

NCEA: A Shambles One Can Avoid

ACT's MP Deborah Coddington released a press statement on 21 February criticising Trevor Mallard and the MoE in regards to a home educated individual who had to jump through Special Education Services hoops to be allowed to sit NCEA exams. It highlighted the fact that home educators desiring to sit NCEA either have to fork out \$400 per subject to the NZCS or link with a local high school. The first option costs more than it is worth and the second option only exists if one can find a school willing to "link" with you, as the process is called, which schools are only rarely willing to do since they get no funding from the MoE and since they apparently can't be bothered working out what they should charge the home educator for their services. The article didn't mention the other option: ignore the NCEA and go straight for whatever it is you would use the NCEA for, a tactic amply described by *TEACH Bulletin* in past issues.

Ms Coddington also said about 10,000 students were being home educated in New Zealand. The figure seems a bit large, but then she may be able to extract such statistics from the MoE's Data Processing Unit quite easily, a task *TEACH Bulletin* has rarely been successful in doing. Her full press statement may be seen at <http://www.act.org.nz/item.jsp?id=26640>.

A letter to the editor of the *Otago Daily Times* in early February by M.N. Richards of Ashburton expressed further thoughts in regards to the worth of the NCEA qualification: "NCEA was never designed to benefit pupils or aid prospective

employers. It was put in place to fudge the incompetence of teachers and their PC training regime. It also leaves schools free of any parental yardstick. Entrance to university is not a problem."

Certainly many home educators would choose to stay out of a system that appeared to be in such a mess, especially when the prize offered by the system – NCEA qualifications – have no track record in NZ and are still basically unknown and are of uncertain

value to NZ employers as well as anyone overseas to whom students might want to show them. This writer's contacts at Massey University say they are very concerned at the quality of learning and the expectations of the students coming to study this year, the first crop of students who know nothing of the old study regimes of School Certificate and Bursary Exams. The fear is that these students, fed on a steady diet of Unit Standards and Achievements Standards, those bite-sized bits of learning, will have no overarching understanding of the subject as a whole, but will have heads full of unconnected facts. And at University level you only get one shot at the exam, unlike Unit and Achievement Standards that can be re-sat multiple times,

Nine Assumptions of Modern Schooling

(This article is by John Taylor Gatto, 1991 New York State Teacher of the Year. In 1998 he was the recipient of the Alexis de Tocqueville Award for Excellence in the Advancement of Educational Freedom.)

1. Government school is the essential force for social cohesion. It cannot happen any other way. A bureaucratized public order is our defense against chaos and anarchy.

2. The socialization of children in groups monitored by state agents is essential; without this, children cannot learn to get along with others in a pluralistic society.

3. Children from different backgrounds and from families with different beliefs must be mixed together. Robert Frost was wrong when he maintained "good fences

make good neighbors."

4. The certifiable expertise of official schoolteachers is superior to that of lay people including parents. The protection of children from the uncertified is a compelling public concern.

5. Coercion in the name of liberty is a valid use of state power. Compelling children to assemble in mandated groups for mandated intervals with mandated texts and overseers does not interfere with academic learning.

6. Children will inevitably grow apart from their parents in beliefs as they grow older and this process must be supported and encouraged. The best way to do this is by diluting parental influence and discouraging the children's attitudes that their own parents are

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each time only doing the part previously missed.

Alasdair Thompson, Employers and Manufacturers Association (Northern) chief executive, claims that excessive variability in the NCEA Levels 1 and 2 results as well as Scholarship exams would make it impossible for employers to place any faith in NCEA results. "Not only has the NCEA been shown to be inconsistent between schools, but the data now available since the start of the NCEA shows no consistency from year to year. An analysis of NCEA results in 2003 and 2004 from NZQA's own data shows variation in course pass rates ranging from plus 37 per cent to minus 31 per cent. This is variation on a massive scale," Mr Thompson said.¹

The shambles surrounding the scholarship exam results, which has spread to a concern over the variability of the rest of NCEA high school results, has caused the Government to call in the State Services Commission (SSC) to investigate the workings of the New Zealand Qualifications Authority (NZQA) which is responsible for defining and setting the exams and the stan-

dards. The SSC will focus on the performance of NZQA chief executive Karen Van Rooyen, but already Minister of Education Trevor Mallard has also been implicated for failing to act earlier on knowledge of irregularities.

