



## Home Schooling Yesterday, Today & Tomorrow *After 30 years the need for an updated law is here!*



New legislation offers hope and relief to Missouri's Home Education community. Home schooling families could gain some long awaited relief from overburdening record keeping. Plus, if this new 2017 legislative proposal can make its way through the process, home schoolers would be relieved of the stress and fears of unfounded harassments from legal authorities.

HB 793, introduced by State Representative Kurt Bahr (Republican from St. Charles County), is the first pro-active effort by Families for Home Education to significantly alter our Missouri home school law since its adoption over thirty years ago!

Thirty years may seem like a long time to wait, but there are good reasons for the timing.

### *Yesterday's Challenge:*

Decades had turned into generations since public education had so dominated the culture that almost no one was home schooling any more. But a number of factors had developed through the sixties and seventies, and by the very early 1980's a significant resurgent of interest in home education was in full swing nationwide.

The problem was that it had been so long since home education was a normal part of the American experience, it seemed so counter-culture to the vast majority of our modern society that it was now viewed as abnormal, backward, and even detrimental to children! The social stigma commonly associated with home schooling made it an easy target for those who were motivated to cross the line from criticizing to harassing and even persecuting home schoolers.

By 1983-84 Missouri State agencies had developed policies to "protect" children from their parents who decided to home school. While the home education movement was growing, that growth was stunted by heavy-handed discrimination. The home schooling culture was being driven underground and parents

were torn between being discreet and outright hiding from authorities.

But when state social workers formally began labeling home education as "educational neglect"

under child abuse and neglect investigations, they began taking children into protective state custody for no other reason than the family's choice to home school.

In 1984 a small group of brave home school parents stepped out of the shadows and allowed themselves to be painted with big targets on their chests. These brave visionaries organized and formed "Families For Home Education". One of the primary purposes for this audacious move was to create an organization that could be granted "standing" in federal court. The idea was to take a bold step and sue the State of Missouri in federal court and challenge the state's discriminatory persecution of home schoolers.

So the federal court handed down an edict in 1985 telling the Missouri Legislature to either clarify its compulsory education law in regard to home education in the next legislative session of the General Assembly, or the court would do it for them.

Thus the 1986 Session of the State Legislature was dominated by a huge battle between pro and anti home education activists.

So FHE joined with the hundreds of home schooling families from around the State who risked everything precious to them. Converging on the State Capitol we lobbied the members of the House and Senate throughout the legislative session.

Then, on the last day of the session - with only twenty minutes or less remaining on the clock - a final version of a bill was passed and sent to Governor John Ashcroft.

Thanks to the hundreds of brave home schoolers who were willing to come to the Capitol, stand against the largest army of professional lobbyists and hold their heads high despite massive social pressures, Missouri had become the freest Home School friendly State in the nation!

Over the next several years, many other States used our home education law as a springboard to recognize and improve home education rights. In fact some States actually ended up adopting even better laws than ours! Yet every year, and in every State Legislature, as well as in our federal Congress, we

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have had to work and fight hard to defend home education rights from powerful and well connected opponents!

Here in Missouri, home education has flourished. But it took many years of activism on multiple levels to help educate the various levels of our home State's culture to the legal and legitimate status of home schooling. And over the following twenty plus years (even unto today in many cases) parents have had to face significant social pressures just because of our home educational choices.

Since 1986 FHE has had to maintain a lobbying presence in the Missouri State Capitol. And for a variety of political, social, and strategic reasons, FHE has maintained its policy and reputation of not asking the Legislature for anything more than to leave our home schoolers alone. In turn, Missouri's home school families have earned a well respected reputation within our culture.



Along the way we have worked with lawmakers of all backgrounds and opinions. Eventually home schooling parents managed to get elected to the House and Senate. And in more recent years a few home school graduates have now made their way into the political sphere and have joined with the ranks of the General Assembly.

