



CARRYING HOMESCHOOL
FREEDOM
FORWARD

*Presented by Arizona Families for Home Education
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Arizona Families for Home Education has been actively supporting and advocating on behalf of homeschool families since 1983, with a particular focus on achieving maximum freedom from the government’s educational system. AFHE has influenced and informed both public opinion and government policy about homeschooling, which has led to its recognition as a legal education category in our state. This publication shares the historical, philosophical, and legal underpinnings which support the long-held understanding of “homeschool” as being parent-directed, privately funded, home-based education.

— *The AFHE Board of Directors*

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AFHE'S MISSION AND HISTORY

KEY TAKEAWAYS:

Many people believe common elements of government educational systems are not necessary to prepare their children to flourish as adults.

Families who exited the government's education system experienced conflicts which needed resolution in state law.

The modern homeschool movement has achieved a high degree of educational independence and seeks to maintain this freedom.

Families are now adjusting to a rapidly changing educational landscape.

Imagine what you would do to educate your children if there were no public school system, no compulsory attendance law, no federal or state Department of Education, no colleges of education at universities, no teacher certification, and no standardized or norm-referenced testing. How would you provide an education that would prepare them to flourish as adults, maintain the values held in your family and faith community, and become citizens who understand American civic principles?

Over the last four decades, millions of parents across America have become convinced that the regulations and bureaucratic aspects of a public funded system are not needed for the work of educating children. These parents, pioneers of a new educational choice known as home schooling, bravely took on full responsibility for their children's education, a decision which often put them at odds with local and state authorities. The resulting conflicts had to be negotiated and resolved legislatively. In these negotiations, home school

advocates emphasized American principles of freedom, the right of parents to direct the education of their children, and the persuasive power of the educational results these families achieved.

This encapsulates the rise of the modern homeschool movement. Arizona Families for Home Education has been actively supporting and advocating on behalf of home educating families since 1983, with a particular focus on achieving maximum freedom from the government's educational system. AFHE has influenced and informed both public opinion and government policy about the educational choice that is now widely known as "homeschooling."

A NOTE ABOUT TERMINOLOGY

The term "home school" became "homeschool" (spelled as one word) in Arizona statute in 2011 with the passage of SB1152. This updated term was important for several reasons. It simplified the task of searching for this topic in statutes and other documents. It also provided an agreed-upon term to identify the families who were educating via this distinct education option according to the requirements of state law, distinguishing it from other types of at-home education that existed at that time. In our use of various terms in this historical review, "home school" or "home educate" are used interchangeably about events prior to the passage of SB1152 in 2011, but in references to events after 2011 the term "homeschool" is used according to its statutory definition. We will discuss SB1152 in a later section of this series.

AFHE presents this series of articles for the benefit of those who have recently "dived in" as home educators, and for the many people who have asked for AFHE's perspective on recent school choice developments. This first article in the series provides a brief review of the progression of homeschool freedom. This will give important context for an examination of the current situation, as well as the dangers we are facing.

The education landscape has changed rapidly over the last several years, especially with the impacts of the COVID crisis. Although the visibility of home education has risen dramatically and there are more and more families engaged in this endeavor, longtime observers and participants in the homeschool movement warn that we are facing grave risks to homeschool freedom. It is AFHE's mission and responsibility to monitor these risks and protect homeschooling in Arizona.

HISTORICAL CONTEXT

In 1982, Governor Bruce Babbitt signed HB2116 into law, providing a home school alternative to meet the requirement of compulsory school attendance and making it clear that home schools were legal. Because the public school model was the best understood form of education delivery and due to suspicion of the parents' ability to provide an adequate education at home, there were significant requirements placed on home schools: an affidavit had to be filed with the county school superintendent; parents had to pass a proficiency examination before being permitted to teach their own children; students had to take annual standardized tests and those results were provided to the county superintendent; and county superintendents had discretion to evaluate a student's progress and could require follow-up testing or even terminate home education.

