

DOSSIÊ: *Homeschooling* e o Direito à Educação

Provisions for Homeschooling in Canada: Parental Rights and the Role of the State¹

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Abstract: The purpose of this paper is to provide a descriptive account of the policy and provisions for homeschooling in Canada. Drawing upon existing research, the paper begins by situating homeschooling within the larger educational landscape of Canadian public education, and examines the evolution of homeschooling in this context. The paper highlights the shifting motivation of parents to homeschool during different periods and reviews some of the tension related to this form of schooling. The next section provides a comparative view of the regulatory framework, funding and support for homeschooling in each province, student enrolment figures, student performance outcomes and fiscal efficiencies for Canadian tax-payers. The paper concludes with a discussion of lessons learned from the Canadian experience of homeschooling that informs implications for policy makers in other contexts.

Keywords: Homeschooling, Canada, School Choice, Policy, Parental Rights

Introduction

The purpose of this paper is to provide a descriptive overview of homeschooling in Canada. Inherent in this account is the underlying argument for an appropriate role of the state to ensure the right of parents and children to access forms of education that prepare students to be autonomous individuals with the skills and disposition to be active and contributing citizens in a liberal democracy, to determine what constitutes living a good life and to flourish.

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This is achieved largely through regulatory measures focused on reviewing the program of study offered to students and monitoring of their progress to meet conditions to qualify for government funding. The decision to homeschool children involves a significant family commitment of time and resources and constitutes an approach to child rearing embedded in family life. In this paper, we focus largely on the structural aspects of provisions for homeschooling from the perspective of the state. Our aim is to articulate this framework for homeschooling in Canada as a lens for policy makers to determine aspects that might be applicable in international contexts. Policy borrowing is challenging because the socio-political context of each nation provides particular motivations for a policy and determines how this policy can be interpreted and applied in local contexts.

Drawing upon existing research we begin by locating our discussion of homeschooling within the Canadian context of publicly funded education and examine the evolution of homeschooling within this context.² In the next section we examine the shifting motivations for parents to homeschool their children, the expansion in homeschool registration, as well as variation in regulation and funding among provinces that support this as a viable choice for families. We argue that once ideologically driven, today more parents are choosing to homeschool because it is practical, convenient and a mechanism to address the individual learning needs and interests of their children. We discuss some of the inherent tensions in the homeschooling debate that merit consideration. We conclude with a discussion of insights we have gained from the Canadian experience with homeschooling and how this might inform policy makers in international contexts.

Landscape of Public Education in Canada

Canada is a geographically vast nation with two-thirds of its population concentrated in 33 metropolitan centers, and the remainder dispersed over rural and remote communities (Statistics Canada, 2015). It is a culturally diverse nation with a public education system designed

² This paper is an extension of the book chapter by Van Pelt & Bosetti (in press). *What the US can learn from Canada's experience with home schooling*.

to respond to the particular political, economic and socio-cultural contexts of each province and the territories.

There is no national ministry of education, though there is binding federal legislation such as the Charter of Rights and Freedoms (1982), and the Official Languages Act (1969) that affect provisions for public education. The Constitution Act (1867) assigns authority for the funding and regulation of education to provincial ministries of education that is deployed through local school districts governed by a superintendent and a locally elected school board. Provincial departments of education determine education policy in accordance with provincial laws while the Minister of Education is responsible for setting policy related to educational affairs. Local school boards decide on instructional policies, hire teachers and oversee the day-to-day running of schools. All provinces have compulsory schooling legislation that generally requires children to attend schools, usually between the age of 6 and 16, with full day kindergarten for four- and five-year-olds available in most provinces. Some provinces have recently increased the school leaving age to 18. The motivation for updating these compulsory attendance laws relates to the assumption that “children wishing to leave school early are better off from staying on, or that society benefits collectively from raising a country’s overall education attainment because doing so promotes good citizenship and economic development” (Oreopoulos, 2005, p. 5).

Canada has a long legacy of publicly funded school choice within the education system. In its historic commitment to accommodating national minorities (Aboriginal and Francophone peoples), religious minorities (i.e., Roman Catholics), and immigrant minorities through heritage language programs and culturally responsive alternative programs, Canada provides a range of school choice options within the public education system. Five provinces provide between 30 to 60 percent funding for independent/private schools, three provinces fully fund separate Catholic schools, and the province of Alberta has fully funded public charter schools. Public French immersion programs and Francophone public schools are available in all provinces.

