (Reilly, Chapman, & O’Donoghue, 2002, as cited in Parsons & Lewis, 2010, p. 69), a sentiment echoed recently by Kunzman and Gaither (2013).

Delaney (2014) conducted a qualitative study in the U.S. involving 13 parents of students with disabilities to identify themes that guided their choice of educational setting and to ascertain levels of satisfaction with services available to support their child's learning. The parents surveyed belonged to one of three groups: those who were currently homeschooling their child, those who had previously homeschooled their child and then enrolled their child in public school, and those who enrolled their child in public school without ever having homeschooled him or her. Factors that influenced choice of setting included ensuring the child's needs were met and concerns about bullying, push factors that also had emerged in research conducted by Parsons and Lewis (2010) in the U.K.

The 2004 reauthorization of IDEA calls for public schools to identify, locate, and evaluate children with disabilities or suspected of having disabilities whether or not they attend public school (CRHE, n.d.). Parents who homeschool their children are entitled to free evaluations but are not required to permit them. Students who undergo an evaluation and thereby become eligible for special education services may receive an individualized education program (IEP) developed by an IEP team that includes a parent. The utility of the IEP depends in part on parents' willingness to avail themselves of services and the state or local district's willingness to offer services, with wide variations across states and the school districts within them.

The Question of Socialization

Recent reports suggest that homeschooling has moved closer to the cultural mainstream over the last 25 years or so (Gaither, 2017; Kunzman & Gaither, 2013; Medlin, 2013). At the same time, "the state has a legitimate interest in children being sufficiently educated so that they will grow up to be informed citizens, able to support themselves and to participate in our democracy" (McMullen, 2002, p. 99). As the number of students being educated at home increased, educators, researchers, politicians, and others expressed doubts about the effectiveness of homeschooling in preparing students for citizenship in a pluralistic society through socialization (Bartholomew, 2007; Kunzman, 2009; McMullen, 2002). Traditional schooling exposes children

directly and repeatedly to the norms and expectations of the broader society, thus providing them the opportunity to “gain the social fluency to navigate that context, learning how to develop relationships and work effectively with others” (Kunzman & Gaither, 2013, p. 19).

Notably, concerns about socialization are not shared by parents who homeschool. In reviewing research related to parents’ attitudes about their homeschoolers’ socialization, Medlin (2013) summarized five research studies, all of which depended on methods of dubious evidentiary value—interviews, self-report surveys or questionnaires—administered to small, selected groups of participants fully aware of the condition in which they served. That these parents believed that their children were developing the skills needed to function within the broader society should not be surprising.

In general, investigations of social competence among homeschoolers have consistently found that homeschoolers fare well, possibly better than their public school counterparts, when it comes to issues of adjustment and socialization (Medlin, 2000, 2013). Even so, some researchers question the adequacy of preparation for citizenship when homeschooling includes a singular, typically Christian, viewpoint and suggest that the students’ abilities to describe or appreciate different perspectives on social or political issues may be severely restricted and difficult to verify (Cheng, 2014; Kunzman, 2009; Medlin, 2000, 2013). Cheng (2014) studied political tolerance among 304 college students at a private, Christian university who reported the number of years they had attended public, private, and home schools. He found no differences in political tolerance for students with greater exposure to private than to public schools, whereas students with greater exposure to homeschooling demonstrated *higher* levels of political tolerance than those exposed to private and public schooling.

White, Moore, and Squires (2009) used the Big Five model of personality to examine 51 college students who were previously homeschooled. In comparing students’ results to national norms, the researchers found that previously homeschooled college students were more Open, Agreeable, and Conscientious than the normative sample. Although the findings of Cheng (2014) and White et al. (2009) appear promising, these investigations used relatively small samples of convenience comprising academic success stories, as all students involved in the research were in college.

The Question of Academic Achievement

Lubienski et al. (2013) observed that the homeschooling movement “has successfully advanced primarily on a dual rhetoric of innate parental rights and academically preferable results” (p. 379). How well children are learning and how well high school students are prepared for college are questions of ongoing interest to the education community and its many constituents. However, several factors interfere with the ability to obtain a clear view of what is going on with homeschoolers, including advocacy-fueled objections to perceived interference or additional regulations, described earlier, and methodological shortcomings, discussed further in the next section.