AFHE was formed by parents in 1983 and soon began to actively engage in lobbying and advocacy. AFHE sought improvements and clarifications to the home school law, but it was several years before significant changes were achieved. For example, it wasn't until 1990 that parent educators were granted the option to choose which standardized test to use for their children. And in 1992, the state of Arizona still required these parents to pass the Arizona Teacher Proficiency Examination.

In 1985 the law was revised to clarify that a home school was not a private school. This helped legislators begin to recognize home schooling as a distinct education option that would not need to be defined based on brick-and-mortar public or private school models. Even so, legislators continued to introduce bills

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seeking to impose school-like requirements for homeschoolers, such as mandatory testing, a longer period of compulsory attendance, and even increased criminal penalties for failure to comply with the homeschool law. One such bill that passed in 1991 lowered the compulsory age of attendance to six years old. AFHE was able to secure an exemption for home school students to delay formal education until age 8, an exemption illustrating that home schools are separate from the school system.

In 1995 the Arizona legislature passed what was hailed as the “best homeschool law in the country.” We remain one of the best states in the country in terms of very low homeschool regulation.

AFHE-proposed legislation achieved significant expansions of home school freedoms in 1993. Mandatory standardized testing was reduced to every three years, the Arizona Teacher Proficiency Exam requirement was eliminated, the academic evaluation by county superintendents was dropped, and the affidavit requirement was clarified to be a one-time filing plus a mandatory notification to the county superintendent if home schooling ceased. And in 1995 the Arizona legislature passed what was hailed as the “best homeschool law in the country,”¹ which retained the requirements associated with the affidavit but eliminated virtually all other regulations for home educators.

These improvements achieved by AFHE and home school parents all focused on removing the home school model from the jurisdiction

and oversight of the public system. Arizona’s homeschoolers have maintained the freedom from government oversight that was achieved through years of lobbying and persuasion. Throughout AFHE’s history, this advocacy work has been performed by volunteers who dedicate hundreds of hours of their time for the cause of homeschool freedom. Because of this work, we remain one of the best states in the country in terms of very low homeschool regulation.

The gains of the last 40+ years are not only measured in legislative wins. We have so much to celebrate and cherish. James R. Mason, President of HSLDA, recently wrote, “Parents in the 1960s, ‘70s, and ‘80s risked legal peril and social stigma to do what homeschoolers take for granted today. Yet homeschooling steadily grew, as more moms and dads just like you and me took the plunge. And as the movement removed more and more legal, social, and practical barriers, together we created a dizzying array of networks, co-ops, and state and local organizations—the rich mosaic we know as homeschooling today.”² This multifaceted community grew out of necessity, liberty, and private ingenuity.

Our hope for the future is to see families enriched, children flourishing, parents walking in confidence and community, and the continued freedom to educate our children without government involvement. That freedom depends on our nation’s fundamental principles: natural rights, limited government, and individual liberty.

ENDNOTES

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[2] Mason, J. R. (2022). *In Defense of Homeschooling: A Response to Critics of Parents’ Rights to Educate Their Children*. In S. M. Krason (Ed.), *Parental Rights in Peril* (p. 171). Franciscan University Press.

PART 2

HOMESCHOOL IS DISTINCT

Despite legislative successes and increased recognition of homeschooling as a valid education option, there have been many attempts by the public school system to motivate homeschool parents to enroll their children in home-based education options that are operated and funded by the government.³ AFHE has warned homeschool parents about these models which mimic the “at-home” aspect of home education but are not the same as the distinct, maximum-freedom option of homeschooling. Some of these programs over the years have been:

Arizona Virtual Academy (AZVA) –

an online public school introduced in 2004. AZVA mandates the curriculum and school calendar and specifies the number of hours a student must be logged on; content is governed by the state’s educational standards. Parents of homeschool children must rescind their homeschool affidavit to enroll in AZVA.

