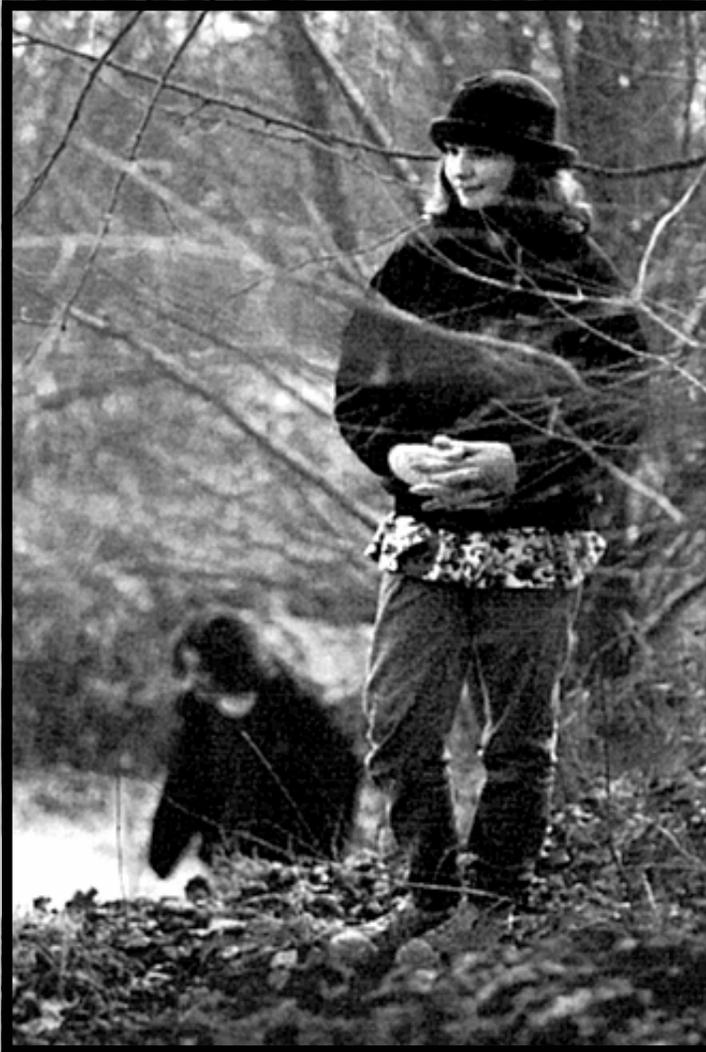


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What's All the
Fuss About?

Homeschooling in USAREUR

by Valerie Bonham

Moon

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Publications

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Valerie Bonham Moon
P.O. Box 1032
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Dedicated to everyone who is working
for what is best for the children.

May we do no harm.

The law and regulations extracts presented here are not legal advice. They are provided so that the people concerned can read the portions of regulations that apply, or seem to apply, to schooling of military children outside CONUS and specifically in USAREUR. Portions of the regulations that have no bearing on education, or the examples used to show a lack of bearing, have been only partially quoted to save space and reading time.

For a full reading of the omitted parts, the reader should refer to the regulation which may be found in local official libraries such as MOS libraries, regulations or reference libraries. It might be easier for the active duty family member to check out the regulations from the library as it is possible that a family member might be told they aren't authorized; but then again it might not as the family member could easily be thought a civilian employee.

This booklet is not intended as a substitute for a privately retained lawyer.

All newsclippings, policy letters and letters are reconstructions of the originals and have been transcribed verbatim.

If you see "sic" in the body of the text it means that even though the syntax or punctuation of the text looks odd, it's what was on the page and I transcribed it as such. What I saw is what I typed. Sic is Latin for "thus, or, so."

Don't use a highlighter on these pages as they were printed on an ink-jet printer. Any wetness will cause the ink to smear. Once I get a laser printer this won't be a problem so please order hundreds of my booklets and include generous donations to minimize my savings time.

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What's All the Fuss About?

Introduction

So far the public record of homeschooling in USAREUR dates back to November 1989 when Major General del Rosso, the community commander of the Augsburg military community, issued a community policy that stated, “. . . home teaching is strictly prohibited.” The policy was made public in the *Stars and Stripes* and is briefly mentioned in the book, *The Right Choice*, written by a prominent homeschooling lawyer. During almost any discussion among homeschoolers about the legality of homeschooling in USAREUR, and specifically in Germany, the mention of Augsburg will bring nods and knowing looks.

Ah, yes, *Augsburg*, where it was definitively proven that homeschooling is legal and that the Army has to butt out. Ask any homeschooler why they are allowed to homeschool without interference in USAREUR and they instantly announce, *We're protected under the SOFA*. Ooh, the SOFA. Sounds really important. How does it do that? *We don't have to follow German laws*. Really? Does it *say* this? Does the SOFA state, “American kids don't have to go to school no matter what anyone says?” If you ask under for the annex, article, paragraph and subparagraph the answerer gets right shirty with the questioner and snaps, *I have a photocopy of a letter written by an attorney plus I have a book written by another attorney and they both say my kids don't have to go to school. It's in there. End of discussion.*

Enter the Local Commander, whoever he or she may be. *There are lots of different kinds of people in this community, some of whom are so irresponsible they shouldn't be out without a keeper. I intend to keep my eye on each of them. This is my area of responsibility and if any of the kids in this community makes the newspaper for anything bad it's going to be my head on the chopping block. Since it's my career and since I'm officially responsible for this community to people with a lot more rank than you've got, we're doing it my way. I have a regulation that let's me boot you out if you don't toe the line and I'll use it. End of discussion.*

Sounds like a recipe for a lot of emotion.

People on both sides of the issue seem to have a partial grip on the subject, but neither side carries the examination any further.

The letters by Chris Ambrose and James Horn that are cited in the *Stars and Stripes* article and are usually produced by homeschoolers as impenetrable paper shields against school rules each contain synopses of what the laws and regulations say, but never provide chapter and verse.

The book, *The Right Choice*, quotes excerpts from these letters and the newspaper article but, disappointingly, shows no original research. *The Right Choice* also provides no information on just what the Status of Forces Agreement (SOFA) or any other regulation says. This book also shows no understanding of military culture as demonstrated when the author refers to a Army O-8, a major general, by the title of a Navy O-6, Commander. The general was a commander but was not a Commander and while a Commander may well be a commander, this commander wasn't a Commander. The difference is subtle, but telling. Books, to include this one, are no substitute for reading the regulations themselves. Don't rely on second-hand knowledge or, worse, third or fourth hand knowledge. Go to the source and read it for yourself.

So, are civilian lawyers in CONUS the only ones who don't read the regs? Probably not. Community commanders are very busy people who rely on staffers to provide them with accurate information and they, too, appear to have been ill-served. Not only have regulations been mis-applied, they haven't even been completely read. To further compound the misinformation, no homeschoolers have been consulted as to what it is they do which seems to have caused a mistaken stereotype, or simply a falsity based on ignorance, to be used instead of reality.

So what are the regulations? Are Americans in Germany who are covered by the SOFA not under German jurisdiction? Do commanders have a regulation that allows them to run the community *their* way regardless of what any community members think? Are there simple black and white regulation answers? In your dreams. The simple answers aren't there. As with most things in modern life these issues are about as easy to sort out as a book that's been put through a paper shredder and the resulting mass stirred.

This booklet is about what I've found, so far, and how it all seems to fit together. If you have any opinions about all this or find some glaring mistake I've made in my thinking, write me. I hate being wrong and being wrong in print is so *permanent*. My only excuse if I've said something really stupid is that I care for the kids. What's important are the children; may we do them no harm.

What's All the Fuss About?

Part One

The History, so far . . .

The first section about all the fuss is reconstructions of newspaper articles, letters, policy letters and a newsletter article about homeschooling. In reading them you can see the two sides of the issue, “who gets to decide how we get to school,” butting heads.

On the one hand there are the homeschooling parents who are doing what all the best advice has told them to do to assure their children's success, getting involved in their education. They are not only committing themselves body and mind to their children's education but have unlash themselves from the consumer machine to provide whole-grain substance for their children and not just the white-flour flash promised by advertising. To this end they have not only sacrificed the Second Paycheck but chosen to assume the added expense of buying their own schoolbooks, art supplies, musical instruments, science kits, wall maps, globes, reference materials, and last, but not least, manilla paper. Of these parents probably 99% of them were publicly schooled and the decision to break with the societal norm and remove their children from the local public school didn't come easy. Homeschoolers know they will be swimming against the societal stream but they are determined to provide the best environment for their children. The homeschoolers make a fuss about newly created requirements it is because what they are doing is happening in the privacy of their own home with their own children with learning materials they searched for, saved for and sweated over with trying to find the right ones. Can you imagine how you'd feel if the government suddenly took an Official Interest in your meals to the point of saying you could not feed your children at home because you aren't a registered dietician?

On the other hand there are the community commanders who are officially responsible for an entire military community, good guys, bad guys and everyone in between. These commanders' careers may be literally at the mercy of any chuckle-head who feels that abiding by the regs is for the other guy. Bad publicity concerning the community may be the kiss of death that causes the early retirement at the grade of 0-5 instead of a long-awaited promotion to 0-6. This personally affects the commander whether the chuckle-head knows it or not, and even if this person does know it, what are the chances that he or she gives a care? To add to the stress a local community commander deals with daily, there is the added complication of being under a higher headquarters. One set of faceless powers-that-be have cut the operating budget 10% while another one has assigned an additional tenant unit who will move in next month and then deploy downrange leaving behind families who walk into over thirty year old quarters and yell, “Substandard!” With the dads gone some of the kids get mom over a barrel and start fooling around with some other kids whose moms are over similar barrels and they come up with a game to see who can cut the most classes from school or get the most five-finger discounts from the Shopette. If these kids get too carried away the story hits the papers and the community commander's OER rating drops like the mercury in a thermometer when a cold front moves in. Just as a cold front can freeze the water in the pipes of a house so can a bad OER freeze the commander's chance for promotion. The commanders make a fuss because in the event of a tragedy it would be their, uh, necks.

