

Home education in the post-communist countries: Case study of the Czech Republic

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Abstract

The paper analyzes the emergence of home education in European post-communist countries after 1989. The case of the Czech Republic representing the development and characteristic features of home education in the whole region is studied in detail. Additional information about homeschooling in other post-communist countries are provided wherever they are available in order to provide a more comprehensive picture of the issue. The driving forces and history of home education after 1989 are described. Current homeschooling legislation is analyzed with special attention paid to the processes of the legal enrolment of individuals into home education, supervision and assessment of educational results. The article concludes that despite the existence of country-specific characteristics, many features of home education in post-communist countries are similar. These generally include the rather strict regulation of home education and the high importance of schools as both gate-keeping and supervising institutions.

Keywords: home education, homeschooling legislation, Czech Republic, post-communist countries

Introduction

The educational system is traditionally strongly influenced by the political system of the country and by its prevailing culture. That is the reason why educational systems in the Czech Republic and many other post-communist European countries still have some specific features that distinguish them in a number of ways from the countries of “Old Europe”. These specific

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features also include dealing with different forms of education including home education.

While literature about home education in North America, Western Europe or Australia is relatively plentiful (Beck, 2002, 2008; Dalahooke, 1986; Meyer, 1999; Petrie, 1995, 2001; Priesnitz, 2003; Ray, 1994, 1997; Rothermel, 2002; Thomas, 1999), information about homeschooling in the post-communist countries is scarce. It is partly due to the simple fact that in most of the post-communist countries home education represents a quite new phenomenon. Educational researchers did not have enough time for its proper evaluation. In many post-communist countries the number of homeschooling families remain extremely limited, which left home education unnoticed even by local specialists for alternative education.

This text primarily concentrates on the situation in the Czech Republic where much of both of the quantitative and qualitative information about home education is available. The sources of such information include the analysis of the legislation, several empirical studies about home education that had been conducted so far, the interviews with the promoters of home education and parents of homeschooled children, and the participant observations of the author of the article in the evaluation of home education and the evaluation of the learning outcomes of home educated children. The development of home education in the Czech Republic will serve as a model case, representing the development of home education in the post-communist countries. Detailed information about home education in the Czech Republic will be supplemented by information about home education in other post-communist countries wherever such information is available. In such cases, the main sources of information are the web pages of local homeschooling associations.

The establishment of home education in the Czech Republic after 1989

The move towards the legalization of home education in the Czech Republic was, similarly to the other post-communist countries, initiated by a change of political regime after the fall of the Iron Curtain at the end of the 1980s. These historical events led to drastic changes put into motion by legislation that was aimed at introducing the principles of democracy, decentralization, diversity and effectiveness (Adámková, 2007). Soon after the regime change new education acts were adopted in the post-communist countries, changing local school systems to fit the needs of newly created democratic societies. The school systems that served as a tool for the unification of individuals, their values and attitudes during the Communist era were transformed in a way that would enable more individualized and variable outcomes in education.

Soon after the “Velvet Revolution” in 1990, the Czech parliament adopted a new amendment of the Education Act¹, which officially abolished the “unified school system”. This opened the door for more variety in the forms of education available. The establishment of private and denominational schools was allowed, which de facto ended the state monopoly on the providing of educational services. This amendment, however, did not mention home education at all, as there was effectively no demand for it at the time of its adoption. The situation in other post-communist countries differs somewhat in this respect. In Poland, the legal possibility to educate children at home was introduced by the Education Act² that was adopted by the first post-communist parliament in 1991. In Russia as well, the legal possibility for home education to exist was already established in the 1992 Law on Education³ (Fladmoe & Karpov, 2002). In Estonia, the 1992 Education Act allowed compulsory schooling to be carried out at home (Leis, 2005). In Hungary, the 1993 Education Act⁴ introduced the status of a “private student” that could be educated individually, out of school. In contrast with Poland, Russia, Estonia and Hungary home education was practically an unknown entity to both the experts and the public in the Czech Republic until about 1996 and in Romania until about 2000⁵. The idea of home education also came rather late to Slovakia, where an educational act legalizing home education was adopted in 2008⁶.

