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**Statement on the History of Homeschooling in New Jersey  
by Tim Haas, New Jersey Homeschool Association**

My name is Tim Haas. I am a co-founder of the New Jersey Homeschool Association, a statewide information and advocacy group serving homeschoolers of all beliefs and educational philosophies.

Homeschooling has a long and venerable history. In fact, on the first page of what have come to be called his *Meditations*, the Roman emperor Marcus Aurelius said: “From my great-grandfather, [I learned] not to go to the public schools, but to have good teachers at home, and to know that on such things a man should spend liberally.”

The history of homeschooling in New Jersey may not reach back quite *that* far, but it is venerable in its own way. Before the state’s first compulsory attendance statute was enacted in 1875, education was generally private and much was home- or church-based. In the years after the statute took effect, as industrialization and urbanization spread in our growing country, “public schooling” and “education” came to be regarded as nearly synonymous. But the current statute (known as NJSA 18:14-14 when it was passed in the 1920s, and now called NJSA 18A:38-25) has always permitted parents the option to cause their children to “receive equivalent instruction elsewhere than at school.”

In 1963, a woman named Barbara Massa took those words to heart and began homeschooling her nine-year-old daughter, also named Barbara. Roll that date around in your mind for a second: 1963 — that was *41* years ago. Mrs. Massa would later say that her motive for homeschooling was that she “desired the pleasure of seeing her daughter’s mind develop,” that she felt she wanted to “be with her child when [she] would be more alive and fresh.” She added that “much time was wasted in school,” and that “at home a student can make better use of her time.” The more things change ...

The Massa family homeschooled without incident for two years, then re-enrolled young Barbara in the local public school in September 1965. However, she was taken out again the following April and kept out through the middle of November 1966, when Mrs. Massa and her husband were charged with failing to cause their daughter to attend their local school or to provide her with an equivalent education.

The Massas were tried and convicted in municipal court, but mounted an appeal. In the spring of 1967, the case reached the Morris County Court, where Mrs. Massa, acting as her own lawyer with Mr. Massa concurring, easily convinced the judge that she had indeed fulfilled her obligations. (Let me share a snippet from his decision: “Defendants presented a great deal of evidence to support their position. ... The results speak for themselves.”)

But here's what's most important about the Massa case: The judge, in overturning the conviction, ruled that the word "equivalent" in the compulsory attendance statute requires only a showing of *academic* equivalency, not equivalence of methods, schedules, or outcomes. In short, he affirmed our statutory right to educate our children in the manner of our choosing *outside of the system*. This ruling — this victory — was the true birth of homeschooling in New Jersey as we know it today.

The full implications of the Massa ruling were slow to spread. Many pioneering families were viewed with suspicion throughout the 1970s. Nancy Plent of the Unschoolers Network — which she founded in 1977, when "unschooler" just meant "someone not in school" — could tell you tales of those early years: families harassed, families charged with truancy and neglect.

But she could also tell you tales of all kinds of homeschoolers coming together to support each other and to explain home education and the law to school officials. In 1982, after years of this quiet but persistent grassroots advocacy, then-Education Commissioner Fred Burke issued a document stating clearly for the first time that "the local board of education has no responsibility for determining progress of students being instructed at home, and there is likewise no authority to require testing."

Fifteen years after Massa, a period in which hundreds of families had begun — and some had already finished — homeschooling, the state had finally informed every local district that once a child was removed from the public school system, the sole responsibility for his or her education rested with the parents. In the years since, thousands of New Jersey families have proudly embraced that joyous duty, to their children's great benefit.

That's not to say relations between homeschoolers and the state have been perfectly calm since the early '80s. Districts throughout New Jersey, usually out of ignorance of the Burke memo and the law, often asked parents to comply with extralegal demands and occasionally attempted to deny their right to homeschool. It sometimes took nerves of steel, but in every corner of the state, families stood up and refused to be cowed.

The possibility of legislation to regulate homeschooling first cropped up in 1994, when Assemblywoman Charlotte Vandervalk introduced a bill that would have required testing of homeschooled children. Dedicated parents — including the task force's own Carolee Adams — rose to the call, educating the assemblywoman on the advantages of homeschooling and showing her that academic testing was unnecessary to ensure the continued success of New Jersey's homeschoolers. Assemblywoman Vandervalk soon withdrew her bill from consideration, and she remains a friend of homeschooling to this day.

Then, in 1997, the state Department of Education muddied the waters with a new booklet that seemed to supersede the Burke memo. Though the law had not changed, the DoE instructed local boards of education to collect and approve a curriculum annually for each homeschooling family in their districts. Many families, relying on their knowledge of the

statute and the case law, did not comply, but others were needlessly harassed by aggressive school officials.

Things were dicey for a little while. By the year 2000, an initiative begun by the leaders of the Education Network of Christian Home-schoolers of New Jersey (ENOCH) led to a meeting with the Commissioner of Education and the convening of a task force to craft a new, accurate explanation of the law. I and many of the other state group leaders standing up here today had the pleasure of serving with DoE personnel and other stakeholders to draft the current booklet, “Homeschooling Frequently Asked Questions.” Ironically, much of the language in that document echoes that of the Burke memo of two decades ago. What was that about “the more things change”?

And so, here we are on a muggy Monday in front of the State House, homeschoolers of every stripe coming together once again to fight for our rights. I shall leave you with this thought: The legal, moral, and practical questions about the fitness of homeschooling parents to care for and educate their children were answered in New Jersey decades ago. In the nearly 40 years since the Massa decision, no one has produced any evidence that the relatively unregulated nature of homeschooling here — similar to that of eight other states, including such populous ones as Texas and Illinois — results in anything but healthy, well-adjusted, well-educated citizens ready to take their place in society.

Let us honor our venerable history and keep homeschooling free. Thank you.