Thus the stage is set for confrontation and homeschoolers are becoming more visible while remaining an unknown quantity. Are their kids the ones causing the problems? Are there really masses of homeschoolers depleting the schools, ruining student-population projections, thus affecting teacher-slots, all the while forming little homeschool gangs that spray paint the Pythagorean theorem on the sides of government quarters? Do homeschool groups get together, find out where the local school is going on a field trip and then plan their own field trip, arrive at the same time, and harass the schoolers to drive them away? Or are there hordes of feral homeschooled wolf-children plaguing communities because their parents have removed them from under the protective eye of the professionals and, laughing like Robin Williams, turned their children out to fend for themselves, crying, “Fly! Be free!” Alternatively, is the commander, or maybe more accurately the commander's staff, confusing kids not in the system with kids ducking the system?

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As for hordes and masses of homeschoolers, during breakfast this morning I totted up the number of school-aged children in our homeschool group who live in the Heidelberg area. I counted 38. Then I guesstimated the number of students in the Heidelberg area schools: I allotted 700 to Patrick Henry Village Elementary, 350 to Mark Twain Village Elementary, 350 to the Middle School and 700 to the High School. I seem to have heard these numbers bandied about at some point. Adding up the numbers my calculator gives me 2100. Thirty-eight students are 1.8% of a possible student population in the Heidelberg area although this figure could be lower if I had any idea how many students eligible for a DoDDS education in the Heidelberg German school, are attending private schools or have chosen to remain in the State so they don't have to change schools. That leaves 98.2% or more of the students enrolled in school. Keep these figures in mind as you read the rest of the booklet.

Are my numbers correct? I suppose I could call up the school and ask but that would involve more research time and today we are planning to: do the French lesson; do math (Algebra and pre-calc); begin the next chapter from *Chaos, The Making of a New Science*; continue with general science by reading the next section from *A Handbook to the Universe*; have a reading or two from *The Fireside Book of Modern Humor* (our present interest in literature); listen to the second side of the audio tape on St. Augustine (which arrived late so he's a bit out of sequence); read a short section from *Asimov's Chronology of the World, 1300 - 1350*; watch program 15 (Conservation of Momentum) from the video series *The Mechanical Universe*, a video physics course from Cal Tech; watch part 3 from the PBS video series *History of the English Language*; and work on the week's composition lesson. Yes, I could call up the school, but I don't have the time. I squeeze in my writing after breakfast while the kids are getting ready for the day, after lessons but before supper, at night and on the weekends. During breaks between "lessons" we fit in meals, housework and shopping - which has to be done school or no school. In addition to the tiny number of homeschoolers in our community, keep in mind what just one family does. Is there a time when one of my kids could escape my notice and make it outside to spray paint a local sheep? (We live in the country.) Think about it.

In reading the articles and policy letter some things seem to make sense, but only on the surface. If you look closely at what action is planned, the intent of that action and how it actually fits the situation, the logic is muddy. This analysis has been hard to write as nothing really tracks properly. It looks good at first glance, but on closer inspection the thinking is incomplete.

In the article about Augsburg, the main concern seems to be that the children are to be kept from being nuisances in the community. "... children "not enrolled in school or otherwise engaged in meaningful work represent a threat to themselves, their families and the military community." Why would it be assumed that homeschooling parents have not engaged their children in "meaningful work?" How threatening can a child at home be to themselves, their family and the community? The article goes on to say, "... children who are not supervised during classroom hours, especially adolescents, "contribute disproportionately to incidents of substance abuse, shoplifting, vandalism, vagrancy, assault and other criminal or anti-social behavior." The implication seems to be that homeschooled children, especially adolescents, are unsupervised and being allowed to run loose while their parents . . ., while their parents what, watch? While their parents work? While their parents are on vacation? Why is it thought that a parent would do something so controversial as to take their child out of school and then just turn them loose to get into whatever mischief the child pleases and to be picked up by the MPs?

The Frankfurt policy letter from the 418th BSB has truancy as a theme as school attendance policy is mentioned repeatedly. I don't know the circumstances that cause this policy letter to be issued but a good guess might be kids playing hooky from the, then, local DoDD schools. To rectify the situation the local BSB commander has issued a policy letter requiring enrollment of all children eligible to attend school who are not yet eighteen years old and have not yet graduated from school. The difficulty I see here is that the enrollment of all children is being required in order to fix the problem of students who are already enrolled not appearing in school - this doesn't track. DoDDS already knows who is and who isn't showing up, therefore the sponsors can be written to or called to let them know that their children aren't doing what the parents thought they ought to be doing. Presumably, the parents of children not enrolled in DoDDS already know that their children aren't enrolled and causing them to be enrolled there won't force the attendance of the children already enrolled who are playing hooky.

Then there is the problem of misperception on the part of the people noticing children in the community during "school hours." The first question has to be, whose school hours? If children are being seen in the community during these "school hours" and DoDDS has noticed no children absent from its classes then these are not pupils playing hooky from

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DoDDS. Possible answers to who these children are could be that they are enrolled in German school and have finished their classes for the day or are on a different vacation schedule. All German states don't have the same vacation schedule; they are staggered possibly among other reasons to prevent autobahn-overload. They could be newly arrived children who are not yet enrolled, or maybe they are children who will soon be leaving and have been withdrawn from class. Children who attend boarding schools could have come home for many reasons: family moving, family celebration (wedding, new birth, etc.) or their school has different vacation times than the local DoDDS. The children seen in the community could be being educated at home and, as part of their studies in Family Living or Independent Living are accompanying parents shopping and on other household errands. Practicing these skills during childhood allows for a seamless transition to living on their own as these children learn that there is no grocery-fairy, no laundry-fairy and no paycheck-fairy and that these tasks are work and take time. These children are not isolated from the normal maintenance chores running a family requires. When they're on their own, they'll already know what independent living is about and about the work required to keep a life or family running smoothly.

If there is a problem with children and young adults getting into trouble, meaning they've been committing crimes and are not merely visible in the community when DoDDS is holding class, then the miscreants should be dealt with under the existing regulations. Shoplifters, kids defacing government property, litterbugs, noisemakers, and sassy little rats who horse around pretending to push their friends into the road in front of my car should all be policed up, delivered to their parents and made to face the music. I grew up on Air Force bases and it was made perfectly clear to me by my parents what I could expect in the way of suspended privileges should I catch the attention of the APs. Likewise the APs were not shy about accosting rascally kids who thought they were being cute. There is no need, however, to burden innocent persons with bureaucratic requirements when the innocent persons are causing no problems to the community and are minding their own business. Annoyance felt by non-homeschoolers at the choice homeschoolers have made is not grounds for increased regulation.

In the *DODDS decentralizing* article from the Heidelberg paper the news that DoDDS was seeking to establish a new regulation was tacked onto the end of the article and, in the newspaper, it appeared on page 4. Here we have DoDDS officials stating that they want to require school attendance to "have the authority to make inquiries of parents," and to "make sure no children are falling through the cracks." One would think that somehow or other the authorities have found that, again, there are children in USAREUR whose parents have removed them from school and are not educating them. I wrote a letter to DoDDS headquarters in response to this article and, in the answer I received from them, their representative said, "Our motivation for a compulsory attendance rule is not to burden those who, like yourself, are diligent and devoted homeschoolers," I can't imagine who else they would be looking to burden since for decades American dependents have been attending local schools, boarding schools, or staying in America with Grandma because they didn't want to change schools and have been legal dependents who weren't enrolled in the local school system. The only new wrinkle in the education equation is homeschooling. In a way I anticipated this question in the letter I wrote by asking that if DoDDS is so concerned about uneducated children why didn't they have this push for stricter regulations when the system was about four times as large and there were American dependent children all around the globe. Also, why didn't the children who weren't enrolled in DoDDS worry them since there was no homeschooling to account for the discrepancy in the numbers? Also, how is it that with the drawdown the numbers got a lot smaller but the previously non-existent problem of uneducated children falling through the cracks got a lot bigger? DoDDS's "answer" was, "The fact is that our mission is to create a public education program that will serve as a model for the entire world." Huh? I still can't make that one out. It's no wonder this section has been so hard to write.

The *Post-Union* article from the paper in Baumholder repeats the motif that parents who have taken their children out of school are neglecting them, but this time the don't beat around the bush - they face the parents squarely and say they don't believe homeschoolers are schooling their children correctly and they want to see the schoolbooks. But the issue is still confused with "truant" children. None of the communities seems to have a grip on what it is they want to do, other than have all kids invisible during one portion of the population's "school hours" and to make sure the homeschoolers know they're being watched and that they won't be allowed to get away with anything. To quote from the article, "We'll be able to ensure a full accountability of all school-age children. . ."

It makes being a homeschooler very nerve-racking at times, let me tell you. I can already hear you saying that if homeschoolers aren't doing anything "wrong" they don't have anything to worry about. Riiight. What if a power-that-is doesn't agree with the choice of homeschooling materials; privately purchased materials, I might add. Will this person then say that homeschooling parents won't be allowed to teach their own children in the privacy of their own homes using educational materials they purchased with their own money? Is this person going to tell the parents they have to buy new materials? Is this

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person going to help pay for new materials? Would homeschoolers then be told to use the same materials the schools use? Which school, then. If DoDDS materials are the only materials allowed, can homeschoolers use math books? If stateside school materials are allowed, which state's materials could be used? The state the homeschooler is from? The state the official is from? The state the homeschooler last lived in? The biggest state? (do we count area, population or market share??) Any state since they all use materials valid within their borders? Can materials from private schools be used? What if a private school that uses the same materials as have been deemed unsuitable for the homeschooler to use? Now we're back to square one and so far I haven't even taken into consideration the Supreme Court Decision *Pierce v. Society of Sisters* 268 US 510 from 1925 that held that the "fundamental theory of liberty excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only." I assume this includes the books used by those teachers.

As far as the "truancy" issue goes, I have heard through the grapevine than people whose children do go to school don't like it when they see homeschooled children out-and-about during "school hours." Okay. What about the school children who are out on "teacher workdays" when homeschooled kids are doing lessons, are they truant? What about the educational field trips our family takes on weekends so that my husband can join us, are publicly schooled children truant then? What about the fact that since I have only three students we get everything done in less time than it takes a class of 25 to do the same thing, adding in that I don't have to take six weeks at the beginning of a year to determine where my children are in their studies and that, with year-round schooling in certain areas, we don't have to review for a month to get everyone up to speed? If my kids have accomplished all the tasks for the day that they've been given, why should they be made to sit in front of me? Should I give them busy work so I can sit there watching them be kept busy until a certain number of minutes have passed and then go on to something else?

