



**Position Statement on LB 58  
(150<sup>th</sup> Legislature – First Session)**

**Dated January 30, 2017**

**Nebraska Homeschool – The Home Educators Network, Inc. is opposed to Legislative Bill 58**

Introduction

Nebraska Homeschool actively advocates for parent-directed, parent-taught education. We honestly believe it is the best way to homeschool.

We also know that some parents may choose to use an eclectic mix of instructional methods, educational resources, and extracurricular activities in their child’s program of instruction, thus incorporating learning opportunities from outside of the exempt (home) school, ones which may be taught by persons other than the parents themselves.

As parents make their choices, they are assessing the contributions and benefits these outside learning opportunities will make to the program of instruction and to the overall education of their child.

Nebraska Homeschool acknowledges and respects these parents’ authority and right to make these decisions, and thus, we are willing advocates for the protection and preservation of the homeschooling freedoms of these parents.

Benefits of Participation in Extracurricular Activities

Nebraska Homeschool asserts that an exempt (home) school program of instruction can be enhanced through the incorporation of extracurricular activities. This assertion is supported by the **National Center for Education Statistics (NCES)** which is located within the U.S. Department of Education and the Institute of Education Sciences, and is the primary federal entity for collecting and analyzing data related to education.

A 1995 study of the NCES states that participation in “These activities offer opportunities for students to learn the values of teamwork, individual and group responsibility, physical strength and endurance, competition, diversity, and a sense of culture and community. Extracurricular activities provide a channel for reinforcing the lessons learned in the classroom, offering

students the opportunity to apply academic skills in a real-world context, and are thus considered part of a well-rounded education.” The study discussion concludes that “it is clear that participation and success are strongly associated as evidenced by participants' better attendance, higher levels of achievement, and aspirations to higher levels of education.”

<https://nces.ed.gov/pubs95/web/95741.asp>

A second NCES publication from 2004 which addressed trends in educational equity for girls and women stated, “Extracurricular activities offer opportunities for students to develop skills that are important in the workplace and in society, such as team values, individual and group responsibility, physical strength and endurance, competition, and a sense of community. Consequently, equal access to opportunities to develop such skills is an important component of educational equity.” <https://nces.ed.gov/pubs2005/equity/Section6.asp>

### Availability of Homeschool Specific Extracurricular Activities

The Nebraska homeschool community has implemented various homeschool extracurricular activities across Nebraska as a means of providing exempt (home) school students with an opportunity for participation in extracurricular activities. This effort has come about for two primary reasons, both of which are associated with freedom of choice:

(1) Exempt (home) school families do desire extracurricular activities that are free of state (and state-funded agency) oversight and regulation. Therefore homeschool specific extracurricular activities have been established through the private funding and support of the homeschooling community.

(2) Road blocks have been established by oversight agencies and some school boards preventing the participation of exempt (home) school students in public school extracurricular activities. A primary road block is the enrollment requirement which forces parents to compromise their reason for electing exemption and essentially give up homeschooling in order to attain access for their child.

Although the homeschool community has implemented various homeschool specific extracurricular activities, it is unable to offer the same number or variety of activities as the public schools. For this reason, some exempt (home) school students seek participation in public school extracurricular activities.

It must also be noted that families who elect exemption continue to pay taxes which support their local public schools. Even as they are paying taxes, most are not consuming any public school resources. Not every exempt (home) school student desires to use public school

resources, but when parents feel it is appropriate for their child's educational development, access to public school resources should be unencumbered.

Lastly, exempt (home) school students are distributed across the entire State of Nebraska with the majority of them residing in the eastern part of the state. The latest report from the Nebraska Department of Education (A Report on Participants in Nebraska Exempt Schools Academic Year 20015/16) identified exempt (home) school students in every county of Nebraska. <https://www.education.ne.gov/FOS/OrgServices/ExemptSchools/Downloads/1516/AnnualReport.pdf> It is easier for exempt (home) school students in the eastern part of the state to find and enjoy participation in homeschool extracurricular activities since there are a greater number of homeschool resources in the area. This is not the case for exempt (home) school students who live in rural areas of Nebraska. The number of exempt (home) school students in rural area may be small and the availability of homeschool specific extracurricular activities is limited.

## TESTIMONY BEFORE EDUCATION COMMITTEE (30 JAN 17) REGARDING LB 58

### Introduction

Good afternoon. I thank you for the opportunity to address this committee. My name is Kathryn Dillow (D-I-L-L-O-W). I am the president of Nebraska Homeschool – The Home Educators Network, Inc. (NH-HEN) which is based in Omaha. I am here to speak in opposition to LB 58 as it is currently written.

### Discussion

The current requirement of continuous enrollment in twenty credit hours of instruction per semester for exempt (home) school students to participate in public school extracurricular activities is unacceptable and essentially undermines the parental election for exemption while dismantling any semblance of being an exempt (home) school. A change is in order and we applaud Senator Craighead, Senator Brasch, and Senator Erdman for recognizing this.

LB 58 is a promising step towards improving access to public school extracurricular activities for exempt (home) school students but there is one part of the bill that we cannot support.

### Page 2, Subsection 2, Lines 19-24

The restriction set forth in this subsection is unrealistic and punitive in nature. It places restrictions upon exempt (home) school students in a blanket fashion and without cause. It appears to discriminate against these same students merely because of school choice. It is not mentioned in the Introducer's Statement of Intent and is in direct opposition to the implied intent of LB 58 which is to *facilitate* participation of exempt (home) school students in public school extracurricular activities.

Moreover, throughout NSAA Bylaws, restrictions on participation are addressed for a plethora of scenarios. Within context of these scenarios a "period of ninety school days" is applied as the period of nonparticipation. In fact, there are even defined situations for exception when the ninety school days can be waived. The application of any restriction on exempt (home) school students, without cause and due process, is unfair and arbitrary treatment of these

same students. The application of a 365 day (1 year) period of nonparticipation flies directly in the face of fostering a collaborative and supportive atmosphere and is contrary to the intent of this bill.

It is the recommendation of Nebraska Homeschool that the entire subsection 2 (Lines 19-24 of Page 2, Subsection 2) be stricken from LB 58. If any restrictions need be applied, let them reflect fairly and equally as those specified for students enrolled in public schools, allowing for the same opportunities for exceptions and waivers. No additional language is needed in LB 58 to accomplish this since the proposed language of subsection 3 (beginning on Page 2, Subsection 3, Lines 25-31 and continued on Page 3, Subsection 3, Line 1) already addresses it.

Thank you for your time and the opportunity to speak to you today regarding LB 58 and for hearing our concerns. Thank you.