Evolution of Homeschooling in Canada

Homeschooling has always been an option for parents in Canada. While variously referred to as un-schooling, de-schooling and elective learning, the essential feature of homeschooling is “that parents take the final responsibility for the selection, management, provision and supervision of their child’s education program, and that education occurs largely outside of an institutional setting” (Van Pelt, 2015, p. 3). Students registered as homeschooling are in kindergarten to grade 12, and between the age of 5 and 17.

Prior to confederation in 1867, public schooling was largely only available to the children of government officials or the military. Parents provided for their children’s education usually through homeschooling, making schooling provisions with several other families, or sending them to church-run schools. As public schools became more accessible, they began to replace homeschooling. During the 1960s and 70s there was a resurgence in homeschooling with parents wanting more control over the education of their children. This ideological and polarized movement was largely led by two different groups: Christian fundamentalists representing the “conservative Christian right”, and counterculture, experimental John Holt-inspired “unschoolers” representing the “liberal left” (Murphy, 2012). Religious fundamentalists generally homeschool their children following a curriculum infused with religious values, focusing on the basics, and promoting the authority of the family. Drawing upon church-based organizations, Christian homeschoolers have access to highly developed networks of families, support groups, and educational materials (Davies & Aurini, 2003, p. 64). “Unschooling” is a movement inspired by American educator John Holt, who in the 1960s encouraged parents to teach their own children in natural (home) settings, letting the natural curiosity of the child, rather than a prescribed curriculum, direct learning (Rothstein, 1999). Many families who adopted an unschooling approach to educating their children embraced a more free-spirited and independent alternative lifestyle that “rejected structured materialism and career orientations of the mainstream” (Davies & Aurini, 2003, p. 64).

More recently, networks of “like-minded” homeschooling families representing a variety of pedagogical orientations have emerged, ranging from more traditional informal support groups that meet in homes or in the community in order to exchange information and provide mutual support, to what Kunzman and Gaither (2013) referred to as “mom schools” where a parent offers instructional expertise to children of other families. Homeschooling Co-ops are an extension of these more formal networks where families rent space for their children to take

classes in groups taught by parents and sometimes experts they hire (Anthony, 2015; Kunzman & Gaither, 2013).

There have always been those families who homeschooled out of necessity due to limited access to schooling because of their geographic remoteness or their having a child with a physical or mental disability. Some parents choose to homeschool their children because of dissatisfaction with the public education system in terms of a perceived lack of focus on academic performance and discipline, and concern regarding a physically and emotionally safe learning environment (Basham, 2001). Van Pelt's (2004) research on homeschooling in Canada indicated the initial motivation for many parents to homeschool was less about avoidance and more about proactively achieving "some combination of moral, social, familial and academic goals (such as teaching within a framework of certain beliefs and values, encouraging family interaction and individualizing curriculum)" (p.3). The expansion in virtual schooling and online education has increased access to curriculum and other educational resources for families, some of whom have adopted a blended approach to home education. Where private schooling is too costly for a family, homeschooling can be the most viable option to impart a particular set of values or a learning context consistent with their child-rearing beliefs and lifestyle. This option, however, is limited to families who have the time and flexibility for one or both parents to be directly involved in the education of their children.

As homeschooling has become less controversial, a broader range of parents is considering this option (Aurini & Davies, 2005; Davies & Aurini, 2003; Gaither, 2009). They choose education based from the home for pragmatic and lifestyle reasons such as having children involved in time-consuming extra-curricular activities, addressing the needs of a child with a health or learning disability, or because the family lives in a remote location or travels extensively. Gaither (2009) found parents increasingly choose homeschooling not "out of frustration with secularism or numbing bureaucracy or inflexible curriculum or age segregation" but simply because it made sense at the time, given their family circumstances (p. 342). In researching homeschooling of gifted children Winstanley (2009) found parents chose this option in response to the situation where schools could not "cope with their unusual children", and not as a statement of their "abandonment of a belief in the efficacy of common schooling" (p. 360).