What seems to be clear, at least from the public record, is that homeschooling is not understood and is therefore suspect. I must ask, has anyone approached the homeschoolers for information? Has anyone asked, nicely, to be educated about this alternative method of teaching children? Has any official *tried* to understand? Read the articles and decide.

Augsburg community takes action against home schooling of children

By ROSEMARY SAWYER
Staff writer

Families in the Augsburg community who teach their children at home must enroll them in recognized schools within a week or face disciplinary action.

The decree, issued by the Army community commander, Maj. Gen. Louis J. Del Rosso, runs counter to home-schooling policies in military communities throughout Europe. It will affect at least a dozen families, some of whom say they will send children back to the United States rather than comply.

The policy is intended to inform parents of their obligation under West German law to send their children to accredited schools, said Michael R. Harris, the head of recreational services in Augsburg.

The policy, dated Nov. 6, was prompted by reports of Christian schools operating unofficially on post and of parents teaching their children at home, he said.

Military school system counselors told Harris that many parents had pulled their children from the schools. The parents had said, in effect, that they could do a better job than the professional educators.

Harris said he and other community officials wanted to find out whether these children were being enrolled in other schools or, if kept home, receiving proper training.

He said an investigation found that a Christian school had operated on post, but was now defunct. Officials also checked into a church-run school attended by about 25 U.S. children off base and decided it was an acceptable education alternative, Harris said.

Community officials have found no home-schooling parents who are teaching their children inappropriately, he said.

"We're not suggesting that home schoolers are doing that," Harris said. "The policy is very new. We haven't tested it."

When asked to write the policy, Harris went to U.S. legal officials in Augsburg. They said host nation laws on school attendance applied to American dependents not enrolled in Department of Defense Dependents Schools. Harris said he did not consult with education authorities in the state of Bavaria where

Augsburg is located.

West German law requires children to attend accredited schools. In the United States, most states allow home schooling in some form.

DODDS oversees the home schooling of 19 students in such areas as Kiel, West Germany, where no English-language schools are available, DODDS spokesman Frank O'Gara said.

The Augsburg legal opinion contradicts that held by many military communities in Europe, where at least 200 families teach their children at home.

Defense Department Education Liaison James G. Horn said, "A dependent may choose not to enroll in our program (DODDS) and to elect instead an alternate enrollment, for example, a foreign school, a private school or in a home-schooling program."

The statute that allows the Defense Department to operate schools overseas does not compel attendance in them and therefore opens the door for alternative education, Horn said, in an August letter to a home schooler.

Another home schooler received a similar go-ahead in July from the judge advocate's office of the USAFE headquarters staff. "Children are not subject to German mandatory attendance laws because of NATO Status of Forces Agreements, which allow U.S. forces to provide for the education of their own children," Air Force Capt. Chris Ambrose wrote.

After consulting with the Defense Department general counsel's office on the matter, Ambrose concluded it was not illegal to provide home schooling in West Germany, regardless of whether the family lived on or off post.

"Nevertheless, misinformed commanders may occasionally attempt to initiate disciplinary action against home schoolers," he wrote. "If this happens to you, you should consult an attorney."

In Augsburg, parents who refuse to comply with the new policy will be referred to the community's Civilian Misconduct Action Authority, which "can direct appropriate sanctions."

Although the policy states that "home

teaching is strictly prohibited," a family's referral to the misconduct board "doesn't mean they necessarily come out with the cards stacked against them," Harris said. If the family can demonstrate that they're providing responsible home schooling, the board might not recommend any sanctions.

The West German mandatory attendance policy is designed to protect children from abuse, Harris said. "When I fail as a parent to educate my child, I might as well be spanking them or beating them," he said.

The policy also states that children, "not enrolled in school or otherwise engaged in meaningful work represent a threat to themselves, their families and the military community."

It states that children who are not supervised during classroom hours, especially adolescents, "contribute disproportionately to incidents of substance abuse, shoplifting, vandalism, vagrancy, assault and other criminal or anti-social behavior."

Harris said he knew of no cases where children schooled at home were involved in crimes.

Staff Sgt. Albert and Catherine Imbert have devoted the past four years to teaching their 13-year old son, William, at home. They consider the work very "meaningful."

If they cannot obtain a policy waiver, Imbert, who is assigned to the 523rd Maint. Co., will request that his wife and son be allowed to return to the United States two years early.

The sergeant said he's gathering test scores and samples of William's work to appeal the policy through the chain of command.

"As we developed in our home schooling, we realized what was wrong with the system of training a whole scad of kids at once and realized our responsibility as parents," said William's mother, who teaches him from 10 a.m. to 3 p.m. every school day. "We take our responsibilities as parents very deeply."

What's All the Fuss About?

Letterhead and addressee information not available.

I am writing in response to your inquiry concerning the legality of home schooling for the children of US military personnel and DOD civilians assigned to the Federal Republic of Germany.

Mandatory school attendance laws are creations of state legislatures. Such laws are common throughout the United States and Germany. The children of US military and DOD civilian personnel assigned to Germany, however, are not subject to state mandatory attendance statutes of the US because the children do not reside in any of the fifty states. The children are not subject to Germany mandatory attendance laws either because of NATO status of forces agreements which allow US forces to provide for the education of their own children. Other US citizens residing in Germany (e.g., missionaries), however, are subject to German mandatory attendance laws.

The educational services for the children of US forces are provided by the Department of Defense Dependent Schools (DODDS). The law which authorizes DODDS (20 USC 921 - 932) is a federal law and does not address mandatory attendance. The implementing directive (DOD Directive 1342.13) (sic) for the statute does not require mandatory attendance either.

I have discussed the subjects of mandatory DODDS attendance and home schooling with attorneys from the DOD General Counsel's office in Washington D.C., as well as with DODDS administrators in Germany. They agree that it is not illegal for US military and DOD civilians to home school in Germany, regardless of whether the family lives on or off post (base). Nevertheless, misinformed commanders may occasionally attempt to initiate disciplinary action against home schoolers. If this happens to you, you should consult an attorney.

I hope this helps you.

Sincerely,

(signed)
CHRIS E. AMBROSE, Capt. USAF
Assistant Staff Judge Advocate

What's All the Fuss About?



FOR MANAGEMENT
AND PERSONNEL

THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-4000

Addressee and date not available.

This is in response to your letter of August 18 to Secretary Cheney concerning your interest in home schooling.

Public education within the United States is a matter which our constitutional system leaves to the discretion of each State. Each State, therefore, makes its own laws pertaining to education. These laws are binding on all persons within the State's border, including the dependents of the Department of Defense (DoD) (including the Military Services). The Secretary of Defense does not have the legal authority to issue the kind of regulatory exemption from State education laws which you have suggested.

The DoD has specific statutory authority to operate a school for DoD dependents who are assigned overseas. Our statute, unlike the many State statutes which do not apply overseas, does not compel the attendance of any DoD dependent in the DoD Dependents Schools. Instead, a dependent student accompanying a DoD member overseas has an entitlement to enroll in our overseas schools at U.S. Government expense. Therefore, a dependent may choose not to enroll in our program and to elect, instead, an alternate enrollment; for example, a foreign language school, a private school, or in a home schooling program. Our statute imposes no duty on the DoD to finance the cost of any alternate educational benefits. For these reasons, there is no reason for the Secretary to issue a regulation, such as the one you have suggested, regulating home schooling for overseas DoD dependents.

Thank you for your interest in the education of our DoD dependents and for your thoughtful suggestions.

Sincerely,

(signed)
James G. Horn, Ph.D.
Education Liaison

What's All the Fuss About?



Reply to
Attention of

AETV-FTB-DPCA (352)

DEPARTMENT OF THE ARMY
418TH BASE SUPPORT BATTALION
(PROVISIONAL)
UNIT #25754
APO AE 09242

04 NOV 1992



MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT; 418th Base Support Battalion Commander's Policy
Memorandum 11-2, School Enrollment and Attendance

1. Subject Policy Memorandum was distributed on 30 Oct 92 undated. The enclosed three pages replace the first three pages of the memorandum.
2. Point of contact is the 418th Base Support Battalion Schools Officer, Susan Gough, at 320-1770.

Encl
as

(signed)
Susan Gough
Schools Officer

Distribution
A+
DoDDS

What's All the Fuss About?



Reply to
Attention of

AETV-FTB-DPCA (352)

DEPARTMENT OF THE ARMY
418TH BASE SUPPORT BATTALION
(PROVISIONAL)
UNIT #25754
APO AE 09242



28 OCT 1992

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: 418th Base Support Battalion Commander's Policy
Memorandum 11-2, School Enrollment and Attendance

This memorandum expires one year from date of publication

1. References:

- a. Department of Defense Instruction 1342.6-M-1, October 25, 1978.
- b. USAREUR Regulation 27-9, 27 Sep 90, Misconduct by Civilians.
- c. 418th Base Support Battalion (BSB) Commander's Policy Memorandum 5-1, Community Supervision Plan.

2. Purpose: To prescribe policies and responsibilities pertaining to Department of Defense Dependent Schools (DoDDS) enrollment and attendance in the 418th BSB area of responsibility.

3. Applicability: All children in the 418th Base Support Battalion area of responsibility, under eighteen years old, who are eligible to attend school and have not yet graduated or obtained a high school equivalency diploma; their sponsors; school administrators and teachers; and the 418th Base Support Battalion Command Group.

4. Objective: To ensure compliance with enrollment and attendance policies for each of the four DoDDS in the 418th Base Support Battalion area of responsibility.

5. Responsibilities:

- a. The sponsor is responsible for:

(1) Immediate enrollment of all eligible children in an approved educational setting; to include DoDDS, German schools, private schools, or approved home school programs.

What's All the Fuss About?

28 OCT 1992

AETV-FTB-DPCA

SUBJECT: 418th Base Support Battalion Commander's Policy
Memorandum 11-2, School Enrollment and Attendance

(3) Compliance with schools' policy regarding school absences, excused or unexcused.

