
THE **CHRISTIAN**
CONSCIENCE

Vol. 2 No. 3

Holding faith and a good conscience... 1 Tim. 1:19

March 1996

**PARENTAL RIGHTS AND
RESPONSIBILITIES**



HAPPY CHILDHOOD.

A Special Report

THE CHRISTIAN CONSCIENCE

Vol. 2 No. 3

March 1996

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Publisher

Lynn D. Leslie

Associate

Publisher/Editor

Sarah H. Leslie

Art Director

C. A. Leslie

Research Consultant

Marla Quenzer

Columnists

Dr. Dennis Cuddy

Charlotte T. Iserbyt

Berit Kjos

Contributors

Viola Floth

Anita Hoge

Cynthia Weatherly

Gen Yvette Sutton

Virginia Birt Baker

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STATEMENT OF FAITH

We believe the Bible to be the verbally inspired and only infallible, authoritative, inerrant word of God; the final authority in all matters of faith and practice. (2 Tim. 3:16, 2 Peter 1:21)

We believe there is one God, eternally existent in three persons: Father, Son, and Holy Spirit; that Jesus Christ is God and that He became man, without sin, for the purpose of giving His own life as a payment for the sins of those who would be saved (1 Tim. 2:4, 2 Pet. 3:9, Gen. 1:1, Matt. 28:19, John 3:17-18; 10:30; 10:37-38, Romans 5:10). There is no other name given among men whereby we can be saved. (Acts 4:12)

We believe in the death of our Lord Jesus Christ, in His virgin birth (Isa. 7:14, Matt. 1:23, Luke 1:35), in His sinless life (Heb. 4:15; 7:26), in His miracles (John 2:11), in His vicarious and atoning death through His shed blood on the cross (1 Cor. 15:3, Eph. 1:7, Col. 1:14 Heb. 2:9; 9:12), in His bodily resurrection (John 11:25, 1 Cor. 15:4), in His ascension to the right hand of God the Father (Mark 16:19), and in His personal return in power and glory (Acts 1:11, Rev. 19:11-16).

We believe that man is sinful by nature (Romans 3:23) and that the Holy Spirit regenerates and indwells the Christian, enabling the believer to live a Godly life. (Acts 1:8, 1 Cor. 3:16; 6:19-20, Eph. 4:30; 5:18, Titus 3:5-7)

We believe in the resurrection of both the saved and the lost: They who are saved to eternal life in the presence of God and the lost to eternal damnation. (John 5:28-29)

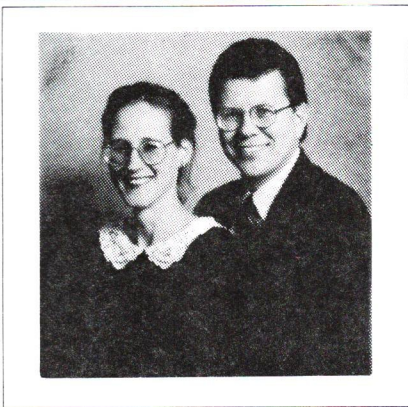
We believe in the creation of man by the direct act of God. (Gen. 1:26-28, Gen 5:1-2)

We believe that the family is the first God-given institution established in the Garden of Eden. God gives parents stewardship and primary authority over their children. (Deut. 6:4-9, Psalm 127:3-5)

We believe that the ministry of the local church is to be a called-out, separated people, belonging to the Lord; that the church is designed to glorify God (Eph. 3:21), to edify its members (Eph. 4:11-12), to be purified by the Lord (Eph. 5:25-27), to provide Godly associations (1 Cor. 5:4,7), to evangelize the world (Matt. 28:19-20, Mark 16:15-18, Acts 1:8), and to retard corruption in the world (Matt. 5:13, Eph. 5:11); and that it meets for teaching, fellowship, breaking of bread, prayer and providing for the needy as outlined in Acts 2:42-47.

We believe that government is not responsible for the education or welfare of our families or our children. It is the responsibility of government to reward good and punish evil judiciously. (Romans 13:1-4) †

From the Publishers



Welcome to a very unusual Special Report of *The Christian Conscience*!

If you have never seen our publication before, this is NOT a typical issue. We have regular

columns and columnists, and a predictable monthly format. But, this month, we broke the mold.

Every once in awhile a topic comes to the forefront that is so pressing, so comprehensive, so extensive in its impact, that we deem it worthy of a full and complete analysis. The loss of parental rights in our country is just such a topic. Parental rights is a hot topic at the federal level ever since the introduction of legislation called The Parental Rights and Responsibilities Act of 1995. Numerous states across the country are right now considering similar bills in their legislatures, sometimes with nearly identical wording to the PRRA.

Our subscribers will recall that the December 1995 issue contained an article by Cynthia Weatherly entitled "Is Freedom Burning?" Mrs. Weatherly performed a brief, critical analysis of the national parental rights bills (S. 984 and H.R. 1946) which were authored by Michael Farris, head of Home School Legal Defense Association. After publication of this article, Cynthia and Anita Hoge, well-known education researcher, were contacted by Mr. Farris. They were both disappointed to learn that Mr. Farris was not interested in a discussion of the issues.

This rejection of an intellectual debate of the issues, propelled Cynthia and Anita, and another Pennsylvania mother/researcher, Gen Yvette Sutton, to begin a major investigation into the parental rights agenda. They knew that they needed to build a case to "prove" that their premise was correct: that the Parental Rights and Responsibilities Act (PRRA) was flawed, and would not accomplish its purported purpose, i.e., protect the rights of parents, but rather would backfire in some potentially unforeseen ways, and as a result, potentially cause great harm to the family in America. Thus began the exhaustive research compilation that culminated in the feature article for the March edition of *The Christian Conscience*.

One of the mother/researchers in the country recently popularized the term "kitchen militia" to describe the mother's

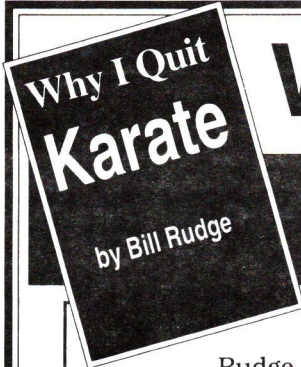
brigade that has been fighting for the right to educate their children without undo governmental interference. It is unfortunate that the term "militia" has come to be associated with violence, for the mothers who contributed to this issue of *The Christian Conscience* are fierce, fiesty, gutsy and determined, but they are not violent. They fight the battles to protect their children with different tools: their intelligence, writings, research and speaking. This type of heroism should never be discredited or disparaged. What these women lack in academic credentials or degrees, they make up for in sheer volume of comprehensive research.

As Cynthia, Anita, and Gen Yvette (with the help of Viola Floth from California) began gathering research to document their position, they solicited the legal opinion of eminent conservative legal scholar, Dr. Charles Rice of Notre Dame University. Dr. Rice's opinion of the PRRA confirmed their worst fears: there are fatal flaws in the bill which could backfire on families in devastating ways. They felt compelled to write down their research in a manner that would serve to warn the rest of the country about the dangers of this legislation. It is their opinion that those who are not well-versed in the issues of education reform are blindsighted as to the magnitude of the societal change that is really going on, and may not understand the far-reaching, potentially destructive, impact of loose legal language and glaring loopholes in these bills.

As we were readying this issue to go to press, Cynthia and Anita were contacted by Senator Charles Grassley's (Iowa) office (he is chief sponsor of the PRRA in the U.S. Senate) regarding some draft revisions of the PRRA from Michael Farris. After examining the proposed revisions, and receiving further legal opinion from Dr. Rice, it was agreed that the changes were not substantial enough at this time to warrant a cancellation of the planned article. It was viewed as a positive sign, however, that the bill authors and sponsors were willing to take a second look and begin making revisions.

Almost every national mainstream Christian conservative ministry had jumped on the PRRA bandwagon last year. While we commend our fellow Christians for wanting to defend the rights of parents in an increasingly hostile culture, we entreat them to read this Special Report of *The Christian Conscience*, which represents the views of those who most clearly understand the education and societal reform plans, and who resist this reform on biblical grounds. We believe that when it comes to our children, there can be no compromise. †

Lynn & Sarah Hoshie



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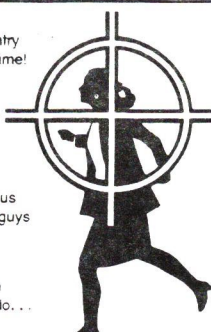
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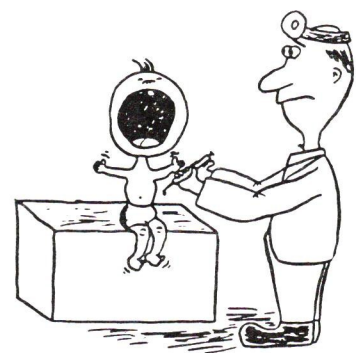
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- Forget America! Teach World Class History!** Berit Kjos —A review of the new national history standards.
- Promise Keepers: "Encountering" Men At Risk**, Sarah Leslie —A review of *The Masculine Journey Study Guide* by Robert Hicks.
- Who Were the First Home "Health" Visitors?** Sarah Leslie —A shocking expose' of the origination of the home health visitor concept.
- The Way We Talk**, Don Farrell —How terminology hides the truth.
- The Importance of the Rational Mind**, Ed Tarkowski —Why Christians need to use their rational mind and why this is biblical.
- The 2nd Annual Model Schools Conference**, Cynthia Weatherly —A report on a significant international education reform conference.
- Per-Version of the Word**, Sarah Leslie —Book report on *New Age Bible Versions* by Riplinger and *Final Authority* by William P. Grady.
- Bill Clinton/Ollie North Connection**, Betty Freauf —Book report on Iran-Contra - Political/Expose' - Conspiracy by Terry Reed and John Cummings.
- The Spirit Behind the Lion King**, Berit Kjos —Movie Review of the occultism found in Disney's popular movie.
- Educational Involvement Primer**, Dennis L. Cuddy, Ph.D. —A strategy for concerned citizens now that GOALS 2000 has passed.

FEBRUARY 1995 CULTURE WARS!

- How Will Outcome-Based Education Affect Home and Christian Schools?** Marla Quenzer & Sarah Leslie —The danger of education reform to ALL children.
- The Laughing Phenomenon, Part I: From South Africa to St. Louis to Toronto to Your Church**, Ed Tarkowski —The "Toronto Blessing" Holy Laughter movement.
- Jim Crow in the Schools**, Dr. Michael Bauman —How Christians should respond to the culture wars.
- The Myths of Privatization**, Cynthia Weatherly —The pitfalls of the "privatization" agenda are revealed.
- "Just Love One Another"** Ed Tarkowski —Should Christians just "love one another" in unity at the expense of Truth?
- The Celestine Prophecy**, Berit Kjos —A book review on the hottest New Age best-seller.
- NEWTONian Politics and Morality**, Dennis L. Cuddy, Ph.D. —The true story behind the Newt Gingrich agenda.
- Perversity In Diversity**, Jan Mickelson —The new gay lobby agenda to infiltrate the schools with a gay rights curriculum.
- Culture Wars**, Judith Danford Tank —A book review of the James Davison Hunter book.
- FernGully Redefines Christmas**, Berit Kjos —A review of the politically-correct, pagan movie.

MARCH 1995 THE NEW SOCIAL TECHNOLOGIES

- Womb to Tomb: The New Social Technologies**, Anita Hoge —How education reform is being linked to health care reform via Medicaid funding to the schools.
- The Laughing Phenomenon, Part II: The Impregnation of the Church: The Man-Child of Joy**, Ed Tarkowski —The heresy of the Manifest Sons of God Cult.
- Woman As Victim or Perpetrator?** Sarah Leslie —Re-thinking the concept of woman as victim in the abortion debate.
- Henry and the Holocaust**, Don Farrell —An analysis of Clinton's nominee for Surgeon General.
- The Conscience: Defining Terms**, Paul V. Zylstra —What does the Bible have to say about the conscience?
- Ne v Promises Hide Old Agenda**, Berit Kjos —The real plan behind the "abolish the U.S. Dept. of Ed" agenda.
- Perversity In Diversity: The Sequel**, Jan Mickelson —What happened when religious leaders signed onto a common ground statement with the gay rights lobby.
- Would the Devil Do This?** Paul T. Huling —How the church could become full of atheists.
- The Theology of Invective**, Dr. Michael Bauman —A humorous theological analysis of the use of invectives, and then a look at Dr. William Glasser's inconsistencies.

APRIL 1995 WOLVES IN SHEEP'S CLOTHING

- Wolves In Sheeps' Clothing**, Charlotte T. Iserbyt —A look at a number of shepherds who have been acting suspiciously like wolves lately.
- The Laughing Phenomenon, Part III: The Abrahamic Covenant and the Joyous Feast of Tabernacles**, Ed Tarkowski —Redefining the biblical meaning of "covenant".
- Contending for Modesty** —Why the modern church needs to address this topic.
- GreenThink**, John Loeffler —The myths and realities of the global environmental movement.
- Discerning Errant Shepherds**, Lynn & Sarah Leslie —Why Christians have the right to publicly challenge their leaders.
- Mighty Morphin Power Rangers**, Berit Kjos —How they teach kids to kick and the other gospel they promote.
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- Out of the Classroom Onto the Couch**, Jan Mickelson —How school counselors are furthering the gay rights lobby agenda.
- The U.N. Victimized Orange County**, Cathy Duffy and Bob Rico —A U.N.-sponsored conference proves to be a sham.
- Status Report on the Conference of States**, Virginia Birt Baker —An analysis of the latest threat to the Constitution.

MAY 1995 THE ABORTION CONNECTION

- The Abortion Connection: Linking Schools to Health Care**, Kimberly Parker —How schools are using MEDICAID monies for education reform projects.
- The Laughing Phenomenon, Part IV: Evolutionary Models**, Ed Tarkowski —The belief that man is evolving is shared by New Agers and the Laughing leaders.
- Man As Victim or Perpetrator?** David Elrod —How men bear some of the guilt in the abortion debate.
- March for Jesus: Commitment or Compromise?** Rhea Fulmer, Teri Jeter & Wanda Riner —The March for Jesus is connected to New Ager, Robert Muller.
- Render Them NOT Unto Caesar**, Lynn & Sarah Leslie —Biblical reasons in support of parental rights.
- Serving A Greater Whole**, Berit Kjos —A book review of *The Giver*, a popular new children's story that promotes euthanasia.
- UN Year of the Family Conference: A Failure By U.N. Standards**, Cheralyn Gulbrandsen —How this conference was a bust.

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- Character Education for A Compliant Citizenry**, Robert Stoner —The insidious agenda behind this nice-sounding education.
- The Laughing Phenomenon, Part V: The Consummation: Where are We Headed?** Ed Tarkowski —How some re-define Jubilee and Tabernacles.
- Children and Sex: How Can We Protect Innocence?** Scott Linscott —What parents can do to protect their children's innocence.
- Survey of Teachers Reveals Truth About OBE**, Beth J. Smith —Part 1: The amazing results of a teacher survey after OBE was implemented in Pasco, Washington.
- Be Not Hearers Only of the Word**, Peggy Cuddy —A Bible study for Christian discernment.
- The Enemy of the People?** Berit Kjos —The media frenzy after the Oklahoma tragedy.
- (Soviet) American Education Today**, Dennis L. Cuddy, Ph.D. —Interesting bits of history linking American and Soviet education.
- After the Reichstag: A History Lesson**, John Loeffler —Disconcerting parallels between the Oklahoma tragedy and an historical event.
- Educational Neglect In Iowa**, John Harvey —A brief history of how Iowa officials went after home school families with the child welfare laws.
- Character Education Flaws**, Robert Stoner —A book review of a classic character education program.
- Common Ground for the Common Good**, Robert Stoner —A report on a recent character education conference.
- An Unreasonable Response**, John Harvey —A partial report on a gay rights agenda conference.

Training Our Children for the Global Economy, Charlotte T. Iserbyt & Melanie K. Fields —How multinational corporations have aided in dumbing down American education.
The Laughing Phenomenon, Part VI: The End of the Birth Pangs, Ed Tarkowski —The ultimate conclusion of the Laughing Revival and what it heralds.
Dating: Preparation for Divorce, Gary Cox —A pastor takes a candid look at modern dating practices.
The Aftermath of OBE, Part 2, Beth Smith & Sarah Leslie —An interview with Beth Smith about the Pasco, Washington, OBE teachers' survey and its aftermath.
The Church in the World, Jim Ober —How the state of the world is affected by the condition of the Church.
We Are All Connected, Berit Kjos —A report on the Women and the United Nations conference.
Casper: More Than A Friendly Ghost, Berit Kjos —How this movie teaches about the occult.
Broken Bridges, Sarah Leslie —The adulterous truth behind *The Bridges of Madison County* movie.

SEPTEMBER 1995 WHEN JOHNNY TAKES THE TEST

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The Transformation of the Evangelical Church, Sarah H. Leslie —The modern church is being neutralized by eastern mysticism and humanistic psychology.
The New Sins of Secularism, Don Farrell —Humanist commandments for living.
H.R. 1883: A Conservatives' Plan, Jeannie Georges —A bad bill that would abolish the Dept. of Ed. and give its functions to Donna Shalala.
Is A Fetus Science, or Politics, or Money? Paul T. Huling —An essay on using fetal tissue transplants.
Carnegie Shapes American Education, Dennis L. Cuddy, Ph.D. —A 4-part overview of Carnegie's pervasive influence over modern American education.
Celebrating the Spirit, Berit Kjos —A U.N. conference report; includes Robert Muller's desire to put Ted Turner and the Dalai Lama in charge of global ethics.

OCTOBER 1995 HUMAN CAPITAL

Certificate of Initial Mastery: Certificate of Individual Manipulation, Robert Stoner —What the new replacement for the high school diploma is all about.
The New Intelligences, Sarah H. Leslie —The new definitions of intelligence have nothing to do with the biblical concept of wisdom.
What Is Wrong With This Picture? Sarah H. Leslie —Is the globalist/futurist plan for the future utopian or totalitarian, or both?
When Is Assessment Really Assessment? Cynthia Weatherly —Startling evidence that "assessment" and "human capital" are really terms assessing human worth.
Shall We Please God or Man? Robert Stoner — A biblical perspective on education reform.
A Debate With William Spady, Charlotte T. Iserbyt —Some tough questions for the man who has been called "The Father of OBE."
The Case for Army Specialist Michael New, Dennis L. Cuddy, Ph.D. —Some interesting insights into the Michael New case.
The Nazi Model for Education, Berit Kjos —Parallels between education in the Third Reich and modern reform efforts.
What Do These Men Really Mean By Unity? Carl Widrig, Jr. —A book report on *The Awesome Power of Shared Beliefs* by E. Glenn Wagner of Promise Keepers.

NOVEMBER 1995 HEALTH, EDUCATION & WELFARE

MEDICAID Waivers: Clinton's Backdoor Strategy to Push the Nation Into Health Care Reform, Viola Floth & Kimberly Parker —Clinton's health model in the schools.
M. Scott Peck: Community and the Cosmic Christ, Warren Smith —This so-called "Christian" author is more of a New Ager.
Big Brother Eyes Parents, Robert Stoner —The new privatized programs to monitor new babies and their mothers fits perfectly into the GOALS 2000 agenda.
Fiscal Issues and Social Issues: Are They Different? Don Farrell —The real statistics behind the abortion debate.
OBE & Flying: A Comparative Analysis, Rick Townsend —A pilot applies OBE to flying with disastrous results.
Gorbachev's Global Conference, Berit Kjos —Gorby's State of the World Forum had some interesting guests but a predetermined agenda.
From Choice to Workforce Training, Charlotte T. Iserbyt —How the "choice" agenda is linked to global workforce training.
Abuse of Power, K.M. Heaton —A bit of history to show how the government manipulates its citizens.

DECEMBER 1995 SCHOOL-TO-WORK

School-to-Work: The Great Perpetual Workforce Machine; A Lifelong Learning System, Bettye Lewis —A comprehensive look at the plan to link schools to the workforce.
Resurrecting Pagan Rites Part 1: The Men's Movement, Lynn & Sarah Leslie —A look behind the popular men's movement and its influence on Promise Keepers.
Intentional Communities: Seeds for a New Civilization, Peggy Cuddy —A look at some utopian communities that want to be global models for new civilization.
The "Village" Myth, Joan Battley —The saying "It Takes A Village To Raise A Child" is debunked.
Government Charity, Don Farrell —Government mandated wealth distribution deprives Christians of the blessings of giving.
What Caused This Mess? Dennis L. Cuddy, Ph.D. —John Dewey's original plan to dumb-down education.
Virtual Reality, K.M. Heaton —Democratically-managed change by consensus.
Is Freedom Burning, or Has the Tissue Paper Just Caught Fire? Cynthia Weatherly —A critical look at parental rights legislation.

ADDITIONAL RESOURCES:

—Charlotte Iserbyt's articles are in Charlotte's book, *Wolves In Sheep's Clothing*, a collection her 1995 articles appearing in *The Christian Conscience*: only \$11.50, 1062 Washington St., Bath, ME 04530.)
 —"Promise Keepers: 'Encountering' Men At Risk" available as a reprint from *The Christian Conscience*: 1 free copy for a SASE, 10 copies for \$6, 24 copies for \$12, 50 copies for \$18, 75 copies for \$24, 100 copies for \$30; PO Box 17346, Des Moines, IA 50317.
 —The 6-part series on The Laughing Phenomenon is available from Ed Tarkowski for \$5.00, 6209 Red. Pine Ln., Erie, PA 16506.
 —"When Johnny Takes the Test" is available as a generic reprint from *The Christian Conscience*, PO Box 17346, Des Moines, IA 50317, for \$1.00 per copy.
 —Also available from *The Christian Conscience*: a full report "A Government Experiment in Orange County," by Viola Floth and Kimberly Parker, detailing the health care/education reform experiment in their community. 1 copy free for a SASE (\$1.52 postage), 15 copies for \$6; PO Box 17346, Des Moines, IA 50317.
 —*Strange Fire: The Rise of Gnosticism in the Church*, by Travers and Jewel van der Merwe, is \$10 from Discernment Ministries, PO Box 129, Lapeer, MI 48442.
 —Order your copy of Berit's book *Brave New Schools* for \$8.95 plus \$3.50 shipping and handling from *The Christian Conscience*, PO Box 17346, Des Moines, IA 50317.
 —*AMERICA 2000/GOALS 2000 Research Manual: Moving the Nation Educationally to a "New World Order"* is available for \$20 from The Christian Conscience.
 —"New Age Practices in the Schools: A Look at the Evidence," by Rick Lail. Send \$2.00 to The Christian Conscience, PO Box 17346, Des Moines, IA 50317.

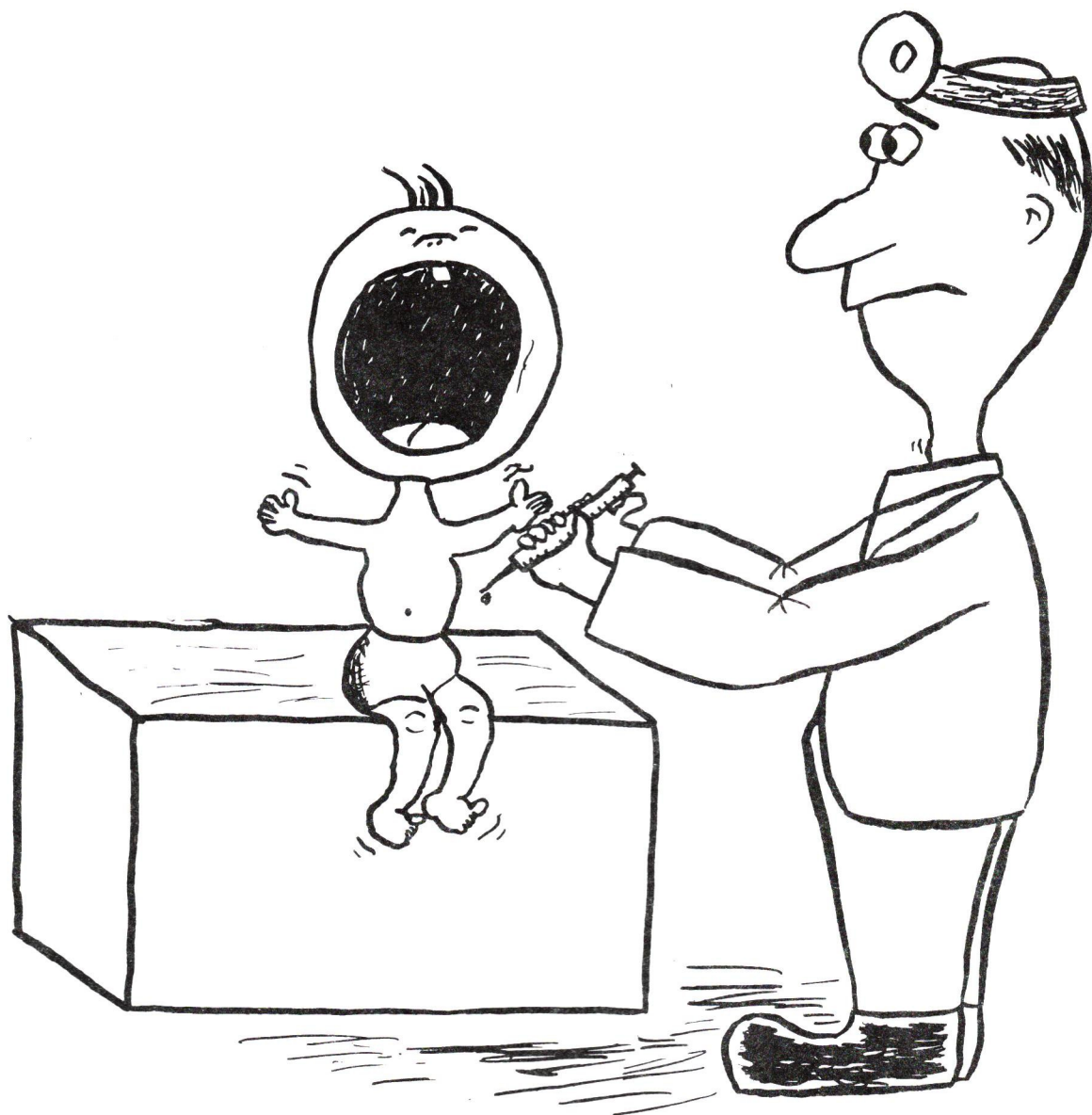
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THE PARENTAL RIGHTS VACCINATION



OR, DID WE JUST GET STUCK?