In spite of the fact that reforms of the Czech educational systems were generally directed towards more decentralization, strengthening the role of municipalities in primary education, and increasing the educational, administrative and economic autonomy of schools (Marvanová, 2001), advocates of home education were afraid⁷ that home education would be considered to be a marginal issue by the relevant politicians. In turbulent times of social and economic transformation, politician sought to reach consensus in the “key” issues of the educational reforms, but the legalization of home education definitely did not belong to such issues. Many politicians, even those who personally favoured home education, avoided openly supporting the idea or even being personally connected to the issue, because the prevailing opinion of both the experts and the general public was not known and they did not want to be accused of supporting extremists’ views⁸.

¹ The amendment of Education Act No. 29/1984 Coll. adopted as Act No. 171/1990 Coll. (Zákon ze dne 3. května 1990, kterým se mění a doplňuje zákon č. 29/1984 Sb., o soustavě základních a středních škol (školský zákon)

² Educational Act No. 95/1991 (Dz.U. 1991 Nr 95 poz. 425 USTAWA z dnia 7 września 1991 r. o systemie oświaty)

³ Educational Act No. 3266-1 (Закон об образовании от 10.07. 1992 N 3266-1)

⁴ Act No. LXXIX of 1993 on Public Education (1993. évi LXXIX. törvény a közoktatásról).

⁵ Web pages of *Asociația Home Schooling România* (<http://www.homeschooling.ro/ro/about.html>)

⁶ Education Act No. 245/2008 Coll. (245/2008 Z. z. Zákon o výchove a vzdelávaní (školský zákon) a o zmene a doplnení niektorých zákonov z 22. mája 2008)

⁷ Interview of author with Petr Plaňanský, later member of the Board of the Association for Home Education, July 12th, 1998.

⁸ Interview of author with Jiří Tůma, later the President of the Association for Home Education, July 10th, 1998.

The effort to gain the support of the public and from at least some politicians encouraged supporters of home education to engage in a higher level of public activity. Supporters of home education started to form various formal and informal groups⁹ that worked to raise public awareness of home education and build a positive image of home education in Czech society. The fact that groups of active promoters of home education in the Czech Republic included several respected experts from among lectures at universities to teachers and directors of elementary schools proved to have a very positive impact on the promotion of the case in its initial phase¹⁰. In addition to prestige, these people also had the cultural and social capital necessary for successful public relations activities.

The increased activity of advocates for home education in the Czech Republic bore fruit surprisingly quickly. After short but intensive lobbying the promoters of home education were able to gain the favour of some politicians and upper level officials within the Ministry of Education. The unsolved questions remained, however, of how to make home education legal in a situation in which no real chance for the adoption of a new education act, or the amendment of the existing law, could be realistically expected any time soon. In spite of the problem, the Ministry of Education created a solution that made home education “legal” very quickly and in a quite unconventional way. The Ministry used its executive power and enabled “experimental examination of home education as the different form of the elementary schooling” (Kolář, 2000). The experiment was designed to last for five years¹¹. Starting September 1st 1998, home education was made a legal alternative to school attendance. However, it was enabled only as an educational experiment and only for children in the first five grades of elementary school. The declared aims of the experimental examination were to find a functional model of home education, to make an assessment of its outcomes, and to examine all potential risks that might eventually be connected with this type of education.

