

TEACH Bulletin

Thorough Education Achieved in a Caring Home

Number 25

March 1999

WINZ Exempts Home Educators

Work and Income New Zealand (WINZ) has exempted home educators on two counts. The editor of TEACH Bulletin met with Judy Garrett of the Palmerston North office of WINZ on 25 March 1999, and she was able to confirm this from the WINZ procedures manual.

Although this is not really news, with the changes to work requirements for beneficiaries from 1 February there has been some confusion and dismay.

Supervisory Allowance

This allowance paid to home educators by the Ministry of Education is disregarded by WINZ in the assessment of income tested benefits. It is also disregarded by the Inland Revenue Department when determining your taxable income.

Work Requirements

For those on a Domestic Purposes Benefit or a Widows Benefit and for those whose spouses are on a Community Wage or Invalids Benefit, there are normally requirements that you seek part- or fulltime work to remain eligible for the benefit, depending upon the age of your youngest child. Now this child has to be yours, not a grandchild or niece or cousin or friend, etc., unless, of course, you are the legal guardian.

However, those with current exemption certificates may be exempted from these work requirements and still qualify to receive the benefit.

If your youngest child is five or under, you will be asked to meet

with WINZ "to plan ahead for your working future" says the colour brochure from the WINZ office. "When your child turns five you may be asked to do some extra things to help you prepare for work." It is clear that one of the objects of WINZ is to get people off the various benefits and into the workforce onto some kind of training/educational programme.

You are eligible to apply for an exemption from enrolment in school when the child turns six,

and this exemption is automatically cancelled when the child turns 16 or when he enrolls in a registered school. So if you, being a home educator and a beneficiary or the spouse of one, have a child in this age bracket with an exemption certificate, you may apply to WINZ for an exemption from the normal requirement that you seek part- or fulltime work.

Here is what you do. Present your caseworker at WINZ with two documents. One is a letter written and signed by you which states two things. First, that you are currently home educating your child under a valid certificate of exemption from the Ministry of

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NZEST Examinations

When the government abolished the state scholarship exam in 1989, the NZ Education & Scholarship Trust (which is non-political and sponsored by the business community) was established to reward the academic excellence of seventh formers.

Successful examination candidates not only receive financial rewards, but also gain an extra qualification for their CV. Exams run from 10 to 19 November 1999 and are open to any permanent resident of NZ under age 20 as at 1 January 2000, and are open to home schoolers.

The 18 examination subjects include: Accounting, Biology, Chemistry, Classical Studies, Economics, English, French, Geography, German, History, History of Art, Japanese, Latin, Maori, Maths with Calculus, Maths with Statistics, Physics, and Spanish. Entry fees are fairly hefty, but there are financial assistance

grants available, and the scholarships to be won are attractive.

Awards

Over five subjects:
20 X \$1,500 scholarships
55 X \$500 scholarships.

Top subject:
18 X \$500 scholarships
150 X \$150 scholarships.

Exams are based on NZQA Bursary syllabuses. Past exam papers, top student scripts, marking schedules and model answers are all available. Entry closing dates are 21 May (for early discount rate) & 6 August.

For further information contact:
Sarah Taylor
Executive Officer, NZEST
PO Box 22012
Otahuhu, Auckland 6
ph.: (09) 270-0480
fax: (09) 270-0481
email: nzest@kings.ak.school.nz



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Education. Second, that you give to the good people at WINZ your permission to check with the MoE to verify the status of the exemption certificate. The second document you must present to the WINZ caseworker is your copy of the current exemption certificate. With these two documents the WINZ people can then go through their internal administrative procedures which would normally end in you gaining an exemption from the requirement to seek work, and still remaining eligible for the benefit.

Advance Notice

Homeschooling Information Workshop No 5

Saturday
11 September
1999

9:00am —
3:30pm

Windsor Park
Baptist Church

550
East Coast Rd.
Mairangi Bay
North Shore
Auckland

Special Guest Speaker

Diana Waring

Author of
"Beyond Survival: A Guide to Abundant-Life Home-schooling"

Diana & husband Bill have been homeschooling their three children - ages 17, 15, 13 - for the past twelve years. Diana is an historian, folksinger/story-teller, seminar speaker and author of five books.

Watch future issues of TEACH Bulletin for more details.

There is an area where the MoE's provisions and those of WINZ do not overlap, which will cause some people some difficulty. This is the recognition by the MoE that a child from the age of 16 until the 1st of January following his 19th birthday may still be home educated by his parents and, as long as the certificate of exemption was gained prior to the child turning 16, may still be receiving the MoE's supervisory allowance, even though the certificate of exemption was cancelled when the child turned 16. But WINZ does not generally recognise home education beyond the age of 16. It then becomes a matter between you, WINZ and the MoE, with your powers of persuasion being perhaps the most important factor at this point. Perhaps you could talk WINZ into accepting a copy of the statutory declaration you will still be signing twice a year for the MoE after the child turns 16.

It's every man for himself at this point, although a precedent in one part of the country would be most useful to those in other parts. So if you have had any success in dealing with WINZ in this area, please let TEACH Bulletin know so we can publish it more widely.