BY ANITA HOGE AND
GEN YVETTE SUTTON

WITH SIDEBARS BY SARAH LESLIE, VIOLA FLOTH,
CYNTHIA WEATHERLY, SAMUEL BLUMENFELD & OTHERS

Introduction

It's a fact. Parental rights are under attack all across our country. Nowhere is this more evident than in the realm of education. Parents are fighting for the rights to have their children educated without undo governmental inference in areas of testing, classroom instruction, offensive curricula, and for the rights to home educate. With the education restructuring movement becoming the status quo through legislation such as GOALS 2000, it is assured that more parents will end up in exhaustive legal battles.

Concerned parents looking for solutions to this growing problem have latched onto parental rights legislation in various states, and at the federal level. While on the surface this appears like the logical thing to support, and because it gives parents the encouragement that "somebody is doing SOMETHING," in reality there are many potential pitfalls in the proposed parental rights legislation, some of which could backfire in devastating ways.

Topnotch mother/researchers, who have been examining the current education reform movement since its inception in the mid-80's, have put together this comprehensive article to expose the dangers inherent in the current parental rights legislative proposals. Because of their exhaustive research in areas that are not normally scrutinized by bill writers, they believe that there are inherent dangers and significant flaws in the current movement to protect parental rights through legislation.

This analysis uses the Parental Rights and Restoration Act (PRRA) as a backdrop, but the issue is far broader than just one piece of legislation. It is unfortunate that major national Christian and conservative organizations have jumped on the parental rights reform bandwagon without examining all of the inherent difficulties; yet it is not too late to educate our fellow believers about these problems. In the years to come it is imperative that parents and citizens familiarize themselves with parental rights issues — we believe the sanctity of the family is at stake.

This is an issue that is applicable to ALL children in a variety of education situations. Court cases and legislation designed for home schoolers will affect everyone. If parental rights are eroded on just one front in America, it affects the parental rights of ALL. Now more than ever Christian parents in America need to hang tight, together defending the God-given right to raise their children in the nurture and admonition of the Lord.

We encourage the reader to read the following, well-documented article, and to pass it along to friends, family and fellow citizens who need to be informed. Extra copies of this Special Report of *The Christian Conscience* are available at \$3.50 each, PO Box 17346, Des Moines, IA 50317.

SECTION 1:

STATE'S COMPELLING INTEREST

They have healed the wound of my people lightly saying, 'Peace, Peace,' when there is no peace.

Jeremiah 8:11

We looked for peace, but no good came, for a time of healing, but behold, terror.

Jeremiah 8: 15

The act says the proper standard to be used in disputes between parents and the government is the "compelling interest standard". That means the government would have to prove a compelling interest is at stake. In these cases, the COURT would balance the parents' right to make decisions for their child against the governments' right to intervene in the family relationship. It would then decide the PROPER balance. [emphasis ours]

Senator Charles Grassley (Iowa), sponsor of S. 984, *Des Moines Register*, Dec. 8, 1995:

Michael Farris, President of the Home School Legal Defense Association, has authored S. 984 — H.R. 1946, the *Parental Rights and Responsibilities Act of 1995-6*. Based on his analysis and historical perspective, Mr. Farris perceives PRRA as the answer to the serious assault on parental authority for which we, as well as many others, have been fighting, for the last two decades. We are not attorneys; however, our documented, extensive experiences, coupled with our comprehensive research in the areas of education and parental authority has empowered both of us to recognize a threat to the integrity of the family, even if the danger originates from one of "our own."

Although Mr. Farris implied in a personal phone conversation with Anita Hoge, Dec 7, 1995, that only a few of us (ignorant and impertinent-type) mothers could possibly question the wisdom of HR 1946, that certainly is not true. Samuel Blumenfeld, well-known education critic and phonics expert, warned his readers in his *Blumenfeld Education Letter* of April, 1995 that he found serious problems with HR 1946:¹

What troubles us about this Act is... [it] opens the door to government interference in a family's life if the government "is able to demonstrate by clear and convincing evidence that intervention into the parent-child relationship is essential to accomplish a compelling governmental interest..."

We can understand the need to interfere in a parent-child relationship if the child is being criminally abused or harmed by a sadistic, deranged parent. That sort of thing

Dr. Charles Rice's Opinion of PRRA

February 5, 1996

Dear Mrs. Sutton:

You have asked my opinion of H.R. 1946, the Parental Rights and Responsibilities Act. I have read the bill; Michael Farris' analysis, "Federalism and the Parental Rights and Responsibilities Act," published in the Special Report of the National Center for Home Education; and Samuel Blumenfeld's analysis in his Education Letter of April, 1995.

In my opinion this is an imprudent bill for several reasons, including the following:

1. The bill would enact, in effect, the standard of review embodied in the Religious Freedom Restoration Act. However, RFRA has not yet been ruled upon by the Supreme Court. A serious question exists as to whether RFRA is consistent with the principle, established in *U.S. v. Klein* 80 U.S. 128 (1872), that while Congress may remove jurisdiction over a class of cases from the District Courts and Courts of Appeal and from the appellate jurisdiction of the Supreme Court, it may not tell those courts how to decide a case. With respect to state courts and state law, RFRA presents the issue of whether Congress has power, under Section 5 of the Fourteenth Amendment to enact an effective reversal of a Supreme Court decision. I believe Congress does have that power because RFRA enhances, rather than restricts, the protection afforded to religious freedom. The issue, however, is not free from doubt. In summary, I believe it is premature to enact the RFRA criterion in another law until the constitutionality of that criterion is determined.

2. Even if the RFRA criterion were upheld, I do not regard it as a sufficient protection for parental rights. The family is the primary society. It does not exist by sufferance of the state. The PRRA (Sec. 3(4)(c)) already excludes from parental rights the activity "that constitutes abuse or neglect of a child, as the terms have traditionally been defined." In my view that concept virtually exhausts the rightful authority of the state to interfere with parental rights. To enact a universal standard, by federal law, affirming a general right of the state to interfere with parental rights pursuant to the RFRA criterion, invites an indeterminate expansion of state control over parental rights.

3. The principle is well established in the Supreme Court that state constitutions and laws may rightly afford to personal rights stronger protections than are afforded to them by the United States Constitution. The PRRA would prevent a state from affording to parental rights any protections stronger than those contained in the PRRA. This is so because the PRRA establishes its own uniform, nationally applicable criterion, including especially the RFRA criterion, as determinative of allowable state interference with parental rights.

4. The PRRA, in Sec. 2(b)(3), states as one of its purposes, "to acknowledge... that parents have the responsibility to see that their children are educated for the purposes of literacy and self-sufficiency specified by the Supreme Court in *Wisconsin v. Yoder*." This invocation of *Yoder* raises the prospect, in view of the strict holding of *Yoder*, that the PRRA could condition the right of parents to control the education of their children upon the conformity of the parents' exercise of that right to the educational standards of the state with respect at

is already covered by the criminal code. But we can think of no compelling government interest that would warrant any sort of interference by a government agency or official on any grounds... (p. 7)

He went on to assert that "the government's compelling interest in education is a sham, a fraud." [See sidebar, p. 14]

The renowned conservative legal scholar, Charles E. Rice, Professor of Law, Notre Dame Law School, issued a letter detailing his concerns with the PRRA. [See sidebar above] He offered the following comments on HR 1946:²

To enact a universal standard, by federal law, affirming a general right of the state to interfere with parental rights pursuant to the RFRA [Religious Freedom Restoration Act] criterion, invites an indeterminate **expansion of state control over parental rights...**

The enactment of the PRRA, as federal law, could, in my opinion, raise an indefinite **threat to the integrity of private schools and home schools...**

In my opinion the PRRA is an imprudent and dangerous bill. [emphasis ours]

Subsequent to circulation of Professor Rice's analysis of HR 1946, Mr. Farris has revised his language, trying to render it more prudent and less dangerous. In our view, even with the changes in language, the PRRA remains a "materially defective" bill; its very premise is wrong. Cosmetic revisions do not alter the reality that Mr. Farris is granting to the government an elastic, "government owned and operated," "compelling interest" that atomizes the family, subjecting the individual parent and child to the arbitrary rule of judges and administrative agencies.

Further, we must hasten to point out that S 984 and HR 1946 are currently alive bills. Changing the language requires amending these bills. A massive grassroots lobbying campaign FOR these two bills has been on-going for months by the Christian Right — everyone from Home School Legal Defense Association to Christian Coalition to Christian media like Marlin Maddoux have been pushing for these bills. Are these groups

least to "literacy and self-sufficiency." The enactment of the PRRA, as federal law, could, in my opinion, raise an indefinite threat to the integrity of private schools and home schools.

5. Sec. 4 of the PRRA forbids any government to "interfere with or usurp the right of a parent to direct the upbringing of the child of the parent." Sec. 5 allows an exception to this if the government demonstrates "by appropriate evidence, that the interference or usurpation is essential to accomplish a compelling governmental interest and is narrowly drawn or applied in a manner that is the least restrictive means of accomplishing the compelling interest." Section 3(1) defines "appropriate evidence" as:

(A) for a case in which a government seeks a temporary or preliminary action or order, except cases which terminate parental custody of visitation, evidence that demonstrates probable cause; and

(B) for a case in which the government seeks a final action or order, or in which it seeks to terminate parental custody or visitation, clear and convincing evidence.

It is imprudent, in my opinion, to enact such a standard as federal law, especially in the specification, as a uniform national criterion, of the relatively low standard of "probable cause" even for the limited cases specified in Sec. 3(1)(A), quoted above. It must be remembered that the PRRA is defining here a power of government to "interfere with or usurp the right of a parent to direct the upbringing of the child of the parent." (Sec. 4) In addition, these provisions of Sections 3, 4 and 5 would override, as mentioned in my point 3 above, any effort by a state to afford greater protection to parental rights.

6. Other provisions of the PRRA are unclear or problematic.

Let me just mention one, the provision of Section 7(2) which provides that the PRRA shall not apply to the appointment of parental rights in custody disputes or "any other dispute between parents." Parents can be on opposite sides in various kinds of cases involving parental rights. I do not understand the wisdom or effect of this vague provision.

To the extent that Congress is concerned about abuses by the United States courts with respect to parental rights, it can remove the jurisdiction of the lower federal courts, and the appellate jurisdiction of the Supreme Court, over such cases, pursuant to Article III, Sec. 2, of the Constitution. This would leave the matter in the hands of the state legislatures, state courts and state constitutions, where it belongs. To the extent that Congress is concerned about abuses on the state level, it should consider that issue after the constitutionality of RFRA is adjudicated. And it should address that issue only by an affirmation, pursuant to Section 5 of the Fourteenth Amendment, that parental rights are limited only by the sort of criterion specified in Section 3(4)(c) of the PRRA and not by indeterminate, even "compelling" state interests. It would be preferable, however, for Congress to leave the issue for resolution on the state level, which would be a more authentic application of federalism.

In my opinion the PRRA is an imprudent and dangerous bill. I hope these comments will be helpful.

With appreciation and best wishes,
Sincerely,

Charles R. Rice, Professor of Law ☩

aware of how dangerous this bill is? Will they endure the "egg on their face" to backtrack and tell their members to NOW lobby for amendments to a bill which they wholeheartedly supported previously? We think this is an unlikely scenario. Therefore, we retain our concerns that S 984 and HR 1946 did not and still do not protect parental authority, and are in favor of government intervention — when, why and to what extent government decides. Because of Michael Farris' close association with the Presidential campaign of Pat Buchanan, it is even more imperative that these issues be fully examined.

As the PRRA continues to be repackaged, it is imperative that we review the premises basic to this discussion as well as share what we know is currently happening in the areas of education and children's health and welfare. Only then can parents fully appreciate just how dangerous this bill is.

So there is no misunderstanding of our perspective, let us state at the outset that we believe that the very foundation of "state's compelling interest" is not biblical:

God has not given the State the responsibility for the

education of our children. They do not bear the image of Caesar but the image of their Creator. We are to render them not Him. Education is to conform them to the image of Christ, not that of the State. God has ordained that parents should have the responsibility of raising their children so that they shall be conformed to the image of God. Education involves the relationship of the parent with the child; by entering into this province the State interferes in a sacred area of covenant ordained and protected by God... The molding of the heart and mind of the child cannot be compared to the regulation of traffic lights or boilers.

Should the reader desire to do an in-depth study of this all-important topic, which we are constrained by space limitations to discuss in a lengthy manner, we refer them to the excellent book from which the above quote was derived, *Who Owns the Children? Compulsory Education and the Dilemma of Ultimate Authority*, by Blair Adams and Joel Stein.*

Dr. Rice's Letter #2

February 20, 1996

Dear Mike:

Thank you very much for your letter of February 14. I appreciate your analysis. And your changes have, in my opinion, substantially improved the PRRA.

Let me offer a further suggestion. I believe that the authority of the state over parental rights is limited to situations coming under the traditional definition of "child abuse and child neglect," as those terms are used in Section 7 of your revised PRRA. Would it not make sense to couple that standard with the "compelling state interest criterion" and draft the PRRA to provide that, pursuant to Section 5 of the Fourteenth Amendment, state authority over parental custody is limited to "child abuse and neglect as those terms have been defined in state statute" and that "parental custody of children may be terminated or suspended only on clear and convincing evidence that such termination or suspension is essential to accomplish a compelling government interest and is narrowly drawn or applied in a manner that is the least restrictive means of accomplishing the compelling interest." This borrows from your Section 3.

As a further thought, why not add to the bill a provision withdrawing jurisdiction of parental rights cases from the lower federal courts and from the appellate jurisdiction of the Supreme Court?

I hope this will be helpful. Please understand that I regard this exchange as a tactical discussion among co-conspirators. I am certain we agree on the basics.

With best regards,
Sincerely,

Charles E. Rice, Professor at Law

cc: Mrs. Gen Yvette Sutton ☩

PARENTAL RIGHTS vs. STATE'S RIGHTS

SEC. 2(a)(5) of the original H.R. 1946 finds "some decisions of Federal and State courts have treated the right of parents not as a fundamental right but as a nonfundamental right, resulting in an improper standard of judicial review being applied to government conduct that adversely affects parental rights and prerogatives..."³

Although no longer explicitly stated in the latest version, this finding according to Mr. Farris in a letter to Professor Rice, dated February 14, 1996, is still the rationale behind his PRRA. (Dr. Rice's response to Mr. Farris' letter is shown above.)

One might ask, at this point, what has allowed government's big foot in the door of our homes and schools in the first place? What notion encouraged government to walk right in without knocking? Was it not the very idea that government had a "compelling interest" in our children's welfare? Without this revolutionary assumption, there would be few, if any, conflicts between parents and outside institutions and agencies that would end up in the courts. The state's asserting "compelling interest" is what placed parents in an inferior, vulnerable position in the courts from the beginning.

Perhaps, rather than accepting "compelling interest" just because we have grown accustomed to its intimidating face, it would be more productive to challenge the very concept.

The "state's compelling interest" is one of those legal formulas that lawyers and prosecutors and judges can use with impunity because nobody bothers to define it or challenge it, and therefore it can mean anything and justify anything. It sounds impressive, even though its true meaning is hidden. It says in essence that 'the state compels' ... It is simply a statement of implied brute force wrapped in lofty legalese. The "state" has become our sovereign whereas the Constitution says that We the People are the sovereign under the implicit sovereignty of God... America is a representational republic in which those who govern are the elected or appointed servants of the people who also pay their salaries through taxes. servants cannot have a compelling interest in forcing their masters to do their bidding... (Ibid, p. 19)

Government has postulated "compelling interest" mainly in the areas of education, health, welfare and child abuse/neglect and any combination thereof. A brief review of how "compelling interest" has historically manifested itself overall in each of these areas, and with what results, will cushion the shock the reader will experience upon learning, further along, the startling powers the "Leviathan" State has seized.

...The State's **principal** concern in overseeing the schooling of children has never been the educational development of its charges but merely its own control over the educational process...⁵

Let us briefly offer a compendium of some of the most frequently raised points put forth by advocates of compulsory education. **First**, Statists assert that every child has the RIGHT to an academic education and that the state therefore has the duty to assure that every child can fulfill this right. Those who present this argument do so ostensibly in the name of protecting the child. They say that the child's ability to function in society, to advance in the world, to garner the full advantages of life within society, will be abrogated unless the child receives a public education. They further claim as unreliable the ability of parents and guardians to give children benefits equal to such an

education; therefore, the state must supposedly step in to do the job...⁶

The conflict, then, lies between the love of the parent and the alleged concern for the child by a state-appointed bureaucrat.

The **second** line of argument for compulsory education concerns the need of the State, particularly a democratic one, to have an educated citizenry... It remains... a mockery to say that a democratic State, supposedly molded by its citizens, can only safeguard liberty if it undertakes the task of molding the citizens...⁷

A **third** argument advanced by advocates of compulsory public education goes as follows: "... The way I choose to act often has serious spillover effects upon my neighbors; and similarly the actions of my neighbors, taken individually, can substantially affect me." The choice of any one individual to educate his children is shown to be a particular case in point. Even if all individuals choose voluntarily to purchase education they may still "underinvest" from the point of view of society as a whole. This being so there is... said to be a strong presumption in favor of government intervention... Among these "neighborhood effects" are supposed to be "reduced crime" and more "social cohesion..."⁸

We don't need anyone to tell us that the State's compelling interest certainly hasn't reduced crime, improved education or generated harmony in our society. In fact, it is government's hollow "compelling interest" that has repeatedly dragged parents into the courtroom, to be subjected to a "strict scrutiny" of their convictions, their decisions, their child/parent bond, their very lives.

THE STATE'S STANDARD

SEC. 2(a)(1) of the original H.R. 1946 "finds that the Supreme Court has regarded the right of parents to direct the upbringing of their children as a fundamental right implicit in the concept of ordered liberty within the 14th Amendment to the Constitution of the United States, as specified in... *Pierce v. Society of Sisters*, 268 U.S. 510 (1925)"

Pierce v. Society of Sisters, 268 U.S. 510 (1925) is a case in point and worth noting because Mr. Farris continues (as indicated in a Feb. 14 letter to Dr. Rice) to claim that in the Supreme Court *Pierce* decision, parental rights were upheld as a fundamental right not to be abrogated. Lest one be led to conclude that *Pierce* did indeed recognize parental authority as inalienable, once and for all, the facts are not reassuring.

In *Pierce v. Society of Sisters* (1925) the U. S. Supreme court ruled: "[F]undamental... liberty... excludes any general power of the State to standardize its children..."

A Rights Vaccination?

Cynthia Weatherly

During the first week of December in 1995, just after hearings were held in a U.S. Senate subcommittee regarding the Parental Rights and Responsibilities Act, Beverly LaHaye of Concerned Women of America interviewed the author of the PRRA, Michael Farris, President of the Home School Legal Defense Association, on her national radio show. As the interview was drawing to a close, Mrs. LaHaye and Mr. Farris were discussing the United Nations Convention on the Rights of the Child. Mrs. LaHaye asked Mr. Farris: "In light of all of this, how does the PRRA counteract the U.N. treaty we just talked about?"

Mr. Farris replied, "I view it as a VACCINATION against the U.N. treaty..."

Let us look at the definition of "vaccination" in Webster's New International Dictionary.

vaccination: to inoculate with any virus as a preventive measure. 2. *Med.:* The introduction of bacteria or other organisms into surroundings suited to their growth; communicating of a disease to a person in health by inserting its virus in his skin or flesh, in order to induce a mild form of the disease which will secure immunity from future attacks.

Indeed! Are we to understand that the PRRA is "a mild form of the disease" which is contained in the U.N. Convention on the Rights of the Child? Is a little bit of government control of parents' rights through establishing a compelling interest test (which the State will consistently pass) supposed to make us able to tolerate harsher intervention in our family relationships?

Does Michael Farris say what he means or does he mean what he says? In either case, don't let your God-given parental rights suffer from the introduction of "bacteria" of government control! †

The child is not the mere creature of the State; those who nurture him... to recognize and prepare him for additional obligations."

As in many court decisions on behalf of parents, however, ambivalence and equivocation mark the Court's wording. For instance, in the above decision, what does it mean to say that "the child is not the 'mere' creature of the State"? Does it mean that the child is in fact the "creature of the State," but he is also something else? Or does it mean that the child is not the creature of the State, although the State does have some responsibilities and obligations toward the child?

Does the State Have a Compelling Interest in Education?

Samuel Blumenfeld

The argument that the state has a “compelling interest” in education has been used repeatedly by school superintendents, state prosecutors, and judges as justification for harassing home-schoolers and church-schoolers who do not want to be regulated or controlled by the government. That the argument is phony can be proven by the fact that home-schoolers and church-schoolers are being very well educated without the help of the state, while the children in the public schools are being very poorly educated in the very institutions that the state owns and operates.

In fact, recently the Nestle corporation launched a coupon-redemption campaign to help provide funds for the public schools because, as the ad said, “700,000 graduating seniors can’t read this,” this, meaning the ad. And so, if the public schools are actually graduating hundreds of thousands of youngsters who can’t read, one must ask, what does the state mean by “education”? If one judges the state’s definition of education on the basis of how it educates the children in its own schools, then one must conclude that the state’s definition has nothing to do with academic instruction.

We know that the public schools no longer teach children to read or write or do arithmetic in the traditional sense. There may be a few maverick public schools that do, but the vast majority don’t. The majority teach whole language, invented spelling, and the new new math — none of which will permit the children to master the basic skills they will need to achieve a high level of literacy and competence in science and math.

The rest of the curriculum, devised by humanist psychologists, is known as the “affective domain.” Here the educators deal with the students’ feelings, beliefs, values, emotions, and

sexuality. In other words, the state’s curriculum is based on the doctrines and beliefs of humanism as expressed in *Humanist Manifestos I & II*. If the state’s idea of “education” is thus defined as “humanistic education,” then the state is in the religion business which, of course, is unconstitutional.

That humanism is a religion was established juridically in 1987 by a ruling handed down by U.S. District Judge W. Brevard Hand in the case of *Smith v. Board of School Commissioners of Mobile County, Alabama*. What this now means is that the state’s compelling interest in education is really the state’s compelling interest in HUMANIST education, which is not really education but indoctrination. The public schools, in fact, have become the parochial schools of the humanist religion. In practical terms, this means that Humanism has become the state religion in America which, of course, is unconstitutional. But that doesn’t seem to bother state prosecutors or judges or the American Civil Liberties Union because they can all pretend that the public schools are neutral on matters of religion just as they pretend that the public schools actually teach basic academic skills.

Also, when one speaks of the “state’s compelling interest,” what does one mean by the “state”? Is the word “state” a synonym for government? After all, the “state” is a fictional entity. It’s an idea, an abstraction, and an abstraction can’t have a compelling interest in anything. If the word state refers to the individual states in the Union, then what aspect of the state are we talking about? Before the states became states they were colonies and territories. A colony is made up of settlers living in a territory; a territory is an expanse of land within established boundaries. Land cannot have a compelling inter-

The next line seems to indicate that the Court does in fact believe the child to be the creature of the State, but that the parents have some rights to “prepare him for ‘additional’ obligations.” Again, what exactly does the Court mean when it speaks of parents having rights to “prepare” the child “for ‘additional’ obligations”?⁹

It is clear that the *Pierce* decision raised as many questions as it may have answered. After reflecting upon the federal government’s “compelling interest” in imposing national goals and standards upon every child in the U.S., we find the ambiguity of *Pierce* even more unsettling. In a “Separate Opinion(s)” concurring with the *Wisconsin v. Yoder* Supreme Court decision of 1972, Mr. Justice Stewart and Mr. Justice Brennan revealed that

As recently as last Term, the Court re-emphasized the legitimacy of the State’s concern for enforcing minimal

educational standards... *Pierce v. Society of Sisters*... lends no support to the contention that parents may replace state educational requirements with their own idiosyncratic views of what knowledge a child needs to be a productive and happy member of society; in *Pierce*, both the parochial and military schools were in compliance with **ALL** the educational standards that the State had set.¹⁰ [emphasis ours]

In other words, it appears that *Pierce* allowed the parents to send their children to a parochial school because the school met the STATE’S standard. Is this a logical conclusion? The following insights into the *Wisconsin v. Yoder* Supreme Court decision would seem to support this opinion. It is imperative that we parents diligently study both of these Supreme Court decisions since PRRA resides in the findings and precedents they established.

est. Only people can.

If we take the "state" to mean government, then we must ask, which aspect of government has a compelling interest in education? Is it the governor, or the legislature, the state bureau of internal revenue, or the education department? The collective "government" cannot speak with one mind, for there are many minds in government.

Does the "state" mean "society"? Again, society does not speak with one voice. So how can "society" have a compelling interest in the kind of education provided by the government since there are many in our "society" who strongly disapprove of that form of education. So, who is the state? It certainly is not the people, for the people are clearly not of one mind when it comes to education.