Home education during the period of its experimental examination

The Ministry of Education first had to define a target group for home education and to determine the “guarantor” that would oversee and make

⁹ The Association for Home Education (*Asociace pro domácí vzdělávání*) was established several years later, in 2002. It serves as the umbrella organization unifying different groups of home educators in the Czech Republic and serves as a platform for the official negotiation of home educators with the public administration. Similar associations came into existence in other post-communist countries. The Polish Association for Home Education (*Stowarzyszenie Edukacji Domowej*) was established in 2003. The Estonian Centre for Home Education (*MTU Eesti Koduõppe Keskus*) has been active in Estonia since 2005. The Romanian Homeschool Association (*Asociația Home Schooling România*) was established in Romania in 2002 while the Homeschooling Friends Association (*Spoločnosť priateľov domácej školy na Slovensku*) is active in Slovakia, the Homeschooling Association in Bulgaria (*Училище в дома*) and the Association for Home Education (*Šeimų mokyklų namuose draugija*) in Lithuania.

¹⁰ Interview of the author with Jiří Tůma, later the President of the Association for Home Education, July 10th, 1998.

¹¹ The experiment in fact lasted several more years than was formerly expected, until the adoption of the new Education Act.

an assessment of the experiment in practice. The Ministry decided that the target group would be defined solely by age - only children of early primary school age (from 1st to 5th grade) were allowed to participate in the experiment. In this respect, the Czech solution was rather unusual. Only Slovakia¹² and Estonia (until 2008) (Rand & Leitmaa, 2007) similarly restricted home education to children in the first years of compulsory schooling.

The Czech Ministry also chose selected elementary schools as guarantors of the practical realization of the home education experiment (Kolář, 2000). In contrast to the previous one, this solution was very typical and was adopted in many other post-communist countries: Poland¹³, Estonia (Leis, 2005), Slovakia¹⁴, Slovenia¹⁵, Hungary¹⁶ and Romania¹⁷. But the role of schools here is even more prominent. They are not only designed as institutions that are to supervise the actual home education: they also received the authority to decide whether a particular family can homeschool their own children. Parents who are interested in home education must apply to schools for permission to educate their children at home, as in for example Poland¹⁸, Estonia (Leis, 2005) and Slovakia¹⁹. In some states, like Slovakia²⁰, such permission can be obtained only from a local school in the school district where applicants live. In Poland, after 1991 only state schools could issue such permission. The first private school was granted such authority no sooner than September 2004 (Dueholm, 2006).

In the first year of the experiment (school year 1998/1999), the Czech Ministry of Education granted authority to issue permission for homeschoolers only to two schools. Both supervising schools were denominational schools. During the course of the experiment two more schools (public schools) were chosen to be supervising schools. Many powers were delegated to the directors of participating schools. Directors made decisions about the enrolment of children into the experiment, as well as made ones concerning the form of evaluations of educational outcomes of home educated children. The state, represented by the Ministry of

¹² Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

¹³ Educational Act No. 95/1991 (Dz.U. 1991 Nr 95 poz. 425 USTAWA z dnia 7 września 1991 r. o systemie oświaty)

¹⁴ Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

¹⁵ Elementary School Act No. 3535/2006 [Zakon o osnovni šoli – ZOsn–UPB3 (Uradni list RS, št. 81/06 z dne 14. julija 2006)]

¹⁶ Act No. LXXIX of 1993 on Public Education (1993. évi LXXIX. Törvény a közoktatásról)

¹⁷ Reply of Secretary of State of Ministry of Education and Research Gabriela Pastor on interpellation of MP Adrian-Sirojea Mihei from March 10, 2008. Available online at webpages of Romanian Parliament (<http://www.cdep.ro/pls/steno/steno.stenograma?ids=6451&idm=9,01&idl=1>)

¹⁸ Educational Act No. 95/1991 (Dz.U. 1991 Nr 95 poz. 425 USTAWA z dnia 7 września 1991 r. o systemie oświaty)

¹⁹ Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

²⁰ Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

Education, did not set any special constraints for the practical realization of home education aside from the general requirement for the home educating parents to meet the educational standards valid for elementary schools, the duty for supervising schools to evaluate outcomes of home education twice every school year and for them to provide the Ministry with a written report evaluating the course of the experiment at the end of every school year (Kostecká, 2003). Schools in some other post-communist countries received a level of authority very similar to this (Dueholm, 2006; Leis 2005).