(4) Instruction of their children concerning the school attendance policy.

b. The student is responsible for compliance with his/her school's attendance policy.

c. School administrators and teachers are responsible for monitoring student attendance, enforcing their respective school policies, and informing sponsors and the 418th Base Support Battalion Schools Officer of noncompliance with attendance policies. Should a student be expelled or withdrawn from school prior to the sponsor receiving orders for permanent change of station (PCS), the administration of the school will notify the Schools Officer.

6. Policy:

a. Sponsors of eligible children not enrolled in a local institution will receive notification of noncompliance from the 418th Base Support Battalion Commander and will be required, within five working days, to either enroll the children or submit justification for nonenrollment.

b. Noncompliance with the enrollment requirement may result in command-directed return of the family member.

c. Each school in the Frankfurt DoDDS system has an attendance policy based upon the developmental stage of the children enrolled in that school (enclosures 1 through 4). These policies are supported by the 418th Base Support Battalion Commander.

d. Sponsors found to be remiss in their responsibilities regarding compliance with enrollment and attendance policies will receive a letter through command channels from the 418th Base Support Battalion Commander which will require a written reply. The reply will address the reason for noncompliance and the steps taken by the sponsor to ensure the situation is remedied.

e. Upon receipt of formal communication from a school administrator that the unexcused absenteeism is continuing, the 418th Base Support Battalion Commander will notify the sponsor and his/her chain of command of intended administrative action.

What's All the Fuss About?

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7. Proponent: The proponent of this memorandum is the Schools Officer, HQ, 418th Base Support Battalion, Abrams Complex, Building 31, Room 108, APO AE 09242, 320-1770 (military) and 151-1770 (civilian).

4 Encls
as

(signed)
DAVID L. PATTON
LTC, MP
Commanding

Distribution:
A+
DoDDS

Herald-Post

Vol. 20, No. 47

Heidelberg, Mannheim, Worms, Karlsruhe

Thursday, Sept. 7, 1995

DODDS decentralizing

WASHINGTON D.C. (American Forces Information Service) — Students start the school year with new pencils and notebooks. DOD Dependents Schools system leaders will start the 1995-96 school year with plans to decentralize their organization.

Called school-based management, the pilot program is running in the Panama District this year. Georgia Williams-Scaife, director of the DODDS Panama/Islands region, said the plan allows local parents, teachers, and principals to share decision making authority about how to use staff and dollars to achieve goals.

School-based management will provide local schools with more flexibility to meet educational guidelines, she said. "The guiding phrase is 'common sense equals common practice.'"

"For example, if a school decides it wants more hands-on science experiments, the teacher can go downtown with a credit card and buy the worms or whatever," said Williams-Scaife. "Without school based (sic) management, a teacher might have to go through several levels of bureaucracy. Now the teacher can buy the worms while they're still wriggling, and the students are still eager."

Williams-Scaife said research shows involving parents in decision making results in a more efficient school that serves its students better.

Under the program, a school-based management committee composed of parents, military representatives and school administrators chose the panama (sic) districts superintendent, Ruth M. Russell.

Russell, based in Panama, will work with Williams-Scaife, based at DODDS headquarters in Arlington, Va., to implement the program.

Williams-Scaife said students will be included in school based (sic) management councils for secondary schools.

"We held intensive training sessions this spring in Panama for the parents and other members of the school based (sic) management councils," she said. "We brought in an expert for (sic) Edmonton, Canada, where the schools have successfully used this system for years. We also hope to visit Schools (sic) in Prince William county in Virginia, where they also use school

based (sic) management."

She said another goal of the training was to help school staff develop a culture characterized by change, flexibility and continuous improvement. Williams-Scaife said the training focused heavily on leadership skills and decision-making.

"We use a decision-making model called consensus building," she said. "In this model, taught at some of the military colleges, people work until they come up with a solution that everyone can live with."

"It is more challenging than just voting and forcing the minority to live with a solution they hate. It sometimes takes longer. But ultimately it's more effective because everyone is on board."

"We try to keep in mind that we are all working for what is best for the children," she said.

Williams-Scaife said education researchers have come up with different models of school-based management. DODDS officials will evaluate the program at the end of the 1995-96 school year to determine which model works best for the DOD schools before expanding the program to other regions.

In other DODDS news, officials will establish a new regulation requiring DOD personnel overseas (sic) to attend school. Present rules call for commanders to encourage school attendance.

"The word 'encourage' is too soft," said Bartley Lagomarsino, deputy director of the DOD Education Activity. "If we get a DOD instruction requiring school attendance, commanders and DODDS administrators will have the authority to make inquiries of parents."

Lagomarsino said DODDS doesn't have data on whether there are children overseas who aren't getting an education. With the regulation, officials can gather this information.

"We can match that list against our rolls, and find our (sic) if children are not attending our schools are going to host nation schools (sic) or are getting other appropriate alternative education," Lagomarsino added. "We want to make sure no children are falling through the cracks."

What's All the Fuss About?

Letter to DoDDS: 23 September 1995 re: DODDS decentralizing

Because of the article in the *Herald-Post* on 7 September 1995, I wrote to their headquarters. The following points were made by me and the response from the Department of Defense Education Activity, DoDEA, follows on the next pages.

- DoDDS officials are planning to rewrite a regulation that consists of five chapters and four appendices but which contains one mere sentence concerning the “how” of children’s education overseas. Given this previous lack of concern and despite: no educated children overseas have come to DoDDS attention; no problems, incidents or complications because of uneducated children; no reasons exist for asking parents about their children; instead of asking nicely they plan to “criminalize” non-attendance; commanders and DoDDS officials will be allowed to investigate families and collect information on citizens who were previously within the law; once the list is compiled it will be compared with a list of DoDDS enrollees, children in host nation schools, children in other non-DoD schools and children in independent study programs.
- What do you propose to do about these families that aren’t enrolled?
- Why is this push for rewriting the article taking place when the world-wide force has been reduced so drastically? At least 31 (named) communities in Germany alone have been closed and 17 others (also named) have been sizably reduced. If there was no problem with the larger number of dependents, why is there one now?
- I have been associated with the military since birth, was schooled in an overseas school, and have been in USAREUR for a cumulative total of (then) 17 years. Not once in that time has anyone inquired about either me (when I was a child) or about my children. “If there was such a worry about crack-slipping children why is there but that one sentence about the “how” of the children’s education? A single sentence out of an entire manual written for tens of thousands of children and now, with only a fraction of that population left you propose to “establish a new **regulation requiring** DOD personnel overseas (which children are not) to attend school.” You propose to replace a sentence from a manual with a federal regulation? There’s no problem but you’re going to fix it anyhow and use a sledge hammer to do it?”
- I asked about DoDDS questioning the efficacy of independent study courses with have been acceptable for almost 50 years when home-study courses have increased in quality because of a larger pool of interested people.
- I asked if this action was a means to increase DoDDS’s area of responsibility in the wake of downsizing so that they could retain their personnel.
- I quoted from the article showing how what DoDDS is planning to do, homeschoolers have already done: parents in decision making; quick responses to student interests; research showing parent involvement is more efficient; not forcing a minority to accept the majority view; doing what is best for the children; and different models of school-based management.
- I wrote about examples of children in the system today who have slipped through the cracks, and my own and my sister’s experiences with experimental math programs in the 50s and 60s and how we were left to cope once the experiment was deemed unsuccessful.
- DoDDS downsizing in areas where, according to the regulation, there are enough students to justify an elementary school (Dexheim, *Stars and Stripes* 20 September 1995, page 14).
- Homeschooling parents dedication to their children and our ability to quickly address the children’s changing needs.
- Like everything else not mission-related, DoDDS is a service and not a requirement. Mandating school attendance in DoDDS would be like mandating shopping at the PX to ensure quality control with patrons being required to seek permission to shop downtown and people using catalogs being investigated.
- Society’s dependence on parents to nurture helpless infants but how, once a child reaches school age, the State steps in and assumes they know more about this child than do the child’s own parents.
- Teacher training equips adults to deal with large groups of strangers’ children and how current educational fads change how things are done.
- The “new math” debacle.
- If “accountability” is so important, how did people rise from being Stone Age “savages” (my apologies to those of our ancestors who figured out how to do things without any experts upon which to rely) through the Copper to the Bronze to the Iron Age. How did all the intellectual geniuses of the past figure out anything since there was no “accountability?”
- If parents are effective and successful up until their children turn six, why do they suddenly become incompetent?
- Doesn’t DoDDS trust people who have been educated in the American school system? Did this schooling work or didn’t it? Why am I deemed unable to transmit to my own children the things I learned for twelve years of my life? Did the

What's All the Fuss About?

system work or didn't it. If it did, why the suspicion? If it didn't, why do I want my children educated by it?

