



March 21, 2017

Dear Chairman Thompson and Members of the Nevada Assembly Education Committee,

By way of introduction, Nevada Homeschool Network (NHN) advocates for Nevada families who have chosen to direct the education of their children via homeschooling. In this capacity, we are writing today about AB 186. This bill will lower the compulsory attendance age for entry into school from 7 to 5 years of age as well as require all public schools to provide a prekindergarten. Lowering the compulsory attendance age will apply to all children, whether their parents plan to send them to public or private school, or homeschool them.

We have several concerns with AB 186 as introduced:

1. **We hold that Nevada parents should decide when their child is ready to attend school, not the government.** However, the current compulsory attendance age of 7-18 more than satisfies the government's goal of ensuring an educated populace while protecting a parent's right to determine the child's readiness for school attendance prior to age 7.
 - a. Many children are simply not ready at age 5 or even 6, but for those parents who wish their child to attend public school they may already do so. For parents who do choose to enroll their child at age 5 or 6, NRS 392.040(5) requires the school district to "adopt a policy prescribing a minimum number of days of attendance for pupils enrolled in kindergarten or first grade pursuant to NRS 392.122." Violations of this policy would result in the child being truant from public school unless the child is officially withdrawn from the public school and enrolled in a private school or an NOI to Homeschool filed by the parent with the school district.
 - b. Under AB 186, parents who would have chosen to delay their child's entrance into formal education will be forced to start their children's schooling up to **two years earlier**, before they may feel it is best for their child. The requirements of AB 186 would apply to pupils in public and private schools, as well as homeschools; rigidly compelling school attendance based on age instead of readiness.
2. **Lowering the compulsory attendance age from 7 to 5, with no exemptions for age 5 or 6, may create an undue financial burden on parents who intend to enroll their child in private school but wish to wait until their child turns 7.** These parents will now be forced by state law to enroll their child a year or two earlier than planned in a private school or submit paperwork to homeschool their child even if they determine their child is not ready for school. Homeschooling parents would be required to notify the state of their intent to homeschool at age 5 even if they've determined the child is simply not ready.
3. **A state requirement of school districts to provide prekindergarten in every elementary school usurps local control of education and will create an undue financial burden for Nevada taxpayers.** There are no proven studies showing that prekindergarten promotes long-term

academic success. To the contrary, [research indicates](#) that early education does not improve a child's potential for being a better student in the future, because early gains disappear in a few years. Further, an [article on the Stanford Graduate School of Education website](#) discusses new research finding strong evidence of mental health benefits in delaying kindergarten.

The respect for parental freedom to make education decisions for their children is constitutionally sound.

- In the U.S. Supreme Court case of *Parham v. J.R.*, Chief Justice Burger, writing for the majority of the court, said that there is a presumption that parents generally act in the best interest of their children because of their love for them.
- In the NV Supreme Court case of *Schwartz v. Lopez*, Justice Hardesty, writing for the majority of the court, referenced the Nevada State Constitutional Convention of 1864 surrounding the enactment of Article 11 – Education; delegates noted the importance of parental freedom over the education of their children, rejected the notion of making public school attendance compulsory, and acknowledged the need to vest the Legislature with discretion over education into the future.
- Lastly, Article II, Section 2 of the Nevada Constitution states, “...the legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools.” The key here is, “tend to secure a general attendance” which is met under current law. NHN believes the NV Legislature should respect this precedence for parental discretion by not moving to lower the compulsory attendance age from 7 to 5.

Therefore, NHN requests that this committee vote NO on AB 186 to protect the right of *all* Nevada parents to determine when their child is ready for school and that the state not mandate prekindergarten programs in all public schools.

However, should this committee decide that requiring prekindergarten in every public school to be a priority for the state then NHN requests that AB 186 be amended to leave the compulsory attendance age at 7-18 in Sections 3, 4, and 5 and reinstate all language authorizing school district policy for voluntary public school enrollment of 5 and 6 year old children.

Respectfully submitted,



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Pdf attachments:

1. Woodruff, Scott A., Esq., *Early Childhood Education: What the Empirical Studies Show*; Home School Legal Defense Association (HSLDA), 02.2017; https://www.hsllda.org/docs/nche/issues/S/State_Early_Education.asp
2. Dee, Thomas and Sievertson, Hans Henrick, *The Gift of Time? School Starting Age and Mental Health*; Stanford Center for Education Policy Analysis, 10.2015; <https://ed.stanford.edu/news/stanford-gse-research-finds-strong-evidence-mental-health-benefits-delaying-kindergarten>