IDEA Arizona – a program imported in 2003 from a school district in Alaska. Under this program the financially-struggling Tombstone school district enrolled students from anywhere in the state to claim an increased allotment of funding, and then directed a portion of the funds to enrolled families to spend on pre-approved educational expenses. In addition to enrolling their child in a different school district than their assigned district, parents had to agree to a set of accountability measures including expense reports, development of lesson plans for district approval, two types of standardized testing, and student achievement in “core competencies.”

Vail Microschool – an expansion of the Arizona Online Instruction (AOI) program that provided a physical drop-in location at a facility in the Vail district. Although it was billed as a “homeschool program,” students were enrolled by the district using standard enrollment forms, the program kept track of minutes logged on or onsite, and participating students

KEY TAKEAWAYS:

Public programs that mimic homeschool diminish a family’s freedom.

A homeschool is independent from the public education system.

Homeschool freedom has developed a legacy of bipartisan support at the Arizona legislature.

Homeschooling must remain distinct, easily recognizable, and independent.

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could not be exempted from the district's mandatory testing. Program administrators were unsure about its impact on a student's legal education category under state statute.

Why have these models warranted warnings from AFHE? Parents need to be aware that by enrolling a child in a home-based public option the child is regarded by the state as a public school student for the purpose of tracking compulsory education, and is likely to be subject to requirements that do not apply to homeschoolers. Additionally, there is an untested legal line between statutorily defined homeschooling and a variety of undefined education models involving taxpayer funding. *As parents evaluate Arizona's many options, they deserve to clearly understand the impacts of their choice and the significant differences that exist.*

UNDERSTANDING HOMESCHOOL INDEPENDENCE

In the years since 1982, when Democrat Governor Bruce Babbitt signed the bill that clarified the status of home schools in Arizona, home schooling became much better understood and accepted. A majority of both Republican and Democrat legislators had, in general, become supporters of home school freedom.

Let's look at SB1152, a bipartisan 2011 bill written to clearly distinguish homeschooling as a unique education option in Arizona. In fact, SB1152 was co-sponsored by Rep. Nancy Barto (R), Rep. Doris Goodale (R), Sen. Rich Crandall (R), and Sen. Kyrsten Sinema (D). This level of understanding and broad support was largely won by consistent messaging and diligent

Historically, the homeschool movement nationwide has been unified by the priority of achieving independence and freedom from government systems, not seeking taxpayer support or the obligations that it would entail.

lobbying by AFHE's legislative liaisons and advisors (all volunteers). SB1152 passed in both legislative houses *nearly unanimously* before being signed into law by Governor Jan Brewer (R).

With the passage of this Senate bill in 2011, the term "nonpublic" was added in two places in the definition of this educational category, and "home school" became "homeschool." This definition, found in A.R.S. §15.802(G)(2), now reads:

"Homeschool" means a nonpublic school conducted primarily by the parent, guardian or other person who has custody of the child or nonpublic instruction provided in the child's home.⁴

The purpose of this bill was explained in AFHE's quarterly magazine at the time, Arizona Home Education Journal:

"We sought this bill because since the revision of Title 15 in 1983, which created the definition of homeschooling in Arizona's compulsory education statute, the Internet has changed how public schools deliver educational services. Public schools and charter schools are not limited to their brick-and-mortar locations anymore, and have used the concept of virtual schools to include delivery of services directly to their enrolled students' homes.

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Homeschooling is not the same as distance education. **The primary distinction is that homeschooling is privately funded**, whereas distance education is funded through what is known as the ADM allocation... ⁵ (emphasis added)

As expressed by the AFHE lobbyist who worked on this bill, the word “nonpublic” (which was already part of the definition of a private school) was added to the homeschool definition via SB1152 because “nonpublic” was understood by Arizona’s lawmakers to indicate that it was privately funded and also separate from public school instruction that takes place in the home. The intent of the legislature at the time of this bill’s passage controls our current interpretation of its meaning. By enacting this updated definition, they resoundingly acknowledged that a “homeschool” is independent from the public education system. The definition, and thus the homeschool educational category, has remained strong.