The head of the Parliamentary Education Select Committee, NZ First MP Brian Donnelly, has rejected assurances from the NZQA that the variations in exam results were no more than one would expect. He said that NZQA's chief executive Van Rooyen was talking statistical nonsense. "Either NZQA is inept in its understanding of statistics or it is being deliberately misleading," he said.²

Opposition parties are using this as an opportunity to blast Labour. The Prime Minister is standing by her Minister of Education while promising heads will roll if need be in the NZQA. Trevor Mallard has announced some extra "Distinction" awards to those who missed scholarship, a variation of the old "throw some money at the problem" routine. And thousands of school students and their parents and teachers are in turmoil over the low pass rates in these

scholarship exams, some lamenting the blow this is to their future prospects. It is so pleasant to be totally unconnected and unphased by this huge upset which ultimately is saying five or six numbers printed on a piece of paper determines the futures of students. Well, as most of us home educators know, such insignificant numbers, as incredibly expensive and angst-ridden as they may be to obtain, emphatically do not determine our futures.....we are far more robust and complex and independent and self-reliant than to be that dependent on Government school assessments, which have once again proved to be faulty anyway.

There are so many alternatives and opportunities out there apart from the urgent claims of academia that if you don't succeed in the classroom, you are some kind of lower life form. Academia itself provides far more robust academic alternatives, such as the Cambridge International exams. Over 10 % of schools are now registered Cambridge exam centres. Less academically rigorous routes include the American S.A.T. exams and the Australian University of NSW exams and certain courses at polytechs.

There is plenty of voluntary work to be done, experience to be gained, money to be earned, references to procure, entrepreneurial opportunities to explore simply by making enquiries among your own existing network of family and friends. University is far too expensive a place just to kill time until you figure out what you'd like to do. I mean, it was common enough in the late 1960s and early 1970s to goof around on campus as if it was a high school with ash trays, but I was stunned to meet students last year who were still wasting their lives in that manner. One girl I met was not only forking out for tuition and books but also for room and board when she had no idea what to major in but idly took some journalism classes that included watching pornographic flicks. To throw money away just for the "educational experience" of university campus life seems pretty marginal: to be defiled at the same time makes no sense at all. There are volunteer agencies here and overseas who will give you more work and experience in one year than most people get in a decade; there are apprenticeships in trades for those willing to pursue them; and the military offers an income while you get trained as long as you can handle the military ways. None of this requires NCEA.

Notes:

1. NZPA 24/2/05, "NZQA disputes NCEA variability claims", <http://www.stuff.co.nz/stuff/0,2106,3197426a7694,00.html>
2. The Press, 25/2/05, "MP rejects NZQA's assurances", <http://www.stuff.co.nz/stuff/0,2106,3198788a7694,00.html>

TEACH Bulletin

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

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Contact:

Vanetta
Ph (03) 454-3260 evenings

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sovereign in either mind or morality.

7. The world is full of crazy parents who will ruin their children. An overriding concern of schooling is to protect children from bad parenting.

8. It is not appropriate for any family to unduly concern itself with the education of its own children, but it may expend unlimited effort on behalf of the general education of everyone.

9. The State has the predominant responsibility for training, morals, and beliefs. Children schooled outside government scrutiny frequently become anti-social and poverty stricken.

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honested.com/edlib/v1n3/gatto.php)

Family Factors

Boys are said by some to be failing worse than we already knew about. A look at NCEA results show more girls passing at both level 2 and level 3 than boys. Now it could be that the girls are taking more of those easier-to-pass subjects while boys are trying for more of those harder-to-pass ones. But the *Dominion Post* of 26 February reports that boys are finding it harder to get into university because last year, for the first time, literacy and numeracy standards were added to university entrance requirements. It was the writing requirements, especially, which got them, said Education Senior Manager Steve Benson.