Bourdo, Jutras and Brabant (2003) researched parental motivation to homeschool in the francophone province of Quebec. Religious, philosophical or anti-state views were not predominant in the discourse, like other Canadian studies. They identified seven motivation factors that include, (1) a desire to engage in a family project, (2) an objection to the social or pedagogical organization of school, (3) a desire to provide academic enrichment, (4) a preoccupation with a child's socio-affective development, (5) the transmission of religious, moral or spiritual values, (6) a child's negative schooling experience, and (7) a dissatisfaction with the discrepancy between what the school can offer and the child's particular characteristics.

Although the reasons for choosing to homeschool in Canada remain textured, Davies and Aurini (2003) found a shift in Canadian homeschool organizations towards being more in line with other school choice advocates, locating homeschooling debates in the context of choice and parental rights rather than "religion or anti-technocracy" (p. 68). Like other choice advocates, these parents have embraced "a highly individualized conception of learning, one that prizes a customized experience to enhance a child's personality, idiosyncratic talents, cognitive style and sense of self" (p. 69). Thus, the motivation to accommodate a child's uniqueness has created a unity in parental motivation for choosing to homeschool, situating them within the larger school choice movement, and removing the perception of homeschoolers as either religious fundamentalists or Holt-inspired rebels. Even so, while homeschooling has enjoyed increased legitimacy within the school choice movement, Aurini and Davies (2005) revealed that most parents who assert their right to choose do not consciously espouse market ideology, but instead are engaged in a culture of intensive parenting that focuses on cultivating the unique needs of their child, and homeschooling affords opportunity for such personalized learning.

Issues in Homeschooling

Homeschooling is perhaps one of the most contentious forms of school choice. When parents express their rights and preferences by removing their children from formal schooling, or avoiding it altogether, to educate them at home, it raises questions regarding the right of parents to control the education of their children, the responsibility of the state to protect the interests of children, and the right of the student to develop independent judgment, self-

determination, and competency for liberal citizenship (Thiessen, 2001). Lagos (2011) highlighted this tension in his analysis of Canadian Canon and Civil law and argued that the intent of parental authority is to be exercised on behalf of the child, rather than over the child. This has implications for the regulation and supervision of homeschooling.

Many supporters of homeschooling maintain that parents are in a better position than the state to judge the educational needs of their children, and furthermore, parents should have primary responsibility for deciding how their children ought to be educated. Some parents are willing to forfeit government funding and support because they would have to submit to forms of intervention and control over home education, such as approval of their curriculum, home inspection and assessment of the progress of their children. There is, however, agreement among Canadian policymakers that some form of restriction and supervision is necessary to ensure that the best interests of children are served (Merry & Karsten, 2010, p. 499). Appropriate limitations “ensure that the most extreme forms of illiberal homeschooling are simply and appropriately taken off the table and out of the political debate” (Yuracko, 2008, p.184).

The major objections to homeschooling are that it aggravates social inequality, perpetuates counterculture movements, and can interfere with the well-being and interests of children. Some argue this form of schooling can serve undemocratic, sometimes elitist, backward and divisive interests (Goodenow, 1988). In particular, the prevailing concern is students who are homeschooled forego exposure to perspectives other than those of their family and close community surroundings, limiting their exposure to diverse ideas and individuals that are part of the larger pluralist society (Reich, 2002).

Homeschooling Enrolment

Canada has seen an increase in homeschooling since the 1970s, when just 2,000 children were homeschooled (Basham, 2001). By 1996, “the respective provincial ministries of education put the number of homeschooled children at 17,523, or 0.4% of total student enrolment—a 776% increase over just 18 years” (Basham, 2001, p. 6). Van Pelt (2015) reported that in 2011/12 “just over 5 million students were enrolled in public schools in Canada” (p. 26) and 21,662 students were registered with provincial authorities as homeschooled in Canada. This still

represents only “0.4% of total government school enrolment” (p. 26). Table 1 shows homeschool enrolments for 2012/13 in Canada. Fully 23,992 students were registered with agents of their respective provincial governments as homeschooling. Still, researchers have noted the difficulty in determining an accurate number because of a lack of uniform regulations for tracking homeschooled students (Davies & Aurini, 2003; Martin-Chang, Gould, & Meuse, 2011; Van Pelt, 2015). For example, some families fail to register their children with local authorities, when moving their children between homeschooling, public schools and private schools. Others register their children part-time for some courses in public or private schools, and access online programs to supplement homeschooling. As a result, under-reporting of the number of homeschooled students in Canada is likely.