TEACH Bulletin

is a monthly publication of the Home Education Foundation, and is concerned with those things which may impact on home educators. Articles will deal with political developments, statist and professional trends, correspondence with educationalists, and other items of general interest to home educators. Information herein is not to be construed as legal advice.

TEACH Bulletin is available for a subscription of \$16 per year for 11 issues (none in December) or two years for \$30.

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Hear, my son, your father's instruction,
and reject not your mother's teaching.
— Proverbs 1:8

Unparalleled Freedom

The (American) Home School Legal Defense Association advises that in 1997 the State of Alaska enacted the best home school law in the nation. We in NZ can boast some of these: no teacher qualifications for parents, no testing of the children and no required subjects. But the Alaska statute goes on: no regulation at any level of government, no notice to anyone of the parents' decision to conduct the home education, no registration with the state, no reporting to anyone of any information about the home education program and no evaluation of the program by anyone. Sounds great!

But at the same time schools in states like Alaska, California and Colorado are realising they can make a lot of money from home schoolers by enrolling them to receive say \$5,000 from the state and then providing \$2,000 worth of resources/services plus a raft of reporting, testing and some attendance requirements while the child basically stays at home. Thus the school gains \$3,000 and the home schooling family "gains" \$2,000 while losing their freedom. The HSLDA refuses to allow such people to join as members, for they are technically state school pupils. Fair enough.

However, in a move that shows the importance of NOT allowing certain legal precedents to become established, the HSLDA is offering ALL first-time home education families, members or not, their services in South Dakota. Some local school boards there are asking first-time home education applicants to appear before the board before they will consider granting them exemptions. The HSLDA says this practise intimidates the most vulnerable, least experienced and most fearful home schooler of all: those who have not yet formally started. They say such a practise, if allowed to become established, would soon become reflected in a change to the statute books.



Trading Post



For Sale:

"Kids Create- Art and Craft experiences for 3-9 year olds"
by Laurie Carlson.....\$10
"Visual Drawing Book"
by Rich & Sharon Jeffus....\$10
"The Usborne Complete Book of Drawing".....\$20
All of these books are in perfect condition.

Contact:

Olga Matthews
45 John Gill Road
Howick, Auckland
ph. (09) 535-3256

For Sale:

McGuffey's
3rd Eclectic Reader.....\$5
5th Eclectic Reader.....\$5
McGuffey's Eclectic Spelling
beautiful hardbound edition,
as new, for grades 1-8.....\$10
McGuffey's Address Book.....\$10
Ray's Primary Arithmetic, Grades
1-2. Reprint from 1877, en-
dorsed by Ruth Beechick.....\$8
Ray's Practical Arithmetic,
Grades 5-6, two vols, endorsed
by Ruth Beechick.....\$15
Ray's Arithmetics Parent/Teacher
Guide.....\$8

Wanted:

"Any Child Can Write"
by Harvey Wiener

Contact:

Sue Peck
6 Central Ave
Wangarua
ph. (06) 344-3349

Wanted:

"Teaching Children", curriculum
guide by Diane Lopez
"Books Children Love" by Eliza-
beth Wilson

A Beka Readers, Grades 1, 2, 3, 4

Contact:

Vanetta Rosenberg
37 Irvine Rd.
2 R.D.
Dunedin
ph (03) 454-3260

For Sale:

"The Usborne Book of the An-
cient World", new, h/b.....\$20
"Discovering Pharaohs and Mum-
mies" hardback.....\$8

Wanted:

Kathryn Stout's "Natural Speller"

Contact:

Robyn Smith
114 Amanda Ave.
Dinsdale, Hamilton
Ph: (07) 847-3515
email: robyn_smith@clear.net.nz

Wanted:

A Beka
Old World History & Geogra-
phy 5 and any related books
that go with it.
Language B.
Science 3, Student test review
book.

Contact:

Liz Tosh
ph. (03) 248-5084
Southland

Wanted:

A Beka year 7 any subject

Contact:

Bronwyn Matthews
93 Cornwall St.
Masterton
ph. (06) 370-8073

Universities Offer Scholarships to Home Schoolers

This is happening more and more in the USA, and perhaps we will see it here one day. A typical example is from New York College in New York, a four-year Christian Liberal Arts College. They offer US\$1,000 for each year the student has been home educated. US\$2,000 can be used against tuition in any one year. The student must maintain a grade point average of 2.5 (B-).

The trick with US Universities is that you pay full fees: Nyack's are US\$11,440 and residency is another US\$5,600 on top. Books and things like student union fees are on top of that. But there are a large number of scholarships.

Can Home Educators Use State Schools?

From time to time the question comes up, "Can I send Johnny and Mary off to the local high school to do Physics or Chemistry for they have all the wonderful lab gear we could never obtain or use properly."

It is good to read the MoE's *Homeschooling Desk File, 1996* on "Part Time School Enrolment":

The Act does not allow for th(e) exemption to be made on a part-time basis. It is axiomatic that a student cannot be both enrolled and exempted from enrolment at the same time. A student's education is governed by either Section 20 or Section 21 of the Education Act 1989, but it cannot be governed by both at once.

