

Home Education

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Throughout this essay we will be looking at the topic of home education to check the conclusions of sociological research regarding common perceptions in relation to it. Furthermore, we will go into the situation of homeschooling in Spain. This second part will consist of different sections. First, we will check the literature on the topic in Spain. Second, we will go through the legality of home education, we will not only read through the legal frame, but we will also pay attention to the Child Welfare Service. After this, we will go more into detail of the practicalities; we will pay special attention to the social and educational networks available to the parents. And finally, we will comment on the problem of recognition of studies.

The best way to challenge common perceptions about the motivations and outcomes to home educate is analysing the facts that the American National Home Education Research Institute (NHERI) provide after their research¹. In the U.S.A., the number of children who are being educated at home goes beyond 2 million; therefore, their data is more precise. The fact of being a growing trend is evidence that the stereotypes are being challenged. What is more, data shows that homeschooling in the States is growing in all the sectors of the society regardless colour, religion, political tendencies... This tendency is backed up by the good results of homeschooled pupils both academically and socially.

However, the situation is different in many parts of Europe. The conclusions drawn by Dr. Paula Rothermel² trying to challenge the stereotypes are considered as a leading work in the field, but the truth is that homeschooling is not growing at the same rhythm as in the U.S. Another work which should be taken into account to overcome stereotypes is the one led by Henk Blok (University of Amsterdam)³. The situation of home education in Holland is very similar to that in Spain (minority and legal vacuum). This work compared the results of home

¹ <http://www.nheri.org/NHERI-Research.html>

² <http://www.educacionlibre.org/textes/rothermel.htm>

³ <http://www.educacionlibre.org/textes/holandacast.html>

educated children to those of school-attenders. The conclusions show the suitability of this alternative; nevertheless, the situation and stereotypes stay more or less the same. In fact, the president of the organization “Educar en Familia”⁴, José Luis Martín, is trying to challenge these common perceptions with these data and works pointing out homeschooling as a good (even better) way of learning but he is finding it difficult to get that idea to politicians or the general public.

There is not any research in the field of homeschooling in Spain comparable to the work that Paula Rothermel carried out in Great Britain or those by the NHERI or the evidences that Henk Blok showed in Holland. The reason for this can be found in the fact that this model of education is not very widespread in Spain yet, due, in part, to its legal situation. Therefore, all the literature regarding pupils who are educated at home is reduced to articles in magazines, newspapers or individuals’ opinions on the web.

On the one hand, the articles in magazines are mainly interviews to families who tell their story, why they decided to educate their children on their own and how they are managing to do it. As an example of this, the Sunday supplement of the newspaper *El Mundo* of 14 January 2007, published ‘Growing up well without going to school’⁵. The article gave an insight into homeschooling as a model in the U.S. and compared it to its situation in Spain. The tone of the writer is very positive towards home education not only in the title but throughout the whole article. What is more, it is not difficult to see that the idea behind the article is to transmit that families who home educate are ‘normal’.

On the other hand, the newspapers only echo homeschooling when one of the homeschoolers is going through legal problems. The way they reflect this fact is in a very sensationalist way. For example, the article ‘The fashion of making home a school has arrived

⁴ <http://www.educarenfamilia.org/>

⁵ <http://www.elmundo.es/suplementos/magazine/2007/381/1168444446.html>

to Spain' (*La Razón*, 10 November 2007)⁶ tells the case of a family who had to face a trial (the case has been dismissed recently). The tone throughout the article is neuter but there is a constant reference to home educators as being either foreigners or having links with foreign countries. Therefore, the idea that a reader may get is that of something that does not concern Spain, or that it is really a foreign fashion.

Regarding individuals' opinions on the internet, especially on forums, the general tendency is to agree with home education and to consider it as a serious alternative to traditional schooling.

The Spanish legal frame for education is, basically, made up by the Constitution, The Civil Code and the Organic Laws and Royal Decrees which define it in more detail. On the one hand, The Spanish Constitution (1978), in its article 27.4, establishes that the basic education is compulsory and free. Moreover, the article 154 of the Civil Code establishes the parent's duty to facilitate the education to their children. On the other hand, the specific laws regulating children's education, LOGSE, LOCE and more recently LOE, set up all the educational system. However, there is not any specific point in these regulations about homeschooling and, therefore, the parents who choose this option as the way of teaching their children are in a tricky situation regarding the public administration and have to face the Social Services many times.

The Child Welfare System works at a local level, so that anyone who sees a child outside the school during the school time can (and must) report this fact to the local authorities who will send someone to check the situation. The next step will be interviewing the parents and, in some cases, starting a legal procedure. There have been cases of home educators who were playing in the park with their children and who have been taken to the police station for enquiries or who have been coerced into signing the form of schooling.

⁶ <http://www.estuministerio.org/ESCOUEBEIIEBDC/Noticias.dsp>

Nevertheless, since there is a lack of regulation regarding home education in any sense (legality or illegality), these families do not usually face more problems than the visit of a Welfare Inspector. When this inspector sees that the reality is not that of neglecting the children, but taking more care than usual, parents are left alone. However, in the cases when the enquiries have gone further, that is to say, to a trial, the court has always ruled in favour of the families, or dismissed the case on the grounds that education is not a synonym of scholarization. There has not been any sentence withdrawing the custody of a child from their parents for homeschooling. On the contrary, the sentences of some judges are used to fill the legal spaces regarding home education. The best example of this could be the sentence 1669/1994 30 October, by the Supreme Court, which ruled that education within the family is compatible with the frame of freedom as long as children receive proper education and it does not go against the Constitution⁷.