Then there is the issue of what is meant by the word "compelling." Does it mean keen, strong, vital, or compulsory? The verb compel is defined as "to force or constrain, to get or bring about by force." Since the state uses the compulsory school attendance laws to exercise its "compelling interest" we can assume that the adjective compelling means more than just keen. It means that the government has a keen interest in forcing its brand of humanist education down the throats of American children.

The "state's compelling interest" is one of those legal formulas that lawyers and prosecutors and judges can use with impunity because nobody bothers to define it or challenge it, and therefore it can mean anything and justify anything. It sounds impressive, even though its true meaning is hidden. It says in essence that "the state compels." But what it really means in plain language is that "in matters of educating your children, we who control the government can force you to do what we want you to do, whether you understand it or not."

It is simply a statement of implied brute force wrapped in

lofty legalese. The "state" has become our sovereign whereas the Constitution says that We the People are the sovereign under the implicit sovereignty of God.

America is a representational republic in which those who govern are the elected or appointed servants of the people who also pay their salaries through taxes. Servants cannot have a compelling interest in forcing their masters to do their bidding. It is better for the courts to acknowledge that parents have a strong interest or concern in their children's education, and to leave it up to the parents to translate that concern into practical action. If the government got out of the education business there would be no lack of individuals or organizations that would concern themselves with the education of American children. We are a people who value education because it is part of our cultural and religious heritage. No one, let alone the state, has to force anyone to educate their children.

Yes, admittedly, there are delinquent parents. But that problem can be addressed better by private social services than by government agencies. Back in the days before compulsory school attendance laws were in existence, about 95 percent of the children were in school. The compulsory attendance laws were passed to force the remaining 5 percent into the schools. The price the nation has paid in lost freedom in order to secure the school attendance of that 5 percent has been enormous. And today about 30 percent of the students emerge from their public school experience functionally illiterate. Something is terribly wrong somewhere.

There are not too many things that the government does well. When it comes to education, the government has literally given us a disaster and turned us into a nation at risk. We don't need the "state's compelling interest in education," for it is that very interest that has gotten us to where we are today: in perpetual crisis. †

ONLY WITH GOVERNMENT APPROVAL

SEC. 2(b)(3) of the original version of H.R. 1946 states that one of its purposes is... "while protecting the rights of parents, to acknowledge that the rights involve responsibilities and specifically that parents have the responsibility to see that their children are educated for the purposes of literacy and self-sufficiency, specified by the Supreme Court in *Wisconsin v. Yoder*, 406 U.S. 205 (1972)."¹¹

Without a moment's hesitation, we aver that the original PRRA would COMPEL parents to fulfill responsibilities outlined in *Yoder* to the standard set by government.

After Dr. Rice pointed this out to Mr. Farris, Mr. Farris, to his credit, quickly eliminated any reference to *Yoder* in a proposed revised bill. Nevertheless, it is necessary for parents to understand the reasoning contributing to the *Yoder* decision, first, because court precedents stand until overturned by another Supreme Court decision or a Congressional Act that is

found to be constitutional by the Courts. The constitutionality of PRRA is presently a matter of opinion. Second, the *Yoder* decision, like *Pierce*, is another relevant example of how the Courts weigh the State's "compelling interest," against parental rights.

Although many of us have believed that the the Supreme Court in *Yoder* recognized the rights of the Amish to educate their children at home because of their religious beliefs, an overview of the decision reveals a significantly more complicated defense. *Yoder* is a textbook case demonstrating the "traditional 4-step process used by courts to evaluate cases concerning rights of parents..."¹² In order to be able to educate their children as they saw fit, the Amish parents had to prove that their religion was NOT just a belief, but a conviction that permeated every moment of their lives.

As the Supreme Court ruled in *Wisconsin v. Yoder*, concerning lack of protection for preferential beliefs,

The Problem With Leaving it to the Courts

Sarah H. Leslie

CHATTEL: personal property; a slave

The precarious balance of parents' rights versus children's rights should never be struck in favor of the parents.
— Kathy L. Collins

In the Fall of 1987, the woman who was to become the legal counsel for the Iowa Department of Education, Kathy L. Collins, penned an article for *Free Inquiry*, the quarterly publication of the Council for Democratic and Secular Humanism. In the article Ms. Collins asserted that:

Children are not chattel; they are not personal property. They are not 'owned' by their parents, nor do they 'belong' to the state. The Christian fundamentalists who want the freedom to indoctrinate their children with religious education do not understand that the law that prevents them from legally teaching their kids prevents someone else from abusing theirs.

To underscore this point, she noted:

Certified teachers are state-mandated child-abuse reporters. When children are allowed to be kept at home, there may be not outside contact, no help for the abused child.

In the ensuing years, Ms. Collins was to play a pivotal role as an advocate for stiff penalties and restrictions for home schoolers, including the use of child welfare laws.

How the Courts Changed the Law

In November 1988, a school official from Sioux City, Iowa, Dr. Warren Montgomery, presented a petition to the Iowa Juvenile Justice Advisory Council. He recommended that truancy should become part of the Child In Need of Assistance (CINA) section of the Iowa Code, i.e. fall under the child welfare laws. Truancy was broadly defined to include anyone under home instruction; i.e. home educators. He described these children as "definitely at risk of receiving a poor educational background for life and... likely to become dropouts from school." Dr. Montgomery went on to equate school attendance with future work place productivity.

In January of 1989 the Iowa County Attorney's Association came out with the remarkable recommendation to include fundamentalist Christians home educated children as truants and to try pressing CINA charges against them. During the 1989 legislative session S.F. 149 was introduced, a "truancy" bill that Dr. Montgomery said fit his specifications. By God's grace S.F. 149 was stalled in the waning hours of that

legislative session. But it was quickly revived the following year, demonstrating that the social reformers had this on the top of their agenda. It was finally defeated in the Spring of 1990 by just one vote. The handout on page 18 illustrates the danger to children and families if this bill has passed.

However, by May 1989 a landmark Iowa Supreme Court decision accomplished through the courts what S.F. 149 was attempting to write into law. Barry Bear, a mildly retarded Indian child who lived on a reservation with his parents, was determined to be a Child in Need of Assistance (CINA) by virtue of the fact that he was not receiving an education that the state deemed adequate, even though his mother was a certified teacher. **In this case, the Iowa Supreme Court re-defined "lack of supervision" under the child welfare code to mean truancy.**

The Barry Bear case demonstrates how easy it is for the COURTS to conjure up a new definition of child "abuse" or "neglect". This change in legal climate for Iowa home schoolers did not occur through the legislative process, but through the courts, which demonstrates how easy it is for the courts to institute societal reform through reinterpretations of the law. *Roe v Wade* is the classic example of this travesty.

For the Bear family this was just the middle of their nightmares. Anna and Archie Bear, the parents had each been charged three separate times prior to this and both ended up in jail. Much of their history is recorded in Sam Blumenfeld's *Blumenfeld Education Letter*, (Letters #44, #46, and #52*). Once the charges shifted to the child welfare system, Barry Bear's parents had an uphill battle to fight they could never win. There was a massive array of doctors, social workers, psychiatrists, education officials, and other "experts" brought in to testify that Barry was not receiving an adequate education which all worked against his poor parents. The Juvenile Court system is heavily weighted AGAINST parental rights.

Several years later, tragically, when Sam Blumenfeld and I interviewed Barry personally, most of the academic skills that his mother had taught him had regressed. The State testified that they had taught Barry to tie his shoes. His mother wept. This was a skill she had taught him at the appropriate age of five. To date, Barry Bear (who is now an adult) remains a captive of the State in Woodward, Iowa, at a state institution, against his will. All attempts by his parents to remove him and return him to his home have failed. The State dare not back down and admit they erred. Barry Bear was never considered chattel by his loving parents. But, he is now a slave to the State.

Using Court Decisions as a Hammer

Meanwhile, by Fall 1989, Henry County Attorney Mike

Riepe began threatening to use the CINA provisions against Rev. T.N. Taylor. Rev. Taylor had been jailed numerous times for running a private Christian academy without using state-certified teachers. Rev. Taylor's children fled the state before charges were filed. In May 1990, Aaron Rivera and his family fled the state when their County Attorney selectively prosecuted them (instead of the hundreds of real truants in Cedar Rapids, Iowa) and threatened to use the CINA laws. Time after time in the ensuing years the Lord miraculously intervened to save children and families by revealing just enough information in the critical time necessary to forewarn the families to flee the state. The state of Iowa kept trying to concoct new test case families, frequently going after mixed-race families, to give further weight to the Barry Bear decision.

Iowa's eventual home school bill left open some significant loopholes for CINA laws to be used against home schoolers. It relies on testing, using State-certified teachers, and portfolio options for compliance. There are extremely stiff fines and jail if parents don't comply. If the parents continue to home school without the State's sanction, they can be thrown into mediation which requires that they compromise with the State on matters of their child's education.

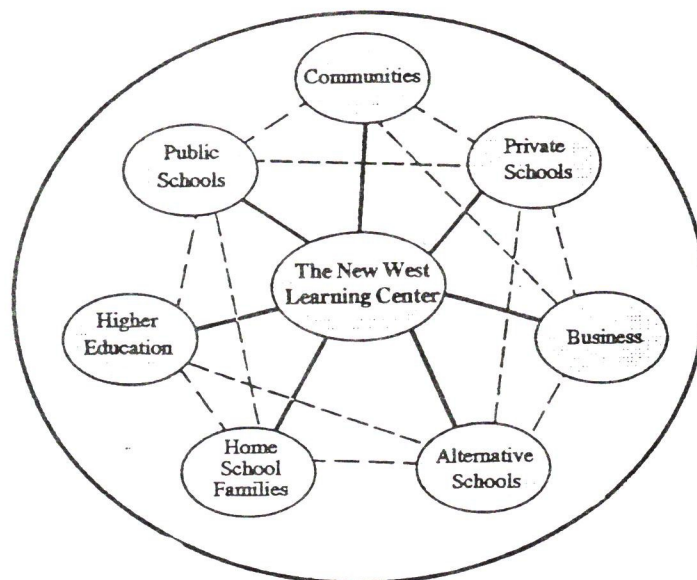
As late as Spring 1995, the CINA language appeared in a bill that purportedly had to do with workfare, again demonstrating the zeal of the social reformers to squeeze the life out of the right to home educate. The bill made it mandatory for anyone in contact with a "truant" to "turn them in" or be in violation of the law. This meant that ALL homeschoolers in the state would have had to operate under the curtain of suspicion of noncompliance with Iowa law. Could they take their children to the doctor without being questioned about their compliance with the law?

The goal of all education restructuring plans, of course, is to grab homeschoolers and pull them into the public system. Home learning via computers linked to public schools is often

mentioned as the best vehicle in which to accomplish this. Many plans around the country show how this is to be accomplished. Entanglement with the public system is fraught with danger, however. The diagram below came from a national pilot funded by the New American Schools Development Corporation. A cursory examination of this "hub" illustration shows the danger of "entrapment".

In a bleak view of the future States could also begin to seriously limit curriculums, mandate assessment testing, restrict the use of certified (licensed) teachers, and deny home educated children employment or further education (if they

The New West Learning Community Project



"Linking Resources Using Innovation and Technology"

don't have the Certificate of Mastery). The list of state and federal documents pertaining to reform legislation that use the word "ALL" children, is incredibly lengthy. When will the courts interpret "all" to mean just that — ALL children — including home educated ones? Including those in private schools? The freedom to educate children is always potentially just a court decision away.

What isn't accomplished through the legislative process, may indeed come down through the courts. Iowa is a case in point. †

*address for Blumenfeld Education Letter is PO Box 45161, Boise, ID 83711, 208-322-4440. Back issues may be available.

...where nothing more than the general interest of the parent in the nurture and education of children is involved, it is beyond dispute that the State acts 'reasonably' and constitutionally in requiring education to age 16 in some public or private school meeting the standards prescribed by the State. [emphasis added] [underlining ours]¹³

turn to the early, simple, Christian life de-emphasizing material success, rejecting the competitive spirit, and seeking to insulate themselves from the modern world... devoted to a life in harmony with nature and the soil...¹⁵

But every parent needs to be aware that the *Yoder* decision was based on far more than just religious freedom.

Aided by a history of three centuries as an identifiable religious sect and a long history as a successful and self-sufficient segment of American society, the Amish have demonstrated the sincerity of their religious beliefs, the interrelationship of belief with their mode of life. **Beyond this**, they have carried the difficult burden of **demonstrating** the adequacy of their alternative mode of continuing informal **vocational education** in terms of the overall interests that the State relies on in support of its program of compulsory high school education. [emphasis added]¹⁶

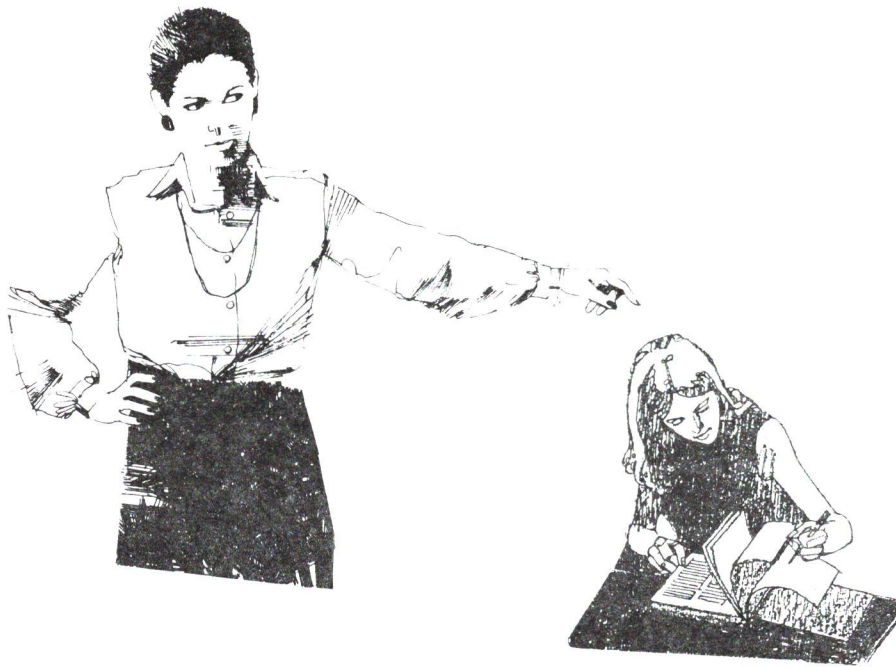
It is interesting and perhaps pertinent to note that in *Yoder* the public school classroom was contrasted to the Amish education; and PRRA set forth *Yoder* as our standard "for the purposes of literacy and self-sufficiency."¹⁷

...The high school tends to emphasize intellectual and scientific accomplishments, self-distinction, competitiveness, worldly success, and social life with other students, Amish society emphasizes informal learning-through-doing; a life of "goodness," rather than a life of intellect; wisdom, rather than technical knowledge; community welfare, rather than competition; and separation from, rather than integration with, contemporarily worldly society.¹⁸

Let us understand this. The Amish were able to demonstrate that they met the State standard of vocational training. It is relevant to note that

...Under the Pennsylvania plan, Amish children of high school age are required to attend an Amish vocational school for three hours a week, during which time they are taught such subjects as English, mathematics, health, and social studies by an Amish teacher. For the balance of the week, the children perform farm and

Have you ever failed a test?



If Susie fails this test,
she'll be taken away from her family!

Susie has test anxiety Or maybe she learns at a slower rate than the other kids
But under certain proposed home school regulations, if she doesn't measure up,
she's out---out of her home

Vote NO on S.F. 149

This legislative handout was used by Iowa home schoolers.

As John Whitehead of the Rutherford institute explains, the judicial definition of religion now concerns "the act of the belief on the life of the person expressing and holding it."¹⁴

The Amish parents' beliefs were convincing only because they were able to demonstrate that they lived a life nearly totally apart from the rest of the world and

rejected institutionalized churches and sought to re-

household duties under parental supervision, and keep a journal of their daily activities...¹⁹

Clearly, the Amish are allowed to persist in their way of life only with the approval of the government. Therefore, we must ask:

- How many of us could pass the religious test as defined in *Yoder*?
- How many of us could prove that our alternative school choice meets the government's education goals and standards as the Amish had to?

STATE PRESCRIBED "RESPONSIBILITIES"

The Supreme Court justices deciding *Yoder* wrote that the Amish made a "convincing showing, one that probably few other religious groups or sects could make..."²⁰ How many parents would want their privately schooled children to have to meet the State outcomes in any area?

And yet the original version of PRRA would have mandated the RESPONSIBILITIES as "specified by the Supreme Court in *Wisconsin v. Yoder*..."²¹

Whatever could Mr. Farris have been thinking?! Whatever, indeed? Permit us to remark here that the issue of parental responsibilities has hardly been disposed of, in spite of Mr. Farris's eliminating any reference to it in his proposed revised versions. The bill remains titled "Parental Rights and Responsibilities Act," but nowhere are "responsibilities" specified. It is interesting and confusing to note that sections referring to "direct the upbringing of a child," were included as RIGHTS in his original version,²² but are not labeled as such in the February 14 draft.

Is "directing the upbringing of a child" as outlined in this February 14 draft to be considered a **right** or a **responsibility**? It is urgent that this be clarified. It stretches one's imagination that Mr. Farris might be declaring that parents have the responsibility to use "reasonable corporal discipline" or have the responsibility to "direct and provide for the religious teaching of the child."²³

PRRA is a proposed law. Laws mandate compliance. What responsibilities will parents have to fulfill to satisfy the PRRA? Since it appears that Mr. Farris intends for the courts to decide if parents have obeyed the law or not, it is necessary to recall briefly how the courts have summed up parental responsibilities and further explore the inherent implications.

The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations. to include the inculcation of moral standards, religious beliefs, and elements of **good citizenship**...²⁴[emphasis added].

And what is a good citizen? "...A 'good citizen' of the State

is one who evidences a positive devotion and dedication to the Statist cause."²⁵

At this point, one has to ask, if PRRA became the law of the land, how would the government determine if parents and private schools are indeed meeting these responsibilities? From our exhaustive research into this area, we suggest that the government could find it expedient to mandate that ALL children must take secular Character Education and be assessed by the State Assessment Test based on the NAEP, the National Assessment of Educational Progress, also called "The Nation's Report Card." Recognizing that these assessments are no longer achievement tests, but rather a means to determine if the student is meeting national, psycho/social goals to the government's satisfaction, what happens when parents insist upon protecting their children from this privacy-invading scrutiny?

What will happen if the child takes his/her state assessment (which is based on the NAEP test) and doesn't meet the psycho/social outcomes??

These outcomes include measuring such basic life skills as personal finance and consumer protection skills, health maintenance skills (how to wear a condom?), interpersonal skills, family responsibility skills, and career development skills. (ED 139819, NAEP, May 1977 [Contract Agency, NCES, contract No. OEC-0-74-0506])

If, per chance, we harbor any hope that government intervention in our children's education could ever be good for society — if, for instance, "family-friendly" leaders would take over the reins — Charles Murray in his book, *In Pursuit of Happiness and Good Government*, challenges us to understand that even if government's interference had produced wonderful changes in education, it is still "bad" to restrict and flatten the "ways in which a parent with a child in public school could take satisfaction from that component of life called 'overseeing the education of one's child.'"²⁶

YOUR CHILD'S HEALTH

Besides education, the second area in which we allow the government to exercise its "compelling interest" muscle is that of the health of our children.

...The more critical the decision concerning the health of your child, the more likely that you as a parent will discover that the exercise of your parental responsibility remains in the eyes of the State "experts" only a tolerated annoyance. For once you submit to the State's medical or other licensed "alternatives," you enter a labyrinth of possible court orders, social workers and authoritarian doctors who can strip you of all control over your child should "your decision" differ from their sacred counsel... With a phone call to a judge, the doctor can end your parental powers and make your child a ward of the state.

The Slippery Slope of Parental Rights

RESPONSIBILITIES	FREEDOMS	RIGHTS
<p>God-ordained, Biblical responsibilities</p> <p>Minimal accountability to state on things such as testing, use of certified teacher, regulations, restrictions, etc. These restrictions may increase under education restructuring agenda.</p>	<p>Religions Freedom or "Misfits" (may operate outside of law)</p> <p>Compliant Homeschoolers</p>	<p>God-given rights</p> <p>Right to educate children without undo governmental oversight or interference.</p>
<p>Parent is accountable to local district. More oversight, regulations, restrictions. This option, especially with computer links, satisfies some education reformers.</p>	<p>Public System Homeschoolers</p>	<p>Freedom to choose from an array of public and private options (currently).</p>
<p>Minimal state and federal oversight. Will be increasingly vulnerable to changing education reform criteria and restrictions such as teacher licensure changes.</p>	<p>Non-Accredited Christian Schools (may operate outside of law)</p>	<p>Right to education children in context of local church. Freedom to choose curricula, teachers, schedules, etc.</p>
<p>Subject to state and federal regulations which may restrict curriculum choices, testing, teachers, etc. May become subject to government control via voucher and tuition tax credit proposals</p>	<p>Accredited Christian Schools & Private Schools</p>	<p>Curriculum flexibility. School is accountable to parents. Parental oversight and scrutiny.</p>
<p>Subject to state and federal oversight: AMERICA 2000/GOALS 2000, school-to-work, OBE, Certificate of Mastery, whole language, etc. Top-down federal control supercedes local control</p>	<p>Christian Parents Whose Children are in Public Schools</p>	<p>Parents have controlled access to child's records. Limited choices regarding curriculum and instruction decisions. Restricted option to pull child out of offensive classroom material.</p>
<p>Children who are "at risk" or special education subject to intervention. Human services, day care, expanded school days, hours, year-long school, etc.</p>	<p>School as Surrogate Parent</p>	<p>Parents as "Partners". Parents give input, but committee makes decisions regarding instruction, medication, schedules, curriculum & instruction, etc.</p>
<p>School becomes the "hub" of the community. Lifelong learning, school-based clinics, MEDICAID services, human services and child welfare for ALL children.</p>	<p>Community as Parent "It Takes A Village"</p>	<p>Parents as "Caregivers". The child is a part of the system and there are few, if any, parental rights remaining.</p>
<p>BONDAGE</p>	<p>BONDAGE</p>	<p>BONDAGE</p>

The social worker need not even call a judge or possess a warrant... parents ... are shocked to discover that at the point of greatest crisis, when they most desire to responsibly fulfill their parental role as a covering in their child's life, they are considered incompetent to nurture, care for and make ultimate decisions for their child's well-being.²⁷

Are the members of the medical/mental health profession always "right?" "Obviously, the parents may be mistaken in whatever decision they make, but doctors can also be mistaken."²⁸ In light of our experiences with "fallible doctors," we cannot agree that the State has a "compelling interest" to intervene and override the health choices we make for our children. Such government intervention is particularly frightening now that "mental health" categories have been expanded to include every conceivable "bad-hair" day. What happens when a mother disagrees with a school psychiatrist that her child needs psychiatric treatment just because she broke up with her boyfriend?

Because your child's physical and mental health are a key area where the State is moving aggressively forward in asserting its "compelling interest," we have devoted a major portion of this article to covering this issue in Section 2.

ABUSE AND NEGLECT

"Child abuse/neglect" is the third broad area in which the government wields "compelling interest." Let us dispense immediately with any need to discuss legitimate child abuse/neglect cases. These are **criminal** violations and should be handled in **criminal** court, where the **criminal** is tried according to his constitutional rights.

On the one hand, the oppressive arm of government's "compelling interest" shows its unmistakable pattern in trying to PREVENT child abuse/neglect

Yet at the same time, in comparison to all other criminal cases, the child's very vulnerability and dependence on his parents create distinct problems that make child abuse cases unique — and therefore, so it is argued, in need of unique investigative and prosecutorial powers — particularly in two critical areas. First, because the victim is a child, most people feel a special urgency to stress abuse prevention, that is, the steps that can be taken to prevent such cruel treatment to innocent, unprotected victims. Second, precisely because the family has historically enjoyed protected status as a sanctuary generally off-limits to State intrusion, and again because of the child's vulnerable status, cases of child abuse can go undetected for long periods of time, with untold damage, possibly even ending in the death of the abused child.

A number of tragic and widely publicized child abuse cases have aroused many to seek a vast expansion of police and social services powers to intervene into the family in

order to protect abused or even potentially abused children.²⁹

All of us can readily call to mind examples of child abuse so horrible that we feel sickened, angry, and we cry out for justice! How sad, then, in seeking justice for criminals, we hysterically feed the movement, so unjust and definitely unwarranted, to protect all children from their parents. Every parent is seen as an abuser "just waiting to happen."

This type of reasoning explains why, whereas in standard criminal law the rights of due process ensured by the Fourteenth Amendment require that a law be sufficiently precise and clear so that a person of ordinary intelligence can easily understand it, in child abuse law, statutes are purposely couched in vague generalities. "Vagueness of the law," which once provided a defense against prosecution, now becomes a cover to allow the state broad discretion to investigate and act upon anything deemed strange in actions or relations concerning children. **Such occasions are used by the State even to interfere in and obstruct child-raising patterns that don't conform to the state-approved (that is, local social workers' often radical) norm...** In short, a separate set of procedures governing social services has emerged that effectively circumvents constitutional safeguards to wrongful prosecution.³⁰ [emphasis added]

To be precise, parents are routinely being denied their 4th, 6th and 14th Amendments' rights in the name of child abuse prevention and prosecution. ALL parents, including the reader and us as well, are presumed guilty by the very parental relationship. The "nanny" State, acting out of "compelling interest" is on a witch hunt to destroy the bonds of the family in order to "exorcise" the pathological demons stalking every child in America.