- Society trusts parents to feed their children. If parents can keep body and soul together for helpless infants who are completely dependent upon their competence and good will, what is so difficult about making the intellectual jump to trusting the parents to be able to transmit what even occurred in 1776 or what $278 + 432 + 98$ equals? Why are there no federally funded, compulsory dining rooms to ensure that children are fed properly? If parents can be trusted to feed children properly, why are they not trusted to educate them? My son at the age of six saw another first-grader buy six doughnuts and a coke for lunch in his school lunchroom. I doubted him until I took the upwardly mobile job of lunchroom monitor and saw for myself that this situation did exist. If the school can't guarantee that my children will spend their class time sitting next to properly nourished classmates, why should I trust it for anything else?
- In the absence of any evidence to the contrary, I take personally the implication that I am mis-educating my children. When The System consistently produces perfect students, then they may come around and ask me how I'm doing.
- I am not anti-public education but I will defend myself against unwarranted attacks by the State. "The State is often like a St. Bernard in a living room. They're both large, ungainly and blunder about heedless of their destruction of small, delicate things they barely notice. Both need to be kept in check; the St. Bernard so that the antique china shepherdess isn't destroyed by a wagging tail, and The State so that lives and relationships aren't damaged beyond repair with its thoughtless bureaucratic meddling."
- Since my oldest son was completely publicly educated (I only heard about homeschooling the year he graduated) I have first-hand experience with the difference in the quality of relationships within one family that has experienced both public and home schooling. For our family there were startling differences not only in the relationships within the family but also with the children themselves.
- I do not say that teachers don't do their best although that is what their employer has alleged about me and my colleagues. Parents who educate their children at home seem to be guilty until proven innocent of educational incompetence in the absence of any evidence but, despite the decades of evidence concerning the problems with mass education, public schools continue to flourish and are even greedy for the tiny percentage of children who are educated at home.
- The growing body of evidence shows that homeschooled children are as well educated and are better socialized than their publicly schooled contemporaries. Additionally, home educating parents not only don't need any regulation, we don't even need to be encouraged.
- There are no news stories about homeschooled graduates on welfare, robbing gas stations, peddling crack at schools, raping women in parks, joining gangs and participating in drive-by shootings, shooting each other with their parents' guns, or stabbing each other over Barbie dolls (last two items documented by *Stars and Stripes* articlettes, 20 September 1995). I recommended that DoDDS officials read *Homeschooling for Excellence* and *Hard Times in Paradise* by the Colfaxes, *Letters Home* by Britt Barker, *The Home School Source Book* by Donn Reed, and *No Regrets* (title not mentioned as the exact wording had slipped my mind) by Alexandra Swann. I told DoDDS to write to Calvert if they wanted to know the name of the book.
- If DoDDS wishes to know about homeschooled children, ask their parents. We'll talk about our kids to anyone who shows and interest.
- Adults who were homeschooled as children are generally invisible within society due to their success at blending perfectly into the adult world.
- "In all the history of overseas education of dependents, some of which I received in Bermuda in the mid-60s at Kindley High School, there have been no instances of herds of school-deprived American children terrorizing local nationals or manufacturing havoc on American installations. Hey, guys, if it ain't broke, don't fix it."
- Homeschooling reference addresses: *Growing Without Schooling*, Clonlara school (the one we use), The Moore Foundation, Alliance for Parental Involvement in Education (ALLPIE), *Home Education Magazine* and the National Homeschool Association.

Just so you'll feel better about having ploughed through all my ramblings on the last two pages, I condensed the letter from the original nine pages of single-spaced text.

What's All the Fuss About?



DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
4040 NORTH FAIRFAX DRIVE
ARLINGTON, VIRGINIA 22203-1635



JAN -2 1996

Ms. Valerie Bonham Moon
Det. 4, Co. A, 527th M.I. Bn.
Unit 29058
APO AE 09081

Dear Ms. Moon:

Thank you for your letter regarding homeschooling. You will be pleased to know that we honor your right to engage in homeschooling. Our motivation for a compulsory attendance rule is not to burden those who, like yourself, are diligent and devoted homeschoolers. We wish to ensure that overseas DoD children receive protection, comparable to that provided by State law, of their right to an adequate educational program.

You express a concern that the Department of Defense Dependents Schools (DoDDS) will usurp the traditional role of the family and take over or oppress homeschool programs. As you know, most States have compulsory attendance laws which permit homeschooling. Our intent is to guarantee student enrollment in an educational program without burdening the DoD or homeschooling parents with needless regulation. To this end, we agree with you that the Calvert Program is a valid program designed to preserve educational quality. Those using the Calvert or similarly accredited curricula need not be concerned about DoD intervention.

You correctly observe that the current attendance rule in DoD instructs military commanders to "encourage" children overseas to enroll in a suitable school. We are investigating the extent of, and seek to clarify, command authority to do more than simply encourage enrollment in an educational program. Frankly, we may find ourselves limited to the current "encouragement" authority. However, we do not intend, as you suggest, to "criminalize" nonattendance at school.

DoD children who are overseas without the benefit of U.S. Government funded travel may be subject to foreign criminal laws. These noncommand sponsored (sic) children generally are deemed by host nations to be "ordinarily resident" in the host nation. Such children are not protected by the Status of Forces Agreement and, therefore, are subject to host nation compulsory attendance laws and penalties.

We do not know how many children overseas now are not receiving an education, if any. Part of our endeavor is to find ways to better anticipate the arrival overseas of school age children of DoD sponsors and ensure no child is without educational opportunity.

You express skepticism with our motivation because we did not have a compulsory

What's All the Fuss About?

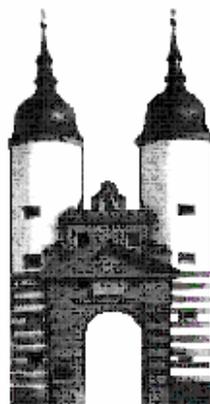
attendance rule when we were a larger school system. The fact is that our mission is to create a public education program that will serve as a model for the entire world. We seek to build new and greater success on our past experience and to borrow from the best practices of other top school systems. Our vision would not alter parent's (sic) rights to educate their children, nor diminish DoDDS commitment to make school services available to homeschooling parents, consistent with practices of superior public schools throughout the United States and current DoDDS policies.

I trust that this information is responsive to your concerns. If you require further clarification, please let me know.

Sincerely,

(signed)
Robert P. Terzian
General Counsel

What's All the Fuss About?



eidelberg
homeschoolers

January 1996

Response from DoDDS

Attached to the back of this newsletter is the response I received from DoDEA, otherwise known as DoDDS. DoDEA's response avoided many of my questions, answered questions I didn't ask, and "answered" other questions very curiously. The response doesn't appear to be a form letter, but its confusion and lack of specificity when compared to the content of my letter makes it look like a public relations statement.

1) DoDEA states it wishes to make sure that kids overseas receive the same protection they would as they do under State law. It's not their prerogative. DoDEA is an entity unto itself; it is a service and not an arm of the government with jurisdiction over children overseas. To me it equates to the PX and that is what I told DoDEA and this was left undisputed.

2) I purposely didn't state that Calvert, nor any other curriculum, was a good program, nor did I ask what DoDEA found acceptable. I made a long point as to parental qualifications, the quality of public education, and how when publicly schooled children are perfectly educated then the public sector may deem itself a fit judge. My only reference to Calvert was for DoDEA to write to them to get the book about Alexandra Swann.

3) If non-attendance is against future regulations and if measures are put in place to constrain those who don't comply, how else could that new situation be described other than as having "criminalized" non-attendance? Misdemeanorized?

4) I didn't address non-command sponsored children at all. I've no idea why he put this in since I purposely avoided this issue.

5) How can they *not* know how many kids are to arrive overseas? Someone, somewhere has stacks of paperwork on our families, plus all sponsors must have their families on the orders!

Additionally, I can't see their concern with children lacking educational opportunity when our group was approached last year by USAREUR about homeschooling information for children in the Netherlands who had no access to English language schools. Then there is the issue of the closing of schools such as Dexheim.

6) I made a point that DoDDS had no compulsory attendance regulation at the height of the Cold War when the entire globe was overrun with American dependents and there was no home-schooling to account for those kids who didn't appear on DoDDS rosters. *What* does my point have to do with this statement that DoDEA has a mission to "serve as a model for the entire world"? There's no connection. This is public relations-speak.

7) I need no further clarification, but I don't know if Mr. Terzian really wants me for a pen pal since I'll clarify till the cows come home.

One major question was completely ignored: What do they intend to do to those of us who don't comply?



The 53rd Area Support Group

POST-UNION

Serving the communities of Bad Kreuznach/Dexheim, Baumholder and Wiesbaden/Mainz

October 25, 1996

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53rd Area Support Group, Bad Kreuznach, Germany

New school policy in effect

By Ignacio "Igg" Rubalcava
222nd BSB Staff Writer

Parents are now required to register their children ages 6 through 18 with the Baumholder Department of Defense Dependent School (DoDDS) responsible for their residential area.

This is a change to previous policy which simply stated that all school age children, ages 6 to 16, had to be schooled.

The new policy applies to all members of the U.S. armed forces, Department of Defense civilian employees, and their family members who reside in the 222nd Base Support Battalion area of responsibility or who receive logistical support from the 222nd BSB.

Sean Lambur, 222nd Base Support Battalion projects officer, said this action was a direct result of a recent town hall meeting in which community members, and school principals, expressed concern about child truancy.

"This action will also ensure the accountability for education of all children. The previous policy did not provide for any official action by the 222nd BSB. The 222nd BSB can now take any necessary action to ensure all children attend school and are not deprived of a formal education. We'll be able to ensure a full accountability of all

school-age children," he said.

Mandatory registering with DoDDS does not obligate the child to attend formal instruction in the DoDDS system. Parents, however, are obligated to provide for a proper education, either with DoDDS, the national school system, in a tuition school, or in an independent study program by correspondence (including scheduled home schooling programs).

Parents who school their children at home must present their materials and instructional schedule to the projects officer at 222nd BSB Headquarters, Building 8698, Room 14, every school year.

In addition to accounting for a child's education, this new policy will allow school officials to provide more logistical support to parents who opt to school their own children. This support can range from the issuing of textbooks to use of the gym or other school facilities.

Failure to provide an education for school-age children may be considered educational neglect on the part of the sponsor or misconduct by the family member, according to Lambur. It can also lead to adverse administrative actions, such as the advance return of family members to the United States.

Additionally, excessive absences from school by a child prevents him or her from receiving a proper education. After the third unexcused absence in a school year, DoDDS will refer the case to Social Work Services or to the 222nd BSB commander, who is the civilian misconduct action authority.

Excerpt from Oct. 25, 1996 edition of the 53rd Area Support Group Post-Union, p. 6

Community speaks out at town hall meeting

What do fights at the high school and the disappearance of over-the-counter medium-size pizza from Anthony's Pizza Parlor have in common? Both are examples of the wide range of topics covered at the recent town hall meeting where residents from Baumholder, Strassburg and Neubrücke had their say about community, and often personal issues. (sic)

Many questions were answered on the spot by Lt. Col. Peter F. Porcelli, 222nd Base Support Battalion commander, or representatives from the 222nd BSB staff, while others were noted for a follow-up response.

Among the remaining issues covered were: children who cut school, civilian misconduct, new playground equipment, DEH service calls, meeting places for large groups, getting another orthodontist at the dental clinic, reopening the drive-through at Burger King and, as mentioned, fights at the high school and getting over-the-counter medium-size pizza at Anthony's Pizza Parlor.

- As a direct response to a concern raised about school attendance, a new 222nd BSB policy for school attendance has been established. (*Details of the policy appear on Page 1.*)
- Baumholder American High School policy regarding students fighting is to intervene and stop all fights immediately. If a student is continuously pursued, this needs to be brought to the attention of the principal. According to the 222nd BSB civilian misconduct officer, prior to the town hall meeting, no fights had been reported to the principal.