Martin-Chang, Gould, and Meuse (2011) used a Canadian sample to compare academic achievement across homeschooled and traditional students. Notably, their research was not underwritten or commissioned by homeschooling associations or advocates. In addition, the researchers circumvented some of the previously noted perils associated with this kind of research by matching students on mother’s educational level and family income and by testing students individually under controlled conditions that employed a trained professional as the examiner. At the outset, each group comprised 37 students. Later, the homeschooled group was subdivided according to whether the curriculum used for instruction was structured ($n = 25$) or unstructured ($n = 12$). Academic achievement was assessed using seven subtests from Form A of the 1989 Woodcock-Johnson Tests of Achievement (Woodcock & Johnson, 1989). Martin-Chang et al. reported significant group differences that favored homeschooled students who received structured instruction over the other two groups, with the most pronounced differences observed between the groups receiving structured and unstructured instruction in their home schools. However, the small and geographically restricted samples, coupled with the use of an aged measure to operationalize academic achievement serve to temper the reported findings.

A study by Yu, Sackett, and Kuncel (2016) compared homeschooled and traditional students in terms of their respective performance in college, operationalizing college success as first-year college grade-point average and rate of retention after the first year of college attendance. In part, the researchers were interested in how well various metrics predicted college success for these two groups of students.

Yu et al. matched 732 homeschooled students with 732 traditional students, drawn from a large pool of students ($n = 824,940$) attending the same 140 colleges and universities as the homeschoolers. Homeschooled and traditional students were matched precisely on four demographic characteristics previously demonstrated to be associated with academic performance in college (socioeconomic status, gender, ethnicity, and post-secondary institution) as well as high school grade-point average and SAT scores. The precise level of matching effectively eliminated differences previously reported (Cogan, 2010; Ray, 2010; Rudner, 1999) that suggest homeschooled students perform better academically than traditionally educated students. Ultimately, this process permitted the researchers a clear view of how well high school grade-point average and SAT scores predicted college performance and retention for each group (homeschooled and traditional students). The results indicated that (a) SAT scores were equally predictive of college grade-point average and first-year retention for both groups of students, and (b) high school grade-point average was a better predictor of college grade-point average and first-year retention for traditional students than for homeschooled students. Taken together, test scores were better predictors of college success than were high school grade-point averages. Despite its virtues, this study did not—alas, could not—employ random assignment to groups and relied upon self-identification of homeschooling status.

Persistent Methodological Quandaries

Despite evidence that homeschooling seldom is an all-or-nothing enterprise, much of the research related to homeschooling forces a dichotomy, classifying students as being either homeschooled or conventionally educated, rather than some of each, making the results difficult to interpret and generalize (Howell, 2013). About half the states permit homeschoolers to participate in courses or activities (Prothero, 2015; Wixom, 2015) and another quarter defer to local districts to decide whether or not to allow part-time or dual enrollment (CHRE, n.d.). As many as 20% of homeschoolers are co-enrolled in public school (Editorial Projects in Education Research Center, 2011). In addition, Redford et al. (2017) reported that about one third of middle- and high-school-level homeschooled students enroll in online courses,

one quarter of which are offered by their local public school or another public school. The assumption of a “binary opposition between homeschooling and conventional schooling” (Howell, 2013, p. 362) promotes a taking of sides that has led to research aimed at determining which educational mode is superior to the other rather than identifying solutions to problems encountered in both or either mode. Martin-Chang et al.’s (2011) research was an exception, as the researchers looked within the homeschool sample used in the research, which examined literacy development. The researchers found homeschoolers who received structured instruction (i.e., employing organized lesson plans) achieved higher scores in academic subjects than homeschoolers instructed in an unstructured manner.

Gaither (2017) and other scholars (e.g., Kunzman & Gaither, 2013; Lubienski et al., 2013) observed that literature on homeschooling often appears in outlets affiliated or aligned philosophically with homeschooling organizations or school choice proponents. These associations raise doubts about the objectivity of reported research results (for example, see Hardenbergh, 2015). As McLoughlin and Chambers (2004) suggested, “Since most of the published information on the benefits of home schooling is prepared by individuals who themselves home school, there is more consideration of the positives” (p. S2-34). Further, samples of homeschoolers used in research routinely are recruited by the agency that conceived and commissioned the research, such as the HSLDA, or that which publishes the results; for example, NHERI publishes the *Home School Researcher* (Gaither, 2017). Because of the “heterogeneous, irregularly documented, and decentralized homeschooling population” (Howell, 2013, p. 358), characteristics of the population being homeschooled are incompletely known (Gaither, 2017; Lubienski et al., 2013), making it impossible to establish the extent to which the samples used in research represent the population from which they are drawn.