By 2011 when SB1152 was passed, homeschool advocates had become known at the state capitol as “those folks who don’t ask for money.” Usually when a lawmaker seeks to create a program to “help” homeschoolers, he or she hears AFHE’s friendly, “No, thank you,” in response. This perspective is not unique to Arizona. Historically, the homeschool movement nationwide has been unified by the priority of achieving independence and freedom from government systems, not seeking taxpayer support or the obligations that it would entail.

Cultural observers are well aware of this feature of homeschool advocacy. Tax reform advocate Grover Norquist wrote in 2008: “Today homeschoolers are 1 or 2 percent of the population. They punch above their weight class, as they have been toughened up by defeating the teachers unions’ efforts to criminalize homeschooling. Now an organized force, homeschoolers do not ask for anything from the government... They simply wish to be left alone.”⁶

WHY IS THIS DISTINCTION A BIG DEAL?

AFHE has a duty to protect homeschooling and homeschool freedom. One aspect of this duty is communicating the differences between homeschooling and other home-based education options. Another aspect is guiding the usage of the term “homeschool” when legal terminology is important. Additionally, when proposed legislation would blur the lines between homeschool and other educational categories, AFHE seeks to keep those categories separate. It is vital that homeschooling continues as a distinct, easily recognizable, independent form of education. If it becomes difficult to tell what is a homeschool and what is not, homeschooling in Arizona will be jeopardized. As we have seen, a primary element of what constitutes a “homeschool” in Arizona is its source of funding: a homeschool is privately funded.

ENDNOTES

[3] Cardiff, C. (1998, March 1). *The seduction of homeschooling families*. FEE Freeman Article. <https://fee.org/articles/the-seduction-of-homeschooling-families/>

[4] A.R.S. section 15-802(G)(2). <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/00802.htm>

[5] Shippy, C. (2011). Legislative Update. *Arizona Home Education Journal*, 11(2), 11.

[6] Norquist, G. (2008). Homeschoolers. In *Leave Us Alone: Getting the Government’s Hands Off Our Money, Our Guns, Our Lives* (p. 11). HarperCollins.

IS HOMESCHOOLING AT RISK?

It is tempting to think the success and growth of homeschooling have rendered it immune to the kind of threats faced over the last 40-50 years. However, many homeschool advocates and observers assert we are now facing the greatest threat we have yet encountered: a growing expectation for all education options to be funded by the government. Are these observers overreacting? And why would that expectation be concerning?

It is important to understand that AFHE supports the right of parents to direct the upbringing and education of their children, including the right to utilize a taxpayer-funded education option. AFHE offers information, resources, events, and support to any Arizona parent who wants to take greater responsibility for their child's educational experience. And yet when AFHE identifies potential harms to homeschool freedom and the welfare of homeschoolers throughout our state, it is our duty to inform our members and subscribers and defend against these threats.

The universal expansion of Arizona's Empowerment Scholarship Account (ESA) program intensifies several factors which can undermine the homeschool movement. Here are some of AFHE's concerns.

KEY TAKEAWAYS:

Parents have the fundamental right to direct the upbringing and education of their children.

The homeschool movement in Arizona and at large has always maintained that the financial responsibility of homeschooling lies with parents, not the government.

Introducing government funding into private home education can be expected to negatively impact the homeschool marketplace and the cost of higher education.

Evidence does not suggest increased spending leads to improved academic or holistic outcomes.

Dependency on the public system creates hidden vulnerabilities that parents may not immediately recognize.

CONCERN #1

PRIVATE OR PUBLIC RESPONSIBILITY?

As explained in Part 2: Homeschool is Distinct, Arizona's homeschool definition⁷ unites the parent's *freedom* to conduct their child's education with the *responsibility* for educating their child independently, without public funding. Parents exercised this freedom and responsibility long before any public system existed, demonstrating the fundamental right of parents to direct the upbringing and education of their children.⁸

Advocating for the use of taxpayer funds for all education models perpetuates a belief that society at large is responsible to provide for every child's education, including education conducted in the home. Accepting this premise increases the likelihood that our society and our government will claim a role in deciding what should be included in the education of ALL children. Homeschool freedoms and parental authority will be lost, one step at a time.