How likely is it that either we or the reader will ever experience this crushing blow to our families?

An astounding number of about 700,000 families each year suffer from false accusations of some form of child abuse, Douglas Besharov, a prosecutor in child abuse cases for the New York City Family Court, former director of the National Center on Child Abuse and Neglect, the chief federal agency charged with promoting the protection of children, and author of numerous expert studies of child abuse and its related legal and social work problems, calls this "a massive and unjustified violation of parental rights." Robert L. Emans, dean at the University of South Dakota, says of these falsely accused persons, "even when cleared of such charges, parents may lose custody of their off-spring, and individuals who work with children may be permanently listed in police records as possible child abusers."³¹

The Lifeboat Exercise

Sarah H. Leslie

In the well-known values clarification exercise of the lifeboat, children are told they must decide who gets to stay on board and who must be dumped out into the water (supposedly in order for the boat to stay afloat). Children must decide which humans were most "expendable." Tragically, children have had to participate in this social engineering exercise for over two decades now. This faulty humanistic exercise fails to account for God's miraculous providence in times of need and dire circumstances.

A case in point is the Iowa home school crisis. Rather than throw families overboard, the leaders got together and decided that NO child, NO family, would be tossed off the lifeboat to the social worker sharks swimming in the water. This meant that those with lesser convictions about parental rights hung tough with those of strong conviction. It also meant that everyone hung tough for the right to educate special education children at home.

When legislators tried compromise language in legislation, the home schoolers refused to budge. The bottom line was the bottom line. This agreement was reached because the leaders were painfully aware that any legislation that DIDN'T hold the hard line meant that some of the home school families would be in jeopardy of losing their children. Anyone not in compliance with the Iowa law was considered "truant", endangering families to CINA investigations by truant officer/social workers. Should these families be cast overboard to the social worker sharks in order to preserve the rights of those still on board the lifeboat? After all, these weren't unknown families. Their children had familiar names and faces. If you tossed off a family, you had to look the parents in the eye the next day and account for the whereabouts of their children.

The slippery slope of parental rights is eroding, and it is

eroding quickly. Tossing off a few families here and there to feed the sharks only hastens the day when your turn will come up. The erosion of rights for one family means that the threat is only that much closer to YOU. If home school was suddenly made illegal in this country, parents everywhere should be greatly alarmed. The next front of the battle is the Christian schools. Should their right to exist disappear, what is left? Government schools. GOALS 2000 government schools.

Even though this could happen, it is not likely that the erosion of education rights will occur in big increments, but rather in little ones. Already, major moves towards compromising with the GOALS 2000 agenda is occurring on all Christian fronts, often initiated and promoted by respected Christian leaders. The State effectively increases regulations in small doses by offering incentives to families who remain in public system, gradually introducing new regulations on private schools, and adding restrictions and penalties for those who don't comply.

It is obvious from looking at the diagram on page 20 that parental rights are under assault across the board, regardless of the educational circumstances of their children. What is affecting one affects ALL. Therefore, it is a myth to think that by only protecting your own narrow piece of the slippery slope that you will preserve your rights and freedoms. †

If there be therefore any consolation in Christ, if any comfort of love, if any fellowship of the Spirit, if any bowels and mercies, Fulfil ye my joy, that ye be likeminded, having the same love, being of one accord, of one mind. Let nothing be done through strife or vainglory; but in lowliness of mind let each esteem other better than themselves. Look not every man on his own things, but every man also on the things of others. (Phil. 2:1-4) †

It's frightening, isn't it, to know that all it takes is an anonymous phone call and our lives and our parent/child relations are changed, forever tainted with suspicion and inhibiting self-consciousness. With alarming frequency, we either know or hear of other parents who, having been falsely accused, have to endure months of agonizing investigation and spend thousands of dollars to prove their innocence against a stupefying presumption of guilt. Our natural instinct is to retreat into denial. We don't want to deal with the reality that child abuse hysteria has turned many Americans into roving (and in some cases, raving) "secret police." Child abuse prevention laws force school administrators to deputize teachers under threat of penalty of law, creating panic and over-zealous reporting. It's a self-perpetuating cycle. "Those who advocate further expansion of the State's police power in order to stop alleged child abuse use the statis-

tical rise in child abuse REPORTS to demonstrate the need for more intervention."³² No matter how tempting, we cannot "bury our heads in the sand."

While most people think of child abuse in terms of physical abuse, this is not the case. At this point, the abuse laws are so broad and encompassing that they spill over into all areas affected by government's "compelling interest."

The term "abuse" can be interpreted to cover such unclear categories as "failure to thrive," "educational neglect" or "emotional abuse." The federal Child Abuse Protection and Treatment Act defines child abuse as "the physical or mental injury, negligent treatment, or maltreatment of a child... under circumstances which would indicate that the child's health or welfare is harmed or

threatened thereby." According to this definition, even the possibility of "mental injury," however that may be defined by the social worker, can be considered abuse.³² [emphasis added]

As the government tightens its "compelling interest" stranglehold on parents, the purpose in all areas, education, health, and child abuse/neglect, is to methodically separate, to "free" the child, from the authority and protection of the parent. Once isolated and severed from his natural bonds, the child is marked as easy prey for the insatiable appetite of Leviathan. Masquerading as "children's rights," or "children's interests," the government and statist have launched an all-out offensive to eliminate all barriers, including religious, familial, educational, and legal, in order to exercise control of every child in this country.

THE RIGHTS OF THE FAMILY

SEC. 2(a)(7) of the original PRRA finds that "the traditional 4-step process used by courts to evaluate cases concerning the right of parents as described in paragraph (1) appropriately balances the interests of parents, CHILDREN, and government."³⁴ [emphasis added]

The February 14 draft of PRRA eliminates any description of how the State will apply the standard of Sec. 3 Strict Scrutiny, but Mr. Farris has already indicated that the 4-step balancing process as outlined above is traditionally used in exercising "strict scrutiny."

They'd have us believe that...

this time, it's about giving children "rights" and enforcing them, Please note, there has never been a resolution or a convention at the United Nations to create a charter of family rights, or of parental rights, for one good reason: Egalitarians... hate the family. Don't be fooled by the language of their quest, because there can never be any such thing as "children's rights." Children are too young to exercise rights, so someone must always exercise these for them — against their parents. So the only possible rights here are those of the State against the authority of the family.³⁵

We need to be reminded, often, that in the not too distant past other nations have beat the drums for "children's liberation."

...The shrewd totalitarian mentality knows well the powers of intimate kinship and religious devotion for keeping alive in a population values and incentives which might well, in the future, serve as the basis of resistance. Thus to emancipate each member, and especially the younger members, from the family was an absolute necessity... what was essential was the atomization of the family and of every other type of grouping that intervened between the people as society and the people as a mindless, soulless, traditionless mass. What the totalitarian must

have for the realization of his design is a spiritual and cultural vacuum...³⁶

We may regard totalitarianism as a process of the annihilation of individuality, but, in more fundamental terms, it is the annihilation, first, of those social relationships within which individuality develops. It is not the extermination of individuals that is ultimately desired by totalitarian rulers, for individuals in the largest number are needed by the new order. What is desired is the extermination of those social relationships which, by their autonomous existence, must always constitute a barrier to the achievement of the absolute political community.³⁷

We can think of the family as an "ozone layer" protecting the child from the State. Systematically shred that "ozone layer," and the child will be scorched by the State.

Interestingly enough, "protecting" the child from his parents rarely produces the benign, let alone beneficial, results that social planners would have us believe. Bruno Bettelheim's study of the kibbutz system in Israel, *Children of the Dream*, reports significant, negative results of pasteurizing the parent/child relationship. One particular outcome deserves our attention.

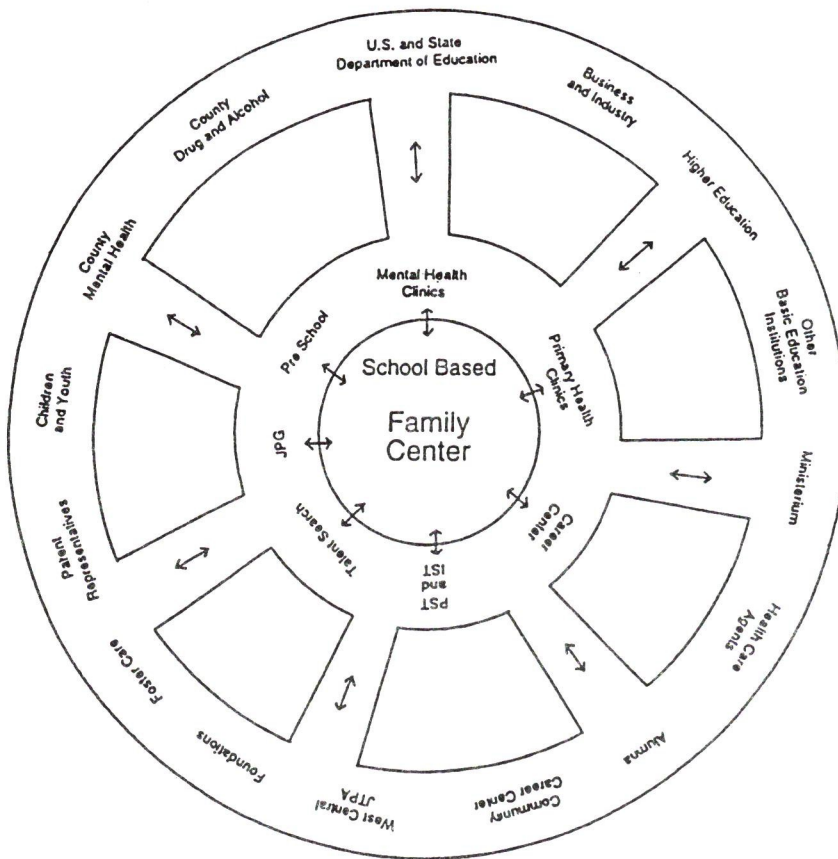
Georges Friedmann, the French sociologist... writes that... he was told that [the children] have lost the defects of their parents and also their qualities...³⁸

We had better carefully consider whether to "liberate" our children from their parents.

We have seen how the government's "compelling interest" usurps parental authority and replaces it with the arbitrary power of the Authoritarian State. The atomization of the family, however, implies far more than just a power struggle between the parents and the government. Man's natural associations, like the family, involve authority and function. The State has to appropriate those functions formerly performed by the parents and family members. Referring once again to totalitarian regimes of this century, we are reminded that

...this planned spiritual alienation from kinship was accomplished, not only through the negative processes of spying and informing but through the sapping of the functional foundations of family membership and through the substitution of new and attractive political roles for each of the social roles embodied in the family structure. What gives historical identity to the totalitarian State is not the absolutism of one man or of a clique or a class; rather, it is the absolute extension of the structure of the administrative State into the social and psychological realm previously occupied by a plurality of associations. Totalitarianism involves the demolition of autonomous social ties in a population, but it involves, no less,

Community Outreach Plan Farrell Area School District



A Tradition of Care and Education for All

Source
John G. Sava
Farrell, PA

The Farrell model illustrates the School as HUB concept.

their replacement by new ones, each deriving its meaning and sanction from the central structure of the state... The monolithic cast of the totalitarian State arises from the sterilization or destruction of all groups and statuses that, in any way, rival or detract from the allegiance of the masses to State... What is central is simply the absolute substitution of the State for all the diversified associations of which society is normally composed... The atomization of old groups and associations is accompanied by the establishment of new forms of association, each designed to meet the needs and to carry on the functions that were embedded in the old forms of social... But the new groups, associations, and formal statutes are without exception agencies of the State itself.³⁹

Our research reveals that, unfortunately, man never seems to profit from the lessons history has to teach us. As we proceed

to outline the agenda of the statist, the reader might concur with us that through exercise of "compelling interest," the U.S. government has not only usurped our parental authority, but also has designed a diabolical scheme to preempt all the functions of the family, including religion, education, health, and welfare, and merge them into one, comprehensive, cohesive, delivery system controlled by the state. If we allow the statist to succeed, history will repeat itself right here in the land of the foolish.

SECTION 2:

THE SCHOOL AS "HUB"

It would seem that Mr. Farris is unaware of the grand plan, or else he is choosing to ignore its implications and consequences. Mr. Farris is entirely wrong when he claims that sometimes protection of parental rights "will intersect with medical law, zoning law, or education law. But the intersection is a narrow intrusion for the specific and highly proper purpose of protecting the rights of American parents."⁴⁰

Let's take a minute to look at the "Community Outreach Plan"⁴¹ illustration (on this page) originally in a magazine published by Pennsylvania's Department of Education. This is clearly not an intersection formed by intersecting diagonals of competing interests, but rather a model for the

total convergence of all family activities and interests — not at the family's doorstep but at the government controlled School-Based Family center. We will leave it to the reader to decide if this appropriation of parents' authority and functions is "for the specific and highly proper purpose of protecting the rights of American parents."⁴²

Certainly, at the very least, the Community Outreach Plan indicates that the parents will have a lot of company in the family vehicle on this ride to their new "home," wouldn't you say? We can just imagine that in every direction that Mom and Dad look, they will see "Yield," "Stop," "Merge," "No Trespassing," "One Way Only," "Detour," "Utopia Ahead," "No Outlet," "No Exit" road signs. Undoubtedly, all intersections will be "4-Way Stops." What's missing is any sign warning approaching parents that in this "new order," all roads lead to Rome.

This Community Outreach Plan is an illustration of the

concept of the school as the “hub” of the community. The “hub” is a place where American citizens will go for all of their life needs. This term was first used by Iowa Department of Education director, William Lepley, to describe an imaginary school in the year 2010. In a *Des Moines Register* article dated Dec. 28, 1989, called “How Iowa can create the ‘Ideal Schools’” Lepley described the “hub”:

Society in the year 2010 has realized that the school is the **single societal institution that can truly be an advocate, a resource and a catalyst for children, families and learners of all ages.** The schools house educational programs as well as health and job services and human services agencies. It is the senior citizen volunteer center. Adults come to Ideal Schools for educational opportunities that range from childbirth and parenting classes to pre-retirement planning. The buildings are open round the clock to accommodate adult and community-education classes. **The superintendent is the significant community leader responsible for coordinating children and family services.** [emphasis added]

If you think this plan is totalitarian, you are correct! You have just glimpsed the education reform plan in a nutshell. Not only is education being restructured, but the entirety of society as well. Examine the other “hub” models from various states and note the positions of children, families, churches, and the government. Is this a biblical model? NO! It usurps the God-given role of the parent, and the church, and places the state and its agencies firmly in charge of the child.

Parents may not be so sure that they want to embark on this journey to Orwell’s “Oceania”, but many of the children have already been sent ahead with passports stamped “At-Risk of Becoming At-Risk.” It is crucial that every parent fully understand the source of the scheme: the expanded definition of “at-risk” status, the course of the development of the mandated process of labeling, as well as the nature and extent of the ensuing, compulsory, government controlled and delivered intervention. Although every state has been compelled by a web of federal and state laws to implement this “hostile take-over” of parental authority and familial functions, we offer Pennsylvania’s action plan as a case study, providing testimony on how education reform and health care reform have been merged to form a partnership in our public schools.

“HILLARY’S CHOICE” HEALTH CARE

“Universal coverage will be achieved under MEDICAID by January 1, 2000.” (Clinton White House Health Care Interdepartmental Working Group, Hillary Clinton)

We will explain how national, managed health care is being ushered in through the back door of our public schools. Penn-

sylvania has forged ahead as a national pilot in areas of securing waivers to expand MEDICAID and the identification of children as eligible for MEDICAID, paving the way as a model state in this national agenda of destroying privatized, health care choice and subverting the school’s mission along the way.

The following sections of this article are excerpted from Anita Hoge’s testimony before the Pennsylvania House of Representatives Select Sub-Committee pursuant of H.R. 37, delivered on July 7, 1995.

The national health care reform effort is redefining the shape and financing of health care. A diverse array of health care providers recognizes students and their families as a vulnerable, new market, and are positioning themselves as school based (on site) health care providers.

At-school health treatment is a marketing approach which health care provider groups now use to increase their membership by reaching families through their children. MEDICAID reimbursement provides a major source of revenue which, while out of the same billfold, is further removed from the taxpayer than property taxes, to support on-site clinics in school buildings.

Once community members are assured that parental permission is required for family planning services, fears about children under-going medical treatment by themselves without their parents present seem to diminish. However, most parents do not realize that the age for minor consent for health services has been dropped to the age of fourteen (14), and, in some instances as low as twelve (12), therefore, physical and psychological medical treatment can and is being administered to children at school or even in the psychiatric wards of hospitals at the direction of school personnel without parental knowledge or appeal or presence — at taxpayers’ expense.

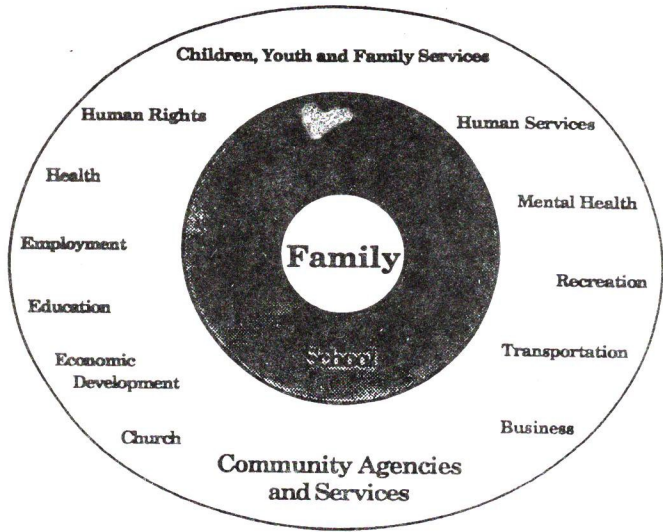
The emancipated minor agenda is a key component of this reform. For example, the state of Georgia has three separate state laws which allow state agencies to consider teens to be emancipated minors or free from parental control in sexual matters. This includes surgical procedures (abortions, etc.) as well as medical treatment.

The philosophy driving these reform promises is clearly stated in the following quote by United States Secretary of Education, Richard Riley:

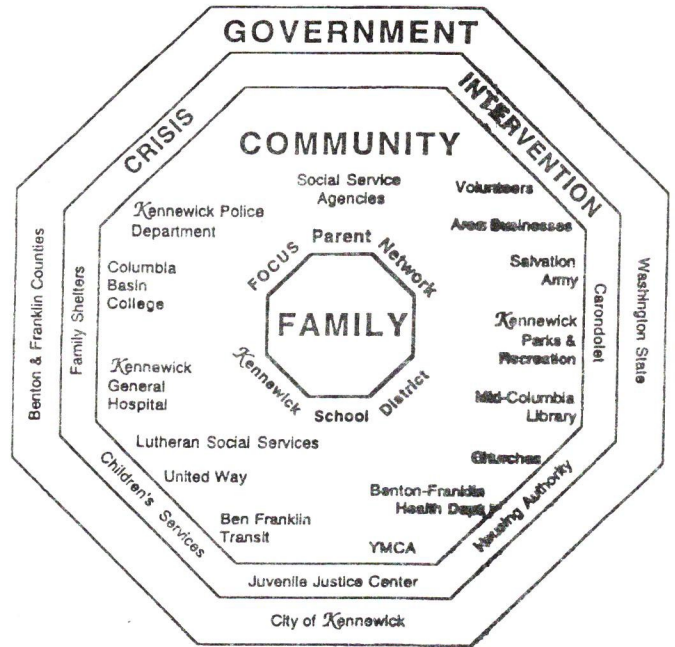
Education reform must address the host of human needs that allow children to benefit from schooling and that prepare learners to live in a world with no geographic boundaries. Education, then, takes on new meaning — one that encompasses the total physical and emotional, as well as intellectual, development of the child. (1994)

There are many national players in implementing this agenda. Marc Tucker, National Center on Education and the Economy (NCEE), Lauren Resnick, University of Pittsburgh (LRDC), the New Standards Partners, the Center for the Study of Social Policy, and the Harvard Project on Effective Services

Figure 1
Family-Centered School Linked Services



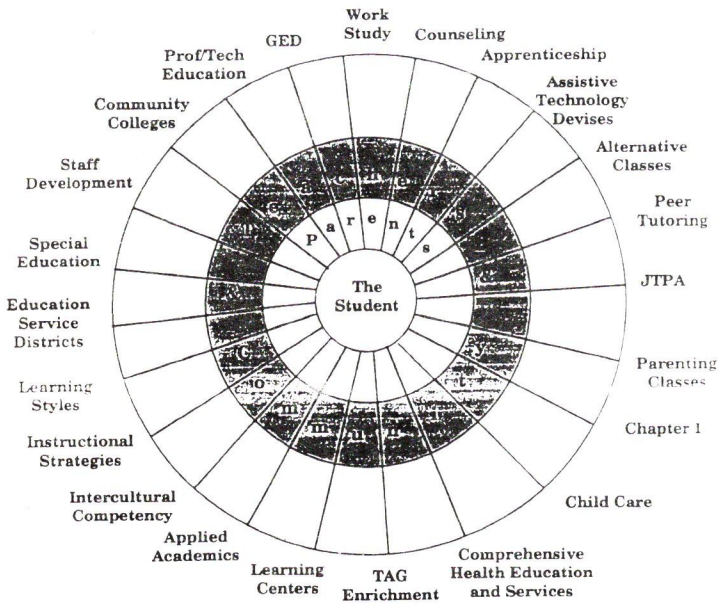
The Kennewick Advantage



Appendix B

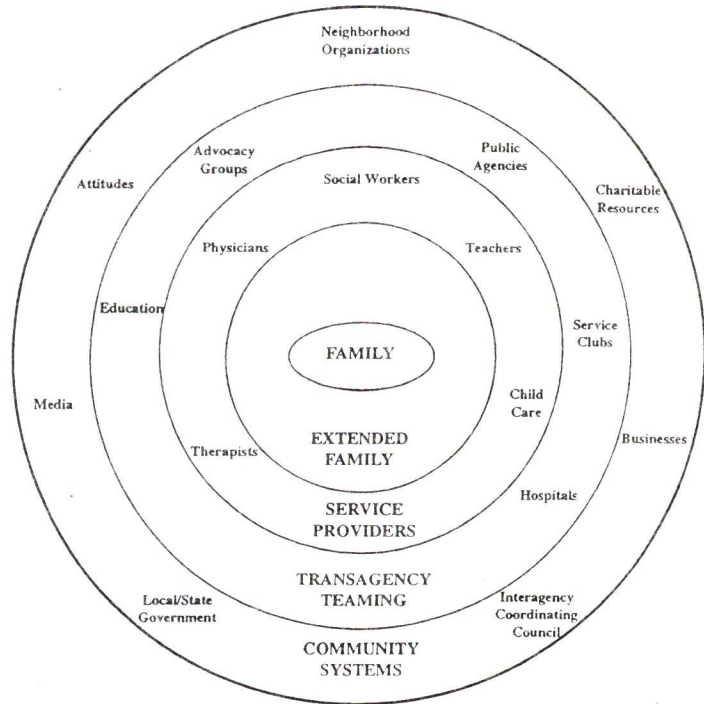
**Service Delivery Model
 Alternative Learning Environments:
 "Everyone Can Succeed"**

A student-centered model, supported by teachers, parents/community, programs and services.



PART H OF IDEA IN MICHIGAN

Interagency Collaboration with Families



Dozens of HUB models show up in ed reform documents.

are joining forces to direct and create integrated comprehensive care, by "improving" the planning, financing, and delivery of health and human services to support student molding in schools through physical and mental health clinics on-site at school. Foundations, such as the Robert Wood Johnson Foundation, Annie B. Casey Foundation, the Annenberg Foundation, Carnegie Foundation, and the Pew Charitable Trust have disbursed grants to pursue these objectives.

In effect, education as math and history and English has been shoved aside and replaced with identification and intervention approaches that move the child toward attitudinal and behavioral objectives of the above mentioned social engineers. Beginning in 1970, without the parents' knowledge or consent, Pennsylvania education officials, namely, Donald Carroll, David Hornbeck, Nolan Russell, Robert Coldiron, Donald Clark, and Joseph Bard began to use Pennsylvania's children for psychological research and experiments to discover their attitudes, values, and beliefs through the past state mandated test, the Educational Quality Assessment (EQA) and to change these attitudes, values, and beliefs through the still current state mandated curriculum, the Goals of Quality Education.

It is important for parents in other states to know that Pennsylvania officials sold and traded this private information on Pennsylvania children and their families to the highest bidders, so this research has been used to validate national curriculum and the National Assessment Of Educational Progress (NAEP) test item banks to meet the attitudinal and behavioral objectives mandated for our children and for the reader's children.

Masquerading as academic curriculum and as an achievement test, the Goals of Quality Education and the EQA have not only deceived parents and legislators, have not only deprived a whole generation of Pennsylvania children of a genuine education, but their fraudulent implementation has broken laws. In spite of being caught by the parents and warned by the feds to be more discreet, Pennsylvania education officials continue to boldly use our children for social engineering purposes.

The Clinton White House Interdepartmental Working Group document, shows a clear indication from the Clinton administration that the Children's MEDICAID Initiative, which would provide universal health care coverage for all children first was the **third** option that Mrs. Clinton planned to use to implement a national, managed health system, in the event that her health care reform package would not pass — which it did not.