Table 1
Home Schooling in Canada (2012/13)

Province	Funding Provided to Parents	Low, Moderate or High Regulations	Number of Registered Home School Students	Percentage of Total Public School Enrolment
British Columbia	No funding support	Low	2062	0.3%
Alberta	More than \$800 per student/per year	High	9028	1.40%
Saskatchewan	Up to \$1,000 per student/per year	High	1986	1.20%
Manitoba	No funding support	Moderate	2387	1.20%
Ontario	No funding support	Low	5680	0.3%
Quebec	No funding support	High	1114	0.1%
New Brunswick	No funding support	Low	631	0.60%
Nova Scotia	No funding support	Moderate	895	0.70%
Prince Edward Island	No funding support	Moderate	83	0.40%
Newfoundland & Labrador	No funding support	Low	126	0.20%
Total for Canada			23992	

Note. Adapted from Clemens, Palacios, Loyer, and Fathers (2014), Van Pelt (2015), and Van Pelt, Clemens, Brown, and Palacios (2015).

Homeschooling Regulations

In all provinces homeschooling fulfills the compulsory school attendance requirements. Homeschooled students are required by law to be registered with local or provincial authorities; however, beyond these basics requirements the regulations vary in terms of the level of monitoring and accountability required. In the provinces of Alberta, Saskatchewan and Quebec, regulations are “high”, requiring families to provide detailed program plans that are approved by the Ministry of Education and monitored by a public school or accredited private school, student progress is periodically reviewed and assessed, and the curriculum must meet the standards equivalent to that provided in a government school. In the provinces of Manitoba, Nova Scotia and Prince Edward Island, homeschool regulations are “moderate.” The program is inspected or certified by the Ministry of Education and student progress is periodically reviewed and assessed. In the provinces of British Columbia, Ontario, New Brunswick, and Newfoundland and Labrador, the homeschool regulations are “low” with few requirements beyond making families register their intent to homeschool their children with the local school board. They are not required to follow the provincial curriculum or have their program of study approved.

In two of the three provinces, Alberta and Saskatchewan, where high levels of accountability are required, funding is offered directly to parents to offset the cost of homeschooling. More than \$800 annually per student makes its way to parents in Alberta, while in Saskatchewan the amounts vary by school district with the highest amount being \$1000 per homeschooled student. It is not surprising that these provinces also report the highest percentage of students registered as being homeschooled (1.4% in Alberta and 1.2% in Saskatchewan [Van Pelt et al., 2015, p. 21]).

The third highly-regulated province, Quebec, has the lowest share of students enrolled as homeschooled, (0.1 %), and does not offer any funding towards homeschooling. The onerous reporting mechanism on student achievement, the requirement for the program of study to be equivalent to the provincially mandated curriculum, matched with the absence of government funding may serve as a disincentive to declare homeschooling status with the authorities or to pursue this option. It is noteworthy that this province has the highest percentage of students enrolled in private schools (fully 12.6% of total enrolment) and these schools are eligible for approximately 60% of provincial funding (Allison & Van Pelt, 2012; Van Pelt et al., 2015).

Three provinces with moderate regulation levels (Manitoba, Nova Scotia and Prince Edward Island) offer no government funding to support homeschooling. Manitoba stands out as unique in this group because while it has the third highest percentage of students registered as homeschooled in a province, it also, at 7.6% of total enrolments, has the third highest percentage of students registered in private or independent schools (Van Pelt et al., 2015). These schools are eligible to receive up to 50% funding for their operating costs (Clemens et al., 2014).

Ontario, while having the largest population, is also one of the provinces to report very low homeschool registrations. It is probable that with no financial incentive to register and virtually no supervision or accountability requirements, the families simply do not declare their status.