This legal situation may be the most difficult problem that homeschooling is facing in Spain. The situation has not changed a lot since the first families decided to home-educate their children in the early nineties, they were not the first to home educate but the first to want a more official status. At that time, there were around 40 families following this method, nowadays, it is difficult to get an exact number because many parents are still afraid of the consequences of following this method and still practice it in the “secrecy”. However, the estimates set a figure of 4,000 children being home educated. The main differences between now and then are related to the raise of the associative movement and the internet. The internet allows an easy and fast access to information of all kinds in a more attractive way than in books. But even more important than this fact, the internet is letting people getting to know each other, sharing experiences, materials and support. There are plenty of blogs of parents telling their everyday lives. Nevertheless, the most remarkable fact for someone who does not know about homeschooling and reads these blogs is that their approaches are guided

⁷ <http://www.educacionlibre.org/legalidad.htm>

by the love to their children, some titles of these blogs are: “My son, my teacher”⁸, “My children, my gold”⁹, “The school house. The daft squirrels”¹⁰... This makes it easy to understand why the problems of these families with the Welfare System usually end soon and happily.

As far as the associative movement is concerned, in Spain there are some social networks of homeschoolers, the most important ones are: “Crecer sin escuela”, “Asociación para la Libre Educación” (ALE), “Educar en familia”. The first one claims to be the pioneer in this field in Spain. Its name is a direct translation of the magazine that John Holt started publishing in 1977 *Growing without school*. In its website they assert that ‘Growing without School is a meeting place in Spain for the families who wish to teach their children at home instead of sending them to the school’¹¹.

The second one, ALE (association for the free education), is the organization that has strengthen its position as the leading association during the last years. What is more, their website contains the biggest collection of links to news, interviews, TV and radio programmes that is related, in any way, to home education. Apart from the activities that the other groups organize, ALE also works at different levels: they keep contact with foreign organizations, channel the support and help for the families when there are legal problems... They even appeared in the Education Commission of the Basque Country Parliament (23 April 2008) supporting one of its members and taking advantage of the opportunity to demand the legality of the decision of home educate one’s children. This is, exactly, one of the main objectives of this organization:

‘We are trying to get, in Spain, the same legality that home education has in other countries of the EU and America (...); we know, from experience, that

⁸ <http://mijjomimaestro.blogspot.com/>

⁹ <http://mishijosmioro.blogspot.com/>

¹⁰ <http://ardillaslocuelas.blogspot.com/>

¹¹ Translated from their website: <http://www.crecersinescuela.org/>

this proposal causes astonishment, because the idea that the best way for education is within an environment different from the family one and surrounded by peers is very widespread. However, we consider that this is not so for all the children and teenagers. Therefore, we appeal to the basic rights regarding freedom recognise our Constitution in its article 27, where it clearly states that “Everyone has the right of education”. The freedom of education is recognised and, further, “the basic education is compulsory and free”. We think that it is possible to find ways for the diversity of responsible educational offer¹².

The third one, “Educar en familia” was set up not even two years ago. Its main aim was establishing negotiations with the regional Government (Catalonian Government) to try to make them recognize their educational option within the legal frame that is being developed in these days. They have contacted the different political parties trying to make them understand and get to know the issue. José Luis Martín, the president of this organization, states that many of the people they have had meetings with did not even know about this possibility.

Apart from these social nets, parents who decide to educate their children at home have another option: the Clonlara School¹³. This school was founded in the U.S.A. by Dr. Pat Montgomery in 1967 but it recently opened a centre in Spain. Despite its name, Clonlara is not a school in the traditional way, it draws together ‘the best of both worlds: home education and being registered in a private school’. They offer a distance learning program that helps home educators not only in the design of programs, materials and supervision, but also in the relation to the administration. It is not a school officially approved by the Spanish Government, but since it is an American school approved by that Government the recognition of studies is easier. In other words, it offers parents freedom of education but also gives them legal cover.

The recognition of studies is the other major issue when dealing with home education in Spain. The primary education ends at the age of 12 and the Educación Secundaria

¹² Translated from their website: <http://www.educacionlibre.org/inicimarc.htm>

¹³ <http://www.clonlara-esp.org/>

Obligatoria (ESO) at the age of 16. If this second period is finished successfully the pupil obtains the “Graduado en Secundaria”. Once they have obtained this title, the pupils have two options: Bachillerato (two courses previous to gain access to university) or Grado Medio (vocational training). The problem arises because the exam to obtain that title for “free students” can not be taken before being 18, that is to say, two years after than any “normal” student. The logical implication of this is that, despite having the same knowledge and capacities (or even more, as it is usually the case) of their peers, children who have been homeschooled will be lagged two years by the educational administration. As a counterpoint to this fact, the system allows pupils who show extraordinary results throughout their schooling to advance a maximum of one year per period (one year in primary and another one in secondary), letting them getting the aforementioned title at the age of 14. This situation leads many parents to enrol their children into a school at the age of 12, at beginning of the ESO, being 15 the maximum legal age to do it.

In conclusion, showing and making public the good results of pupils who are educated at their homes can be the best way to overcome the common perceptions in relation to home education. In Spain, this model of education needs more publicity because it is proving to be a good method. But even more important than making it known is the fact of giving it a clear legal frame. Both facts are related, because if it was undoubtfully legal, more people would talk about their experiences and it would be normalized. What is more, they would get rid of that public image of ‘upper-class’, ‘alternative’, ‘hyper-religious’ or ‘hippies’ that they have nowadays. Finally, a clear legal frame would end with the problems derived from the recognition of titles and these pupils could stop being lagged by the system.

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