Ira Magaziner, senior White House staff member overseeing the details of the national health care reform, stated in St. Louis in 1993:

The traditional health insurance industry will 'disappear,' ...MEDICAID, the tax-supported insurance program for the poor, would merge into the MAIN health care system. [emphasis ours]

The Health Care Interdepartmental Working Group proposed a "Kids First Coverage," that would phase in universal coverage, minimizing the financial burden of the program at the outset, and cover the most vulnerable of our citizens — children. Under this approach, health care reform is phased in by population.

The schools ensure a "captive audience" of children and youth for school based clinic initiatives and avails a point of entry into a broader system of care. Grant funding should be used as "glue money" to fill in the gaps.

HILLARY'S THIRD OPTION

Hillary's 3rd option is separated into two phases:

PHASE I — "Kids First is a precursor to the new system. It is intended to be freestanding and administratively simple, with states given broad flexibility in its design so that it can be folded into existing/future program structures. The federal government, states, and the private sector will play a role in its implementation and financing."

PHASE II — "This proposal involves the development of purchasing cooperative structures and the actual phase-in of all other population groups within the Purchasing Cooperative system."

The Robert Wood Johnson Foundation had numerous participants on the health care task force. The Robert Wood Johnson Foundation program, "Making the Grade," in its Call for Proposals, used the increase in availability of grants for school based health centers, a model for a comprehensive array of physical and mental health services. The program will address two essential components to grant applicants:

1. State level appropriate agencies must agree to develop policies to support comprehensive primary health centers in schools, reduce barriers to financing, and staff school based clinics. Agencies should include those responsible for child health, mental health, substance abuse, school administration, and funding for health care for low income children. The state level effort should be lodged in an office or department selected by the governor...

2. States must have plans to reduce or eliminate barriers, including a plan for integrating school based clinics into any overall state or national health care reform effort; develop criteria for selecting schools/districts; create a state level technology assistance office; develop innovative ways to encourage mid-level practitioners; and strengthen clinics in schools as a practice environment for incentives of graduates choosing such clinics as a site of practice.

Based on progress, a state could receive \$1.8 million to

MEDICAID WAIVERS: Hillary's Plan

Viola Floth

With the defeat of the "Health Security Act," many thought that the vision of the Clinton Administration to enact wholesale health care reform was lost. Unfortunately, nothing could be further from the truth. Recently discovered covert efforts by the Administration to achieve reform through MEDICAID expansion indicate that the goal is the same — federal control of our nation's health care system. Only the vehicle for that reform has changed.

Efforts by the Clinton Administration are now underway to achieve control of the health care delivery system through MEDICAID "Research and Demonstration" waiver programs applied for and implemented by the states. These waiver programs were initially created to allow states flexibility in the delivery of health care services to MEDICAID recipients in an effort to limit ever-increasing costs. Specifically, waivers allow states to disregard the federal freedom of choice requirement and limit MEDICAID beneficiaries to certain provider networks or managed care arrangements since managed care is perceived as the most cost-effective approach to health care delivery. No federal waiver is required to encourage MEDICAID beneficiaries to enroll in managed care plans, but a waiver must be obtained at the discretion of the Secretary of Health and Human Services if a state wishes to mandate that MEDICAID recipients enroll in specified managed care arrangements.

Traditionally, these waivers have been used by the government on a limited basis to allow states the opportunity to experiment with managed care arrangements for MEDICAID

recipients. However, in a radical departure from the norm, the Clinton Administration relaxed the requirements for waiver approval and is granting these waivers at an unprecedented rate. Hillary Clinton revealed the intent behind this streamlined approach to waiver approval when she stated, "Universal coverage will be achieved under MEDICAID by January 1, 2000."

Two types of waivers are available at the discretion of HHS Secretary Donna Shalala. One is the 1915(b) substate waiver and other is a statewide 1115 waiver. Both allow for the mandatory enrollment of MEDICAID recipients in managed care, but, according to the Government Accounting Office (GAO), the 1115 waiver allows a state greater flexibility in testing cost containment strategies — such as the use of capitated managed care arrangements — and it allows a state to expand program eligibility beyond traditional MEDICAID populations. Unlike 1915(b) waiver programs, 1115 waiver programs can allow HMOs to enroll MEDICAID patients exclusively, the benefit package may be modified, enrollment lock-in may be extended to 12 months, and savings may be used to expand coverage to non-MEDICAID populations.

In order to receive a 1915(b) or 1115 waiver, federal requirements stipulate that a "state must show that managed care will cost no more than its fee-for-service program, will not diminish access to adequate quality care, and will not adversely affect access to emergency or family planning services. Donna Shalala has already authorized 10 statewide 1115 programs, approving some that were anything but budget-

support delivery of services, \$300,000 to support management of the program, and up to \$100,000 in additional funding for expanding training for mid-level practitioners. Pennsylvania officials agreed to implement whatever necessary to receive these Robert Wood Johnson Foundation grants.

THE TWO SYSTEMS: Waivers & "At Risk"

There are two systems functioning in Pennsylvania to meet this national agenda.

First, following former Governor Casey's administration's request to the Department of Health and Human Services (Health Care Financing Administration, HFCA), for a capitated waiver under section 1915(c)(1)(2)(3) and (4) of the *Social Security Act* in October, 1993, the waiver was granted to operate Pennsylvania's Primary Care Case Management program (PCCM), called the Family Care Network, for MEDICAID recipients under the age of twenty-one in the state. Since 1993 additional amendments have been added to expand services.

The second system identifies and monitors "at-risk" chil-

dren, who are identified at school as eligible for MEDICAID. This system operates under a contractual "Memorandum of Understanding" between Leader Physician Services, the Pennsylvania Department of Welfare, and the Pennsylvania Department of Education called ACCESS.

These two systems will work hand in hand to make the Clinton Option #3 a reality in Pennsylvania. Former Governor Robert Casey formulated a plan through the Children's Cabinet that set out the plans for the development of increasing referrals into this system. The objectives, tasks, and activities related to the goals of the Children's Cabinet are designed to include the following outcomes:

- implement comprehensive outreach.
- implement a child screening and follow-up process to ensure that health and developmental needs of children are identified.
- pursue grants and foundation funds that support the Commonwealth's vision for children and families.

neutral. As of March 1995, 18 states have applied for statewide 1115 waivers and all 50 states have applied for some type of substate waiver.

The use of waivers to mandate enrollment of MEDICAID beneficiaries is problematic for a number of reasons. First, the restrictions on enrollment in managed care that are waived in these programs were put in place to prevent abuses that occurred in the 1970s with capitated managed care plans underserving their enrollees. Second, there will be additional, costly bureaucracy needed for oversight of managed care plans to replace the beneficiary protections inherent in fee-for-service arrangements. Third, the GAO reports that federal MEDICAID costs could grow significantly as the Administration employs some mathematical sleight of hand to declare certain programs "budget-neutral" when they actually increase federal costs.

Although the above-mentioned problems are significant, none compare with the problems created by the vision behind the approval of these waivers. The Clinton Administration realizes something the American public may not. Once large numbers of MEDICAID recipients become dependent upon these waiver programs during the three-to-five years "demonstration" period, there is no turning back. They will be on the MEDICAID rolls indefinitely and the MEDICAID base will continue to expand. Meanwhile, the state structure proposed in the Health Security Act is constructed as the state MEDICAID structure expands to meet the needs of non-Medicaid populations.

Impossible? Ask those in Orange County, California.

The structure of CalOPTIMA, Orange [County] Prevention, Treatment, and Integrated Medical Assistance, reads

- consistent approach to using MEDICAID for children's services.
- improve access to services through single point-of-contacts such as family centers and/or school based clinics.
- pilot local projects that build on community strengths to address the vision and goals for children and families.

The concept of "universal services" encompasses not only universal health care, but full participation in school lunch, prenatal care, child care, support services at school, development of transportation systems, flexible funding, cash assistance, employment services, housing services, etc. The Children's Cabinet envisioned "changing traditional roles of local and state governments as a requirement..." However, the state would have to enhance the communications capabilities to implement this agenda.

When former Governor Casey expanded the use of PA NET to all school districts and intermediate units for a high speed computer communications system, Pennsylvania would emerge

like an outline of the regional alliances described in the Health Security Act. Officials admitted that they saw a key role for County Organized Health Systems like CalOPTIMA in the Clinton's proposed reforms. In fact, John Cochran, chairman of the authority's governing board, stated in 1993 that Cal OPTIMA "could turn into an alliance of its own."

CalOPTIMA will act as a Health Insuring Organization (HIO) which negotiates contracts with health plans at discounted rates just as the regional alliance in the Health Security Act were to do. It will arrange for the delivery of health care services to MEDI-CAL beneficiaries by subcontracting for them, rather than providing them directly. Cal OPTIMA even provides school-based health clinics with special status within its infrastructure just as the alliances were to do. This measure allows access to families through their children without parental knowledge or consent. Playing with MEDICAID eligibility provisions also may allow children to become MEDICAID recipients by disregarding a family's financial status and evaluating the child's eligibility as an individual. The state of Pennsylvania is already experimenting with ways to declare children MEDICAID-eligible independent of their parents' financial status.

This backdoor approach to wholesale health care reform may take longer than passage of a bill before the U.S. Congress, but MEDICAID waivers will ultimately get the job done if the states continue to cooperate. Unfortunately, the states' cooperation makes Hillary's goal of universal coverage through MEDICAID by the year 2000 a realistic one. And make no mistake, no sector of our economy and no individual will emerge unscathed. All will pay the price of unrestrained government intrusion into the medical marketplace. †

as a leader in implementation of data transfer. Governor Casey's involvement with this national venture in telecommunications technology has placed Pennsylvania in one of the top positions of implementing the collection of personally identifiable information on citizens of Pennsylvania, and has aided the development of electronic transfer interface with other government agencies. What is certain is that although only a small, select group has steered this state into the national surveillance network, they have violated the privacy rights of all Pennsylvania families.

THE FIRST STEP: Getting Into Schools

The mandatory managed care waiver was introduced in two parts.

- First — "pure" managed care for everyone on Medical Assistance is planned for Philadelphia and its five surrounding counties. Although delayed in process, this waiver has been approved and is slowly being implemented.

Destroying the Family

Viola Flotb

A nationwide effort is underway to displace the family unit and its role — all under the auspices of righting the inequities of poverty. California is an example of how society is being restructured through MEDICAID funding revisions. Taxpayers beware! This could cost a bundle!

One facet of this strategy is to secure sustainable funds through MEDICAID refinancing. Since its inception, MEDICAID has been a joint federal-state entitlement designed to provide health care coverage to low-income populations and long-term care to low-income elderly and disabled people. At the federal level, it is an open-ended entitlement. States hope to tap into this unlimited source of funds for school and community services by exploiting the loosely-worded language of eight MEDICAID provisions. Those provisions are:

- Early and Periodic Screening, Diagnosis and Treatment Services (EPDST)
- Case Management Services
- Clinic Services
- Rehabilitation Services
- Special Education-related services (e.g. Physical Therapy, Occupational Therapy and Speech Therapy)
- Personal Care services
- Home and Community-Based Waivers
- Medicaid Administrative Activities

The majority of the efforts center on the first five provisions.

Since MEDI-CAL (California MEDICAID) provider status and reimbursement are such a critical component of the funding strategy for these restructuring efforts, the California legislature enacted the "MEDI-CAL: Local Educational Agency Billing Option" to allow schools (local education agencies) to bill MEDI-CAL for many of the social services they provide. This link can include funding for family planning services without parental consent through the Medical Minor Consent program.

California Governor Pete Wilson is also attempting to gain greater control over the provision of MEDI-CAL services by placing MEDI-CAL recipients into managed care arrangements. County Organized Health Systems (COHS) are being organized in strategic locations to coordinate the delivery of care to beneficiaries. Acting as federal beachheads in the different localities, these COHS work in concert with the local educational agencies to ultimately restructure society, recreating the local school as the hub of the community. If left unchecked, this strategy will effectively accomplish the displacement of the family and its vital roles to the peril of our society. ☩

- The second part is the Family Care Network managed by Automated Health Systems, Inc. Automated Health, which was initiated in several Pennsylvania counties is a constructed work plan that encompasses all major elements of this large scale project to link Pennsylvania MEDICAID families with Primary Care Providers creating "medical homes" for on-going health supervision for children ages 0 to 21 and their families.

The basic premise is that Primary Care Case Management (PCCM) is a natural extension of the EPSDT program. The Early Periodic Screening and Diagnostic Treatment (EPSDT) program involves complete medical screenings and preventive care for children ages 0 to 21.

According to the Capitated Waiver request

...the EPSDT expansion provisions were provided for in the Medical Assistance Bulletins and are required to treat a condition detected as a result of a periodic screen or interperiodic (sic) EPSDT screen. This expansion would include a diagnosed mental illness or severe emotional disorder for children under the age of 21 who are eligible for medical assistance. (dated Nov. 8, 1993)

All medical assistance eligible members must be informed of EPSDT services. The HMO/HIO must implement the EPSDT schedule and develop a tracking system for the screening periodicity (sic) schedule and immunizations. Notifying recipients, parents, and providers of the time when screens are due for individual children are an integral part of the plan's responsibility. The HMO/HIO is responsible for offering support services, such as transportation and scheduling assistance.

In a Supplemental Provider Agreement, dated 3/1/94, the Family Care Network under agreement for Primary Care Case Management will refer patients to

local drug and alcohol programs, Single County Authorities, Mental Health/Mental Retardation Agencies, or FAMILY PLANNING CLINICS when the need for services available through such agencies are indicated. [emphasis ours]

EPSDT covers medical screenings, diagnostics, and treatments, including immunizations, assistive devices, therapists and counseling psychologists, mental health wrap-around services, prescription drugs, pap tests, family planning, and any other "medical or remedial" service.

The goal of the program is to find and treat physical and mental abnormalities before they become serious and debilitating...This document is intended to provide school districts with the information necessary to enroll in the Pennsylvania Medical Assistance Program and to become EPSDT screening Providers.

What did the schools have to do to become medical providers in order to pull down MEDICAID federal dollars? How did the state increase the number of school children on MEDICAID? The first step was to realign eligibility for MEDICAID. MEDICAID is a federal/state funded health care program for the poor. If poverty guidelines are removed, MEDICAID becomes a health care program for everyone or anyone who is "medically needy."

Because of a little-known loophole, most children with serious disabilities are eligible for MEDICAID, regardless of their parents' income. Currently, most children with severe disabilities get MEDICAID by qualifying for SSI. Those children who meet the medical criteria for the disability under SSI, but whose parents' income makes them ineligible for SSI, can get MEDICAID under this loophole.

Though not yet placed in regulations, these instructions have been approved by the federal government and are in place. (Yost 10-94)

THE SECOND STEP: Expanding Mental Health

The second step was initiated by expanding MEDICAID to include, through new requirements, children under the Individual Disabilities Educational Act (IDEA); i.e., Special Education.

"Medically needy" or "disabled" children, by definition of developmentally delayed, mental illness, or emotional disturbances, would be included. EPSDT, under the category PSYCHO-SOCIAL STRESSORS, could be applied to school settings once a school has applied for a partial-hospitalization license to become a MEDICAID provider through the Department of Welfare. Therefore, for a school to provide "mental health wrap around services," and bill for services, they must first apply for their "Provider 47."

A "Provider Type" is defined by what type of partial hospitalization license will be applied for by mental health providers through the Department of Welfare. A nurse practitioner hired in the school for EPSDT screening applies for a Provider Type 49 (1-11-94, MA Bulletin). A Provider Type 50 includes Outpatient Psychiatric wrap-around services with staff from the licensed mental health program or its subcontractor can provide these services. A Provider Type 48 is a Family-Based Rehabilitation Service in which mental health must be provided by a mental health professional in the licensed mental health agency. The rehabilitation services may be provided in a variety of settings, including the child's own home, day care center, school, adoptive or foster home, non-secure juvenile justice placement, etc. The rehabilitation services may be available at a variety of times during the day-to-day life of children: before or after school, during school, evenings, weekends, summer-time, or holidays.

EXPANDING SPECIAL EDUCATION

By law, in Pennsylvania, a child would have to be determined

The Abortion Connection

Viola Floth

Teens will be able to access the family planning and abortion network through the school-based or school-linked clinics affiliated with OPTIMA in Orange County, California, particularly because the clinic staff can use school authority to funnel teens into abortion clinics. OPTIMA and its authority will override the authority of the school and will present parents with an impossible maze of bureaucrats and providers to navigate through if they attempt to ascertain what services their child received.

Once clinic personnel reach the abortion referral stage with a student, OPTIMA provides a convenient network for ensuring that the teen receives the abortion she desires. The MEDI-CAL Minor Consent program gives OPTIMA the authority to arrange for the procedure without parental notification. In fact, page 41 of the OPTIMA Request for Proposals specifically asks health plans to provide information on their handling of "therapeutic abortion counseling" within the context of health education. In addition, health plans which contract with OPTIMA are encouraged to provide family planning services because federal law dictates that MEDICAID beneficiaries may access licensed family planning services through any family planning provider.

School-based clinics have two options in linking with OPTIMA. Each of these options offer the SBC a link with family planning and abortion providers. The network at their disposal will allow clinics to circumvent school authority in the provision of confidential services. Moreover, these networks will completely undermine parental authority, jeopardizing the integrity of the family unit, as well as the health and well-being of Orange County teens.†

for Special Education under the guidelines of the *Cordero* court order. The Pennsylvania Supreme court *Zebly* decision allowed the disability ranges to be expanded to children who would receive SSI and MEDICAID; therefore, the IEP would determine "medical necessity" for both treatment and reimbursement. The *Zebly* litigation expanded the lists of disabilities that truly "impaired" special education or handicapped children may have. This court order demands that impairment be proven first, and must be ordered by a physician, D.O., or other medical practitioner or an IEP, in order to receive Social Security Income or MEDICAID.

Under *Cordero*, in Pennsylvania, the explicit requirements resulting from federal litigation for Commonwealth use of MEDICAID funds and interagency collaboration between educational, mental health, and community agencies were established. *Cor-*

dero applies only to class members. Commonwealth agencies have used this court order as a "window of opportunity" to develop capacities for cross-system planning and services for ALL students (and their families), who demonstrate a need for interagency interventions (Hess, 1995).

Commonwealth agencies have expanded the concept of "medical need" beyond that of an IEP, (Individual Education Plan), to an Individual Service Plan (ISP), and an Individual Family Service Plan (IFSP). Therefore, Pennsylvania's Chapter 14 (Special Education) applies, chapter 15 (Rehabilitation for children without IEPs) applies, and early intervention applies. Expanding these criteria beyond the court order has multiplied the number of children who now qualify for MEDICAID financed services. Having a nurse practitioner or other staff member ready to sign the service descriptions even without actually ever meeting the child, easily opens the door for more MEDICAID fraud and labeling abuse, not to mention treatment malpractice. It has been noted that ACCESS presenters at one school reported

using a nurse practitioner, living in Connecticut, (not even in Pennsylvania) to sign off on a IEP, thereby prescribing medical treatment for a child she had never seen professionally. Pennsylvania officials are trading a child's academic opportunity and his/her mental, emotional, and physical well-being for the proverbial pieces of silver. Ironically, a program touted to eliminate "risk" for children is actually placing a child in imminent danger.

Leader Physician Services is paid for every transaction that is done through billing or each "encounter" with each child and, as noted above with the Connecticut nurse practitioner for phantom encounters as well, with each child. Obviously, it benefits all parties involved to bill as many encounters as possible to receive the largest amount of MEDICAID reimbursements which are based on the total amount of clients served each day, week, or month. It is possible for billing amounts to increase rapidly when documentation for impairment has been overlooked and supposed behavior problems do not stem from a physical handicap.

Cordero & Zebley. Your Child "At Risk" in the New Paradigm

Anita Hoge & Francine M D'Alonzo

Cordero v Pennsylvania Department of Education (795 F. Supp. 1352, 18 idler. 1099 (M.D. Pa, 1992)

requires an unprecedented degree of cooperation and coordination across state agencies and between state and local governments. The mandate is to assure that no student with a disability is deprived of a prompt education placement in the least restrictive environment because of a gap in the continuum of alternative placements. The task is large, but is both legally necessary and educationally correct.

The question must be asked: "How do you define a child with a disability?"

The U.S. Supreme Court decision *Louis Sullivan, Secretary of Health and Human Services, Petitioner, v. Brian Zebley* (No. 83-1377 Feb. 20, 1990) lists definitions for disabilities for children. The *Zebley* decision states that an "impairment" (proving a "medical need" or a handicapping condition signed by a physician usually written in an IEP) be proven. That "medical impairment" could be used to access federal MEDICAID dollars to help with the needs of this handicapped child. Waivers have been used to expand the *Zebley* category into "psycho-social stressors". A psycho-stressor could include any condition related to mental health associated with stress, depression, sadness, breaking up with a girlfriend/boyfriend, or arguments with parents.

How does a teacher determine a "mental health disability" in these areas, and to what degree? Particularly when OBE outcomes mirror subjective mental health objectives like "self-

directed learner" or "cooperating with others."

A "service plan" or "service agreement" is used under the Rehabilitation Act of 1973 to expand into psycho-social areas of "at-risk" categories. Children can be screened and targeted for mental health rehabilitation because of conduct, behavior, or discipline "disorders" in which a mental impairment is not proven. In other words, by expanding the criteria beyond impairments aligned under the *Zebley* decision, ALL children (under education restructuring jargon) could be labeled "disabled."

In Pennsylvania, during recent testimony concerning HR 37, the House Select Sub-Committee investigating the Pennsylvania Department of Education and MEDICAID reimbursements for mental health services in the schools, Dr. Richard Hess of the Chester County Intermediate Unit, testified that,

though the *Cordero* Court Order applies only to class members, the Commonwealth agencies named in the suit anticipate using the order as a 'window of opportunity' to develop capacities for cross system planning and service provision which could be used for ALL students and their families who demonstrate the need for interagency interventions. [emphasis ours]

Further, in *Cordero* it states:

In light of the general practice of relying on school districts to ensure individual student rights are fulfilled, defendants must either reduce that degree of reliance or establish a system of funding, technical assistance, and

STEP THREE: Determining "At-Risk"

The third step would determine how a child is determined as "at-risk." In Pennsylvania, in 1990, the Special Education regulations were restructured around the idea of "instructional needs" (Feir, 1992). The Instructional Support Team (IST), was developed as a process and instructional evaluation with a central element for longitudinal analysis of the student's response to intervention as a primary indicator of the need for further services. (Kovaleski, Tucker, Duffy, 1995) Over a five year phase-in period, all school districts in Pennsylvania have initiated the IST program to assist any student who has been subjectively diagnosed as experiencing difficulty due to perceived academic, social/emotional, or behavioral problems. IST helps schools create a seamless system of support for students who are "at-risk of becoming at-risk" of school failure in the regular classroom. Teachers are being "trained" to identify children as having mental health and behavioral disorders and to prescribe and administer professional medical services —

sanctions that will ensure that the school districts, and ultimately, defendants, succeed in fulfilling those rights...

nothing herein regarding the obligations of defendants shall be construed to alter, limit, or condition the obligations of school districts under state or federal law...

as used herein "needs services, programs, and placements" and the like shall refer to those needs that are to be addressed and the services, programs, and placements to which members of the class are entitled under federal and state laws relating to education of individuals with disabilities... and the least restrictive placement setting in which a particular student's needs can be met, consistent with federal and state special education rules.

Federal and state law demands that disabled children receive services. **But, just who is "disabled"?** Refer to the OBE education restructuring jargon of "ALL students must demonstrate", the expansion of disability definitions, and Dr. Hess's testimony of expanding the criteria to ALL children and ALL families who demonstrate the need. The impact of the agencies' [Department of Public Welfare, Child and Youth Services, Mental Health/Mental Retardation, Department of Labor and the Department of Education] definition of what is "legally necessary and educationally correct" to receive these services becomes a nightmare. ANY child could fit the definition! The increased referrals into this system of wrap-around mental health services, along with schools becoming MEDICAID providers, means that the agenda is expanding with a vengeance. Schools are becoming "on-site" school-based clinics, which are developed into "family re-

activities clearly not included in a teacher's job description. (Are any readers malpractice lawyers?)

Based on arbitrary, subjective judgments, literally anyone can submit a child for referral to IST screening. PARENTAL PERMISSION IS NOT REQUIRED under these current Special Education regulations for screening, assessing, or interventions of IST coordinators. In fact, according to the *Guidelines, Instructional Support Manual*, June, 1994: "**Parents DO NOT have a RIGHT to block the operation of effective instructional practices.**" [all emphasis added]

It's a simple equation:

Hands Off for parents

+ Hands On for bogus experts

= Hands On the Big Bucks!

A parent's written consent is only required if the child is referred to the multi-disciplinary team and an IEP has already

source centers" or "community centers."

Children can now be referred to a "team" at school. In 1990, the Special Education regulations in Pennsylvania were restructured around the idea of instructional needs. (Feir, 1992) The Instructional Support Team (IST) was developed as a process instructional evaluation with a central element for longitudinal analysis (individual diagnosis) of the students' response to intervention as a primary indicator of the need for further services. (Kovaleski, Tucker, Duffy, 1995) IST's have been phased in all 501 school districts in Pennsylvania to assist any student who has been subjectively diagnosed as experiencing difficulty due to perceived academic, social, emotional, or behavioral problems.

The IST helps schools create a "seamless" system of support for students who are "at risk" of school failure in the REGULAR classroom. Teachers are being trained to identify children as having mental health and behavioral disorders and to prescribe and administer professional medical services — activities not included in a teacher's job description. Based on arbitrary subjective judgments, literally anyone can submit a child for referral to IST screening. Parental permission is NOT required under these Special Education regulations for screening, assessing, or interventions of IST coordinators.

"parents do not have the right to block the operation of effective instructional practices."