The first families enrolled in the home education experiment

The basic information about the families that were allowed to homeschool their children within the framework of the experiment are available from the official registers kept by the supervising schools and from evaluating reports that participating schools had to submit to the Ministry of Education (Zpráva... 2000, 2001, 2002, Výroční zpráva, 2002). Some specific information about participants of the experiments was obtained by several empirical studies that used surveys and interviews with families (Kostecká, 2003; Marvánová, 2001; Mifková, 2009). It was possible to identify two different types of families from the available data that differ in the motives which led them to participate in the experiment. The first type consisted of families that decided to participate in the experiment “under the pressure of specific circumstances”. The second type consisted of families who can be labelled as “devoted home educators”. The former type is represented by families with children who had already had negative experiences associated to attendance at school (too much stress in school, unsuitable approach by teachers to children, problems with classmates, problems in school due to frequent absences, various health problems, inability of school to meet specific requirement of children, too time consuming when commuting to a suitable school, etc.). Parents of such children came to the conclusion that their available school was not able to fulfil their expectations. Some of them were afraid that continuing to attend the school could have a serious negative impact on the further development of their children. Parents of such children could hardly be considered home education enthusiasts. They usually understood home education as an escape from their school problems, as one of a number of possible ways to solve their problems. If they had an acceptable school for their children they would probably not consider home education at all. In some cases, members of this group considered the decision to participate in the home education experiment as the temporary solution necessary for a period before they found a suitable school for their kids.

The motives of the devoted home educators were quite different. Their children were not forced out of school due to any specific problems. In the majority of cases they never attended school. Children that attended school had practically no problems there. The main motive for the participation in the home education experiment was an attempt by parents to preserve a high degree of influence over the education of their children. Such parents

tended to stress the building and preservation of close relations between parents and children within the family. In this regard, they often mentioned their desire to maintain more influence over the socialization of their kids, the need for more space for the transmission of family values, individualized learning, the possibility to provide children with more time to reach social maturity before they leave their family and join their school class, or to provide children with more time for their individual interests and hobbies as reasons for participating in the experiment. Some parents of this group expressed dissatisfaction with the values that regular schools espouse, or complained that children spent an inadequate amount of time outside of home due to long commuting times.

The collected information also suggests that devoted home educators were overrepresented among the first wave of participants²¹ in the experiment (Kostelecká, 2003). Such families deviated from the average Czech family in several aspects - the number of children in families was substantially higher and many parents declared themselves to be devoted Christians. Both fathers and mothers of the first homeschoolers were had a higher level of education than their counterparts of the same age. In spite of the high level of education, the majority of mothers stayed at home. Compared to average Czech families that typically have two incomes, the home educating families had a slightly lower average income in spite of the high level of education of the parents. It is clear that home educating families who were a part of the first wave of homeschoolers were typically representative of the traditional family. While husbands spent much of their time outside of the family due to earning money to support the family, their wives took care of the household and were mainly responsible for the education of the children.

Later, the number of children who had previous negative experiences while attending school and ones with specific learning problems increased among homeschoolers. The directors of supervising schools observed that such families have somewhat different needs than that of the former group. Parents, who had opted for home education as a way to avoid their children's problems at school, tended to contact schools much more frequently to seek help or professional advice (Kostelecká, 2003).

It is possible to distinguish rather distinct groups of homeschoolers in many post-communist countries. But these may not necessarily be in the group of homeschoolers avoiding school under pressure of specific circumstances or the group of devoted home educators. More often than not,

²¹ A questionnaire including 58 questions (the majority of which were multiple choice questions with some open-ended questions) was sent by post to all 62 families that participated in the first year of the experiment in early 1999. Contacts to home educating families were obtained from two supervising schools. After two reminders (one written and the other by a telephone call), 35 questionnaires altogether were collected. Questions in the questionnaire were answered exclusively by parents of home educated children. Information obtained by the questionnaire was subsequently supplemented by interviews with parents of 12 home educated children who filled in the questionnaire. Interviews were conducted in 2003.