Now, on the face of it, this is really alarming, both the fact that university didn't have any literacy and numeracy entrance requirements before and the fact that so many boys are failing them. Literacy and numeracy are the bottom line, base skills everyone is deemed to need simply to survive these days. Add to it the further fact that girls are now performing in maths and sciences at the same level as boys, whereas as a group they have traditionally and historically not done as well.

It seems there may be something in the school system that is favouring girls over boys. It could easily be the obvious over-bias toward feminist ideology that permeates the whole of society. Never mind. As home educators we can pick out a couple of obvious and relatively simple things from this to ensure our sons' success. First, learn how to write well, to compose an academic-style essay and to express ideas on paper. This really only takes practise, for the technical aspects of essay writing are very few and straight forward. Second, keep away from NCEA-style unit and achievement standards in the teaching of maths and science (and anything else, really). You want your youngsters to gain a comprehensive, overall view of maths, how its various aspects all fit together into the "Big Picture."

Unit/achievement standards break maths and science down to wee little bits which may or may not be in themselves of some interest. They may be easier to study and pass in these wee bits, but unit/achievement standards do not tend to tie all these maths concepts together. So a student may have a head full of maths facts but no overall understanding of maths as a subject.

A visiting child psychiatrist, Bruce Perry, senior fellow at the Child Trauma Academy in Houston, Texas, has simply reinforced what we all knew already: that we are social beings and function better when well-connected within an extended family. Breaking up such units, as when children are forced to separate from their parents and siblings because of compulsory school attendance laws, is a probable contributor to lessened mental and physical good health.

Saxon Going Soft

It is nearly unthinkable. The solidly dependable and highly sought-after, no-nonsense Maths books known as Saxon are going soft. Apparently US home educators are not being allowed to buy the hard-back editions but must take on the newer, rewritten soft cover titles. The problem is that these are being rewritten, not just re-covered. The rewrites appear to have a different underlying philosophy, what Linda Schrock Taylor (owner of "The Learning Clinic") describes variously as Fuzzy Maths or the new-new maths.

Then there are the implications of and the reasons behind such discriminatory practices. Has the publisher of Saxon, Harcourt Achieve, signed some kind of deal with schools in which they agree not to sell certain of their products to home educators? Why do that? The Saxon school catalogue runs to five pages, but it is only two pages long for home educators. It could be seen as an encouragement to get home educators to accept some of the schemes schools are offering home educators to get them to register with the school in order to gain access to better resources while the school is then able, due to the extra names on its school role, to pull down more tax money from the

governing authorities.

Linda Taylor's investigations into the acquisition of Saxon by Harcourt Achieve turned up the information that some of the most educated and competent mathematicians refer to Harcourt Achieve as the "slow learner" division of Harcourts. HA even describes itself as the branch of Harcourts that "deals with students who are not 'the best' or even average."

Says Taylor, "Frankly, if homeschooled children are [behind] it is because we home schooling parents have to de-program the children from the warping of attitudes, perceptions and loyalties that passes for education in state schooling. When our homeschooled children are academically delayed, it is because little-to-no true scholastic and foundational instruction was ever given in the public schools prior to decisions by wise parents to bring their children home where they can receive a real and complete education.... Schooling is a family decision, not a federally mandated one. How did we ever allow it all to go so wrong?"

To Lean Left Often Means to Lean On

We home educators know that persecution of parents who home educate seems to be increasing. It is palpable and intense in Germany right now. The media in the USA have waged running battles with home educators, saying that every psychopath who abuses children by keeping them out of the public eye while doing evil deeds is, by definition, a home schooler: since the victims don't go to school, they must be schooled at home. The MoE and ERO have been known to overstep their legal parameters toward home educators, and this writer is presently involved in a clear case of bureaucratic bias and departure from due process. Well, spare a pitying thought for school boards right here in New Zealand.