"there is no provision for parental permission for the use of IST as a screening process" †

(From the *Guideline, Instructional Support*, PDE, Bureau of Special Education, June 1994, p. 60.)

* Excerpted from public testimony.

Bypassing Parental Consent

Anita Hoge

The *Cordero* Court Order states:

The court order does not alter applicable rules concerning parental consent, OR, it does not alter the responsibility of the school district under state and federal laws. Services or placements cannot be imposed on parents or schools, however, nothing will alter the placement process applicable to school districts. (p. 13)

In other words, parents may agree or disagree, consent or not consent — but — if a parent disagrees, it does NOT alter the plan that the school has the right to offer and give an appropriate placement or service to their child. Recognize that current applicable laws and rules omit parent consent. *Cordero* does not alter that fact. Nor does the PRRA.

The support team process bypasses parental consent. In fact, the child becomes an emancipated minor at the age of 14 (or lower in some states) and can make decisions based upon that premise, particularly concerning reproductive services. The screening and beginning psychological interventions of IST preclude the permission protections. Written parental permission is only needed once a child is determined needy of special education by an IEP signed by all appropriate signatures. Children not applicable for an IEP are funneled into these "service plans or service agreements" under rehabilitation. Recipients have protections built into the IEP. Non-special education "disabled" students do not. A non-special ed. student is known as a 'protected handicapped student.'

Under the Rehabilitation Act of 1973, Sec. 504 (29 USCA 794) a protected handicapped student is a child who:

1. is an age in which public school is offered in the district
2. has a physical or mental disability which substantially limits or prohibits participation in or access to an

aspect of the school program,

3. Is NOT eligible for special education, but is raising a claim of discrimination.

It is the civil right of the child to receive services. Schools MUST provide them. MEDICAID waivers have extended broad coverage that undermines the true intent of both *Zebly* and *Cordero*. Waivers have eliminated proof of impairment and expanded the eligibility to disabilities so that MEDICAID could cover ALL children, i.e. Hillary Care.

Here is the primary key: "Services and programs not specifically labeled EDUCATIONAL [e.g. partial hospitalization, intensive case management, family-based mental health services, and family preservation] shall be included if they MIGHT assist in meeting the special educational needs of some children." (*Cordero*, p. 15) [emphasis ours]

Here is how this works: OBE (under Title 1) identifies the child as "at risk". MEDICAID will supply the mental health funding stream. An individual child can be targeted to obtain direct funding at school because schools are applying for "hospital" licenses as MEDICAID providers. Not only is parental permission not needed to begin billing MEDICAID, parental income is no longer needed to determine eligibility for the child.

Simply stated, health becomes an education issue. Not only are the educational needs of the child evaluated, but health needs as well. The schools are now treating the "whole child" in the context of the "whole village." Traditional education is a relic of the past. Mental health and interagency collaboration is the game plan. Therefore, health and mental health issues at school become identified needs of the child, as schools are turned into what GOALS 2000: *Educate America Act* calls "one stop shops" [P.L. 103-227 309(a)(3)(F)]. †

been developed. Written parental consent is NOT needed for surveys, attitude assessments, personal inventories, or other means of surveillance; all of which violate the family's privacy as guaranteed by the U.S. Constitution. The IST has over-extended its founding design and its capacity to determine an "emotional or behavioral degree of need." IST's are administering and ministering treatments of children without sufficient training or credentials to back up their labeling, let alone such specialized intervention. Children are being identified for psycho/social stressors (see below) and labeled "at risk of becoming at-risk" for coping skills, self-concept, identification of and communicating feelings, decision making, or interaction skills. This capricious judgment provides a context for interventions

that address the whole child. (Kovaleski, Tucker, Duffy, 1995)

No Constitutional protections are honored. No liability is recognized. Normal children are being accessed on the bus, in the regular classroom, in the cafeteria, in the lavatories, on the playground, in fact, anywhere surveillance is possible, without full disclosure of the inherent dangers of psychological abuse and damage that might occur with non-professional, non-qualified staff probing into the psychological domain of the child and without obtaining written permission from parents. It has been proven conclusively that students in Pennsylvania spend a significant amount of time on the couch rather than at the desk and that for a large percentage of these students, the diagnosis and evaluation procedure and ensuing therapy is oriented to-

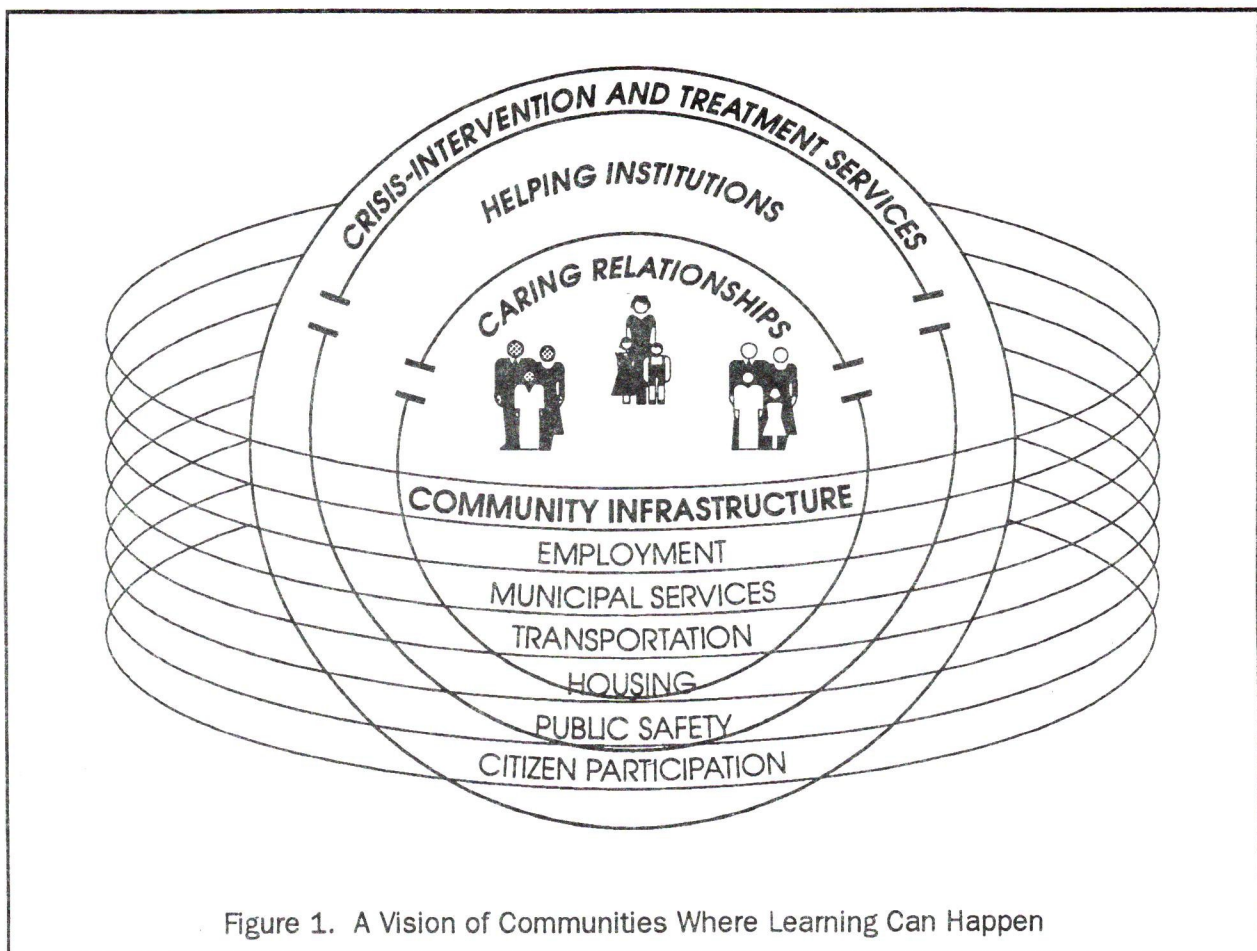


Figure 1. A Vision of Communities Where Learning Can Happen

From *Together We Can: A Guide for Crafting a Profamily System of Education and Human Services*, jointly published by the U.S. Dept. of Ed. and U.S. Dept. of Health and Human Services, p. 7.

wards achieving the psycho/social Goals of Quality Education, which are congruent with the SCANS workforce skills (*The Secretary's [of Labor] Commission on Achieving Necessary Skills*).

"AT RISK" OF BECOMING "AT RISK"

These psycho/social Basic Life Skills compose the test item bank of the NAEP, the National Assessment of Educational Progress, which coincides with, evaluates, and drives the GOALS 2000 national agenda. This national school-to-work, education/workforce agenda totally negates individuality, pursuit of individual aspirations and realization of unique talents in favor of a centralized, planned society and economy.

IST validation must be approved for each school building. Validation includes "training" of teachers to determine how children will be targeted as "at risk of becoming at-risk" in the affective domain. This process uses current school programs through curriculum-based assessment to identify a child not attaining the new behavioral performance indicators, for example, cooperation, flexibility, physical fitness, honesty, or integrity, mandated by the Outcome-Based Education regulations. Any deviation, even TEMPORARILY, is enough to get a child labeled "at risk of becoming at-risk." OBE curricula, feel-good

programs, and subjective, fuzzy outcomes are becoming the focus of IST interventions toward this mental health agenda. As IST becomes the vehicle for identification, MEDICAID will fund the process.

STEP FOUR: Fleecing the Taxpayer

Step Four included the development of technologies for electronic billing. ACCESS is the MEDICAID billing system administered by Leader Physician Services in contract with the Department of Education. Electronic billing for MEDICAID is done specifically by a coding system. Money can only be reimbursed if a code is presented for the service provided. Direct services that can be billed are for students with an IEP, an ISP, or an IFSP; they must be MEDICAID eligible; students must be determined to have a medical necessity; and the service provider is initially paid out of local funds. Indirect services include administrative costs calculated through a "time study" by each person providing a "health related" service. Those include: health staff, classroom teachers teaching health related topics, pupil services (counselor, psychologist, speech, Title I), Student Assistance program members, Administrators, and Instructional Support.

The New 'SOCIAL' Competencies

Sarah H. Leslie

An Iowa Behavioral Initiative Concept Paper dated March 1995 is subtitled "Building the capacity of Iowa schools to ensure that all students leave public education with social competence." SOCIAL competencies?! The paper explains: "The education of the total child includes a balanced focus on both academic and social achievement." SOCIAL achievement?!

Key definitions of what constitutes mild to severe behavioral disorders are missing from this document — everything from a bad hair day to carrying weapons to school could fall under the spacious wording. The anticipated politically and theologically correct semantics of "social competence" should be of concern to those Christian families with a reserved, traditional lifestyle that is counter to the popular culture. Will those who do not tolerate the "socialization" of their children, as it is defined in this document, be considered "at risk"?

This component of educational restructuring is based on accomplishing the agenda first with the special education students, and then expanding the project to ALL children.

The Iowa Behavioral Initiative (IBI) is a comprehensive school improvement venture funded by the Bureau of Special Education, Department of Education on behalf of ALL Iowa students. It was established to improve the capacities of schools to meet the diverse and increasingly complex social, emotional, and behavioral needs of students.... [it] assists educators in developing the ATTITUDES, SKILLS and SYSTEMS necessary to ensure that each student leaves public education with social competence appropriate to the individual regardless of ability or disability. (p. 17)

Justifying this protrusion of state intervention into a non-academic area, the paper cites "lack of discipline" for this new classroom socialization emphasis. The paper states,

While not all of these students who exhibit challenging behaviors are eligible for special education services, they may need some type of support in order to profit from their education and to enable other students to achieve full benefits from their school experience. Some of these students may be protected by Section 504 of the Rehabilitation Act which provides assurances similar to IDEA... (p. 2-3)

Indeed, this document is part of a massive overhaul of what constitutes "special education" in our country. In an attempt to help special education children be integrated into regular classrooms (the buzz word is "inclusive") the massive education reform agenda is exported to ALL children. We must ask:

is it ethical to USE special education children to further an insidious new agenda that greatly expands the role of the school into the lives of ALL children in America?

Although not stated explicitly in the Concept Paper, it appears that one of the major methods of ensuring social competency will be behavior modification techniques; i.e. Skinnerian conditioning.

As we seek to develop a more inclusive educational system which meets the needs of ALL students, our policies and interventions in regard to discipline need to be examined. We can no longer use punitive responses to problem behaviors which exclude students from the one environment that may allow them to learn the behaviors and attitudes necessary for their success. Teaching students to be successful and behave responsibly requires us to view behavior in much the same way we view academics. This includes defining desirable behaviors for student success and creating systematic learning opportunities to achieve them. When SOCIAL ERRORS occur, the misbehavior becomes an opportunity to teach, not punish. (p. 7) [emphasis mine]

The parent is always portrayed as part of a team, never the sole final authority upon with decisions about the child rest. Team parenting is an integral part of the collaborative model.

The most effective and lasting interventions are likely to occur when the efforts of the local school, the family, and agencies are combined. When we create and integrate comprehensive services for students in the community we achieve the goal of successfully keeping the child in the best environment of care. (p. 8-9)

Special education teachers, who will receive specialized training under this initiative, will become change agents, bringing back to their local schools the necessary mechanisms to implement social competency training for ALL children.

Effective programs realize the need for special education and regular education to cooperate in developing strategies to meet the social, emotional, and behavioral needs of ALL students, including those identified as behaviorally disordered. To accomplish this collaboration, special educators are serving in a broader change agent role... [offering] their expertise on effective behavioral interventions,... [and influencing] the attention and commitment of regular educators to embrace a broader array of student outcomes which include personal and social competence... (p. 13) †

ELECTRONIC SURVEILLANCE OF THE CHILD

Targeted, Instructional Support children are identified under chapter 15 for rehabilitation services, implemented through a "service plan." Once a child is identified, he/she will be entered onto PENNDATA to begin the process of monitoring his/her progress and begin receiving funding necessary to complete the continuum at services. PENNDATA is Pennsylvania's Department of Education data tracking system that requires data to be provided to the U.S. Office of Special Education programs to meet federal reporting requirements.

The reporting of surveillance results included in the Medical Assistance Bulletins are guides by which to identify children under an Axis scale, a psycho/social stressor scale, or global assessment scale. Examples of stressors range from breaking up with a boyfriend or girlfriend, to family arguments, or the death of a parent. An Oppositional Defiant Disorder includes arguing with adults, acting angry, refusing to obey, or blaming others for misbehavior. This code is 313.81 in the DSM code book and also included in the Appendix G of the ACCESS Manual from Leader Physician Services. This leaves more questions than answers:

- How will children be coded when IST identifies a child under "stress" or as needing emotional support?
- Since the affective domain is a prime target, who makes the decisions of what code will be entered for reimbursement of services?
- Who signs the service description? What is it based on?
- When a notification letter is sent to the parents, does this letter detail, with full disclosure, rights of the parent?
- Does it explain the types of services dealing in the mental health areas that might be billed for their specific child?
- Can the identification of a mental health disorder by an IST or SAP member, reimbursed by MEDICAID, have an impact on a child's permanent record?
- Will the DSM code haunt them for the rest of their lives and ruin futures of children?

- What is normal behavior?
- When is a child too happy or too sad?
- When do their character traits begin the process of an IST/SAP fishing expedition to begin interventions to change personalities of children because they did not meet some state criteria or state outcome?

The future of our children now hinges on a system that can indiscriminately mark a child for overzealous reasons either to generate money and/or to meet government objectives.

Every child in Pennsylvania is now seen as no more unique or precious than a warm body, tattooed with dollar signs.

These programs will serve as models for community based needs-driven systems of care for the expanded range of emotional and behavioral problems, serve as collaboration efforts between education and mental health systems, and serve as a basis for mechanisms for mental health services provided in school buildings, on playgrounds, buses, etc.

The guiding principles for this program must be designed for school staff to view services as an integral part of their overall program for students and families, not just an adjunct that is needed occasionally for some students. Student social, emotional, and behavioral development must be seen as a primary goal of the school.

The types of services and curriculum have been listed to help target specific problem areas in "mental health." These programs clearly define the "type" of curriculum that can be expected to be seen by parents and teachers as a part of the general curriculum. That list includes: individual therapy; group therapy; family therapy; PSYCHOTROPIC MEDICATION, including assessment and monitoring as required; group therapy aimed at specific problem areas such as children of alcoholics, drug and alcohol using students, sexually abused students, and physically abused students.

Iowa Behavioral Initiative CONCEPT PAPER

Building the capacity of Iowa schools to ensure that all students leave public education with social competence



A comprehensive initiative for staff development by the Iowa Department of Education on behalf of all Iowa students

The New Responsibilities: Family "THRESHOLD" Outcomes

Sarah H. Leslie

The original school-based clinic model, which mushroomed across the country in the late 80's, was first perceived as a way for Planned Parenthood to get their foot in the door of local schools where young girls would have easy access to abortion on demand without parental interference or oversight. However, as the planned future role of the school emerged in education reform documents, it became apparent that the long-term goal extended far beyond abortions to providing a comprehensive array of government services.

In a report to the State Board of Education in Iowa on Jan. 6, 1992, director Dr. William Lepley reported on the establishment of some family resource demonstration projects. In this report, Dr. Lepley states in bold type: "It is our intent that the resource centers eventually become sites that link communities services to ALL families, not just families in crisis." The philosophy is clearly stated: ALL families are eventually to be serviced under this model. In a companion document which was attached to this letter, entitled "The School as a Resource Center: Linking Services to Children and Families, dated Sept. 1992, the Bureau of Special Education addressed "the school as a resource center for all community services." The "hub" model from Iowa (see page 26) was included as part of this document, which quoted from an expert about how the school should function as a resource center:

"In a school-linked approach to integrating services for children, (a) services are provided to children and their families through a collaboration among schools, health care providers, and social services agencies; (b) the schools are among the central participants in planning and governing the collaborative effort; and (c) the services are provided at, or are coordinated by, personnel located at the school or a site near the school. Most

often the school-linked approach requires agencies that typically provide health and social services off the school site to move some of their staff or services to the school. Although school personnel are actively involved in identifying children who need services, they are not typically the actual providers of the services."

At the same time the Bureau of Special Education was looking into this area, some amazing changes began occurring through the Administrative Rules process. A new section entitled "Special Health Services" was created, with language so wide open that it could be broadly construed as to allow local schools to vaccinate children, including the Norplant implantation procedure. There was NO parental notification or consent required for "intrusive non-emergency medical services" and "routine insertion health procedures" on Iowa special education students.

Potentially serious medical consequences could arise when treating special education children without coordination and consultation with the child's parents and family physician. Drug interaction alone should set off alarm bells. Yet, these proposed rule changes slipped in without a hitch.

There are also serious ethical questions regarding instituting such procedures on special education children — children who likely have no ability to defend themselves against unwanted, and perhaps unwarranted, medical procedures in the absence of their parent or physician. Such medical experimentation on the "least of these" is reminiscent of Sanger and the Nazi doctors, and should have no place in the land of the free and home of the brave.

Concurrent with the furtherance of this family resource center agenda in Iowa was the introduction of Family "Threshold" Outcomes, which were presented to the Iowa

Skill building groups focus on specific problem areas:

- anger control/management
- stress reduction
- social skills training
- problem solving training
- assertiveness training
- self-esteem
- health and Mental Health wellness issues
- general child development and parenting preparation programs
- specific programs for teen parents (could include day care)

Evaluation and assessments are listed that are to be used in the program implementation:

1. Screening for mental health problems and children at-risk of becoming at-risk.
2. Cognitive assessment (e.g., achievement, intelligence, learning styles).
3. Behavioral assessment (e.g., interviews, checklists, direct observation).
4. Comprehensive mental health evaluation.
5. Comprehensive physical examination/evaluation.
6. Diagnostic services.
7. Assessment of classroom and school environment.
8. Assessment of family strengths and needs.

Board of Education in the same December 1992 meeting. In the context of the Parental Rights and Responsibilities Act these particular outcomes have particular significance. In the absence of clearly defined parental RESPONSIBILITIES, we suggest that the social reformers already have such responsibilities defined — as well as measurable outcomes prepared for families to meet. Of course, families who do not meet such outcomes (“responsibilities”) could be guilty of child abuse or neglect. We have reproduced these proposed outcomes in their entirety on the following page (p. 40).

Iowa families who measure up to the Minimum or Positive Threshold Outcomes will be categorized as “a self-actualizing family which interacts with the community, identifies and secures appropriate assistance when necessary, and consistently contributes to the well-being of the community.” The imperfect need not apply.

Those families who DON'T want government assistance and those who choose to stay uninvolved with communities won't be considered “self-actualized.” Notice the shift in definitions here. You might think of a “self-actualizing” family as one that is economically independent and thriving in a rich culture of church, friends and self-chosen community. However, the social reformers state that a self-actualizing family is one that interacts with the STATE system, in other words what has traditionally been considered a dysfunctional family. This is a incredible switcheroo! Formerly healthy, strong families that have formed the backbone of America are now classed as dysfunctional, and what we would perceive to be dysfunctional families are presented as “positive”.

Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter. (Is. 5:20)

It is not clear from the proposal when the families will be scrutinized for threshold acceptance, or how the penalties will be enforced or administered. One can assume from the con-

text, however, that family assessments will be undertaken on a continuum basis from before birth (prenatal diagnostic screening) throughout life.

After looking over the outcomes, please answer the following questions:

- Could families with special education or slow-learning children find themselves categorized under the negative threshold: “Student unable or unready to read, write or compute at age-appropriate level”?
- What happens to a family who refuses to engage in community activities? What constitutes “contributing to the well-being of the community”?
- What if a family has no formal attachment to the labor force? What if they are self-employed, have an unemployed parent, or a stay-at-home mom?
- What if a family's house is run down? Who defines what “physical hazards” are?
- How will certain sub-groups of society such as the Amish, or major portions of the home schooling community, measure up to these outcomes?
- What happens if families don't meet the health and nutritional outcomes?
- Who defines what constitutes meeting “physical, psychological and emotional needs”? Will those who don't fit the definition be guilty of committing “mental abuse”?
- Who will be charged with monitoring and overseeing these outcomes? Will the State social worker show up on your doorstep once a year to analyze your family to see if you've passed the “outcomes”?
- And, finally, what if your family can't pass the test?

What if.....?????? †

Our children will “know, do and be” exactly what the social engineers listed above have whipped up, using their Cookie Cutter Children recipe and MEDICAID will fuel the ovens.

States are moving forward to initiate a “Certificate of Initial Mastery,” (CIM), the warranty tag that guarantees a perfectly baked child. These new OBE-based graduation requirements will control not only who will graduate but also who will get to go to college and who will get a job. The CIM or CAP (Career Academic Passport) will become the electronic portfolio detailing what the child knows, does, and IS, according to world class standards, totally quality managed through the graduation requirement. This will be accomplished through the School-To-Work grants.

As traditional education is abandoned for the sake of psycho/behavioral government mandated and monitored objectives,

privacy becomes a key issue. What is on the permanent record, and who will have access to the private and sensitive information regarding mental health records that will be an integral part of a child's education record/portfolio? How will DSM codes affect the child's future?

In April 1995, Charles Bowsher, Head of the General Accounting Office, said in testimony that the Clinton Administration was misusing its authority to approve statewide experiments by granting waivers from the MEDICAID law, allowing the states to cover hundreds of thousands of people not normally eligible for benefits under federal law...⁴³

Policy Academy on Children and Families **At-Risk**
Eight Dimensions of Family Security

Vision:

A secure environment in which all families are able to reach their full potential.

Minimum Threshold Outcomes: Basic needs met.

Positive Outcomes: Knowledge, skill, resources, and opportunity to exercise informed choice.

Positive outcomes represent a self-actualized family which interacts with the community, identifies and secures appropriate assistance when necessary, and consistently contributes to the well-being of the community.

