

WISCONSIN HOMESCHOOL LAW

A full explanation of Wisconsin home school law can be found [here](#)

In summary:

Compulsory School Attendance Ages: Between the ages of 6 and 18 (6 by Sept. 1)

Required Days of Instruction: At least 875 hours of instruction each school year

Required Subjects: Reading, language arts, math, social studies, science, and health

Teacher Requirements: None

Testing Requirements: None

Forms to be Submitted: PI-1206 Home-Based Private Educational Program Registration filed electronically at the website [Wisconsin Department of Instruction Home-Based Private Education Page](http://sms.dpi.wi.gov/sms_homeb) (http://sms.dpi.wi.gov/sms_homeb) by October 15 of each year. Forms may also be mailed to you at your request.

***Disclaimer: The information contained in the following article is meant to be informational only and does not constitute legal advice. Please do your own research and be an informed parent!

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## LEGAL ASPECTS OF HOMESCHOOLING IN WISCONSIN

By Lisa Bergmann

Did you know that from the time of the Pilgrims in America in 1620 to about 1850, virtually all education in our nation was private and Christian? Homeschooling has long been an age-old and accepted method of education. It wasn't until the advent of public schools in the mid-1800's and the compulsory attendance laws that soon followed that homeschooling diminished greatly, but never did disappear completely. Then in the 1970's and 80's, homeschooling began making a comeback and hasn't stopped since. This began a steadfast fight for states to recognize homeschooling as legal. Today, homeschooling is legal in all 50 states.

State laws for homeschooling vary greatly. For example, Texas is a low-regulation state since it requires no reporting or monitoring by the state. Massachusetts is among the high-regulation states requiring teacher oversight, testing, recordkeeping, and home visits.

Wisconsin is considered a "low-regulation" state. Homeschooling is defined as a "home-based private educational program" meeting the following requirements:

- Applies to a child between the ages of 6 and 18. If your child is not 6 years old on or before Sept. 1 of the school year, you do not and should not report them on the DPI form, even though you may plan on homeschooling them.
- Provide 875 hours of instruction each school year. This works out to approximately 4 hours per 180 day school year. Keep in mind that a homeschooling lifestyle will very naturally include a variety of learning experiences: lessons, field trips, crafts/art, outdoor play, nature walks, educational DVD's or computer games, independent reading, science projects, baking, chore time/real life skills, church activities, music lessons, sports, scouting, and the list goes on. School at home with one-one-tutoring is much more time-efficient than in a group setting. The required hours may be spread out over the calendar year, and not confined to the September through June traditional school year.
- Provide a sequentially progressive curriculum in reading, language arts, mathematics, social studies, science, and health.
- Primary purpose is to provide private or religious-based instruction
- Program is privately controlled. In other words, you as parent are the primary instructor, or you may delegate someone else (for example, a private correspondence school). Please understand that a Wisconsin virtual charter school, such as "Connections Academy" is a public school at home, and not a privately controlled home-based educational program.
- Program is not operated to circumvent compulsory attendance laws.

Homeschoolers are required to file form PI-1206 with the Wisconsin Department of Instruction each school year. Understand that you are not requesting permission to home school, but rather stating your intention to home school. A copy of this form goes on file within your local school district. Beginning with the 2010-2011 school year, the forms are to be submitted electronically at the DPI website. The deadline for filing this form is October 15 for a brand new homeschooler (never before enrolled in public school) or for a repeat homeschooler. If your child has been previously enrolled in a public school, you must file this form before the first day of public school or your child will be considered truant. Also, if you withdraw your child from public school during the school year in order to home school him, you must submit the form, and it must be received by the DPI before legally withdrawing your child. I recommend you make a copy of the online form and keep it in a safe place.

It is recommended that you keep some sort of recordkeeping system for your homeschooling days. This can be as simple as maintaining a pocket calendar to check off school days and record notes on field trips, lessons, and other learning experiences. Or you may prefer to create a more detailed record including a written summary of each child's curriculum plan, weekly assignments and notes that you can check off as completed and then file in a notebook. This is a good way to keep personal records of your child's schooling and as documentation if your homeschooling is ever challenged.

We encourage members of WRHS to follow our state's home school law. As Christians, it is our duty to obey governing authorities unless they conflict with God's commands. Following the law allows us to keep a clear conscience before God and especially if ever challenged by a social worker, school official, or governing authority. Christian homeschoolers should strive to maintain a testimony to the community as peaceful, law-abiding citizens.

Even so, it is important to know your rights as homeschoolers. Homeschooling is misunderstood by many--neighbors, family members, public school officials. It is an educational alternative that goes against the current of what is considered "normal". Even while quietly and legally homeschooling, you may be challenged in this lifestyle you have chosen. The most obvious way to defend your right to home school is to know the law and comply fully--nothing more nor nothing less.

Thankfully, homeschooling is becoming more and more recognized and accepted . However, there are continual instances across the nation in which families are confronted at their front door by a social worker for alleged "educational neglect" or some other charge. It is important to know that the Constitution provides for your 4th Amendment right against unlawful searches and seizures. In the rare event of being approached at home by a social worker, you should refuse to allow him in or to speak to your children unless he has a signed search warrant. If he is allowed in, you are said to have "waived your 4th Amendment rights". Always ask for identification. Ask what the allegations are.

The Home School Legal Defense Association (HSLDA) exists "to defend and advance the constitutional rights of parents to direct the education of their children and protect family freedoms". They work diligently to keep homeschooling legal and as non-restrictive as possible. Any homeschooling family in compliance with their state's home school law may become a member of HSLDA and become eligible for legal advice or representation. They are literally a phone call away if needed. The cost is \$115 per year (\$20 discount for certain groups), and includes legal representation as needed, a teacher I.D. card, "members only" access to a wealth of information on their website, and a year's subscription to the Home School Court Reporter magazine.

In summary, we can be thankful for the freedom to privately and legally home educate our children. I would encourage you to know and abide by our state's home school law and to work to support and defend our home school freedoms and God-given rights as parents. A statement issued by the United States Supreme Court (*Pierce v. Society of Sisters*, 1925) expresses it well: "The child is not the mere creature of the state; those who nurture him and direct his destiny have the right coupled with the high duty, to recognize and prepare him for additional obligations."