FROM: Phyllis Schlafly

68 FAIRMOUNT, ALTON, ILLINOIS 62002 / (618) 462-5415

RELEASE: FEBRUARY 4, 1982

STATE CONTROL OVER EDUCATION

The U.S. Supreme Court half a century ago resolved a fundamental social/governmental issue in America: the state may not force children to attend a public school. The powerful interests that wanted to force a secular conformity on all Americans through a mandatory public school system failed in their effort in the case called Pierce v. Society of Sisters (1925).

During the last ten years, one of the significant social phenomena in America is the flight of children from public schools to an ever-increasing number and variety of private schools (both religious and secular). There are various causes for this movement, but in our free society the parents have the right to transfer their children without having to explain or defend their reasons.

The forces with a vested interest in the public schools system are now trying a different approach to slow or stop the mushrooming of private (especially religious) schools. It's called government certification of private schools: a requirement that private schools be certified by the state under threat that the state will use force to close all non-certified schools.

"Force" means, first, court action and, secondly, police action. In Nebraska, Maine and Iowa, disputes about state regulation of church-operated schools have erupted into court battles. In Louisville, Nebraska last year, a non-certified religious school was closed at Faith Baptist Church by police action.

The Nebraska conflict came to a pitch of drama at 6:09 a.m. on Oct. 18, 1982 when, under court order, Nebraska Sheriff Fred Tesch, accompanied by 5 deputies and 12 state troopers, entered Faith Baptist Church during a prayer meeting and dragged 85 weeping worshippers from the church as they knelt in the pews in prayer. The ejected worshipers were then dropped on the sidewalk, the church doors were chained and padlocked, and armed guards were stationed to prevent the people from reentering the church.

Many moderates on both sides of this controversy regret the recalcitrance on both

sides which provoked such an unprecedented confrontation. The pastor, Rev. Everett Sileven, claiming separation of church and state, refused to submit to any certification procedures at all. So the certification advocates saw nothing wrong with arresting Sileven right in his church pulpit while he was conducting a chapel service, and keeping him in jail; they had even planned to tear-gas the fundamentalists out of their church.

While refusing to submit to various certification requirements specified for his curriculum and teachers, Sileven repeatedly said he was willing to submit test scores to the state to prove that his students are being well educated. The public school lobby is further enraged anytime anyone demonstrates that children can get a better education by a methodology not in vogue in the public schools, or from teachers who did not take all those education courses mandated in the rigid teacher certification process.

The certification advocates argue that certification is essential to quality education. It can't be all that essential, however, since only 8 of the 50 states require certification, and enforcement in some of those states is minimal.

Another aspect of parental rights in education that may prove even more explosive is home teaching by parents. In Minnesota, North Carolina, and Arkansas, the state has taken parents into court to stop the home teaching of their own children and to force the children to attend school.

In an innovative approach to this question, Louisiana passed the Private Education Deregulation Act in 1980 which requires certification only for schools that receive public funds, redefines "school" to allow very small schools to function, and legalizes home education if the curriculum is at least equal in quality to the public schools.

Some 300 new private schools have been formed in Louisiana in the last two years, and a constructive interaction has developed between private schools and home education. Those involved in these new programs are enthusiastic about the results and have been able to resist all lobbying efforts to repeal the 1980 statute.

Since I taught all my own six children to read at home and did not enter them in school until the second grade, I highly recommend home teaching. If the schools are doing their job, they have nothing to fear from competition from private schools and parents who want to teach their own children.