The Tomorrow's Schools reforms wrought by the Lange Government (Labour) 15 years ago were meant to hand a lot of administrative (not curricular) autonomy to the local board of each school. However, according to a *Dominion Post* article on 26 February, more and more schools are today being run by outside managers appointed by the Ministry of Edu-



Jude Doty family, Yakima, Washington, USA. Commitment to home education and simply mentoring his sons on the job cost their business, their plant and equipment and their home.

cation. Ironically, this reversal is also Labour inspired.

Seventy-nine secondary and primary schools are under some form of statutory intervention – with managers, specialist advisers and, in extreme cases, commissioners appointed by the Education Ministry because of financial and management problems. At the same time last year, 67 schools had outside help, compared with 41 in 2003 and 17 in 2002.

Secondary Schools Principals Association president Paul Ferris said that many of the interventions were unnecessary and principals were feeling under attack. Fair enough. While the previously quoted figures show that currently only just over 3% of schools are under intervention, only about 0.7% had managers in 2002. That is more than a four-fold increase.

"The climate the union enjoys with the Government makes it difficult to lead appropriately. Clearly the idea of a self-managed school is gone," Mr Ferris said.

While a state-appointed manager is meant to provide "skilled and experienced governance" to over-

see an aspect of the school's operation without dismissing the board, they have been criticised for not necessarily having the skills to run a school and often led in a "draconian and reactive" way.

Perhaps it is only characteristic of legislation, that it allows for maximum intervention while trusting in the good will and common-sense restraint of government bureaucrats not to abuse their powers. For example, statutory managers can be appointed if it is believed the school's operation, student welfare or achievement are at risk. Only a "belief" that any of these nebulous areas are "at risk" is required, which can easily be construed as a blank cheque to intervene at will. As past Alliance Party MP Liz Gordon told a number of home educators assembled in her Parliamentary office back in April 2000, "Labour is a 'hand's on' Government. The more left leaning any Government is, the less choice you will have."

Re-Interpreting Us into Criminals

During this past month a Christian home education family with seven children (see photo) was systematically taken apart by officialdom in the state of Washington in what that country's national anthem says is "the land of the free."

Jude Doty used to be a self-employed contractor specialising in house moving. "As is common for self-employed fathers, I found the opportunity to take my boys, and thought nothing strange of it," explains Doty. "They would accompany me occasionally, from the time they were weaned."

Well, this is not good enough, according to Washington State Department of Labour and Industry (L&I). Doty was fined \$250 a day fine for working his then 11 and 13 year old sons during school hours, even though they were exempt as home educators; \$500 a day for having no superior court judge permit; \$1,000 a day for the sons working on a construction site (their own

private property); \$1,000 a day for working near their own heavy equipment; \$1,000 a day for operating their backhoe; and \$1,000 a day for being a “helper on a public roadway” (being flagmen). L&I fined Doty \$34,000 for “employing” his sons, then \$20,000 in unpaid workers’ compensation insurance (for employees who, they say, shouldn’t have been employed), along with \$87,000 in penalties.

One of the strange twists in this case is that in the past L&I has argued *against* allowing parents to consider their children employees. Three times before the State Supreme Court, L&I has successfully argued that an employer/employee relationship between a parent and child *cannot exist* unless all four of these conditions exist: 1) emancipation, 2) a written contract, 3) fixed compensation, and 4) freedom to spend the money without parental control. Doty claims the agency has done a complete reversal in his case, saying, “L&I now claims that the four conditions have ‘no significance’ and are ‘not a determining factor’ for identifying employment between a parent and child. Remember, without an employment relationship, they have no jurisdiction.” A number of other factors are explained on the family’s website, www.FamiliesThatWork.org.

Doty has paid over \$40,000 in legal fees, but to no avail. The State of Washington seized over \$100,000 in cash bonds, Doty’s bank account, the properties he owned, a contract and equipment. L&I placed “liens” on his house and equipment. All this drove him out of business in July 2003. His home went under the state auctioneer’s hammer on Friday 4 February this year.