it is possible to distinguish home education for children with specific learning needs and home education for common children. Sometimes, educational laws explicitly make such a distinction. The Russian law²² distinguishes between home education and family education. Home education is intended for children with special learning needs. Only parents whose children suffer from illnesses specified by legislation can obtain permission to do home education for their children. An individual curriculum is prepared for the children of successful applicants. Parents can choose between whether their children obtain individualized instructions in school or that they themselves teach their children at home, with the help and support of teachers. On the other hand, family education “is designed for children whose parents do not want children to attend school for any reason. Such parents could either teach their children themselves or they could hire a private teacher. In both cases they have to follow standard school curricula” (Fladmoe & Karpov, 2002). Estonian law also makes a distinction, treating homeschooling for medical reasons differently than home education that is practiced because parents wish to do so. In the former case, home education is possible only if the nearest school is not able to guarantee the inclusion of a child and when a doctor considers home education to be necessary for the child. The child who receives permission for home education for medical reasons is then assigned to a teacher who works out an individual curriculum plan and is responsible for educating the child (Leis, 2005). In Slovenia as well, law²³ explicitly distinguishes between the home education of children with special learning needs and the home education of other children. Similar situation can be observed in Slovakia where law²⁴ specifies individual education for children whose health does not allow them to participate in regular schooling. Parents of such children must submit application accompanied by the opinion of the paediatrician. In specific post-communist countries (e.g. Bulgaria) home education is allowed only to children with special physical or mental needs, but homeschooling for most other families is still prohibited. In Bulgaria, families who homeschool their children clandestinely could be subject to fines (Porumbachanov, 2007).

Practical implementation of the experiment in individual supervising schools

The practical organization of the home education experiment in the Czech Republic was substantially different under the supervision of different schools (Zpráva, 2000, 2001, 2002). The director of a supervising school had the authority to determine specific forms of organization of home education. The enrolment of children into the experiment was usually organized in several steps. In the first step, applicants were asked to write an official application and to fill in a questionnaire. The second step was an interview

²² Educational Act No. 3266-1 (Закон об образовании от 10.07. 1992 N 3266-1)

²³ Elementary School Act No. 3535/2006 [Zakon o osnovni šoli – ZOsn–UPB3 (Uradni list RS, št. 81/06 z dne 14. julija 2006)]

²⁴ Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

of both parents and children with the school director. The aim of the interview was to find out the motives for home education and assure that the parents are able to provide adequate education for their children. Schools were interested in the education of the parents, the functionality of a family, and the material and space conditions for home education. Some schools wanted to be assured that the children would have enough contact with other children outside of the family. Some schools required a written opinion from a physician. In individual cases schools also required a written opinion from an accredited educational and psychological counsellor. Only a minimum of applications were discarded. Most applicants were successfully enrolled in the home education experiment, and signed a written agreement with a respective supervising school. Sixty-two children were enrolled into the experiment in its first year. The number of children enrolled gradually increased and reached 307 in the fifth year of the experiment²⁵ (Nováková, Brant & Tupý, 2002).

Each participating school had its own ideas of how home education should ideally be. One of the two denominational schools adopted an approach in which parents would have the main responsibility for the home education of their children. As a consequence, the school tended to interfere with home education in families less than that of the other participating schools. This school considered itself primarily to be a place where parents doing home education can get help and advice and where the educational outcomes of home education are to be evaluated. The school offered consultations with experienced teachers and participation in activities organized by school. The cooperation between the school and the parents during the school year was based exclusively on a voluntary basis. The inexistence of any time consuming requirements and demands from a supervising school made more room for activities organized by the participating families themselves. Parents and children started to cooperate amongst themselves, establishing various working groups for similarly aged children. Some working groups worked on a long-term basis and were relatively stable (e.g. working groups specialized on the learning of foreign languages). Other working groups were constituted only on a temporary basis, such as children working together to complete some specific project (environmentalist, historical, natural science experiments, etc., in accordance with the interests and needs of the children. Some children participated only in one working group; other children worked in several working groups simultaneously (Zpráva, 2000, 2001, 2002).