CONCERN #2

DOLLARS ≠ QUALITY

Does history show us that money is correlated with the quality of academic outcomes? Must families depend on government funding to afford home education? The simple answer to these questions is "No."

Detailed studies of homeschool families have shown that the level of a family's education-related spending has little or no relation to academic outcomes.⁹ Most homeschool families have achieved exemplary results even when spending private dollars at only 5-10% (or less) of public school per-student expenditures. Other factors are much more important than

dollars spent. It must be so; otherwise, what can account for the admirable academic achievements of decades (actually, centuries!) of homeschoolers who did not have access to thousands of taxpayer dollars per child each year?

Parents naturally want to provide abundant opportunities for their kids and doing so without straining the family budget seems like a win. The evidence simply doesn't show

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that dollars provide the key ingredient to an effective education, or that home education is unaffordable without taxpayer support. Homeschooling can be designed to fit any budget, and because it is an entirely different paradigm it usually costs a mere fraction of what is required in a public school setting.¹⁰ Actually, with ever-increasing digital content and the explosion of interest in home education, it has never been easier to find affordable, high-quality curriculum and material. It is also true that, with government dollars added to the mix, high-priced educational materials and instructional services are marketed to homeschoolers and home educators more than ever before.

One of the long-recognized hallmarks of the growth of homeschool communities nationwide

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has been the unmatched value of volunteerism by parents in cooperative enterprise. Their donations of time, commitment, and unique contributions in their areas of interest and expertise have provided a relationship-based resource that powers a wealth of opportunities: academic co-ops, tutoring, sports teams, park days, group activities of all sorts, contests, field trips, and interpersonal interaction and support for parents and children. The monetization of previously volunteer-led models has diminished the community-driven nature and value of these networks.

CONCERN #3

MARKET INTERFERENCE & PRICE INFLATION

Injecting government funding into private markets always changes the balance of supply and demand. Because ESA dollars originate from taxpayers and the government must approve how these dollars are used, the government actually becomes the largest consumer. The largest consumer in any market wields the greatest influence. Businesses operating in a government-funded marketplace will eventually have to serve the government's interests.

It will take several years or even a couple of decades to accurately assess the effects of ESA funds used for private school tuition and fees and home education expenses. Current reports and analyses are examining limited data of a new scenario, and groups on all sides are claiming proof for their positions. However, we can draw lessons about the effects of government funding by looking at public education itself. The supply of taxpayer dollars is a huge lever used by policymakers and bureaucrats to influence the

content and design of instructional materials. This lever also causes continual upward pressure on the prices for instructional services and materials, and fuels the growth of government and its increasing presence in the private lives of citizens. If government funding becomes the dominant force driving the (formerly) private education market, we can expect that private schools and home educators will experience the same detrimental effects.

For a large-scale example that does have a long history to analyze, consider college and university tuition rates. Virtually all post-secondary institutions are dependent on government dollars, which arrive as direct funding to the institution, payouts from tuition grant programs, and government-backed student loans. The well-documented result has been that tuition rates have far outstripped the overall rate of inflation.¹¹ What's more, this problem will be compounded in the coming years as universal ESA funds also impact the higher education market.

CONCERN #4

POLITICAL STABILITY VS. SHAKY GROUND

In stark contrast to Arizona's long history of bipartisan support for independent homeschooling, the universal ESA is a high-value target at the legislature. The ESA expansion bill was fast-tracked through the legislative process in June of 2022 and signed by the governor with little opportunity for public scrutiny, media coverage, or attempts for bipartisan support, and it passed on a party-line vote with an extremely slim majority. In subsequent legislative sessions, an increasing number of

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bills have been introduced to regulate and even end the entire ESA program. The governor has also indicated her willingness to use executive actions to restrict the program if the legislature does not take action.¹²

This is especially concerning when AFHE also sees bills introduced with language that does not carefully maintain the distinction between homeschool and ESA-funded home education. All Arizonans who care about homeschool freedom should be on high alert against legislative measures that would diminish the distinctions between homeschooling and government funded educational models. It is part of AFHE's mission to protect the stable, bipartisan, longstanding definition of "homeschooling."