The following is a synthesis of key aspects of provincial homeschooling regulations and policies:

1. Submission of a detailed written program plan early in the year is required in Alberta, Saskatchewan, Manitoba, Quebec and Prince Edward Island.
2. Program monitoring by the registering school board or school is required in Alberta, Saskatchewan and Quebec.
3. Program inspection or certification is required in Alberta, Saskatchewan, Manitoba, Quebec, and Nova Scotia.
4. Evidence of examination or assessments of student learning must be submitted in Alberta, Saskatchewan, Manitoba, Quebec and Nova Scotia.
5. A requirement to meet provincial curriculum standards is in place in Alberta, Saskatchewan, Quebec, and exemptions must be approved in New Brunswick, and Newfoundland and Labrador (Van Pelt, 2015, pp. 20-21).

Performance Outcomes

In their studies of homeschooling in Canada, Ray (1997) and Van Pelt (2003) found high mean percentile scores for homeschooled students in Canada partaking in standardized reading, math, and writing tests. Martin-Chang et al. (2011) found higher performance for

homeschooled students in structured instructional environments than those receiving unstructured homeschooling. The research on student performance achievement in Canada, as elsewhere, is fraught with concerns about the representativeness of the sample of homeschool students that participate in the studies, and the challenges in removing possible “confounding variables” that may explain the differences in scores between homeschool and non-homeschool students (Van Pelt, 2015). Pennings, Sikkink, Van Pelt, Van Brummelen, and von Heyking (2012) found polarized results for adult outcomes of students homeschooled in Canada. Homeschooled students were more likely than any of their peer groups to have high school as their highest educational attainment; they were also more likely than any peer group “to attain a Ph.D.” (p. 44). More research is necessary, as initial studies, although suggestive of wide variation in the adult outcomes of homeschooling in Canada, are inconclusive.

Fiscal Impact of Homeschooling

Van Pelt (2015) argued that because all families must pay taxes to support public education, regardless of whether they send their children to an independent school or choose to homeschool, and the major costs associated with homeschooling are borne by the parents, homeschooling results in a net financial savings to provincial governments. In her research Van Pelt (2015) calculated the average government per pupil spending for Kindergarten to grade 12 in Canadian public schools is \$11,835, and with a total of 21,662 students enrolled as homeschooled in 2011/12, “families educating their children at home save Canadians \$256.4 million” (p. 28).³ Given that enrolments increased to 23,992 in 2012/13 (and may well still be under-reported) and that the average per student spending in public schools in Canada increased to \$12,070 (while the funding amounts awarded to some parents in Alberta and Saskatchewan increased very minimally) the fiscal impact of homeschooling activity in Canada would be closer to \$300 million per year.

³ This is a conceptual number because education spending is incurred at the provincial level with variation in per pupil spending in each province. For example, Van Pelt (2015) estimates that families who homeschooled in 2011/12 saved the province of Alberta \$95 million, and the province of Ontario \$60 million.

Summary

Homeschooling in Canada has to be understood within the context of the public education system that operates under the authority of provincial governments. The advantage of this decentralized model is that provincial governments are able to develop systems of public education that are reflective of the unique socio-political, cultural, and economic bases of each province as well as respond to changes in demographic patterns, the economy and shifting socio-cultural values. At least four provinces participate in some form of standardized achievement testing to monitor student-learning outcomes, with some provinces ranking among the top fifteen educational jurisdictions in international student assessments such as the Programme for International Student Assessment (PISA) of the OECD.

In addition, public schools have parent councils that increase parental voice and involvement in school-based decisions. All provinces have public Francophone schools, three provinces have public Roman Catholic schools, and five provinces provide partial funding for private/independent schools. Some provinces have developed robust online education programs and virtual schools to address families in rural and remote geographic locations as well as to accommodate choice and flexibility in how, where and when students learn. These factors may affect the provision and regulation of homeschooling in four ways: First, public funding in some provinces for private and independent schools is also accompanied by funding to support homeschooling. With funding comes a commitment to other regulatory measures that ensure accountability and quality of education, although some parents may have concerns about a compromise to parental authority over the education of their children.

Second, the emergence of robust virtual schooling and forms of distributed learning provides an option to those who homeschool to adopt a blended approach to education; however, registration in these courses relinquishes some parental authority over their child's education because these courses are developed, delivered and supervised by certified teachers employed by an accredited private or public school authority.

Third, while all provinces require parents to register with local or provincial school authorities their intent to homeschool, six of the ten provinces also have moderate to high regulations that require varying degrees of monitoring and supervision of the program offered and of student achievement to ensure student receive an acceptable standard of education. This

includes approval of an education program plan, regular reporting, and evidence of student progress.