²⁵ In Bulgaria, for example, only 15 to 20 families educated their children at home in 2007 (Porumbachanov 2007). In Estonia, the number of home educated children reached 1008 in the 2005/2006 school year, but only 70 were reported as home educated by parental wish, while the other 938 were home educated for medical reasons (Leis Tiia 2005). In Hungary, the number of home educated children reached 6830 in the 2006/2007 (Kolasinska et al 2007). In Slovakia, the number of home educated children is not known (email correspondence of author with Jana Pajgerová, vice-charman of Homeschooling Friends Association, June 20, 2010).

The other supervising schools understood their role in the experiment differently. They wanted experienced teachers to guide parents doing home education to assure that children would be provided with a good education. The schools required the obligatory participation of families in regular consultations, pushed parents to keep detailed records about the course of education at home, and required regular evaluation of educational outcomes by testing in schools. The relatively tight control of schools over parents choosing home education were motivated by an idea that it is necessary to ensure the early diagnostics of possible problems and, thus, prevent any possible didactic mistakes made by parents. This way of organizing home education proved to be quite time consuming for the parents involved. According to Galisova (1999), one school even required parents to keep special records separately for individual subjects to which a detailed time schedule of the learning process had to be recorded, including all activities, exercises and tests. Parents were required to prepare in written form all of the lessons to be given and to evaluate regularly in writing the educational progress of the children in individual subjects. In addition, children were required to participate regularly (once or twice a week) in some lessons in class while parents with children were obligated to meet with consultants from amongst school teachers at least once a month. The task of the consultants was to check the progress of the children, to identify eventual problems and to propose a solution. In addition to obligatory requirements, home educated children were offered additional voluntary participation in regular classes in the school (Nováková et al., 2002). Children from higher grades formed a group and were taught some difficult topics by a teacher in the school. The aim was to help parents with the teaching of difficult subjects and to prepare the children for a smooth transition from home education to regular school attendance (Výroční Zpráva, 2002).

The process of the evaluation of home education also differs substantially under the guidance of different schools. School were legally required by the Ministry of Education to evaluate the progress of home educated children twice a year, but the form of evaluation was at the discretion of their directors. One school opted for individualized evaluation that took the form of a discussion between teacher(s) and the child, who was always accompanied by parent(s). The discussion was aimed towards checking whether or not the child was educated adequately according to his or her age and individual abilities. Great attention was paid to the materials that the child was required to bring. These materials included various textbooks, notebooks, review sheets, paintings, photos, and other materials, such as a student portfolio, that were for documenting the children's progressive learning growth. Parents were required to provide the evaluator with their written evaluation report of the child's educational progress and written records in which the topics of study were documented on a weekly basis. All materials provided by the child and his or her parents served as the background information for the official evaluation report (Gališová 1999; Nováková, et al., 2002; Zpráva, 2000, 2001, 2002).

The other schools evaluated the educational progress of home educated children with biannual examinations that consisted of written tests and the oral examination of children. Examination covered various subjects - mathematics, the Czech language, reading, oral presentation, and knowledge from other obligatory subjects (history, geography, natural sciences, etc) (Nováková et al., 2002). One of the schools took into account that the home educated children had individualized curricula. The school, therefore, sought to prepare individually tailored evaluation tests, which proved to be extremely difficult and time consuming for the evaluators. Other schools used the same tests for all children of the same grade, which pushed the parents of home educated children to adjust their curricula to the requirements of the test. The final official evaluation report was based exclusively on the results of the test and oral examinations and was written by teachers/evaluators from schools (Nováková et al., 2002; Výroční zpráva, 2002; Zpráva, 2000, 2001, 2002).