Research that could placate skeptics suffers from procedural flaws that undermine the empirical basis for claims about the effectiveness of homeschooling, described by Lubienski et al. (2013) as “methodologically flimsy” (p. 379). Although surveys and case studies offer some insights (e.g., Duvall et al., 2004; Fields-Smith & Williams, 2009; Kunzman, 2009; Lundy & Mazama, 2014; Parsons & Lewis, 2010), they generally lack scientific rigor in part due to small or self-selected

samples that call into question the extent to which the sample of participants represent the population of homeschoolers (Gaither, 2017; Howell, 2013; Kunzman & Gaither, 2013). Gaither (2017) described the literature as “almost entirely qualitative” and “having an anecdotal quality it has yet to transcend” (p. 214).

Flaws arising from self-selection and non-blind conditions of participants are unavoidable in much of the research that examines homeschoolers in relation to traditional students (Lubienski et al., 2013). Parents choose whether to send their children to public or private schools or whether to homeschool them. Not only are the groups preformed, they are self-selected. Conceivably, such quasi-experimental designs could use covariates to level out many variables shown to differ across the groups: family income, parent educational level, one- versus two-parent household, number of wage earners, amount of television viewing (Bielick, 2008; Editorial Projects in Education Research Center, 2011; McLoughlin & Chambers, 2004; Rudner, 1999). Moreover, addressing these known differences still does not address the problem of which homeschooling households will choose to contribute their data for research purposes, worsening concerns about sample representativeness and generalizability of findings. The question comes down to who among this self-selected group’s members will self-select again (i.e., volunteer) to provide data about their homeschooled children? As West (2009) suggested, “the parents and children who voluntarily subject themselves to testing are the self-selected educational elite of the homeschooling movement” (p. 9). Compounding this problem is the likelihood that data are often collected and reported by the parent who homeschools her or his child or children (Gaither, 2017). Further, covariation of select demographic characteristics fails to address motivational factors on which the groups probably differ, such as parental involvement (Green & Hoover-Dempsey, 2007; Ray, 2015). Indeed, it is axiomatic that parental involvement is higher for students who are homeschooled than for those who attend traditional schools. This variable, which itself is difficult to capture, is not included among the national data to which homeschoolers’ performance is compared routinely (Lubienski et al., 2013; West, 2009).

Homeschooling and Assessment

One of the contentious issues in homeschooling involves testing requirements that, generally speaking, serve to document the educational progress of a given state's residents and demonstrate that education provided within the state leads to adequate achievement (Bartholomew, 2007; Hardenbergh, 2015; Lubienski et al., 2013; West, 2009). If, when, and how to assess homeschoolers are all questions the answers to which vary widely from state to state. Several sources provide information about state-specific assessment requirements, applying different schemas to simplify and, thus, allow similarities across states to be discerned (CHRE, n.d.; Huseman, 2015; Prothero, 2018; USDOE Office of Innovation and Improvement, n.d.). Reports suggest that approximately half the states require some form of academic assessment, with CRHE (n.d.) reporting 24 states require assessments, Huseman (2015) saying 21, Prothero (2018) saying 20, and USDOE (n.d.) saying 25.

Information from CRHE (n.d.) indicates that nine states (Hawai'i, Massachusetts, New York, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, and West Virginia) designate specific tests or types of tests (e.g., standardized, norm-referenced) that may or must be used to document acceptable academic achievement. However, five of these same states (Hawai'i, New York, Pennsylvania, Vermont, and West Virginia) provide alternatives (such as portfolios) that reduce to "no testing required," and two others (Massachusetts and Rhode Island) defer to local school districts to establish assessment policies. Two states (Ohio and North Dakota) offer exemptions for college-educated parents, while six states (Georgia, Maine, Minnesota, New Hampshire, North Carolina, and Washington) consider assessment to be for parents' information only and do not require scores to be submitted (CHRE, n.d.). In two states, North Dakota and Virginia, parents may seek an exemption from testing based on philosophical, moral, or religious grounds (Huseman, 2015). Testing is required in three states for students entering or re-entering public school: Arizona, New Mexico, Oklahoma; and may be required in two others: Montana, Nebraska (Carlson, 2016). **Figure 1** graphically depicts testing requirements within states by delineating seven categories of testing requirements that specify conditions under which options exist or may be exercised: (a) no assessment/evaluation required; (b) no assessment/evaluation

