

Legal Aspects of Homeschooling in Europe

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Abstract: Homeschooling is a type of education where children learn outside of a school setting under the supervision of their parents. The family determines what is to be learned and how it is to be taught, while following whatever government regulations apply in that country. Later, according to the Universal Declaration of Human Rights adopted by the UN in 1948, parents have the first right to choose the educational methods their children can benefit from. Later, the International Convention on the Rights of the Child from 1989 admits the right of children to education, as well as the right of children with discernment to freely express their views regarding any problem of interest. Lately, homeschooling has become an important theme of discussion internationally, since it is viewed as an alternative to the traditional education system; moreover, this type of education benefits from a legal operating framework in most developed countries. In Europe, regulations regarding the freedom of instruction differ from one country to another, not being clearly defined in most countries. Thus, there are states which support homeschooling (Belgium, Czech Republic, Great Britain, Hungary, Finland, France, Italy, Slovenia); states that initially did not allow homeschooling but currently do (Austria); states that do not accept homeschooling according to the letter of the law, but allow isolated cases (Germany, Greece, Romania, Spain). In most European countries, the homeschooling curriculum is related to the knowledge required by the mandatory school curricula and the check-ups take these requirements into account. The homeschooling models accepted in Europe range from the highly regulated ones in which public authorities exercise a significant control, by periodically checking the knowledge acquired by children, to those in which the state barely intervenes. Thus, in some European countries, such as Great Britain, Ireland, France, Italy, the freedom of education is mentioned in the legislation, which also regulates the control over homeschooling. In France, the city hall performs a social control every two years in addition to the annual academic inspection. In Italy, the income and the possession of a diploma by one of the parents are taken into consideration. The control is carried out in relation to the national annual curricula, such as in Belgium or Austria, where the children included in this type of education take national school exams. Other countries like France, Italy and Great Britain offer a relative teaching independence to parents.