Although it is hardly possible to claim that home educated children were educated without proper control by the state during the experiment, such as close supervision by schools, frequent terms of evaluations, etc., the Ministry of Education suggested new conditions for the experiment in 2001 (Podmínky, 2001). These new conditions were aimed towards tightening the control the state had over home educating families and assumed the reduction of powers of school directors. The plans of the Ministry were opposed by participating schools and were also fiercely refused by home educating families and their associations. Finally, after some negotiation with the involved parties, the Ministry decided not to change the conditions of the experiment. This debate over the scope of the control the state has over home education, however, influenced the new Education Act that was being prepared.

Home Education under the new Education Act

Six years after the home education experiment had started the new Education Act was adopted by the Czech parliament (Act No. 561/2004 Coll). The Act does not use the term “home education”, but instead introduces “individual education”²⁶ as a different way of how to meet the requirement of compulsory school attendance. The directors of elementary schools have the authority to permit home education to children who are at the lower primary school age (1st to 5th grade). Parents have to submit an application that includes the motives for individual education, school diplomas proving that the people who would be primarily educating the children (not necessarily the parents) have at least completed secondary education, a description of the material and space conditions for educating at home, the list of textbooks and educational material that are to be used during home

²⁶ Terms that differ from “home education” are also used in other post-communist countries. For example Slovak law speaks about “individual education”, Lithuanian about “self education” or “independent studies”, while Russian about “family education”.

education, a written opinion by an accredited educational and psychological counsellor, amounts other things. Home education can only be permitted if applicants have serious reasons, provided that all other requirements of the law are fulfilled. The law, however, does not specify which reasons should be considered serious. The law gives authority to schools to verify information provided by the applicants but does not suggest how to do that.

Requirements of the law are rather detailed but they are not uncommon compared to some of the other post-communist countries. Both Lithuanian and Slovak laws set similar requirements for applicants. In fact, Slovak law²⁷ is even stricter and explicitly defines who is responsible for the examination that determines whether all of the requirements have been fulfilled. The quality of education of homeschooled children can be examined by the State School Inspection Office. Parents are obliged to allow in-site inspections at home. Moreover, the educator of homeschooled children can only consist of certified elementary school teachers.

The Czech Educational Act requires that child must be examined twice during a school year. A similar frequency of examinations (one or twice a year) is required in Poland²⁸, Estonia (Leis, 2005), Hungary²⁹, Slovenia³⁰ and Slovakia³¹. The use of the word “examination” instead of “evaluation” is a problem as it implies a rather quantitative method of evaluation by one-time tests. The strict requirement of the bi-annual testing of knowledge in a broad range of subjects to some extent contradicts one of the key reasons for home education – the possibility of adjusting curricula to the individualized needs and abilities of particular children.

Although the rules of participation in home education seem to be quite strict when the requirements set by law are considered, it is not so difficult to obtain permission for home education in practice. In the Czech Republic, parents have complete freedom to choose an elementary school for their children. Therefore, parents interested in home education tend to submit an application to schools that are known as home education friendly. Such schools offer very helpful conditions to potential applicants and are willing to supervise families from all regions within the Czech Republic.

Although the Education Act allows the home education of children in the first five grades of primary school only, a new opportunity was created for children at an older age (6th to 9th grade). Since September 1st 2007, the home education of older children has taken place, this time also as an

²⁷ Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

²⁸ Educational Act No. 95/1991 (Dz.U. 1991 Nr 95 poz. 425 USTAWA z dnia 7 września 1991 r. o systemie oświaty)

²⁹ Act No. LXXIX of 1993 on Public Education (1993. évi LXXIX. Törvény a közoktatásról)

³⁰ Elementary School Act No. 3535/2006 [Zakon o osnovni šoli 3535– ZOsn – UPB3 (Uradni list RS, št. 81/06 z dne 31. 7. 2006)]

³¹ Education Act No. 245/2008 Coll. (Zákon o výchově a vzdělávání (školský zákon) a o změně a doplnění některých zákonů z 22. mája 2008)

experimental examination under the supervision of several schools and designed by the Ministry of Education.