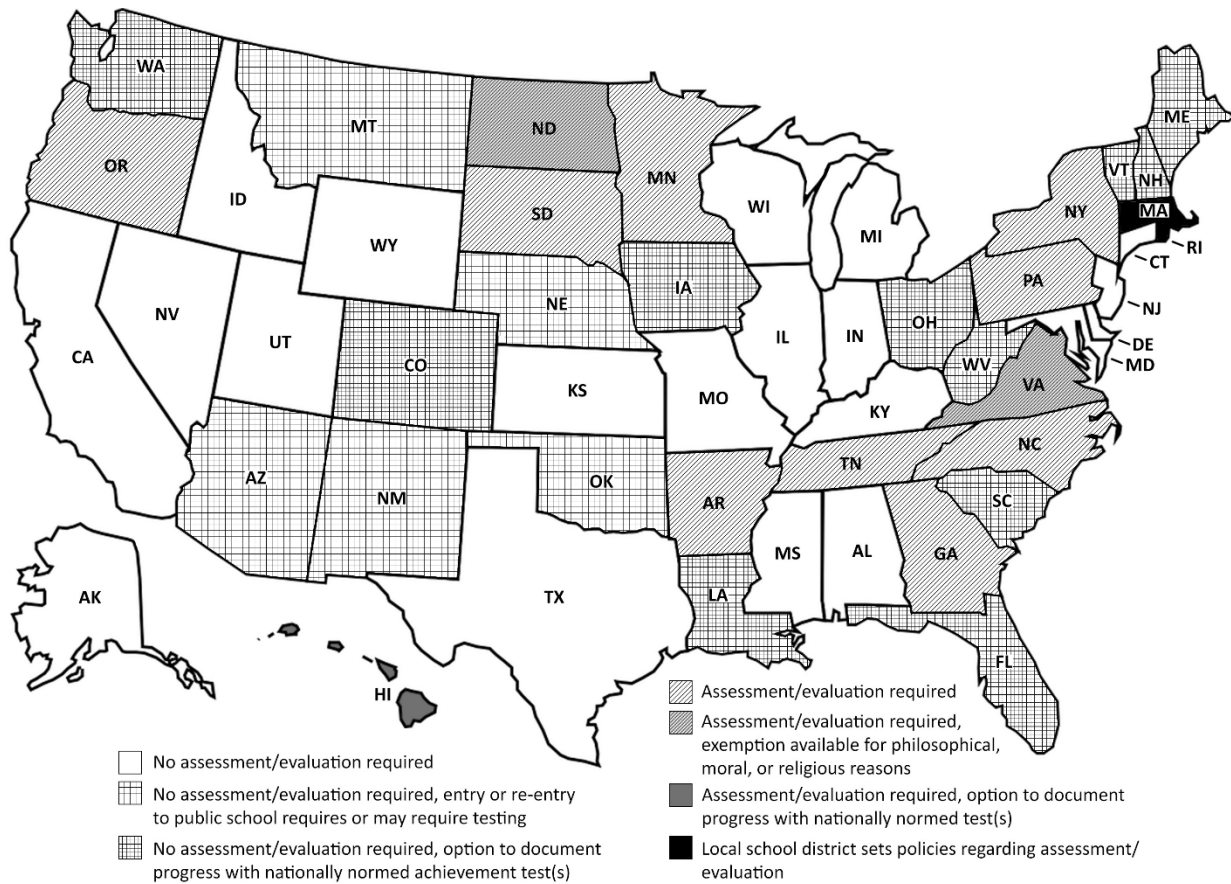


Figure 1. State-by-state regulations for testing of homeschooled students.

required, entry or re-entry to public school requires or may require testing; (c) no assessment/evaluation required, option to document progress with nationally normed achievement test; (d) assessment/evaluation required; (e) assessment/evaluation required, exemption available based on philosophical, moral, or religious grounds; (f) assessment/evaluation required, option to document progress with nationally normed achievement test; and (g) local school district sets policies regarding assessment/evaluation.