CONCERN #5

WHO DECIDES?

Many parents are withdrawing their children from district schools for a variety of reasons, including their dismay over the state of public education. Parents may not realize there are powerful voices saying government funding is a tool to be used to advance their policy goals even in private educational settings, *including the home*.

For example, Betsy DeVos, former US Secretary of Education, is seeking to shape a public perspective that could threaten private home education. In advocating taxpayer funding for all education options, she promotes the idea that *all education* ("every way and every place a student learns") should be absorbed into our understanding of *public education*.¹³

Consider that the federal Department of Education has recently sought to withhold federal funding from public schools that permit or encourage disfavored activities or lines of thought.¹⁴ With more students leaving the public school system but remaining tethered by public funding, the chances are greater that states will be pressured

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by the federal government to implement oversight and accountability for what is being taught in publicly funded settings, including home-based education. The provision of funding sets up a public claim to oversee what is taught.

Many opponents of homeschooling share the attitude expressed by the late Dr. John Goodlad, a prominent educational researcher and theorist and founder of the Center for Educational Renewal: "Most youth still hold the same values of their parents . . . *if we do not alter this pattern, if we don't resocialize, our system will decay.*"¹⁵ [emphasis added] This is in direct opposition to our understanding of what is best for children and society.

The truth is that parents are best equipped to direct the upbringing and education of their children and have the fundamental right to do so as a function of the family, independent of the state's interests.

Questions we must consider: Does political philosophy actually work its way through legislation and policy to affect our day-to-day lives? What is the track record of privately funded education versus education that depends on public funding, and what is actually required for successful learning? Are there economic and political principles that can provide insights about what to expect in the years ahead? These are some of the questions that must be reckoned with for the sake of protecting homeschool freedom for the future.

With over 40 years of advocating on behalf of homeschool families seeking freedom from

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government regulation and jurisdiction, AFHE offers this brief assessment of risks that have been introduced or amplified by the universal ESA expansion. In Part 4: Maintaining Freedom Requires Clear Boundaries, we will review where things stand and state AFHE's resolve for the future.

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<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/00802.htm>

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MAINTAINING FREEDOM REQUIRES CLEAR BOUNDARIES

KEY TAKEAWAYS:

Clear distinctions are necessary as parents and legislators navigate the many educational options in Arizona.

Homeschool is legally differentiated from the empowerment scholarship account in Arizona statutes.

The fundamental principles of homeschool freedom have not changed.

AFHE has informed people through the years that publicly funded at-home models will always introduce a wedge between parents and their ability to direct the education of their children.

AFHE has a particular duty to protect the hard-won legal achievements of the last several decades which have allowed homeschool freedom to flourish.

A firewall is a barrier that separates and protects one space or entity from a neighboring entity. There are literal and figurative firewalls, physical and digital, financial and legal. A multifaceted firewall currently exists between homeschool and the empowerment scholarship account, found in each option's set of distinguishing features.

Families in Arizona value our state's many educational options, and they deserve to have a clear view of what each option involves. Understanding some of the background of the original ESA statute and knowing how homeschool freedom has developed over time helps us gain an understanding of these different educational categories.

- » In the statute controlling compulsory education, the legal options for compliance are listed. "Homeschool" is one way to satisfy this legal requirement, while "shall sign a contract to participate in an Arizona empowerment scholarship account" is listed as a separate way. Placing the word "or" before "shall sign a contract" was a critical part of AFHE's lobby to clearly set the ESA apart as a separate educational option.¹⁶ "Or" shows that ESA is not a type of homeschool.