At the foreclosure sale, however, a computer snag delayed bidding so long that the ten buyers present drifted away. The mortgage company bought the property back, and this action cleared away all “liens”. There is now some talk of forming a trust to buy the home for the Doty family, so at least they have somewhere to stay.

Lessons in Reinterpretation

This story illustrates how bureaucrats can turn normal people into

criminals simply by reinterpreting what the law and regulations say and how they apply them. Stephen Franks of the ACT party says the recently passed Films and Video Amendment Bill has provisions in it which will allow lawyers and courts who are so inclined to interpret its provisions as if it were hate speech law, becoming de facto thought control legislation. The Privacy Act has 12 lofty sounding principles of privacy, but they are not statements of law...only two of the principles have any legal recourse. Yet the Act is used to block parents from gaining access to information on their children and to allow school officials and those lovely demons....I mean, those lovely damsels at the Family Planning Association to spirit away daughters under 16 years of age for contraceptive advice, supplies and abortions without parents ever having to know.

This reinterpretation works the other way too. New Zealand’s abortion laws are designed to strictly limit the killing of unborn babies, but its provisions have been reinterpreted and applied in such a way that abortions are available here on demand.

A Hard One to Reinterpret

The anti-spanking lobby is desperate to repeal Section 59 of the Crimes Act because it is simply impossible to interpret their way. The Section says, “Every parent of a child and...every person in the place of the parent of a child is justified in using force by way of correction towards the child, if the force used is reasonable in the circumstances.” The statute here says the use of reasonable force by parents *is justified* (by way of correction), in the same way that the use of reasonable force by a ship or aircraft captain *is justified* (to maintain good order and discipline on board), as it says in Section 60 of the Act. If Section 59 of the Act is removed, then there will be the probability of some *very* creative reinterpretations of assault by parents against their own children (that is, the effect of removing Section 59 is to expose parents to a much greater possibility of being charged with assault).

Once the use of reasonable force is no longer justified in law, your vindictive neighbour could report you for grabbing Johnny and dragging him roughly backwards forcing him out of the path of an oncoming car, or for forcing him to stay in his room, or forcing him to finish his vegetables before he is allowed dessert, or forcing him into the car for his doctor’s appointment. These all appear totally reasonable to most of us, I trust (though I have reservations about forcing to stay in the room). Yet with Section 59 removed, there would no longer be a legal justification for parents to use *any* force with their children for *any* reason. Section 59 is actually a brilliant piece of legislation. Don’t let them repeal it!

I’ve reviewed all this to demonstrate that the legislation on home education is likewise open to interpretation. We seem to have precedent on our side, yes, but this didn’t seem to help the Doty family much. A repeal of the compulsory attendance clause, Section 20 of the Education Act, would release us from any state accountability at all. A statement added to the Act — to the effect that parents, having the prior responsibility and right to determine the educational path of their children, shall not have these rights and responsibilities infringed by the state — would also protect us from unfavourable interpretations.

MoE Reveals New Exemption Application

The MoE proposed to release a new exemption application form last June. But after hundreds of protest emails at not being consulted, home educators were invited to make submissions as to what they’d like to see on a new exemption form. The exercise was very profitable, for it highlighted the ways in which home educators and the MoE interpreted the Act differently (see previous article “Re-Interpreting Us into Criminals”). The MoE’s finished product has now been released!

I must say that, overall, it is friendlier, clearer and more helpful. It is also longer, 13 pages, for it includes a helpful five-page FAQ section!

Coming Events

By popular request, the MoE has decided to refer to us as home educators and to home education. This is great! There is a vast difference between “schooling” (doing time in an institutional or institution-like setting) and “education” (which embraces learning in all areas in all ways).

Other additions include a section asking after Special Education Needs: “If enrolled in a registered school, would your child be likely to need special education, for example in a special class or clinic or by a special service? If yes, how do you plan to meet your child’s special educational needs?” This addresses in a straight-forward, un-intimidating way a requirement in the Act, Section 21(1)(b)(ii).