According to Huseman (2015), about 40% of U.S. states ($n = 21$) mandate the use of standardized achievement tests in specified content domains, usually reading and mathematics in lower grade levels and expanding to include language, science, and social studies in higher grade levels. In the majority of these states, parents submit scores to the local school district. Among the states that require

testing, 13 call for annual assessment or evaluation and 8 require periodic assessment or evaluation. States that require periodic testing specify the grade levels at which testing or other evidence of satisfactory progress is needed. Several states ($n = 11$) require homeschoolers to participate in statewide testing programs and some require the use of state-developed tests. Testing options in 13 states include the use of nationally normed, standardized achievement tests. States may impose other restrictions, such as the date of the test's publication or its norms and who may administer the test or conduct the evaluation (Carlson, 2016; Wixom, 2015).

In sum, assessment regulations for students in homeschools show much variability from state to state. Within-state variability also occurs in states where local districts set policies or make decisions about homeschoolers. Approximately half the states allow or require assessments take place periodically; none expressly prohibit testing in the homeschool context.

Implications for Practice

Table 1 provides an annotated list of online resources to assist school psychologists, as well as the homeschooling families with whom they work, in establishing or maintaining familiarity with homeschooling and associated regulations in their respective states. Several of these resources offer detailed information about many aspects of homeschooling regulations, including relevant statutes and/or terminology, notification, teacher qualifications, assessment, required subjects, educational neglect, immunizations, and available services (athletic participation, part-time enrollment, and students with disabilities).

The wide state-to-state and within-state variations in the regulation of homeschooling clearly affect the prospective roles of school psychologists in homeschooling contexts. The absence of federal legislation that establishes mandates for homeschooling similar to those that exist for students with disabilities leaves a substantial void. States have filled the void, each in their own way. The delivery of services, including school psychological services, depends on whether and how state laws define homeschools, what allowances exist for public school

Table 1. *Resources Related to Homeschooling*

Coalition for Responsible Home Education <https://www.responsiblehomeschooling.org/>

Nonprofit organization engaged in research, resource development, and advocacy to assure that homeschooled children receive good educations in safe homes. The searchable website provides state-by-state details about rights and responsibilities of homeschooling families, including those related to mandated subjects, assessment, and students with disabilities.

Education Commission of the States www.ecs.org

Interstate commission that partners with education policy leaders to share resources and expertise about educational issues. The commission serves policy makers and implementers, as well as students affected by policy changes. The searchable website offers information and a live chat option.

Education Week <https://www.edweek.org/ew/index.html>

Weekly publication that addresses a variety of educational topics, some of which relate to homeschooling.

Home School Legal Defense Association www.hsllda.org

Advocacy organization specializing in legal matters related to homeschooling. Legal representation and access to some resources requires membership. Current membership exceeds 80,000.

National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education <https://nces.ed.gov/pubs2016/2016096rev.pdf>

Link to report on *Homeschooling in the United States: 2012*, which may be downloaded together with an erratum. The report provides statistics on homeschooling, including demographic characteristics, reasons for choosing homeschooling, and parental reports about sources consulted or used to support their teaching.

National Home Education Research Institute <https://www.nheri.org/>

Institute dedicated to research, facts, and scholarly articles about homeschooling. NHERI conducts research and offers a clearinghouse of research to support the interests of other researchers, media, homeschoolers, and policy makers. It also publishes reports and a peer-reviewed journal, *Home School Researcher*. Back and current issues of the journal are available on the website.

Office of Innovation and Improvement, U.S. Department of Education <https://innovation.ed.gov/resources/state-nonpublic-education-regulation-map/>

Link to report on state by state regulations governing private and home schools. A series of interactive maps provide details about specific state requirements including those pertaining to notification of the intention to homeschool, assessment requirements, mandated school subjects, access to public services and extra-curricular activities, teacher certification, and immunization requirements.