What's All the Fuss About?

So now you've read all the articles, letters, new policy, my heated comments, and DoDEA's reasoned ones. Quite a mish-mosh, isn't it? So what points do I want to make about each of the "exhibits." (I knew watching Perry Mason would come in handy someday.) Let's go back to the beginning and I'll try to show which points seem to be in conflict with the regulations or in conflict with laws or decisions that most of us, in the usual course of things, would never find out about.

The Augsburg article:

- "Harris said he and other community officials wanted to find out whether these children were being enrolled in other schools, or, if kept home, receiving proper training." Harris was the head of recreational services, which is very curious. Now I don't know if he was also designated the schools officer as well, but I'm quite certain I wouldn't consider the head of rec services someone with a compelling interest in my child's education. If Harris was also a schools officer, see DoD 1342.6-M.
- "When asked to write the policy, Harris went to U.S. legal officials in Augsburg." An example of a staffer writing policy, probably a usual occurrence,

What's All the Fuss About?

Regulations Excerpts

On this and the following pages I have excerpted portions of regulations that may seem to apply to parents educating their children at home. Sometimes the body of a text needs to be written out to see the exact language, sometimes a table of contents is sufficient in showing that the area of education is not covered. Any italics within the body of text were added by me to emphasize areas of interest.

The “explanations” that follow the excerpts are my interpretations of what the regulations mean. I have no legal training, but I am a native English speaker and that’s what the regulations are written in so I feel comfortable that my interpretation is either what the regulation means, or not very far off the mark.

What's All the Fuss About?

USAREUR Regulation 600-1 Regulated Activities of Members of the U.S. Forces, Civilian Component, and Family Members

The areas covered by UR 600-1 are:

POVs and GOVs	Privately Owned Firearms	Border and Customs Control
Abuse of Import/Export Privileges	Misuse of Postal Service	Travel to Off-limit Areas
Distribution of Written Materials	Political Activity	Public Demonstrations
Meetings on Military Installations	Protection of the Environment	Loans
Alcohol	Fire Prevention	Hunting and Fishing
CB radios	Drug Abuse Paraphernalia	Classified Documents
Illegal Aliens	Identification	Extremist Organizations
Anabolic Steroids	Interference (with persons lodging legitimate complaints)	

In my perusal of regulations the title of this one caught my eye but, as you can see by the subjects taken from the table of contents, education is not a regulated activity of militarily affiliated persons in USAREUR.

What's All the Fuss About?

◆ **Status of Forces Agreement (SOFA) USAREUR Pam. 550-19 or USAFE Pam. 30-16**

The SOFA is a document that was first ratified by all signatories in 1951 in London and it has been supplemented at least eighteen times since. Even the reunification of the two Germanies has only resulted in another supplementation.

The SOFA was directly affected by the world situation after World War II and is primarily concerned with treaty-type issues; dependents were of minor consideration at the time and education of them wasn't a consideration. Neither education nor schools is mentioned in the SOFA.

- SOFA, Annex J, Art. I, (b)
"civilian component" means the civilian personnel accompanying a force of a Contracting Party who are in the employ of an armed service of that Contracting Party, and who are not stateless persons, nor nationals of any State which is not a Party to the North Atlantic Treaty, nor nations of, *nor ordinarily resident in*, the State in which the force is located.
- SOFA, Annex J, Art. III
1. . . . They shall also be *exempt from the regulations of the receiving State on the registration and control of aliens but shall not be considered as acquiring any right to permanent residence or domicile* in the territories of the receiving State.
- SOFA, Annex J, Art. X
1. . . . Members of a force or civilian component shall be exempt from taxation in the receiving State on the salary and emoluments paid to them as such members by the sending State or on any tangible movable property the presence of which in the receiving State is due solely to their *temporary presence there*.
- SOFA, Annex K, Art. 13
1. Except where expressly provided otherwise, international agreements or other provisions in force in the Federal territory concerning social security, *including social and medical assistance, shall not apply to members of a force or of a civilian component or to dependents*.

The preceding portions of the SOFA seem to be driving home the idea that militarily affiliated persons have no claim to the citizenship of nor social benefits from a Germany. Public schooling is a social benefit because society provides it and parents don't have to pay for all of it themselves; they and their neighbors all pay property taxes to support the school. Since public schooling is a social benefit and since visiting military forces are cut out of the host nation social network, the requirements of that social network can't be made to apply to visiting militarily affiliated persons. I.e., German school laws aren't applicable to American military kids.

- SOFA, Annex J, Art. VII
1. Subject to the provisions of this Article,
 - (a) the military authorities of the sending State shall have the right to exercise within the receiving State all criminal and disciplinary jurisdiction conferred on them by the law of the Sending State over all persons subject to the military law of that State;
 - (b) the authorities of the receiving State shall have jurisdiction over the members of a force or civilian component and their dependents with respect to offences committed within the territory of the receiving State and punishable by the law of that State.
- 2.
 - (a) The military authorities of the sending State shall have the right to exercise exclusive jurisdiction over persons subject to the military law of that State with respect to offences, including offences relating to its security, punishable by the law of the sending State, but not by the law of the receiving State.
 - (b) The authorities of the receiving State shall have the right to exercise exclusive jurisdiction over members of a force or civilian component and their dependents with respect to offences, including offences relating to the security of that State, punishable by its law but not by the law of the sending State.
- 3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply:
 - (a) The military authorities of the sending State shall have the primary right to exercise jurisdiction over a member of a force or of a civilian component in relation to

What's All the Fuss About?

(i) offences solely against the property or security of that State, or offences *solely against the person or property of another member of the force or civilian component of the state or of a dependent.*

In the excerpts concerning who has jurisdiction where, the final set of paragraphs finally removes the schooling issue from local enforcement. If criminal actions that are solely American/American can remain “in house,” why would the Germans be called in for an American/American situation that is allowed by regulations, to be specific, an “independent study program by correspondence.” (see DoD 1342.6)?

Yes, Americans are all under German jurisdiction for criminal matters but the Germans only become interested parties when one of their citizens, companies, environments or whatever are involved. If the participants are only Americans, it isn't their business.

What's All the Fuss About?

USAREUR Reg. 27-9 Misconduct of Civilians

Summary. . . . This regulation does not prescribe criminal justice procedures; host nations have criminal jurisdiction over civilians during peacetime.

Sec. 1, 4, (2), b. CMAAs (Civilian Misconduct Action Authority) are responsible for investigating and responding to incidents of civilian *misconduct* that occur within their jurisdiction.

Sec. 1, 4, (2), e. Department of Defense Dependent Schools (DoDDS) officials will take appropriate administrative action regarding disciplinary problems that occur *at schools or during school activities*.

Sec. II, 11, b. Relationship of the Sanction to the Offense. The administrative action imposed should bear a rational relationship to the offense committed (for example, suspension of driving privileges for misconduct involving an automobile, but not for shoplifting at an Army exchange).

Sec. III, 12, h. Removal from Host Country (North Atlantic Treaty Organization Status of Forces Agreement, Article 3; and Supplementary Agreement, Article 8) Only host nation authorities may remove offenders involuntarily from a host country. . . . The CMAA will send requests and a complete justification for the action through the community commander and the commander exercising GCMCA to the Commander in Chief, USAREUR, ATTN: AEAJA-AL, APO 09403. The JA over the GCMCA will review requests for removal before sending them to the Commander in Chief, USAREUR.

Sec. III, 14, b. Suspension or Expulsion from DoDDS (DOD Manual 1342.6-m-1). DoDDS principals may suspend students for serious or repeated acts of misconduct *occurring at school or other school activities*.

Appendix B-2. INITIATION OF CRIMINAL COMPLAINTS IN THE FEDERAL REPUBLIC OF GERMANY

a. . . . Examples of offenses are:

- (1) Criminal trespassing
- (2) Larceny or destruction of U.S. Government property
- (3) Fraud or embezzlement of U.S. Government property

This regulation addresses civilian misconduct and is referred to in the Augsburg, Frankfurt and Baumholder documents. Since "independent study by correspondence" is allowed, home education can't be misconduct and, since visiting military forces are cut out of the social network by the SOFA, homeschooling can't be considered a criminal act because we are specifically told we aren't legal beneficiaries of the local national social benefits.

DoDDS officials have authority over offenses that take place in their buildings or at their activities, not over activities taking place in my living room.

Section II, 11, b, the relationship of the sanction to the offense. This is an example of the threatening tone used in the Frankfurt policy letter: p. 2, b. "Noncompliance with the enrollment requirement may result in command-directed return of family member." This tone is also in the Baumholder newsclipping, ". . . It can also lead to adverse administrative actions, such as the advance return of family members to the United States." First off, it's a threat: do what we say or we'll break up your family. Secondly, who are they talking about? Are they planning to send back the children who are misconducting themselves by not leaving home and showing up at school, or are they planning on sending Mom back so she can't influence on the children? Just who are they threatening and why?

Section III, 12, h says only the host nation can throw people out of their country. But if we're not under the German social network, why would they throw us out for not complying with a benefit which, under the SOFA, we're not legally entitled to???

Section III, 14, b, says that DoDDS principals can suspend or expel students for misconduct occurring at school or other school activities. What would they do to homeschooled students, send them home? I'm not trying to be a wise-guy here but the rules consistently deal with matters not applicable to homeschooling families. If the newspaper articles and the

What's All the Fuss About?

Frankfurt regulations didn't exist for me to see them, and if the regulations didn't state what they do state, I wouldn't be able to make the interpretations that I am able to make and I wouldn't be writing this booklet.

Appendix B-2 gives examples of criminal complaints and these seem to be pretty serious misbehaviors. Mom spending her money to buy schoolbooks instead of Lladros and oriental rugs just doesn't seem to be in the same league.

What's All the Fuss About?

Title 20 of the U.S. Code, Sections 921 - 932

Sec. 921 (a) Establishment

The Secretary of Defense shall establish and operate a program (. . .) to provide a free public education through secondary school for dependents in overseas areas.

