

Testimony of Ethan Reedy  
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In Regard to Proposed Regulations for Compulsory Education

At the Meeting of the State Board of Education  
February 20, 2013

Good evening. Thank you for allowing me to speak about the impact of the proposed regulations on compulsory education to the homeschooling community. I am a homeschooling father of twin 13 year-old boys, and my wife and I are already "schooling" our three year-old daughter. We have lived on Capitol Hill in the District for over 20 years.

Five years ago, in the spring of 2008, the OSSE proposed a set of regulations for homeschoolers. As originally proposed, the regulations were greatly disturbing to homeschoolers. There were many reasons for us to be alarmed at the proposal. Attendance requirements were one area we found particularly concerning. The proposal said that homeschoolers would be required to maintain a record that "Documents hours of instruction and attendance on a daily basis and demonstrates the parent or legal guardian is providing regular, thorough home schooling instruction during at least the DCPS school year." It further required that "The home schooling program shall provide regular, thorough instruction for a period equivalent to the District's statutory minimum amount of hours of education, at least 180 days."

I was one of a diverse group of homeschoolers who met with the OSSE staff numerous times over a period of months to try to help the OSSE understand what it was like to homeschool, and what regulations would and would not be of value to them and to us. After both sides of the discussion invested a considerable amount of time and effort, we ended with a set of regulations that many homeschoolers still believed did not protect our rights fully, but was far better than the original proposal. I believed that, even if we did not agree on the final outcome, the OSSE had come to respect the many homeschoolers in the District who took their children's education seriously and were willing to pour their time into making sure that the District government recognized a parent's choice for their child's education.

Attendance requirements were one area where homeschoolers and the OSSE came to an agreement. As we spoke with the OSSE staff about how a homeschool was fundamentally different from an institutional school, they began to understand how it would be difficult to define what a "school day" was for many homeschoolers. We do not judge whether we have taught our children based on whether they have spent a certain amount of time in a particular chair. Some days are short because we might spend a couple of hours doing math and science before spending the rest of the day at the Nationals opening game. Other days are long because your father makes you come and hear him provide testimony at a Board of Education meeting as part of your preparation for taking the AP American Government test. All in all, the OSSE staff realized that attendance keeping for homeschoolers is confusing, pointless, and burdensome to homeschoolers. Accordingly, the section was removed and DCMR 5200 passed the Board of Education with no attendance requirement in it.

Fast-forward five years now and imagine my surprise when, after all of those meetings and hours of discussion, I find, in a section of proposed code that is entirely unrelated to homeschooling, the following:

2101.1 Each educational institution operating in the District of Columbia, whether public, chartered, private, parochial, private instruction, or home-schooled instruction shall maintain an accurate, contemporaneous, and daily attendance record for each student enrolled in the educational institution.

If this paragraph is intended to be a statement of fact, then it is wrong. It should be amended to reflect the truth. But the reality is that, because it will be a part of the DC Code, it is not just a statement of fact, but it creates a requirement that was not there before. Even more bothersome is the fact that, since homeschool attendance record keeping is not addressed anywhere else in the DC Code, the only place to go to find how to carry out this new requirement is within the new code. The proposed regulation includes requirements on how many days an “educational institution” must school, how many hours a day it must school, and how it must submit its attendance records to the OSSE. The regulations sound burdensome to the public and private schools who will likely have to submit to it. They would be simply ridiculous for a homeschool.

I recognize that there is another place in this proposed regulation that states that homeschoolers are exempt from the requirements of the regulation, but Section 2101.1 makes it clear that we are not exempt. Legal code that is self-contradictory is not at all comforting.

Please amend this proposed regulation. Remove “home-schooled instruction” from Section 2101.1. DC already has a complete regulation on homeschooling. A lot of sweat equity went into creating that code, and it is sufficient to address every legitimate concern of the DC government. Please keep DCMR 5200 intact as the sole location for regulations regarding homeschooling in the District.