ProPublica <https://projects.propublica.org/graphics/homeschool>

Article by Huseman published August 27, 2015 detailing various state by state regulations related to homeschooling, including those pertaining to providing notice of the intention to homeschool, immunization requirements, assessment requirements, mandated school subjects, and requirements/restrictions pertaining to parents.

participation by homeschoolers, what responsibilities the states assign to homeschooling parents, what obligations the states choose to place on their public schools, and to what extent the states defer policy decisions to the local districts.

Homeschoolers in Arizona, New Mexico, and Oklahoma—states where entry or re-entry into public school requires testing—as well as Montana and Nebraska—states in which the local district may call for an evaluation of homeschoolers entering or re-entering public schools—will likely receive these assessment services from school psychologists, underscoring the need for practitioners to be knowledgeable about homeschoolers and the homeschool community. The child-find provisions of the 2004 reauthorization of IDEA call for individual states to locate, identify, and evaluate students with disabilities regardless of the type of school attended (Knickerbocker, 2001). School psychologists routinely conduct these evaluations using a wide range of assessment procedures (Benson, Floyd, Kranzler, Eckert, Fefer, & Morgan, 2019; Oakland, Douglas, & Kane, 2016). However, anecdotal reports indicate that these evaluations are far from routine, often occurring in the student's home, without an actual educational record, perhaps accompanied by a measure of uncertainty or even distrust. In addition, some measures used to evaluate social-emotional or behavioral matters depend upon actual school-based situations or interactions and may not be appropriate for use in the home context. For example, classroom observations and peer-rating techniques may be untenable within the home education setting. If one is able to apply these techniques in the home setting, there remains the question of the extent to which inferences drawn generalize beyond the home setting. Logistical issues, too, often interfere with home-based assessments. The simple act of scheduling testing sessions and identifying an appropriate location for the sessions become more complicated as the school psychologist may need to consider factors such as the parent's ability/willingness to allow the student to be tested at the school and to transport him or her there. In addition to developing rapport with the student he or she is testing, the school psychologist must establish enough of a trusting relationship with the parent as well as the child to ensure accurate results.

School psychologists should identify areas in which they may strengthen their own knowledge base to help them serve homeschoolers. For example, a school psychologist who works in a state

that accepts portfolios as documentation of homeschoolers' progress should ensure that he or she is well versed in this form of assessment. The school psychologist may be asked to explain performance assessment or to interpret an individual student's performance assessment in the event that the student enters public school or requests a recommendation to support an application for college, employment, or a special program.

To this day, it is state legislatures and local district policies rather than federal laws that control homeschoolers' access to curricular and extra-curricular programs. State and local entities also determine to what extent, if any, services will be provided to homeschoolers with disabilities. **Figure 2** presents a graphical summary of states' practices concerning part-time enrollment and providing services to students with disabilities. As shown, 47 states either allow part-time