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- » The legal documentation required for these two options is very different.
 - » Homeschool parents file the affidavit of intent with their county superintendent only once¹⁷ and it remains in effect until it is withdrawn at the parent's direction or when the student exceeds the compulsory education age of 16.
 - » Parents who educate at home using the ESA will sign a contract with the state, which satisfies the compulsory education requirement, and must renew their contract annually.¹⁸
 - » Parents who use the ESA program are required not to file the homeschool affidavit¹⁹ and are expected to withdraw an affidavit that is already on file.²⁰
- » ESA contracts govern the disbursement of public funds for educational purposes, and expenditures must be approved by the Arizona Department of Education. In contrast, homeschool parents are not in a contract with the state, are not publicly funded, and are not subject to approval of any type.
- » Statutes that govern the ESA program are located in their own section of Title 15 of the Arizona Revised Statutes. This means changes made in the ESA portion of the law apply only to the ESA category.²¹

Arizona's ESA program was created in 2011 with strictly defined eligibility qualifications. As AFHE engaged with the organizations working on this legislation, it was agreed to structure the program as a distinct educational category with a unique set of features. The universal expansion of the ESA did not change those distinguishing features.

These features bring clarity for homeschool parents, ESA at-home educators, and the public. They also highlight the distinctions for legislators

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who make decisions about bills affecting the educational classifications. Since the universal expansion of the ESA in 2022, lawmakers have contended with an increasing number of bills written to impose varying degrees of regulation and even end the program. Without clear distinctions, the accountability measures or regulations proposed for ESA contract-holders could inadvertently be applied to homeschoolers.

THE STAKES OF FREEDOM

AFHE affirms the fundamental right and responsibility of parents to direct the upbringing and education of their children.²² As parents decide between Arizona's many education options, there remains a necessary discussion about the ESA program's potential for unintended impacts. AFHE is particularly concerned with impacts that could adversely affect homeschooling in Arizona.

Participation in the ESA program engages home educators in frequent interaction with the state and encourages dependence on taxes collected by the state. This is very different from the high level of independence and freedom associated

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with homeschooling, won through decades of lobbying efforts. In fact, many parents who have switched their children from homeschool to the ESA have said if ESA participation ever leads to increased privacy intrusions or requirements

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they did not encounter as homeschoolers, they will return to the maximum-freedom category: homeschooling. This presumes the legal distinction between categories will be maintained and that, in Arizona, “homeschool” will be clearly understood as a private option which does not rely on government funding and is not subject to unnecessary state regulations.

Educational freedom is closely tied to freedoms guaranteed in the Constitution of the United States.²³ AFHE believes parents bear the primary responsibility for the welfare and education of their children and must have the option to educate them apart from the jurisdiction of the state. Those who believe this responsibility belongs to society at large have often justified the dilution of parents’ rights and ever-expanding encroachment of government into private homes and family decisions.

This concern is not new. For many years, state and local governments have repeatedly tried to bring homeschool families into public education models, frequently with offers to fund at-home education. AFHE and other homeschool advocates have often informed families what is truly at stake. *Homeschool freedom was achieved incrementally over many*

years, and it can also be lost incrementally. As expressed by the Home School Legal Defense Association (HSLDA) in 2002, “When individuals accept state funds for private activities, the distinction between the state and the private sphere is blurred, self-government is weakened, and the state is further unleashed from the bounds of law to intrude upon the personal lives of its citizens.”²⁴

All of Arizona’s families have a stake in maintaining homeschool freedom and an authentically independent education option. If all education models are eventually seen as public education, funded by the government and accountable to the public system, we will have lost ground that will be very difficult to regain.

The completely independent homeschool option is essential in order for educational choice to truly exist in Arizona.

AFHE’S PHILOSOPHY AND MISSION

As the only organization in Arizona whose legislative advocacy is fully dedicated to preserving homeschool freedom, AFHE shares the concerns expressed by homeschool leaders nationwide: we must not ignore the potential for new models of public funding to diminish our independence and liberty to educate our children.