They’ve added, just after the old “Describe your knowledge and understanding of the broad curriculum areas you intend to cover” question, a request about “Curriculum — Describe your curriculum or programme. Outline what you intend to cover with your child in different areas of your stated curriculum.... Whatever source of curriculum you select, you should be specific about the skills you want your child to learn and you should be clear about matching the learning needs of your child to your programme.” It is elucidated a bit more in the checklist, for it says there, “Curriculum coverage for the first year has been described.” This section is to me the most unclear part of the form.

There are some added comments about how to go about describing your “Topic Plan” and “Regularity” which appear to be quite helpful for their clarity.

The MoE dropped some things, too: “Updating Information”, “Teaching and Learning Methods” and “Study Area” are all gone, to no one’s regret. It is a shame they did not likewise consign the totally irrelevant question about social contact to the waste bin.

The two brilliant working definitions of the words “regularly” and “well” from Section 21 of the Act are also retained. But the MoE also saw fit to retain the Privacy Statement with the obnoxious part about

Sat, 19 March 2005

Palmerston North Home Educators Workshop

Venue: Harmony House, Reformed Church, 541 Ruahine Street, Palmerston North

Cost: \$15.00 per person/couple or \$5.00 per session

Contact: Barbara. Ph: (06) 357 4399, Barbara@hef.org.nz
Programme

9.00am Registration

9.15am Welcome & Notices

9:30am Session 1: Two Electives:

1a What a Christian Marriage Looks Like - Ed Rademaker

1b Getting Started in Home Education: Getting an Exemption, Pulling Children Out of School, ERO Visits etc. - Craig Smith

10.30am Morning Tea

disclosing information in our exemption applications “to other agencies, such as...the principal of your child’s current school or (in the case of a child who has never attended school) the Public Health Nurse.” And the checklist still has “Principal notified...of your intention to home educate.” It is the *TEACH Bulletin* editor’s opinion that these statements need to go.

Interpretations

The MoE makes a helpful statement in the Information Letter to Parents explaining their interpretation of their responsibilities under the Act. Section 3 guarantees every child the “right” to a free education. Now of course, all the state can do to enforce that is to compel enrolment and attendance at a school. So children will be schooled, but there is no guarantee they will be educated.

It is an interesting question to ask, how is it that a child’s “right” to an education has to be enforced by the state? I suppose if the state is going to sink millions of taxpayers’ dollars into schools and teacher training, they need to compel attendance just in case the private sector provides a superior product and all the “customers” flee the state schools for private ones or home education, leaving

11.00am Session 2: Three Electives:

2a Biblical Marriage: The Environment for Effective Home Education - for the men - Ed Rademaker

2b Biblical Marriage: The Environment for Effective Home Education (for women only) - Carolyn Rademaker

2c Raising Our Daughters to Be Godly Wives and Mothers - Craig Smith

12.30pm Lunch - byo - hot drinks provided

1.30pm Session 3: Two Electives:

3a Raising Our Sons to Be Godly Providers, Husbands and Fathers - Craig Smith

3b Make appointment for personal time with the Rademakers

3.00pm Afternoon Tea

3.30pm Session 4: Two Electives:

4a Reforming the Future through Home Education - Craig Smith

4b Make appointment for personal time with the Rademakers

5.00ish Finishing up.

the “free” state facilities high and dry. Being tax-funded is another way to encourage attendance: the school burden on you doesn’t appear as heavy as it really is since the state is forcing many others who don’t use the “free” schools to pay for them nevertheless.

The MoE goes on in the Information Letter to Parents to say that while we have a “right” to apply for an exemption from enrolment and attendance at any registered school, the MoE has the “responsibility to ensure your child’s right to an education is preserved.” This is their interpretation. If they really were responsible, they could be held responsible for all the illiterates out there. No, it is us parents who have a responsibility toward our children’s education. The MoE only has a statutory obligation to know they’re either in school or are exempted. If the MoE really wanted to preserve and strengthen children’s “rights” to an education, it could allow more educational options, rather than hedge the few we have with so many regulations.