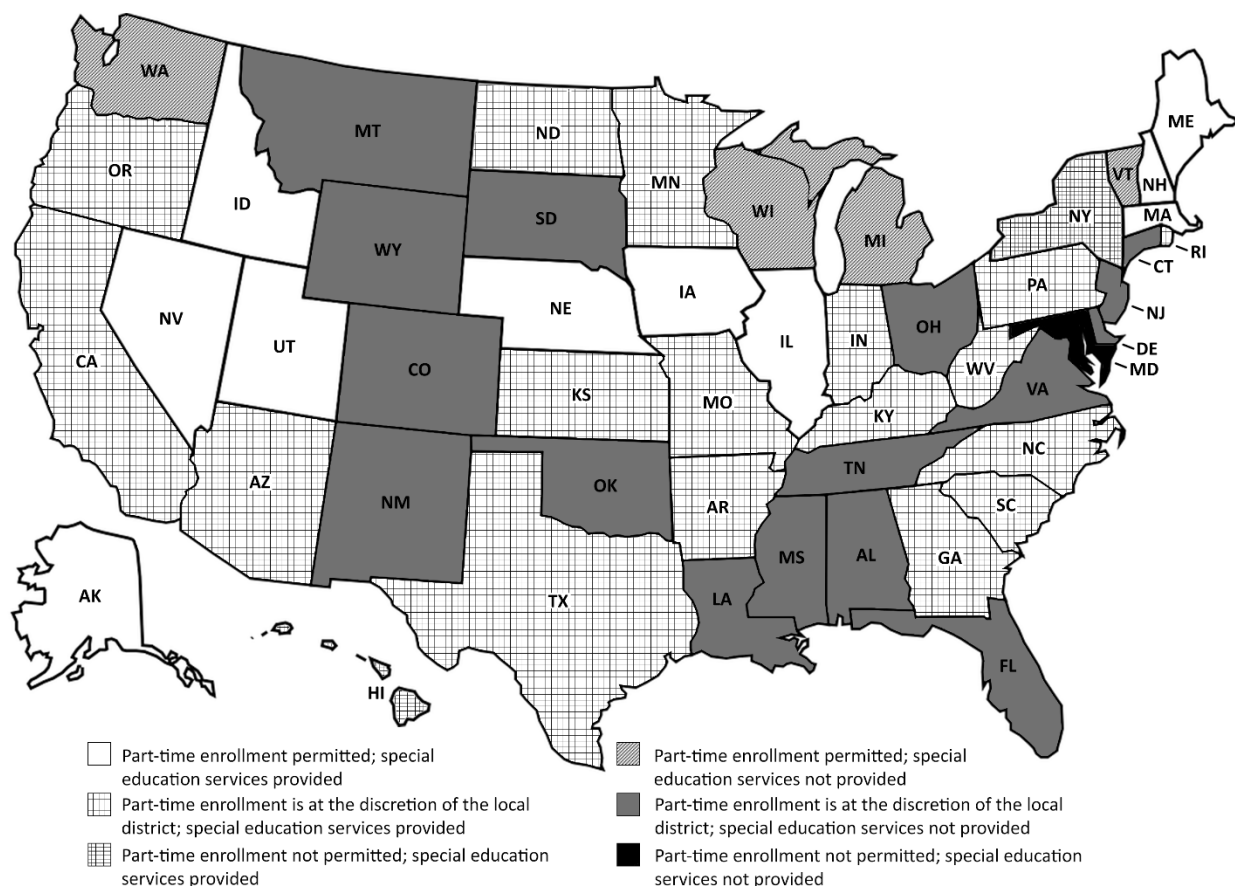


Figure 2. State-by-state regulations for part-time enrollment and provision of special education services for homeschooled students.

enrollment or defer to the local district to determine whether such dual enrollment is permissible. In 29 states, disability services are provided. Of note, information about practices concerning disability services is not always clear cut, with many exceptions noted in state statutes. A common exception is to permit services to be provided if the homeschool attended is registered with the state (e.g., as a “non-public school” or equivalent). It is vital for school psychologists to remain cognizant of their district’s policies regarding school psychological services available to parents who homeschool and to have or develop a working knowledge of the policies and practices of neighboring districts and states. Awareness of policies in nearby regions may equip school psychologists to work towards revising policies in their own district or state in cases where they perceive homeschoolers are not being treated appropriately. In addition, school psychologists should work to ensure that homeschooling parents are aware of resources and services and how to access or request them to help promote positive relationships with homeschooling families (Elias, Patrikakou, & Weissberg, 2007).

School psychologists should identify homeschooling associations that are active in the state where they practice and follow the associations’ news and events. They should consider participating in local or informal groups of homeschooling families by sharing their expertise on topics such as social-emotional learning, bullying, motivation, or assessment. They might choose to develop online resources, offer a webinar, write a column for an association’s newsletter, or attend an association’s meetings. Active engagement with homeschool associations provide a vehicle through which school psychologists can both share their expertise and strengthen connections with the homeschool community.

Conclusion

Homeschooling remains a viable option for parents to pursue, and its regulation by state entities often is minimal and flexible, allowing parents considerable latitude in structuring the education of their children. State departments of education often require evidence of adequate educational progress and testing is among the options available

to document progress. At minimum, school psychologists should become familiar with their state's regulations for homeschooling, including requirements related to assessment and evaluation, and should know what services their district provides to homeschooling parents, especially in relationship to homeschoolers suspected of having disabilities. Although school psychologists have much to offer homeschoolers and their parents, they must respect choices parents have made while also learning what needs and interests exist in the homeschooling community within one's district, state, and region. Active engagement with homeschool associations can provide a vehicle through which school psychologists can share their expertise. Better-informed school psychologists who engage with homeschoolers will be in better positions to advocate for change within their home states and districts.

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