Dimension A: SAFE SHELTER

Negative:

- Lack of permanent shelter
- Shelter with physical hazards

Minimum Threshold:

- Shelter without health and safety hazards
- Adequate heating and ventilation

Positive:

- Routine maintenance and repairs
- Occupancy not threatened by inability to pay rent or mortgage
- Freely chosen residence

Dimension B: ACCESS TO MENTAL AND PHYSICAL HEALTH CARE

Negative:

- No access to health care services
- Inadequate access to health care services

Minimum Threshold:

- Access to primary health care services within 1/2 hour's driving time
- Access to specialty health care services regionally

Positive:

- Access to quality primary and specialty health care locally

Dimension F: ATTAINMENT OF ACADEMIC, PERSONAL/SOCIAL AND CAREER/VOCATIONAL GOALS THROUGH EDUCATION

Negative:

- Learning not valued or supported by family
- Unable or unready to read, write or compute at age-appropriate level
- Unable to solve personal problems
- Lack of interest in learning or work

Minimum Threshold:

- Education valued and supported by family
- Able to read, write, compute and solve problems well enough to function age-appropriately
- Involved socially and contributes to community well-being
- Capable of solving everyday problems
- Involved in job or in age appropriate education

Positive:

- All family members actively participating in learning activities
- Proficient in reading, writing and computation
- Able to synthesize and evaluate information
- Able to provide leadership in social and community development
- Able to set long-range career goals and develop plans to meet them

Dimension G: FORMAL ATTACHMENT TO THE LABOR FORCE

Negative:

- Isolation from the workforce
- Chronic or long-term unemployment
- Under-employment
- Minimum entry level skills

Minimum Threshold:

- Long-term employment
- Job retention skills
- Skills relevant to job availability
- New skill development

Positive:

- Transferable skills
- Consistent career advancement

Dimension H: ABILITY THROUGH EMPLOYMENT TO MEET THE FAMILY'S BASIC NEEDS

Negative:

- Reliance on public assistance to meet basic needs

Minimum Threshold:

- Ability to generate sufficient income through employment to meet basic needs

Positive:

- Ability to generate sufficient income through employment to exercise choice in selecting necessary and discretionary goods and services

Dimension C: DAILY NUTRITION

Negative:

- Clinical and biochemical evidence of nutrition deficiencies

Minimum Threshold:

- Ability to acquire quantity and type of food described in the USDA's Thrifty Food Plan
- Ability to meet special dietary requirements for conditions such as pregnancy and diabetes

Positive:

- Knowledge and skills to improve and maintain good nutritional status
- Ability to purchase a variety of foods which meet nutritional requirements, and which reflect the family's choices and preferences

Dimension D: ABSENCE OF DRUG AND ALCOHOL ABUSE

Negative:

- Family enmeshed due to dysfunction
- Active alcoholism and addiction behavior

Minimum Threshold:

- Family surviving intact
- Members using adequate coping mechanisms
- Secession of alcohol and drug use

Positive:

- Coping skills sufficient to enhance health of family
- Multi-generational relationships including extended family
- Active recovery behaviors practiced

Dimension E: ABSENCE OF ABUSE, NEGLECT AND VIOLENCE

Negative:

- Death
- Partial to permanent disability
- Diagnosable injury
- Violation of physical and psychological well-being and security

Minimum Threshold:

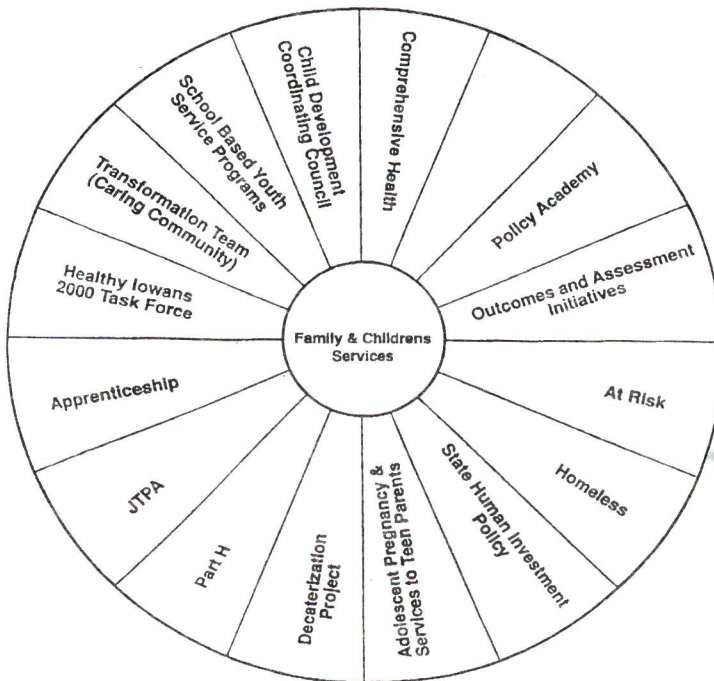
- Physical, psychological and emotional needs met

Positive:

- Physical, psychological, emotional needs nurtured and supported
- Capacity to meet these needs for oneself and others

Department of Education

Collaborative Initiatives



Iowa's proposed family "threshold" Outcomes.

THE FEDERAL FORMULA IS SIMPLE:

- Title I identifies the child.
- MEDICAID pays for the “brain-dipping”
- School-To-Work determines the future of every child.

AND THIS EQUATION WORKS — BRILLIANTLY!

SECTION 3:

RESTRUCTURING & LOSS OF RIGHTS

Many parents will wonder how much of the national plan exists in their states. If you are a GOALS 2000 state; if your state's schools accept Title money, particularly, Title I; if your state is involved with School-To-Work initiatives or the Certificate of Initial Mastery or the SCANS; or if your state has been granted MEDICAID waivers — it is highly likely that your state is not far behind Pennsylvania.

Let's just briefly take a look at how restructured federal programs work, and what is in it for the federal government's social engineers? What's involved with GOALS 2000, for instance? What's behind this all-encompassing, federally-controlled initiative?

Referring to testimony given at a Pennsylvania Senate hearing, a quote from *Trends Affecting Education in Pennsylvania* written by William T. Hartman, Pennsylvania State University, sheds some light on these questions:

The real growth in numbers of jobs, the statistic that really counts, is generally in the lower skilled service area jobs, such as cashiers, janitors and maids, truck drivers, waiters and waitress (sic), and nursing aides (American Demographics, 1986). In fact, it is projected that over eighty percent of the jobs in the next century will not require a college degree,... correcting the possible mismatch between the educational programs and employment futures for students brings with it an ethical quandary. A related difficulty lies in who (what institution or what group) is going to decide how many and, more importantly, which students will receive the better education and which will receive training appropriate to lower skill future positions

It is obvious that this agenda requires a degree of social engineering for control of the individual never before experienced in the United States. GOALS 2000 requires states contracting for GOALS 2000 money to create congruent systems by which to access each individual child through the IST/SAP process as described above. Each student will be forced to achieve the federal Goals to the degree or standard required by the State Improvement Panel in conjunction with the feds. State assess-

Homeschoolers & Cordero

Anita Hoge

Will homeschoolers have to meet the same graduation requirements and special education requirements? We will use a Pennsylvania case as an example.

In reading this passage about the *Cordero* case from a March 1993, PA Special Ed. document, remember who controls the graduation requirement, how the child is determined to be “disabled,” and how long before the state will control not only homeschools, but all private schools.

According to *Cordero*, school districts must identify ALL children assigned to “instruction in the home or homebound instruction” for reasons other than physical illness or mobility or other problems that prohibit the student's departure from the home. *Cordero* states that information will be collected for the purpose of ascertaining whether any children are assigned to instruction in the home or homebound with adequate justification — and whether the school district is improperly failing to include children as members of this class. The school and team must actively treat the child as a class member and [homeschool] is not permissible placement in which the district is unable to implement placement. The court observed that homebound instruction which necessarily deprives children of contact with their peers, is intended for children whose medical or other conditions makes it impossible to interact outside the home... it remains important to note, that instruction in the home, when used only because an appropriate placement is difficult to arrange, has the approval of neither the courts nor the Department. †

ments have to be realigned to target the individual child for forced compliance. Limited access will no longer work because the federal funding, delivery system has changed. No longer do Title I or other federal education monies fund programs.

ALL MONEY NOW FOLLOWS THE CHILD.

FOLLOWING THE MONEY TRAIL

Let's see how an actual system works. The entire process depends upon the child being identified as “at-risk of becoming at-risk,” as explained previously. No labeled children, no services equals no money. A few labeled —minimal services —piddling money. Mental health services delivered by the schools as outlined above means more labeled children, increased services and a lot more money.

Far-fetched? No farther than our neighborhood schools. Yes, the “at-risk” category has definitely been expanded to include

Lamar Alexander and William Bennett

Anita Hoge

One must ponder at the attempt of William Bennett to appear that he was for parents' rights at Senator Grassley's hearing on S. 984 on December 5, 1995. It should also be noted that I, Anita Hoge, was not asked to offer testimony to Senator Grassley's hearings (I am no stranger to Sen. Grassley or his staff). Remember, Mr. Bennett (Mr. Virtues) was Secretary of Education when I filed my federal complaint. Mr. Bennett made no attempt to respond to my letters or appeals from others close to him in the Reagan administration about resolving the most documented complaint of psychological abuse ever lodged in the U.S. Department of Education using the Protection of Pupil Rights Amendment — the famous Anita Hoge case against the Pennsylvania EQA and the NAEP. My files prove that Mr. Bennett could have stopped this abuse long ago... and he did not. In fact, it was Mr. Bennett that introduced Bush's AMERICA 2000 agenda to the Governors' Conference in the fall of 1986. (*Education Week*, Sept. 10, 1986)

When both former Secretaries of Education, Lamar Alexander and William Bennett, testified before the House Economic and Education Opportunities Committee (1/26/95), they were very bold about expressing their expectations of "responsibility, authority, and accountability flowing toward families, schools, communities, and states." However, in the same breath of supposedly stating what parents and schools need to do to escape federal intrusion, they embraced the very reforms that have created such turmoil in our communities. They addressed the dismantling of the U.S. Department of Education and its "meddling, intrusive, and bullying" ways as only "symbolic beheading."

They shared their true insights by stating that education statistics (the National Center for Education Statistics that set up the federal handbooks for computer retrieval and the elements for the SPEEDE/EXPRESS for the use of electronic portfolios) should be moved under the discretion of the Na-

tional Education Goals Panel (the unaccountable and unelected national school board under GOALS 2000 that would monitor all the states assessments through NAEP test, the National Assessment of Educational Progress). Activities "worth preserving" would be funneled to the responsibilities of Donna Shalala in Health and Human Services (conveniently for the MEDICAID agenda). Their intent to destroy anything impeding this education restructuring agenda became very clear in their statement of a "national movement" to "ensure that the national project of educational renewal continues apace."

To establish the groundwork that would be needed to access ALL children into this national project unimpeded, their Joint Statement says (referring to special education and rehabilitation services):

We want to be clear on this point: protection of the civil rights of disabled individuals would remain a federal responsibility — carved out by the Justice Department, to be vigorously carried out when discrimination against individuals is involved.

Lamar Alexander, former Governor of Tennessee and current Republican Presidential Candidate, was named Chairman of the committee to expand the NAEP, The Nation's Report Card in 1986, to state by state comparisons, therefore standardizing the state assessments to mirror the NAEP. He and Mr. Bennett were also instrumental in providing the impetus and the grants to upgrade and expand the national data bank for the collection of microrecords, individual records on individual students and teachers. It is interesting to note that Hillary Clinton was on Alexander's Task Force and both were appointed by William Bennett. Does this not provide a new view on which paradigm these individuals stand? †

"... students who are failing or at-risk of failing to achieve state content standards..." (GOALS 2000 Grant to Pennsylvania [1001 (d) and 1115 (b)])

Likewise, Title I applies to every student "at-risk of becoming at-risk." Now we're talking Big Bucks! BIG BUCKS!

HUMAN CAPITAL

Is the money the "end-all" of this scheme? No, the control of every single child/worker is the ultimate agenda. In Pennsylvania the Assessment is an integral part of the surveillance, screening, and identification process. In August 1993, California's Vision panel stated that assessment is the "act or result of

judging the worth or value of something or someone."⁴⁴ Clearly, state and federal assessment tests, including the NAEP, will align the worth of the individual to his usefulness to society as human capital.

If you think this is an outrageous statement, listen to supposedly conservative Lewis J. Perelman, author of *School's Out: A Radical New Formula for the Revitalization of America's Educational System*. Notice how he links human worth to monetary value to computer tracking to child abuse. These are links that we cannot ignore:

One possibility would be a **human capital tax**. The human capital tax might be simply the same as a personal

income tax, or might be calculated or ear-marked in a more limited way. Technicalities aside, it's logical that if the government is going to help fund investments in the development of the community's human capital, taking back a share of the resulting gains is a good way to pay for it. In effect, each generation of beneficiaries of such investment pays back some of the benefits it received to the next generation... [a value added tax, ed.] (p. 317)

We should deal with parents who are starving their children's minds with the same **legal remedies** we use to deal with parents who are starving their children's bodies. The... media through which a microchoice [voucher, ed.] system is provided will give public authorities more accurate information on what individual families and kids are doing than is currently available, making it easier to identify instances of **negligence or misuse**. [emphasis ours] (p. 318)

There it is — a seamless, fiendish system, designed and executed to totally shape and control every child, the future worker in the U.S. The government's interest is indeed compelling — and overpowering.

It is very hard for parents to digest all this information, let alone confront the reality head on. It is also entirely possible that we parents have actually adjusted to the ordeal of playing "bump-em cars" with the educrats, the health gurus, the child experts, and the welfare masters. Such run-ins have become so commonplace that, anymore, we expect them and live with them, albeit with our foot on the brake. But it is imperative that we all realize that this is NOT business as usual! Children in the U.S. now are not just "fair game;" they are "Big Game!"

To refuse to recognize how extensive, comprehensive and "compelling" government's interest has become is pure folly. To mislead other parents to believe that "the intersection" with "medical law, education law... is a narrow intrusion for the specific and highly proper purpose of protecting the rights of American parents" is a **cruel, grievous** mistake.⁴⁵

We parents have been bumped plumb off the road!! The "compelling interest" of the State is now exclusive. Examine again the Community Outreach Plan presented on page 24. Do you see parents anywhere? The social engineers have reduced our role to that of breeding for the state, (and we had best not take even that for granted either, in view of the preliminary plans, bandied about, which would mandate state-controlled licensing for parenthood).

THE SNARES OF "CHOICE"

"Choice" legislation is definitely not the answer at this point. Just as soon as a parent applies for a tuition grant, based on financial need, a previously unidentified child is now identified as "poor" and automatically labeled "at-risk of becoming at-risk," activating the entire smorgasbord of government interventions. The child is now a GOALS2000, Title I child, compelled

to receive services. What if the school of choice doesn't offer the Title I services now mandated for this child? Will the parent be able to decide to send the child anyway and forgo government interference?

Once the child is identified, the parent no longer has the right to make a unilateral decision to forgo government interference. The child's future now rests with a TEAM of health, education and welfare "officials." Another child has been caught in the net. What if the child is already attending a school of choice, thanks to Father O'Malley's and the parish's generosity? Now that the child is a GOALS 2000, Title I child, will St. Mary's have to offer or contract for Title I services to satisfy the government's mandate? Title I is very expensive and maybe Father doesn't have the money to offer the services or contract for them. Even if just one child is Title I, the psycho/social services, by law, must be administered to every child in the school. Maybe Father prefers academic education, rather than mental health realignment. Can he refuse a GOALS 2000 child based on poverty status alone? If he rejects or terminates the child's enrollment, his numbers will go down. If he accepts the GOALS 2000, Title I child, he has balanced the books but compromised the academic mission of the parish school, in favor of the standardized, government agenda. We refer the reader again to the Slippery Slope of Parental Rights, p. 20.

As poverty ceilings increase each successive year, more and more children will qualify for mandated, government intervention. What is touted as a way to increase enrollment in private schools and encourage competition in education could actually end up decreasing enrollment and eliminating all competition.

What are parents to do? They love their children. They weep for their children. They cherish America's freedoms. They love this country. And, just for the record, we do too. We are not so steeled to the truth that even writing this article is not painful. We break down, too, sometimes, sad and frustrated, but we end up renewing our resolve to "beat the stuffings" out of Leviathan.

THE FOLLY OF LEAVING IT TO THE COURTS

We are sure of one thing. We will not "leave to the courts the application" of our parental rights, as PRRRA would have us do, SEC. 2(b)(5).

...the Court has left us hanging as to the extent and limits of State authority versus parental authority. Yet this is the real question involved in the whole struggle between parents and the state. The courts, however, may have deliberately left the issue unresolved. For the sake of reserving unto themselves the prerogative of deciding in each individual case who has what rights and who has what authority. This, however, nullifies true liberty, which stands upon certain "inalienable rights" based on immutable principles of law. Instead, it leaves us with at best only a self-congratulatory tolerance, which stands or falls upon the whims of the mere men who happen to hold

The Marginalization of the Mothers

Sarah H. Leslie

One of the easiest ways to discredit someone is to call them names. All of us have experienced the labeling and finger pointing these last few years. Extremists, zealots, radical fringe, fundamentalists, intolerant, Christian Right, kooks, etc.

Several years ago there was a major push in the major media, including all of the specialized education publications, to call education reform opponents these names. Top of their list were Pennsylvania moms, Anita Hoge and Peg Luksik. For daring to challenge the system in their state, and becoming famous for doing so around the country, there were given the dubious distinction of leaders of the pack. Around the country, other moms and concerned citizens reacted in shock and dismay when they learned that their complaints were summarily dismissed on the grounds that they were religious extremists.

Of course, classifying opponents as a "handful of radical few" is an age-old technique, designed to dehumanize and marginalize the opposition. Historically this has always been a significant first step toward open persecution of a class of people. We can all think of hate speech used against groups of people — terms such as "nigger", etc.

There are some intriguing reasons for the marginalization of education reform opponents. While writing about the home school movement several years ago, John W. Whitehead of the Rutherford Institute made some interesting observations that could be applied to any parents who oppose education reform:

the home school movement has challenged one of the most powerful forces in American history: the state-financed public education bureaucracy... The reason this is true is because of the *radical* nature of the home school parents and children who, at all costs, dare to defy the state...

Whitehead then explains the true meaning of radical:

It is interesting that the root word for the English term "radical" is taken from the Latin "radix" meaning "root" or "fundamental." True radical movements, like that of home schooling, are fundamental or foundational to society. Such foundational movements, as with the case of home education, are a call to more traditional ways and concepts which, in our modern secular society, are seen as radical.

The radical nature says "no compromise." The radical will face jail and prison sentences rather than compromise. In a country such as the United States, which is built on a tradition of dissidence, the radical movements

advance and survive as long as they remain in this tradition.

However, Whitehead goes on to give some serious warnings about compromising and mainstreaming opposition to the public education system. He describes how movements evolve and become "absorbed into establishment circles."

This creates a zookeeper mentality. Once approval is won, the prior opponent or zookeeper (public education, social worker, etc.) becomes friendly and the animal (home educator) slowly begins to tolerate the bars on his cage. With the home education movement, the bars may come in the form of legislative exemptions, tacit approval requirements of public education officials, etc. The obvious goal is indirect mastery of a movement that cannot be controlled directly...

Simply because a state law allows home schooling, along with certain requirements, does not mean that the state is any more friendly toward home education than it was in the beginning. Home schoolers must be careful that they do not, like the moth hovering close to the flame, get burned.

Finally, Whitehead asserts that if homeschooling is to survive, "it will mean no *compromising* on the fundamental issue of the freedom to homeschool one's child without government restraint. One must be mindful, however, that this mentality will inevitably lead to conflict with the state."

We would take it a step further. Having this mentality will also inevitably lead one into conflict with those who ALSO oppose education reform, but who may be engaging in activities which compromise freedom. Those who are seeking common ground, and middle ground on issues of parental rights are susceptible to borrowing the tactic of marginalizing those who can't or won't compromise. Referring to the Anita Hoge's, Charlotte Isebyt's, or others as "the handful of radical few" or "extremists" may further a personal or organizational agenda, but it does nothing to further the cause of parental rights and educational freedom in America.

Parental rights, after all, is an issue that few can afford to play around with. As the State gradually encroaches upon our liberties, keep in mind that should the State usurp the final authority in matters of parenting, it will be the eternal destiny of our children that is at stake. For the humanist Almighty State has shown no "compelling interest" in our children's eternal security. †

Quotes from "Home education and the radical tradition," by John W. Whitehead, August 1992.

power. we then become not a nation under law, the intent of the framers of the Constitution, but a nation under men; and our Freedom becomes nothing more than an illusion to vanish at the first capricious change in the mood of the times as reflected in judicial decisions...⁴⁶

[The courts]"do not provide an unclouded beacon to light our way."⁴⁷

Expecting any branch of government to "provide an unclouded beacon to light our way" perhaps points to the most significant flaw, in our opinion, in Mr. Farris' PRRRA. This bill is a purely SECULAR, ideologic response to government's usurpation of parental authority, which renders it "materially defective." This move firmly puts the State in the role God has given only to the parents. We must ask the very rational question: Why would a Christian write a bill that places the Leviathan State in that position? Why?

We are CHRISTIANS! We are CHRISTIANS! We are CHRISTIANS!

Conservative columnist William F. Buckley recently expressed our sentiments exactly:

...What surprises is the relative reticence of the religious community. In the United States, overwhelmingly, the Christian community. A politician running for office is prepared to say that he believes in school prayer because he insists that the Constitution does not prohibit school prayer. But ambient folkways prevent him from saying: I think Jesus Christ was divine and therefore I find the lessons He taught us illuminating and vital in affecting our lives.

Wow!

Does that make him an anti-Semite?

No no...

It would be grand to hear public figures in the course of discussing this or the public or private question say, "Well, on this matter, I am instructed, or try to be, by the New Testament, which, you know, tells us that greed is, well, you know, wrong. So is adultery... I don't say I live up to the Christian calling, all I say is that I wish I did because I recognize it as truth."

There is no reason at all for the listener whose god speaks different tongues to object to the super ordination of Christ over, say, Buddha. But the question before the house is: Why don't people say, more often, yes, I love my country and my flag, and my God, but let me tell you Who my God is, and why what He has told me has for years and years given me comfort and fortitude...⁴⁸

Failure to present a Christian response to public and private problems leaves even well-meaning policy makers with deficient

ideologies instead of solutions. Russell Kirk in his book, *The Politics of Prudence*, quotes Dr. Gerhart Niemeyer:

"Ideology is not confined to communists and fascists," Dr. Niemeyer writes. "we, too, have our share of it, and it shows in our policies. All modern ideologies have the same irrational root: the permeation of politics with millenarian ideas of pseudo-religious character. The result is a dream-world... our national leaders have talked about "creating" a new society, a "Great Society," and to that end making "war against poverty," "war against hunger," "creating new men," "making the world new as at the beginning," building "a city shining on a hill." All these presume that man could create himself, implying that he is not a creature, dependent on God, but the master of his own soul and destiny...⁴⁹

We are CHRISTIANS! Our response to Leviathan must originate in and mirror our Christian convictions.

When studied with any degree of thoroughness, the economic problem will be found to run into the political problem, the political problem in turn into the philosophical problem, and the philosophical problem itself to be almost indissolubly bound up at last with the religious problem.⁵⁰

Essentially religious problems cannot be answered with secular solutions. We will not find refuge outside of our faith; but in our faith, we will find the comfort and strength and the right path in our fight for God's little ones. We are confident that God knew what He was doing when He placed all of us in this particular, historical time and place. It is no accident that we are all here now to fight the statist for our children. We know with certainty that our children are given to us by God, to love, nurture, teach, discipline, enjoy and give back to Him as saints.

As to authority over children, we may note a principle arising... that authority rests on the concept and experience of origins; the originator, or author, possesses the greatest authority... this applies to God Himself, who is the "only Sovereign" as well as the sole Creator (Isa. 45: 12; Rev. 4:11; Ps. 100:3; Mic.5:2; Col. 1:15-19; Jude 4). The derivation of the word **authority** from **author** bears this out. While God authors all life, it is clear which human agency sub-authors children. In fact, parent means "source" or "origin." This word comes from the Latin word *parere*, meaning "to give birth to." God stamps the parents' very image upon their offspring in testimony of parental authorship and therefore of parental authority over their offspring. while the State attempts to make itself appear as the originator of life, supplanting God and the parent, nature itself testifies, as well as the Word of God, to the primary authority of parents over the children.⁵¹

We are CHRISTIANS! We can have confidence in exercis

ing our God-given authority over His children. We can resist the State's unlawful extension of authority with confidence.

The one worthy to receive power or authority is the one who creates. Hence, to preserve His position of sole and absolute authority, God has placed limits and prescribed boundaries upon all delegated authority. No one can overstep these limits without usurping God's own authority and sovereignty.⁵²

We should always pray for prudence in particular cases. Parents need not be shy or afraid to exercise their rightful authority and tell the statist, with confidence, "Not with my child you don't!"

PARENTHOOD AS SACRED COVENANT

Understanding the relationship that exists between parent and child in relation to God solves, quite simply, not just theoretical questions originating in the "compelling interest" assumption, but the most practical "run-in's" with school and government officials. Case in point:

How can we support the reasoning that permits the State to influence the education of children for the purpose of citizenship without in principle granting the State permission to influence the teaching of adults as well? In either case, the State has intervened in a sacred COVENANT relationship that God has placed outside its legitimate authority: the COVENANT relationship between the members of Christ's Body and also that between parent and child. When this happens, the privacy of all relationships stands endangered, and the public has well-nigh swallowed every morsel of the private...⁵³

This adulteration of sacred relationships by the even minimal insertion of governmental regulation constitutes in fact a violation of our covenant with God in the same way that a marriage covenant suffers violation by an adulterous relationship (James 4:4, *Ampl.*).⁵⁴

As Christians, God's law is our standard, not the unlawful "compelling interest" standard of the courts, which pits one authority against another and breaks the Covenant bonds.

As Christians, we know that our responsibilities as parents are specified in the Covenant relationships, not in *Wisconsin v. Yoder!* And we know, that, only with God's help, can we fulfill our responsibilities to our children and our fellow men. It is only with God's help that we are able to commit ourselves to the basic associations of family and society.

And, in God's plan, it is the family and our church, our local community, etc. that surround the individual and shield him from the State's intrusion. Exactly the opposite of the "hub" diagrams! Our very freedom depends upon our calling upon God to give us the strength and courage to form associations and the perseverance to ensure their stability. This is an all

essential task that is too much for man to take on alone.

"Who says liberty, says association," declared Lamennais in the early nineteenth century, and he was echoed a generation later by Proudhon: "Multiply your associations and be free."

Only through its intermediate relationships and authorities has any State ever achieved the balance between organization and personal freedom that is the condition of a creative and enduring culture. These relationships begin with the family and with the small informal social groups which spring up around common interests and cultural needs. Their number extends to the larger associations of society, to the churches, business associations, labor unions, universities, and professions. They are the real sources of liberal democracy.