(paraphrased)

Sec. 922 (c) The Director shall:

- (1) establish PERSONNEL policies . . .
- (2) have authority to transfer PROFESSIONAL EMPLOYEES
- (3) prepare a UNIFIED BUDGET
- (4) have authority to establish LOCAL SCHOOL ADVISORY COMMITTEES
- (5) have authority to arrange for INSERVICE TRAINING
- (6) perform other such functions required by SECRETARY OF DEFENSE or ASSISTANT

SECRETARY OF DEFENSE for Manpower, Reserve Affairs and Logistics

Sec. 926 (b) Tuition payment requirements for attendance in schools outside of system.

. . . Any school *to which tuition is paid under this subsection* to allow a dependent in an overseas area to attend such school shall provide an education program satisfactory to the Secretary.

This is the federal law authorizing DoDDS to exist. I guess it means that the feds will cough up the money to fund the program. This law does not grant to DoDDS or any military commander educational authority over any child overseas, it doesn't even come close to granting that sort of power. It does say, though, that DoDDS gets to critique the materials and technique of anyone getting *paid* by the government to provide an education to military dependent children. Homeschoolers use their own money.

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DoD Manual 1342.6-M

Ch. 1, D, 3. Installation commanders will:

e. Encourage all educable eligible dependents who have not completed high school to attend either DoD Dependents Schools or a regular program of formal instruction in the local school system, enroll in a non-DoD school, or enroll in an independent study program by correspondence.

...
j. Appoint a staff member (either a military commissioned officer or an officer-grade civilian) to serve as an installation schools officer. The schools officer will function as a liaison between the school and the military installation/community, but will *neither be assigned responsibility for any aspect of operating the schools* nor normally be physically located in the school.

...
s. Refer parents, guardians or sponsors with problems concerning *academic operation* of the DoD Dependents School to the school principal.

Ch. 1, D, 5. District Superintendents will:

a. Maintain effective liaison with representatives of the appropriate military command(s).
b. Negotiate for, implement and monitor within the constraints imposed by the regional director all logistic and administrative support furnished by host installations (for example, custodial services) to the district school and the district office. ...

Ch. 1, D, 6. School principals will:

a. Consider the advice of the installation commander, the local advisory committees, parent groups, PTSA, etc. when planning the operation of the school.
b. Identify and submit logistic support requirements to the supporting military installation ...
c. Participate with military support accounting and finance offices ...
d. Ensure that accurate requirements for maintenance, repair, alteration, and minor construction projects are submitted ...
e. Be responsible for enrolling students and:
(1) determining student eligibility ...
(2) collecting tuition, depositing funds ...
(3) establishing school hours.
f. Inform installation commanders of serious or repeated misbehavior, including chronic truancy, and criminal acts of both students and subordinate school personnel.
g. Coordinate with the installation commander to ensure that safety and health inspections of school facilities are conducted ...
h. In coordination with the installation commander approve or disapprove sanction service requests for the use of school facilities ...
i. Develop emergency evacuation procedures ...
(1) ... inclement weather ...
(2) ... bomb threats ...

Ch. 1, F. INSPECTOR GENERAL ACTIVITIES. Military service/defense agency inspectors general (IGs) are not authorized to conduct inspections of DoDDS schools. (sic) However, in recognition that commanders are required to support DoDDS schools (sic) logistically and administratively, IGs may visit with school authorities during inspections of military (sic) communities and record results. Such inspections will be limited, generally to support of the school system; *school operations will not be inspected*. Separate reports and inspection ratings will not be rendered. DoDDS schools (sic) will not be required to reply to any findings except in aiding an IG in determining if corrective action has been taken by the inspected activity.

Ch. 1, D, 3, tells what installations commanders will do and what they will do is encourage all children to become educated. It doesn't say they will make all children become educated or ensure that they become education but that they will encourage them to do this. These commanders will also appoint a schools officer who will act as liaison between the school and the commander. It doesn't say that the schools officer will have to be

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reported to by parents nor review any materials used in education. In fact, it specifically prohibits schools officers from “any aspect of operating the schools” and will refer any problems concerning “academic operation of the DoD Dependents School to the school principal.” This language effectively cuts the schools officer out of the content loop of the school’s operations hence it would be inappropriate for a schools officer to review homeschooling materials, even if it were authorized.

In Ch. 1, D, 5, the duties of a district superintendent are given. As with the federal law, there is no granting of educational authority over the children outside the school system who reside within the superintendent’s administrative area of responsibility. Children outside the school system aren’t under the superintendent’s authority.

The school principal’s duties are given in Ch. 1, D, 6 and nowhere is authority over children outside the school system given.

In Ch. 1, F comes the responsibilities of the Inspector General (IG). All school operations are outside the authority of the IG and even if discrepancies are found in, say, heating plant operation or light bulb safety or icy sidewalks in front of the school, the school will not be required to reply to any finding. The military is not allowed to have any say in educational operations. Since the military is not allowed any say in the public teaching of children whose education is being conducted by federally hired teachers, paid for by federal funds, taking place in militarily supplied and supported buildings, and the materials for which are being transported at federal expense, why would the military have any jurisdiction over the education of children by their parents using materials paid for by family funds and taking place in homes? If the military is excluded, by regulation, from interfering in public education, it is also excluded from interfering in private education.

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AR 210-10 Installations Administration (responsibilities of an installation commander)

Chapter titles, subsections omitted

Chapter 1	General
2	Operation of the Installation
3	Intelligence, Counterintelligence and Security
4	Funds and Property
5	Relations with Public
6	Morale
7	Subsistence
8	Medical Support
9	Real Property
10	Reports and Records
11	Electromagnetic Spectrum Management

This is the regulation for how a post is to be operated. Kids and schools aren't mentioned and unless they are involved in some criminal activity either done to them or done by them, they shouldn't be a concern of the commander.

What's All the Fuss About?

USAREUR Reg. 10-20 Area Support Group BASOPS Functions and Responsibilities

title page: Only the Commanders, V Corps., 21st Theater Army Area Command (TAACOM), United States Army Southern European Task Force (USASETAF), Seventh Army Training Command (7ATC), and Area Support Group (ASG) Commanders may supplement this regulation unless the Commander in Chief, USAREUR (ATTN: AEAGF-M) specifically grants approval. . . .

The only interim changes to this publication that will be implemented are those having an expiration date and an Adjutant General, USAREUR authentication.

Sec. I, 3. Explanation of terms

w. Directive authority of ASG commanders. . . . The authorization of directive authority is *not intended to:*
(3) *Impose requirements that are illegal, that are contrary to HQDA or USAREUR regulations, host nation agreements* or require additional resources beyond those available to service organizations through command channels.

4. General policy.

b. While the population supported by the ASG (e.g., military personnel, DoD civilian personnel, others affiliated with the military services, and family members) may not be a part of the ASG commander's parent organization, they are responsible to the ASG commander for matters *within his directive authority*.

c. BASOPS directives issued to tenants in an ASG area of operation will be issued by the ASG commander. Directives issued by commanders in the chain of command or tenant units that conflict with BASOPS directives will be referred to CINCUSAREUR.

Appendix B, II, 10,

(1) ASG Commander's Primary Responsibilities for Personnel and Community Activities

j. Family Member Registration and Education

(4) Encourage eligible family members who have not completed high school to attend Department of Defense Dependents Schools (DoDDS). Alternatives to DoDDS schooling include local national schools, private schools, or independent study correspondence programs. Although enrollment in DoDDS cannot be enforced, ASG commanders will ensure that school-age children who are not enrolled in DoDDS are receiving some form of education.

(5) Review the list of school-age children registered in USAREUR and determine whether or not these children are listed on the DoDDS registration list. The sponsors of children who are not registered in DoDDS will be contacted to ensure that the children are receiving an education.

UR 10-20 is similar to AR 210-10 in that it addresses logistical and base operations within USAREUR. Because of the schools located overseas on military installations, the regulation does give a two-paragraph nod to education and the counting of dependent noses in theater.

On the first page of the regulation it states that the regulation cannot be amended below the ASG level. I don't know for sure, but this would seem to preclude BSB policy letters requiring more stringent requirements than this regulation imposes. The policy letters would seem also to need a USAREUR authentication in addition to an expiration date.

Sec. I, 3, w. (3) states that no commander is allowed to impose requirements contrary to HQDA or USAREUR regulations or host nation agreements. Requiring parents to register their children and present their educational materials would seem to violate all of the above, equating a DoD manual with a HQDA regulation.

The local policy letters not only strengthen this USAREUR regulation but also the requirements of the DoD manual and those of federal law. Surely federal law would have to be changed granting civil jurisdiction over dependents, who are now under host nation jurisdiction, to military commanders who derive their authority from the Uniform Code of Military Justice which doesn't apply to anyone other than active duty personnel.

To change the current requirements amendments, or outright changes, would have to be effected on Title 20, sec. 921 - 932, the SOFA, UR 600-1, UR 27-9, DoD Man. 1342.6-M and UR 10-20. Is this a reasonable action in order to control less than 2% of the children overseas who are not only not causing any trouble but are saving the government the expense of their education? How many man-hours would be spent, how much money would be spent, how many pages would have to be reprinted in order to redress a situation that has not shown any need of fixing? How much time and trouble would it be for command to directly confront a group of determined parents concerning a non-mission non-problem?

Sec. I, 4, (b) states that an ASG commander is responsible for matters within his directive authority. But since the military is excluded from all educational matters it would seem that homeschooling, too, is outside his, and I'm assuming her, directive authority.

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Education is not a military matter.

The next sub-paragraph, (c), states that tenants in an ASG area of operation will have policy directed by the ASG commander. I would read that to mean that the BSB commander can issue policy letters (at least ones that don't conflict with higher HQs regs) to the people directly under his or her command. If a policy letter was to be issued concerning people assigned to tenant units, and for matters of unit responsibility this included the family members of the people assigned to a tenant unit, this would have to be done by an ASG commander instead of a BSB commander. Directives that conflict with BASOPS directives are to be referred to CINCUSAREUR.

Appendix B, II, 10, (1), j. (4) repeats the language of DoD 1342.6 in that commanders will encourage children to become educated and even states that enrollment in DoDDS cannot be enforced.