Conclusions

Some features of home education in the post-communist countries are similar while other features are country specific. In all countries, there was no room within the law for home education during the Communist era; the first attempts to introduce home education into national educational systems appeared only after the fall of the Iron Curtain at the end of 1980s. In some countries, the legal possibility for home education was incorporated into the first post-communist laws concerning education. In other post-communist countries it took several years more before home education was made legal, and yet in other countries the gradual process of the legalization of home education is not completely finished. In some post-communist countries home education is open basically to all children while in other post-communist countries laws only allow access to home education to selected groups of children – typically ones with special physical or mental needs, or to the youngest children below a specific age.

In most post-communist countries laws concerning education require obligatory school attendance. The law assumes that education can and should be acquired through a school. The wording used in laws does not leave much space for the idea that education could be obtained anywhere outside of school. This poses an obvious problem for home education. In contrast to countries where laws concerning education demand obligatory education, the legalization of home education in the post-communist countries is more complicated. Special provisions of laws that settle the apparent conflict between obligatory school attendance and the intended legality of home education are necessary.

In most post-communist countries, children are not legally entitled to home education; nothing like the right to home education exists. To be allowed to homeschool their children, parents are obliged to submit an application and obtain permission, usually from schools. The successful applicants must meet a broad range of criteria that are set by the state, eventually by the school which is authorized to issue the permission. The decision about whether criteria were met by the applicant is done by the directors of schools. Especially when criteria are stated vaguely by the law (e.g. parents have to have serious reasons for home education) or when criteria are set directly by the school, the decision is in fact exclusively in the hands of the school director. Thus, paradoxically, parents who want to educate their children outside of school must ask the school for permission to do so. This puts parents into a very submissive position vis-à-vis school in countries where only district schools where the child resides may issue permission. In countries where any public or registered private school may issue permission, the situation is completely different for potential applicants. Parents may choose the school to which they submit the

application. If financial subsidies for schools are calculated on the basis of enrolled students, schools may even compete for homeschoolers.

In most cases, legal home education in the post-communist countries is practiced in close interaction with supervising schools. There is both a positive and negative aspect to this. The negative aspect consists of the fact that some schools do not properly take into account specific features of home education and tend to push home educating parents into using methods that are suitable in school classes rather than in individualized education at home. The influence of schools is particularly visible in the way in which progress in education is evaluated. Schools tend to prefer an assessment of progress of children by school-style written and oral examinations. Parents, who know in fact more about the real academic progress of their children thus have only an advisory role in the evaluation. The school directors and teachers tend to treat parents doing home education the same ways as professionals treat amateurs and tend to guide and counsel them. The strong position of schools also leads to situations in which rules for homeschooling families might substantially vary within one country despite the same legislation.

The positive feature of the close relations between homeschooling parents and supervising schools consists of the fact that schools provide some services for the homeschoolers. These families might quite often use some school facilities (libraries, gyms, computers, natural science labs, etc.). Children might also be allowed to participate in selected curricular and extracurricular activities at the school.

The educational outcomes of home education are evaluated in a similar way in most post-communist states – children are evaluated frequently (usually twice a year) and often through the form of written and oral exams organized by supervising schools. In no post-communist country has home education become a mass phenomenon thus far. The numbers of home educated children vary between the tens and several thousands. In spite of the fact that families interested in home education are not particularly numerous, the legalization of home education in the post-communist countries seems to be quite important. In countries where the legalization of home education has not yet been completed, parents who are interested in home education try to keep their children out of the school system and to avoid any contact with the authorities (Porumbachanov, 2007). In such situations the children's education may not be recognized by the local secondary or tertiary schools or by the local employers. This poses a greater risk for children and for the whole of society than the legalization of home education and its operation under the clear rules and supervision of proper authorities does.

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