It is not actually illegal for a school to allow non-enrolled students to attend but most schools would feel uneasy about such an arrangement because it is unclear who has the legal responsibility for non-enrolled students. Furthermore, a school would almost certainly want to charge for providing classroom tuition to non-enrolled students — but schools are expressly forbidden from charging fees to domestic students. (The Correspondence School is the only exception to this law.)

Note, however, that it would be possible for a group of parents to come to an arrangement with a school to provide tuition to home-schooled students outside school hours. Such a situation is effectively an evening class. The school has authority to charge fees for such tuition under Section 7B of the Education Act 1989.

Who knows what arrangements are possible when home educators use their native charm and some creative negotiation skills — Ed.

Review of the NZ Privacy Act 1993

Under the Act, agencies, either public or private, should collect only the information they need, use it only for the purpose intended, not pass it on without permission, and give individuals access to their own files. The following (among others) are specifically excluded from the need to be concerned with the provisions of this Act: the Queen, the Governor-General, any MP on official business, and any news medium in relation to its news activities!

Twelve Privacy Principles were established by the Act

1. Information can be collected for lawful purposes if the information is necessary.
2. Information must be collected directly from the individual unless [eight exceptions follow such as it is publicly available or it would spoil the purpose of collecting the information. (This is for the research fraternity, and constitutes one big loophole — Ed.)]
3. Reasonable steps must be taken to ensure that the individual concerned is aware of [seven items follow such as why the information is being collected, who is likely to use it] unless the collector of information has good reason to believe [six items follow such as compliance would spoil the reason for the collection (we've seen this loophole before — Ed.), the information will not be used in a form that would identify the individual].
4. Personal information is not to be collected by unlawful means or unfairly or if it intrudes unreasonably (note this does not prevent REASONABLE intrusion! — Ed.).
5. Holding and storage of information is to be guarded against loss, access, use, etc. by others not authorised.
6. **Individual has right to confirmation that information about him is held, he has access to it, and he may request correction of it.**
7. **Individual may request correction to information or tag it to say correction was requested but not made.**
8. Collector must take reasonable steps to ensure information is accurate, up to date, etc.
9. Must not keep information longer than needed for purposes collected.
10. Personal information collected not to be used for other purposes unless it is believed on reasonable grounds that [seven items follow such as it is needed to protect public health or safety, non-compliance is needed to protect public revenue].
11. Personal information shall not be disclosed to another unless it is believed on reasonable grounds that [nine items follow such as non-compliance being needed to conduct proceedings before any court or Tribunal, the information is needed for the sale of a business as a going concern].
12. Rules for unique identifiers, such as IRD number. **This legislation PREVENTS the Government from giving each individual a single unique identity number by which that person would be known to all of the various government agencies.**

Privacy Principle 6 is arguably the most important since, according to Section 11 of the Act, apart from Principle 6 “the information privacy principles do not confer on any person any legal right that is enforceable in a court of law.” Agencies cannot cite the Act as an excuse for withholding information, as individuals do have a specific right to information about themselves according to Principle 6. However, reasons for refusing access to personal information include such things as national security or defense, international relations, safety of individuals, trade secrets or if the request is trivial and vexacious.

Complaints are investigated only where there is provable harm.

Information Matching Regulations allow, for instance, the IRD and the Social Welfare Department to compare lists to catch benefit fraudsters. There must be 10 or more names on a list, and the bodies wanting to compare lists must first make a written agreement between themselves, a copy of which must be sent to the Privacy Commissioner. Bodies comparing lists are specifically allowed to take adverse action against individuals “on the basis of any discrepancy produced by that (information matching) programme”.

In summary, the Act seems to have a lot of well-intentioned safeguards, but it also seems to have a fair number of loopholes. Up to the moment, accurate information (fact sheets) is available from:

Mr Bruce Slane
Privacy Commissioner
PO Box 466
Auckland
ph (09) 302-8655
fax (09) 302-2305

There are implications here for the information gathered by the MoE and ERO, especially in our homes, as to who has access to it, how long it is kept, for what (other) purposes it is and could be used. As usual, we are totally at the mercy of the good will and good intentions of the bureaucrats involved. Things are fine as long as they are well-principled people and the “culture” of the bureaucracy is one of good principles. But these things do change with time....and elections — Ed.

Education Act in for Another Overhaul

In his first major education speech since taking on the portfolio of Minister of Education, Dr Nick Smith said on 24 March 1999 that he would *this year* undertake a complete overhaul of the Education Act, which he said was a “mind-blowing plethora of rules and regulations”.

“I see a whole lot of prescriptive rules and an absence of words like learning, quality, standards or excellence,” the Minister said.

He wanted to bring in the expertise of the ERO to “comprehensively review” teacher training because the process for approving training programmes at the moment was a “dog’s breakfast”.

He was also “keen” to see an expanded role for the Teacher Registration Board.

(*Manawatu Evening Standard*, 25 March 1999, p. 5)

Dr Smith seems to have strong ideas, some of which could have implications for home educators, depending upon how “keen” he is. The above comments could imply restrictions such as exist in the USA: required courses and standards; training or registration as teachers. As always we need to keep our eyes open.