The next sub-paragraph, (5), does say that USAREUR feels an obligation to check on the children. I don't think this is for educational reasons as in talking to people at ACS and DCSPER, both here in Heidelberg, I found out about a tragedy that happened in either Mainz or Giessen some time ago, perhaps around 1988 or so. The time delay is evident in the discrepancy in where the tragedy occurred. A family with two or three children had a severe abuse problem with one of their daughters, a ten year old I believe, who was apparently the "scapegoat" among the children. Her siblings were enrolled in school and attended and it seems that no one "officially knew" about this one little girl. She came to official attention when she died, which was caused by starvation while she was chained to a radiator in the home. Just writing about this brings tears to my eyes. That poor child. This thing that happened was horrible, almost too tragic to contemplate. Parents who had made this child, borne her and nurtured her through infancy, apparently murdered her slowly and painfully. She was within her family and tortured by the parents to whom nature had entrusted her living under the same roof with siblings who she saw and heard and who heard and saw her but yet never said a word. Her siblings didn't mention her to teachers, classmates or friends. She was invisible to the community at large.

This heinous act must be acknowledged for the horror it was and command must be given respect for wanting to prevent anything else of the kind from ever happening again. But will regulations constraining homeschoolers prevent it? At that time strict Noncombatant Evacuation Order (NEO) drills were held within communities, we went through one in Munich in 1988 or 89. All the children were out of school, buses were sent round the community and *everyone* reported at their assigned time according to the first letter of the last name to the school cafeteria. Passports and shot records had to be examined and all the NEO paperwork properly updated or filled out. The entire community had to be physically accounted for as if all noncombatants were being evacuated from the theater. These drills were not completely unknown within theater and it is within reason to expect that similar drills may have been held in the community this family lived in. Undoubtedly this child was listed on her sponsor's orders for overseas assignment and she was also on all NEO printouts; she had to be in order to be in theater. Now, if that sort of requirement fails to prevent a tragedy, how will requiring parents to parade schoolbooks before a schools officer, who is precluded by regulation from having any official say in education, going to prevent it?

This particular tragedy was also an isolated case. There have been other tragedies within the theater since then such as a father in Fulda who threw his toddler off a fifth floor balcony. Another soldier, also in Fulda, used a machete to behead his wife's lover in a phone booth outside a dining facility as the diners watched. A two-year old was kidnapped from her crib her quarters while her parents slept, horribly abused and then laid out, dead, in a quarry. In Darmstadt a soldier broke into the quarters of his also active duty, but estranged, wife, held her and their toddler hostage and finally shot his wife to death in front of the child. Despite these atrocities people are still allowed to live in homes with balconies even if they have young children, machetes are not controlled items, babies are still allowed to be in theater and soldiers are still allowed to possess firearms. There is no way for regulations to prevent tragedies no matter how well intentioned they are. When people act out their animal instincts on the spur of the moment, regulations are worthless.

Children in USAREUR are not being regularly starved while chained to radiators. We can abhor the crime and condemn it without resorting to mass punishment. Higher headquarters's sensitivity to a years-old single incident of bad publicity because of an isolated instance of an abomination is not in proper relation to its sensitivity for the uninvolved, innocent people for whom its regulations are a burden. They are protecting themselves at the expense of everyone else.

Although it helps for co-workers and supervisors to be sensitive to changing situations, strange comments or references, unusual absences of family members and the like, can even this degree of involvement completely prevent tragedies? Did it in the events in Fulda and Darmstadt? If it isn't possible for people closely associated with those who commit these horrible acts to have the proper level of awareness needed to head off an action that may result in someone's death, how can the requirement to meet someone in an official capacity for a short length of time once a year prevent a tragedy?

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This heinous act must be acknowledged for the horror it was and command must be given respect for wanting to prevent anything else of the kind from ever happening again. But will regulations constraining homeschoolers prevent it? At that time strict Noncombatant Evacuation Order (NEO) [Noncombatants are dependent husbands, wives, children and civilian employees who are not designated 'emergency essential'] drills were held within communities, we went through one in Munich in 1988 or 89. All the children were out of school, buses were sent round the community and everyone reported at their assigned time according to the first letter of the last name to the school cafeteria. Passports and shot records had to be examined and all the NEO paperwork properly updated or filled out, car registrations were checked, emergency supplies were inquired about, and a power of attorney was required for shipping household goods. The entire community had to be physically accounted for as if all noncombatants were being evacuated from the theater because of imminent hostilities or natural disaster. Undoubtedly this child was listed on her sponsor's orders for overseas assignment and she was also on all NEO printouts; she had to be in order to be in theater. Now, if that sort of requirement fails to prevent a tragedy, how will requiring parents to parade schoolbooks before a schools officer, who is precluded by regulation from having any official say in education, going to prevent it?

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Although it helps for co-workers and supervisors to be sensitive to changing situations, strange comments or references, unusual absences of family members and the like, can even this degree of involvement completely prevent tragedies? Did it in the events in Fulda and Darmstadt? If it isn't possible for people closely associated with those who commit these horrible acts to have the proper level of awareness needed to head off an action that may result in someone's death, how can the requirement to meet someone in an official capacity for a short length of time once a year prevent a tragedy?

## What's All the Fuss About?

### AR 608-18

#### Physical Neglect

##### Physical indicators

- Consistent hunger, inappropriate dress
- Consistent lack of supervision, especially in dangerous activities or other long periods (sic)
- Unattended physical problems or medical needs
- Abandonment
- Poor hygiene
  - unwashed
  - severe diaper rash
- Conditions of teeth and support structure such that:
  - Routine eating is restricted
  - Chronic pain is present
  - Growth and development is delayed or retarded
  - Performance of daily activities is hampered
- Behavioral indicators
  - Begging, stealing food/clothes
  - Extended stays at school (early arrival and late departure)
  - Constant fatigue listlessness or falling asleep in class (sic)
  - Alcohol or drug abuse
  - Delinquency (e.g. thefts)
  - States there is no caretaker
  - Role reversal in which the child becomes a parental caretaker

The Army has in place regulations to help keep the people for whom it is being held officially responsible safe as the above excerpt shows. But what about non-school age children? How are they kept safe and their wellness ensured? Parents seem to keep babies and toddlers at home as a matter of course. How is it that children who are not able to leave the home by themselves are considered to be at less risk than older children? Why are there no policy letters stating that toddlers toys will be presented to the daycare officer once a year to ensure that developmentally suitable toys are being used in the home? Are diaper brands to be scrutinized? Babyfoods? Formula? Are breastfeeding mothers to be required to register and have their babies weighed before and after feedings to make sure they are being fed and that the mothers aren't just going through the motions to keep from having to buy formula? Will bottle-feeding mothers be subject to spot-checks on their formulas to make sure they aren't watering them down to cut down on expenses? These ideas are ludicrous and a gross invasion of a family's privacy. So if parents are to be trusted with helpless infants, why aren't they assumed to be equally trustworthy with school-aged children? Are school-aged children more valuable than babies and toddlers? Why the official scrutiny for school-aged children and not for the younger ones? Either parents are trustworthy, or they are not. And if they aren't, society is in worse shape than it already is, because there is nobody else to raise the children.

Although it may not seem so, I am in full sympathy with command's position of being in a quasi *in loco parentis* situation concerning the troops, despite the situation that many of the troops are themselves parents. The military is a hierarchical institution with those at the top holding those in the middle positions responsible for the middle's actions, especially if those actions result in media coverage. There is also the problem of maintaining order among people who aren't directly under a commander's jurisdiction, as in all civilians being under local national jurisdiction but yet being allowed in country due to military orders, having flown over at military expense, usually living in military quarters all the while being a financial millstone around the monetarily challenged Mission. It is internationally incorrect to just pitch a miscreant dependent off-post and leave them; the locals get right feisty with nuisance hooligans dumped on their doorsteps. The presence of dependents usually stabilizes a military force but they are an expensive support group to maintain, especially when a lot of them aren't old enough to know how to tie their own shoes.

I am in complete agreement that persons overseas ought to behave themselves by minding their p's and q's and keeping their hands to themselves. If someone's little darling is spray-painting the side of my building I *want* the MPs to lay hands on the artist and hold the sponsor responsible for defacement of government property. If someone is speeding through the housing area, I *want* the MPs to stop them and issue a ticket before a child is struck, not after. If kids have started a club that has shoplifting as its initiation rite, I *want* those kids stopped because they are causing me to pay higher prices and stealing

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is just plain wrong. I *want* OPSEC practiced, I especially wanted it when my oldest son was in the Gulf War. I *want* the military area to be secure from terrorists. I support checking ID cards and ration cards. I believe in specific dog-walking areas. Yes, there should be a restriction on waterbeds above the first floor. I believe in law and order, yes, yes, yes!

But I don't believe in military authorities poking their noses into what I'm teaching my kids. The regulations, from federal law on down, preclude the military from exerting any sort of regulation on educational content and from directing from whom a child is to receive an education. The First Amendment protects freedom of speech. The Ninth Amendment states that I have not lost my rights concerning issues not specifically enumerated by the constitution and education is not addressed. The Fourteenth Amendment



Publications

### What's All the Fuss About?

From the furor raised about children being homeschooled, whether in USAREUR or the United States, one would think that children are dropping like flies from parental neglect. So far, however, the reverse seems to be true. The parents of homeschooled children are told how well their children behave, many of the children who decide to go to school do well, and adults who were homeschooled as children are successful out in the “real world.”

Despite all the positive news many people still want to control homeschoolers. This booklet is a short history of some of the attempts in USAREUR to do so, the regulations that have been quoted, responses from “higher headquarters” and one parent’s plain English interpretation of how the rules apply.



VALERIE BONHAM MOON is a professional mother of three, a mother emeritus of one, a photographer for over 20 years and writer for over 13. She homeschooled her oldest child for five years and the younger three for eleven (so far).

A holder of 98.6 degrees she has also completed courses in writing for children and in professional photography. Her photographs appear in numerous photo albums throughout America and Germany and her annual Christmas letter has drawn rave reviews from Japan to America to Norway. She has written a magazine, *Liftoff*, for Munich Elementary School, written children’s church services for the Church of the Ascension also in Munich, and has been published by *Home Education Magazine*, *Soundoff!*, *Standard Publishing* and *The Herald Post*.

At present, because of homeschooling three high schoolers, she is writing a big list of all the clever books she can find arranged in an historically chronological order from the Big Bang to the present and concerning science, literature, art and music. She also photographs anything that will hold still for at least 1/100th of a second.