***Today's Opportunity:***

The political climate, as well as the broader culture of the entire State, has evolved. Home Education has grown up and the majority of our culture and institutions now see what it has produced. Yet there still remain those who continue to discriminate against home schooling as though it is somehow harmful to the students and threatening to our society at large!

Some local public school officials see it as their obligation to harass home schoolers as much as they can get away with.

On occasion, a county prosecutor makes demands to see and review a family's records without any qualified reason – scaring honest parents and causing them to incur unnecessary legal bills.

Commonly, social workers still harass home

schoolers even though this is nowhere near as commonplace as it was in the past. And just last year, a Missouri judge began illegally sending letters to home schoolers demanding that they show up for a courtroom hearing regarding their home schooling!

It has been a long time coming, but FHE now believes it is time to update our Missouri home education laws. We have asked key home education leaders in the House and Senate to sponsor legislation for us that would provide just a few important changes to the law.

Representative Kurt Bahr is a home schooling graduate himself. He and his wife home school their children and are excellent examples of engaged parents who look for every opportunity to enrich their children's education. He has introduced HB 793 on behalf of all home schoolers throughout Missouri. The bill has four key components:

It eliminates the optional home school registration in 167.042RSMo which allows home schooling parents to register with their local recorder of deeds or local public school district, if they chose to do so. This provision was part of the 1986 law which has never been utilized except in very rare cases. But the provision is often cited to confuse home schoolers and has led to many false assumptions that home schoolers are required to register when they have no such obligation.

The bill creates a baseline legal standard for prosecutors who might request or require home school parents to present records for review. Under current law, only the prosecutor has the right to review your records. However, they do not have to have any cause or reason to do so. HB 793 includes a common standard for prosecutors to have a reasonable suspicion of a violation before demanding to review home school records.

In recent years, public schools have been developing somewhat extensive data bases on students. The Legislature has placed mandatory privacy protections on that data gathering. However, public schools also gather as much

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data as possible on non-public students living within their districts, but the privacy protections only apply to the public school students. HB 793 extends these privacy protections to any home school student data the public schools may have.

The current home school laws requires parents to maintain a plan book, diary, or other written records on subjects taught or activities, portfolios, a record of evaluations, and maintain the 1000 hours of instructions each year. HB 793 proposes to separate the various records keeping requirements from the 1000 hours requirement and make it optional to focus on one or the other, rather than having to maintain and document both sets of requirements.

A similar Senate bill is planned to be introduced by Senator Andrew Koenig (Republican from St. Louis County). The Senator and his wife are also home schooling parents who are serious about their parenting and home education responsibilities.

Back in 1986 there was no internet or cell phones. A relatively small number of home schoolers from around the State flooded the phones and Capitol corridors to talk to lawmakers and help them understand the need for a clear and respectful law that would recognize our rights to home school our own children.

Today an estimated 10% of Missouri families home school. This large number of home educators has cell phones, email, social media, and even better and more reliable vehicles. But it is still up to a relatively small number of home schoolers that we need to help us pass HB 793 into law and make Missouri a contemporary Home School State again!

It is once again up to FHE members to help spread the word all across Missouri that we need Home schooling families to contact and/or come visit your lawmakers to help make HB 793 a reality for the next generation of home schooling families!

The last generation did it for you – will you rise to the challenge to help keep home education healthy and viable for future generations?

Visit our FHE web page for important updates: [fhe-mo.org](http://fhe-mo.org)

Connect with our Families for Home Education FaceBook page for current posts.

Begin talking with your State Senator and Representative about the need for these changes to improve homeschooling in Missouri.

FHE members-add [info@fhe-mo.org](mailto:info@fhe-mo.org) to your email address book to receive alerts and updates.

Make plans now to attend the FHE 2018 Rally at the Capitol March 6<sup>th</sup>.

NOTE: HB 793 was the Bill Number for the bill in the 2017 legislative session. FHE will publish the new bill number for the 2018 Legislative session.

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