Fourth, with more access to resources, supervision and support, motivations for homeschooling in Canada have shifted from more radical acts of resistance to more practical responses aiming to accommodate the individual learning needs of children, the participation in performing arts or high performance sports and family lifestyle choices, rendering homeschooling a less radical option for families.

Homeschooling is one among a variety of schooling options for parents in Canada. It is limited to those families who have: the time and resources to spend accessing curriculum materials, planning activities daily, and supervising learning, also daily; the commitment to understanding the learning needs of their children; and the capacity to provide appropriate accommodations. The availability of online resources and dedicated support from government, parent-run and religious groups, and community resources such as public libraries and recreational facilities who provide resources to families who homeschool make homeschooling a more viable option. While still a small percentage of the total amount of public school enrolment, homeschooling remains highest in those provinces with a high level of regulation and funding to support students. The exception is Manitoba, where there is a moderate level of regulation, no government funding, but there is strong support from Christian homeschooling associations.

Lessons from Canada on Homeschooling

We propose the following six lessons based on particular features of homeschooling regulation and practice in Canada that may be of interest to policy makers in other contexts:

1. Funding: this may provide incentives for parents to comply with registration and reporting requirements. The experience in Canada, with provincial funding directed to parents for homeschooling, suggests higher registrations are a result. Means-testing or special need testing is not part of the funding structure in any province. Funding is related to the decision to home educate and not to the family's income status or the

child's educational need status. It demonstrates the government's commitment to parental choice, but also to ensuring children receive an adequate level of schooling.

2. **Efficiency:** growth in homeschooling in Canada is modest; however, it is a viable choice for parents, provides flexibility in learning for students, and fiscal efficiencies for taxpayers. Van Pelt (2015) reported that "Canadian tax payers are spared the expense of more than a quarter-billion dollars each year because of the educational activities of home-schooling parents" (p.31).
3. **Accountability:** appropriate accountabilities can be part of the regulatory structure for homeschooling by considering the best interests of the child, while recognizing the interests of the family and the state. In some provinces, such as Ontario, parents are required to provide satisfactory instruction, and unless otherwise reported, are assumed to be doing so. When concerns are reported, detailed mechanisms for investigating the homeschool program are in place. Alternatively, in Alberta accountability measures include more detailed and systematic demonstration of an educational plan and progress by the student through regular contact with a designated teacher. Parents are required to submit an education program plan at the beginning of the year, with regular reporting requirements throughout the year, and provide evidence of student progress at the end of the year.
4. **Competition:** it is possible that good, even excellent, public and private (independent) schooling alternatives may dampen demand for homeschooling. This may well be the case for Canada, where no province has more than 1 in 72 students registered as being homeschooled and where some of the provinces continue to rank among the top dozen or so performing international jurisdictions as measured by international tests such as the Programme for International Student Assessment (PISA).
5. **Blended Learning:** public school boards and some independent schools have invested in online-distributed delivery of education, providing more options for families who

homeschool to complement their programming by registering their children in selected courses. The uptake indicates that some version of homeschooling may appeal to a broader range of parents because of the convenience, support and monitoring of these programs. The trade-off is relinquishing some parental authority since these courses are created, delivered and monitored by certified teachers employed by public school boards. Emerging mechanisms for the delivery of education and the uptake in Canada suggest that some version of homeschooling will have wider appeal in the very near future. With more blended options of schooling and online support for homeschooling, homeschooling is no longer viewed as a marginalized practice engaged by radical parent groups, but has rather become increasingly recognized as more mainstream.

6. Research: Canadian contributions to the research and study of homeschooling merits consideration. Research from Canada on a wide variety of aspects of homeschool practice has contributed to international knowledge. Martin-Chang et al. (2011) has offered some preliminary research on the different student performance outcomes of structured versus unstructured homeschooling. Bourdon, Jutras, & Brabant (2003) has provided insight into emerging reasons for homeschooling. Ray (1997) and Van Pelt (2003) have offered preliminary evidence of the superior student achievement possible through homeschooling. Furthermore, the wide variation in homeschooling outcomes, as evidenced in some recent research (Pennings et al., 2012) and its inconclusive nature, points to the need for more rigorous and systematic study to be done in this area.

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