While the nationwide discussion about education continues, Arizona families should be reassured by knowing that homeschool freedom is derived from enduring principles, and has long been recognized in our state’s legal system. For these reasons and the others outlined in the preceding pages:

- » AFHE upholds the distinction between homeschool and government-funded education categories.

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- » AFHE upholds the legal definition of “homeschool” as nonpublic instruction conducted primarily by the parent or guardian or nonpublic instruction provided in the child’s home.
- » AFHE will not promote or endorse universal government funding of education.
- » AFHE will continue pursuing the mission of protecting the freedom and privacy of homeschool families in our state.

AFHE exists to **inspire** parents to homeschool their children; **promote** parent-directed, privately funded, home-based education; **preserve** the freedom to homeschool; and **support** parents who choose a home-based education option for their children.

Homeschooling offers a unique opportunity for personalized learning, driven by the values, convictions, and dreams of families who seek to nurture their children in ways that reflect their own vision for education. More and more parents across our state are moving into the “driver’s seat” in their children’s education, utilizing a range of education options. AFHE applauds their dedication and offers hearty support for the journey. AFHE events, resources, communications, and information are geared toward these parents.

As we look to the future of homeschooling in Arizona, we must remain vigilant in protecting the freedoms that have allowed families to thrive in this independent, parent-led, privately funded form of education. Access to government funding for home-based education may seem like an ideal arrangement, but that access requires trade-offs: reliance on taxation by the state, accountability for the use of public funding, and boundaries on educational choices. There is every reason to believe that the trade-offs will only increase over time. Homeschools are—and must remain—independent of these concerns.

AFHE stands firm in our commitment to protecting homeschool freedom for future generations, ensuring homeschooling remains a distinct, vibrant, independent option for Arizona families.

ENDNOTES

[16] A.R.S. section 15-802(A).
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/00802.htm>

[17] A.R.S. section 15-802.
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/00802.htm>

[18] A.R.S. section 15-2402(F).
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/02402.htm>

Arizona Department of Education. (2023, July 1). Parent Handbook, Empowerment Scholarship Account Program, School Year 2023-2024, pg 53.
<https://www.azed.gov/sites/default/files/2023/05/ESA-2023-24-Parent-Handbook-FINAL-PROOF.pdf>

[19] A.R.S. section 15-2402(B)(5).
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/02402.htm>

[20] Arizona Department of Education. (2023, July 1). Parent Handbook, Empowerment Scholarship Account Program, School Year 2023-2024, pg 5.
<https://www.azed.gov/sites/default/files/2023/05/ESA-2023-24-Parent-Handbook-FINAL-PROOF.pdf>

[21] A.R.S. section 15-2401 and A.R.S. section 15-2402.
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/02401.htm>
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/02402.htm>

[22] A.R.S. section 1-601.
<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/1/00601.htm>

[23] United States Creator. (1789) Bill of Rights. [Place of Publication Not Identified: Publisher Not Identified, -09-25] [Image] Retrieved from the Library of Congress.
<https://www.loc.gov/item/2021667570/>

[24] Smith, J. M., & Farris, M. P. (2022, June 26). *The Problem with Home-based Charter Schools*.
https://www.cfssd.org/uploads/1/0/4/4/10444187/hsdla_position_on_charter_schools.pdf

CARRYING HOMESCHOOL
FREEDOM
FORWARD



OUR MISSION

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PROMOTE parent-directed, privately funded, home-based education;
PRESERVE the freedom to homeschool; and **SUPPORT** parents
who choose a home-based education option for their children.*

Arizona Families for Home Education (AFHE) is the statewide organization that has been serving the needs and protecting the rights of Arizona's homeschooling families since 1983. AFHE is a non-profit 501(c)(3) educational, religious, and charitable corporation run by a Christian board of directors. AFHE membership supports the preservation of homeschool freedom as we watch legislation that may affect parents' rights to teach their children at home in Arizona.