The weakening of these groups reflects not only growing spiritual isolation but increasing State power. To feel alone — does this not breed a desire for association in Leviathan? The individual who has been by one force or another wrenched from social belonging is thrown back upon himself; he becomes the willing prey of those who would manipulate him as the atom citizen in the political and economic realms... "Despotism," wrote Tocqueville, "is never more secure of continuance than when it can keep men asunder; and all its influence is commonly exerted for that purpose."⁵⁵

Herein lies the parent's **action plan** to limit the State's power just to that of **protecting** our God-given parental authority and functions. We must think about the warning of Montesquieu, "The only safeguard against power is rival power."⁵⁶ We must create rival power by forming the intermediate associations, "little platoons," as Charles Murray calls them.⁵⁷

The State is just another association that man forms. If man is living as God intended, he forms many diverse associations, each demanding something from him as he exercises the authority and performs the functions fundamental to a particular association. The State will always take what is left, but if man has been living right, after investing time and energy in his marriage, devoting himself to his family, dedicating himself to God's work through his church, etc., giving his all at work, participating in his local community, there won't be much left for the State to take. In exchange, man experiences community and solidarity with his fellow man and communion with his Creator.

In the last forty or so years, however, man has been "saving himself." We don't want children to rain upon our careers; we don't even want to get married — we don't want the commitment. We brag about how much we get by with at work or else we don't work at all. And we sure don't want to have to answer to God or bother with going to Church on Sundays. Who has time for our elderly parents? We are daily "farming out" the

functions of these most private Covenant associations. We don't want to invest any of ourselves in these associations.

Remember, the State will always take what is left. Today, nearly the TOTAL is left and we are that close to totalism. It really is not at all mysterious how the state ends up owning us. Without community, man ends up lonely and isolated; so much so, that he reaches out to the State to cure his alienation, eager, even demanding for the state to "collect" him and give his life some meaning. The State then assigns individuals into artificial associations, like the High Performance Workplace and the School-Based Family Center.⁵⁸

For this is the appeal, as we have seen, of the totalitarian prophet to "rescue" masses of atomized individuals from their intolerable individualism. Once partially in the communal State, men will not leave it to walk into a moral and social vacuum.⁵⁹

And we cannot exercise authority without performing the related functions or vice versa. Association demands both.

In conclusion, we support Dr. Rice's recommendations as set forth in his letter of February 5, 1996, (see sidebar, p. 10) as well as his reply to Mr. Farris dated February 20, 1996⁶⁰ (see sidebar, p. 12).

We further suggest that parents study their own STATE's laws very carefully to make sure they truly uphold parents' rights, and follow carefully any parental rights bills that crop up in their legislature. Strikingly similar language to the PRRA has cropped in numerous state legislatures across the country, some in recent weeks as we were working on this article. In Indiana, Michael Farris was actively working with some individuals to put in a PRRA bill. In Iowa, a PRRA bill included references to *Yoder* and "responsibilities". Although suggestions to return the issue to the States may seem good, if the States have PRRA bills just as dangerous as the national bills, then there are obvious dangers!

Finally, in addition to political action, we can all begin right now to restore the integrity of the family, by praying for God's help in fulfilling our Covenant with Him. Only then will we be able to meet our parent/child Covenant and our ensuing social Covenants. We must seek God, reach out to our children and to our fellow man, then we won't need to look to the State for reassurance, for direction, or for affirmation. The State won't own us; it will have only very limited powers over us. Leviathan will be no more.

We "hold that at the heart of genuine Christianity are certain truths which have already once saved Western civilization and, judiciously employed, may save it again."⁶¹

Let us pray. Let us act.

But if you will not listen, my soul will weep in secret for your pride; my eyes will weep bitterly and run down with tears, because the Lord's flock has been taken captive. (Jeremiah 13:17) †

**Who Owns the Children?* can be ordered from Truth Forum, 2433 N 43rd St., Waco, TX 76710, 817-776-9972.

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58. Nisbet,
59. *Ibid.*, 219.
60. Charles Rice, letter to Michael Farris dated February 20, 1996
61. Babbitt, 44.

The Dangers of State Controlled Education

Virginia Birt Baker

While many of Dabney's views are considered politically incorrect and very out-of-place in the late 20th century, his ideas about education were founded upon the Word of God, and are as refreshing and edifying today.

Robert Lewis Dabney, a strong supporter of home schooling, was born in Virginia in 1820. He was offered the editorship of a newspaper when he was 22, and at the age of 40 he was asked to teach at Princeton Seminary (he was called "the best teacher of theology in the United States, if not the world"), but neither of these invitations were accepted. He was an outstanding pastor and served as chaplain in the Confederate Army under "Stonewall" Jackson, who referred to him as "the most efficient officer he knew." He was professor of theology at the University of Texas and a founder of Austin Theological Seminary in Texas.

In spiritual matters he remained a soldier until death "at war with much in his age." It is here that his life took on the genuinely heroic aspect. There were some things Dabney could quietly bear — even the death of three sons and his own total blindness in later years — but retreat of the Christian Church from the doctrinal commitment of God he could not endure.

In a collection of books entitled *Discussions*, we can read the letters of Robert L. Dabney, and *Volume IV* deals with his secular views on much, including education. *Discussions, Vol. IV*, was reprinted in 1979 jointly by Ross House Books (Vallecito, California) and Sprinkle Publications (Harrisonburg, Virginia), and this article is abstracted from this publication.

State Compulsory Schooling

Dabney was vehemently against the idea of compulsory schooling. He said, "The great bulk of those who pay the money for them ["free" schools] do it, not 'freely,' but by compulsion. They are virtually thrust down our throats by the bayonet. And the exemplars ...not only make the payment compulsory, but the attendance also. The only freedom of your system is your freedom to compel other people's money."

In an attack against States trying to enforce common schools against the will of parents, he stated:

We begin by reasserting the familiar objection, so often contemptuously dismissed, that the principle upon which the State intrudes into the parental obligation and function of education all children, is dangerous and

agrarian. It is the teaching of the Bible and of sound political ethics that the education of children belongs to the sphere of the family and is the duty of the parents.

The theory that the children of the Commonwealth are the charge of the Commonwealth is a pagan one, derived from heathen Sparta and Plato's heathen republic, and connected by regular, logical sequence with legalized prostitution and the dissolution of the conjugal tie. The dispensation of Divine Providence determines the social grade and the culture of children on their reaching adult age by the diligence and faithfulness of their parents, just as the pecuniary condition of children at that epoch is determined. The desire of procuring for their children a desirable condition in all these respects is the grand stimulus which Providence has provided for the efforts of parents. It is His ordination that youth shall inherit the status provided for them by their parents, and improve it by their own exertions as aided by the Christian philanthropy of their fellow men.

Now, by what apology does the State (not an evangelical, nor an eleemosynary institute by its nature) justify itself in stepping in to revolutionize that order? By the plea that it (the State) is so vitally interested in the intelligence of the citizens that this entitles her to take effectual basis for morals in the Christian religion.

Dabney concluded that "the culture and ethics of the 'common school' will leave them [children], after a time, too corrupt and atheistic to recognize the value of morality on its source — the Christian religion."

Dabney continued:

We often hear this apology for the State's wholesale intrusion into education advanced with the exactness of a commercial transaction. They say: 'It costs less money to build schoolhouses than jails.' But what if it turns out that the State's intrusion is utterly delusive? The regular result of the kind of education which alone it can give is to propagate crime.

Allison's History of Europe states that forty years ago two-thirds of the inhabitants of France could neither read nor write. In Prussia, at the same time, the government had made secular education almost universal, by compelling parents to send their children to school from seven to fourteen years of age. Statistics of the two countries show that serious crime was at that time fourteen times as prevalent in intelligent Prussia as in

ignorant France. (Vol. V, page 15)

Again it has been found from the official records of the 86 departments of France that the amount of crime has, without a single exception, been in proportion to the amount of scholastic instruction given in each. Again, we are told that much the largest number of the lewd women of Paris come from those departments where there was most instruction. In Scotland, the educated criminals are to the uneducated as four and a half to one. M. de Toqueville remarked of the United States that crime increased most rapidly where there was most instruction. The ancients testify that the moral condition of the 'Barbarians' was comparatively pure beside that of the Greeks and Romans, and that the most refined cities were the most corrupt. But let us bring the comparison nearer home.

The Northern States of the Union had previously to the war all adopted the system of universal State schools, and the Southern States had not. In 1850, the former had thirteen and a half million people and 23,664 criminal convictions. The South (without State schools) had nine and a half million, 2,921 criminal convictions — that is to say after allowing for the difference of population, the 'educated' masses were something more than six times as criminal as the 'uneducated.' The same year the North was supporting 114,700 paupers, and the South 20,500. The 'unintelligent' South was something more than four times as well qualified to provide for its own subsistence as the 'intelligent' North! But Massachusetts is the native home of the public school in America. In Boston and its adjacent county the persons in jails, houses of correction or refuge, and in alms-houses bore among the whites the ratio of one to every thirty-four. (Among the wretched, free blacks it was one to every sixteen.) In Richmond, the capital of 'benighted' Virginia, the same unhappy classes bore the ratio of one to every 112. Such as the lessons of fact. Indeed, it requires only the simplest ocular inspection to convince any observer that the economical plea for State schools is illusory. In the South, State schoolhouses were unknown, and consequently jails and penitentiaries were on the most confined and humble scale. The North is studded over with grand and costly public schoolhouses, and her jails are even more 'palatial' in extent and more numerous than they.

Dr. Dabney, of course, was not against "instruction," *per se*; he was critical of instruction without the morality of Christian theology. He said that

true education, taken in any extent of its meaning,

broad or narrow, is so greatly a moral process that a certain amount of aspiration and desire in its subject is an absolute prerequisite... A knowledge of letters may be 'exhibited' to the resisting or apathetic mind; but there is no assimilation of the mental pabulum and no recruitment of spiritual strength. Something else must be first done, then, besides building and equipping a school for souls which are in this State; and that is something which the State can never do — at least not by its schools. The moral aspiration and virtuous aims must be present, which alone will utilize a knowledge of letters. This is very plain.

Now, it will be found generally true that in this country it is precisely the children of those who are presumed to need State education, and for whom the provision is chiefly designed, who are in this unprepared condition. If the State contained no children, save those of parents, who had the intelligence, the virtue, the aspiration, and also the property, or else the industry, which would make them resolved and able to educate their own, then, of course, it would be wholly superfluous for the Government to interfere. But these are the only children to whom letters are, in the general, a real means of culture or elevation. Separate those who, in our fruitful land, have neither aspiration, nor industry, nor property enough to insure that they will educate their own children, and in those children we usually find precisely that apathetic and hopeless condition, which renders this means nugatory, or worse. The parents are the real architects of their children's destiny, and the State cannot help it."

Dr. Dabney added that there were, of course, exceptions, but his emphasis was that "the home education is so much more potential than that of the school, that the little modicum of training which a 'common school' system can give to the average masses is utterly trivial and impotent as a means of reversing the child's tendency."

The Spiritual Dangers of Universal Education

Dr. Dabney, in his *Discussions*, Vol. IV, brought out that the suppressing nature of the government tends to level all children in school, forcing them to fit a preconceived mold, as though it were possible for all men to have equal destinies in human society. This theory of universal education is absurd and impossible. He was against the forced gathering of children as equals in the school room and on the playground. In the days of the 19th century, as well as today, not all children were a good influence on others, and parents objected to the forced association. But then, as well as now, they were taxed compulsorily to support the school which parental duty forbid them to use; so the system amounted to an iniquitous penalty

upon them for their faithfulness to their conscience. He concluded that "the State is unfit to assume the educational function" for many reasons. He stressed that Christianity is essential to all education which is worth the name.

Christianity must be a present element of all the training at all times, or else it is not a true and valuable education. The human spirit is a monad, a single unit, spiritual substance, having faculties and susceptibilities for different modifications, but no parts. Hence, when it is educated, it is educated as a unit. The moral judgments and acts of the soul all involve an exercise of reason; so that it is impossible to separate the ethical and intellectual functions. The nature of responsibility is such that there can be no neutrality... between duty and sin. It follows that any training which attempts to be non-Christian is therefore anti-Christian. God is the rightful, supreme master and owner of all reasonable creatures, and their nearest and highest duties are to him. Hence to train a soul away from him is robbery of God. He has not, indeed, committed to the State the duty of leading souls to him as its appropriate task. This is committed to the family and to His church. To educate the mind without purifying the heart is but 'to place a sharp sword in the hand of a madman.' Practically few do recognize and obey conscience except those who recognize the authority of the Bible. There can be, therefore, no true education without moral culture, and no true moral culture without Christianity.

The teacher must be Christian. But the American Commonwealth has promised to have no religious character. Then it cannot be teacher. If it undertakes to be, it must be consistent, and go on and unite Church and State. Are you ready to follow... to this consistent end? Since religious education is so essential a part, it is obvious that a wise Providence must have allotted the right and duty of giving it to some other of the independent spheres between which he had distributed the social interest of man. This duty rests with the parent. Such is the Protestant doctrine — the Bible doctrine. Neither State nor Church are to usurp it; but both are to enlighten, encourage and assist the parent in his inalienable task.

A feeble attempt has been made to escape this fatal objection by saying: Let the State schools teach secular knowledge, and let the parents, in other places and times, supplement this with such religious knowledge as they please and by the help of such Church as may please them. The fatal answers are:

1st. The secular teacher depends for the very author-

ity to teach upon the Bible.

2nd. The exclusion of the Bible would put a stigma on it and in the child's mind which the parent cannot afterwards remove.

3rd. How can one teach history, ethics, psychology and cosmogony, without implying some religious opinions?

Dabney attempted to answer the questions, Who is the agent entitled to control education? and, What is right education? He claimed that when the State seeks to control education it insists on secularizing education, by which it means its release from religion. "Their idea of a free education is one devoid of religion, separating the mental from the spiritual culture. Thus they conclude that education must be Godless, in order to be free. The mistake is in confounding the ecclesiastical with spiritual." Dabney said, "No people of any age, religion, or civilization, before ours, has ever thought that secularized education is either possible or admissible. It was in urging this point that Mr. Webster, the learned lawyer, uttered the memorable words: 'In what age, by what sect, where, when, and by whom, has religious truth been excluded from the education of youth? Nowhere. Never! Everywhere, and at all times, it has been regarded as essential.'"

True education is ... a spiritual process, the nurture of a soul ... which is rational and moral, in which conscience is the regulative and imperative faculty; whose proper end, even in this world, is moral. Theological and educational processes appear to cognate that they cannot be separated. If religion be excluded from our study, every process of thought will be arrested before it reaches its proper goal. If secular education is to be made consistently and honestly non-Christian, then all its more important branches must be omitted, or they must submit to a mutilation and falsification, far worse than absolute omission. It is hard to conceive how a teacher is to keep his covenant faithfully with the State so to teach history, cosmogony, psychology, ethics, the laws of nations, as to insinuate nothing favorable or unfavorable touching the preferred beliefs of [people] who claim equal rights under American institutions. Shall the secular education leave the young citizen totally ignorant of his own ancestry? But how shall he learn the story of those struggles, through which Englishmen achieved those liberties which the colonies inherited, without understanding the fiery persecutions? How shall the sons of Huguenot sires in New York, Virginia, or Carolina know for what their fathers forsook beautiful France to hide themselves in the Northern snows or the malarious woods of the South, and read nothing of the viola-

tion of the 'Edict of Nantes,' ...? Or, if the physicist attempts to ascent farther in man's history, can he give the genesis of earth and man, without intimating whether Moses or Huxley is his prophet? How much of the noblest literature must be ostracized, if this plan is to be honestly carried out? The State teacher must not mention to his pupil Shakespeare, nor Bacon, nor Milton, nor Macaulay. But it is not necessary to multiply these instances. They show that Christian truths and facts are so woven into the very warp and woof of the knowledge of Americans, and constitute so beneficial and essential a part of our civilization, that the secular teacher, who impartially avoids either the affirmative or denial of them, must reduce his teaching to the bare giving of those scanty rudiments, which are not knowledge, but the mere signs of knowledge.

Competition Between State and Parent

Robert Dabney said this is the conclusive argument: "While the State does not authorize the theological beliefs of the Christian citizens, neither has it a right to war against them. While we have no right to ask the State to propagate our theology, we have a right to demand that it shall not oppose it. Teaching is a spiritual function. To the successful pupil under an efficient teacher, the school is his world. Make that Godless, and his life is made Godless. Is the direction of the education of children either a civic or an ecclesiastical function? Is it not properly a domestic and parental function?"

First, we read in holy writ that God ordained the family by the union of one woman to one man, in one flesh, for life, for the declared end of 'seeking a Godly seed.' Does not this imply that he looks to parents, in whom the family is founded, as the responsible agents of this result? He has also in the fifth Commandment connected the child proximately, not with either presbyter or magistrate, but with the parents, which, of course, confers on them the adequate and the prior authority. The family was first. Parents at the outset were the only social heads existing. The right rearing of children by them was in order to the right creation of the other two institutes. The dispensation of Divine Providence in the course of nature shows where the power and duty of education are deposited. That ordering is that the parents decide in what status the child shall begin his adult career. God has provided for the parent's social and moral influences so unique, so extensive, that no other earthly power, or all others together, can substitute them in fashioning the child's character. Until the magistrate can feel a love, and be nerved by it to a self-denying care and toil, equal to that of a father and a mother, he can show no pretext for assuming any

parental function. No parent can fail to resent, with righteous indignation, the intrusion of any authority between his conscience and convictions and the soul of his child. If the father conscientiously believes that his own creed is true and righteous and obligatory before God, then he must intuitively regard the intrusion of any other power between him and his minor child, to cause the rejection of that creed, as a usurpation.

The competitions of the State for the educating power have been so engrossing that we have almost forgotten the parent as the rightful competitor. And now many look at his claim almost contemptuously. It is vital to a true theory of human rights, that the real independence of the parent be respected. Has it not been proved that the direction of education is one of his prerogatives?

The Prevalence of Ungodliness

Dr. Dabney, writing over a hundred years ago, realized that a consistent secularization of education was inadmissible, and predicted: "Nearly all public men declare that the State schools are the glory of America, that they are a finality, and in no event to be surrendered. And we have seen that their complete secularization is logically inevitable. Christians must prepare themselves then, for the following results: All prayers, catechisms, and Bibles will ultimately be driven out of the schools. Humanity always finds out, sooner or later, that it cannot get on without a religion, and it will take a false one in preference to none. Infidelity and practical un-Godliness will become increasingly prevalent."

Dabney's solution was to return the role of educating children to those parents who want it.

Let us suppose, then, that both State and Church recognize the parent as the educating power; that they assume towards him an ancillary instead of a dominating attitude; that the State shall encourage individual and voluntary efforts by holding the impartial shield of legal protection over all property which may be devoted to education; that it shall encourage all private efforts; and that in its eleemosynary character it shall aid those whose poverty and misfortunes disable them from properly rearing their own children. Thus the insolvable problems touching religion in State schools would be solved, because the State was not the responsible creator of the schools, but the parents. Our educational system might present less mechanical symmetry, but it would be more flexible, more practical, and more useful. †

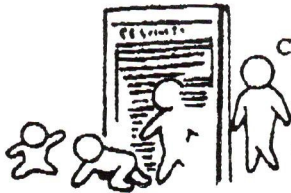
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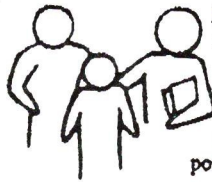
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High-risk children and families are linked with family service coordinators so that every child enters school ready to develop his or her potential.



The family service coordinator, with assistance from the community, makes sure that the family and child receive support needed for success at school.



Child graduates from high school.

- Day care
- Financial support
- Job skills
- Parenting skills
- Physical health services
- Mental health services (including counseling)
- Substance abuse services
- Homework help
- After school care
- Summer & year-round recreation

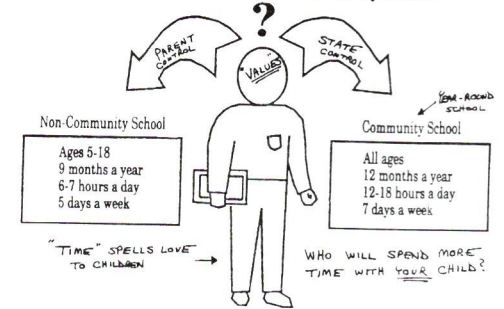
Schools as Community Centers

Why not use the schools as community centers, full-time, year-round? Roofs continue to deteriorate, paint fades, equipment depreciates, and grass grows whether or not the building is in use. People's learning needs are full-time, year-round.

Community use of school facilities makes sense for many reasons:

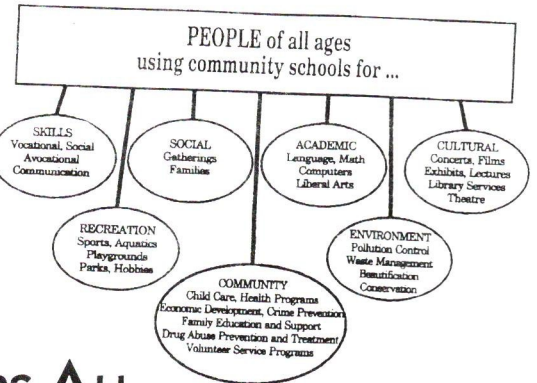
- School buildings are located in most neighborhoods and are easy to reach.
- Schools are owned by the public and represent a large public investment.
- Schools have good facilities, resources, and professional staffs.
- Traditional school hours leave plenty of time to schedule other uses.
- Schools are often a second home to children.
- Schools are focal points for many families, inspiring confidence, loyalty, and public support.

Use of Non-Community vs. Community School



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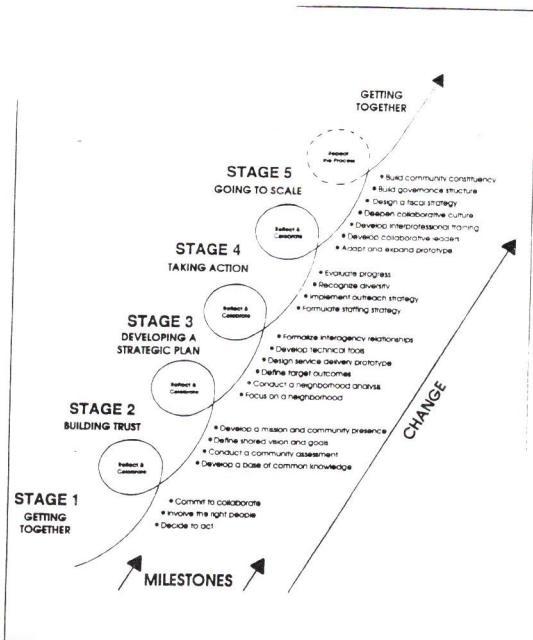
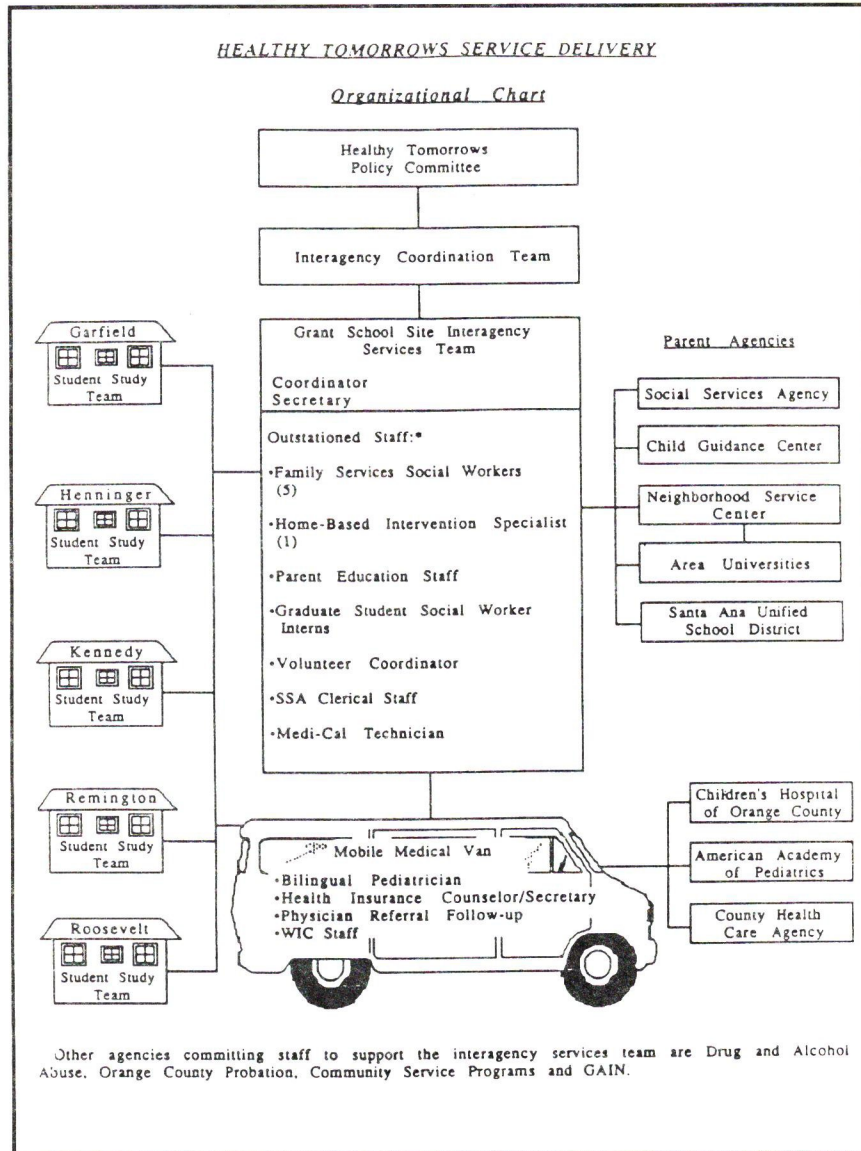


Figure 2. Building a New System: A Five-Stage Process for Change

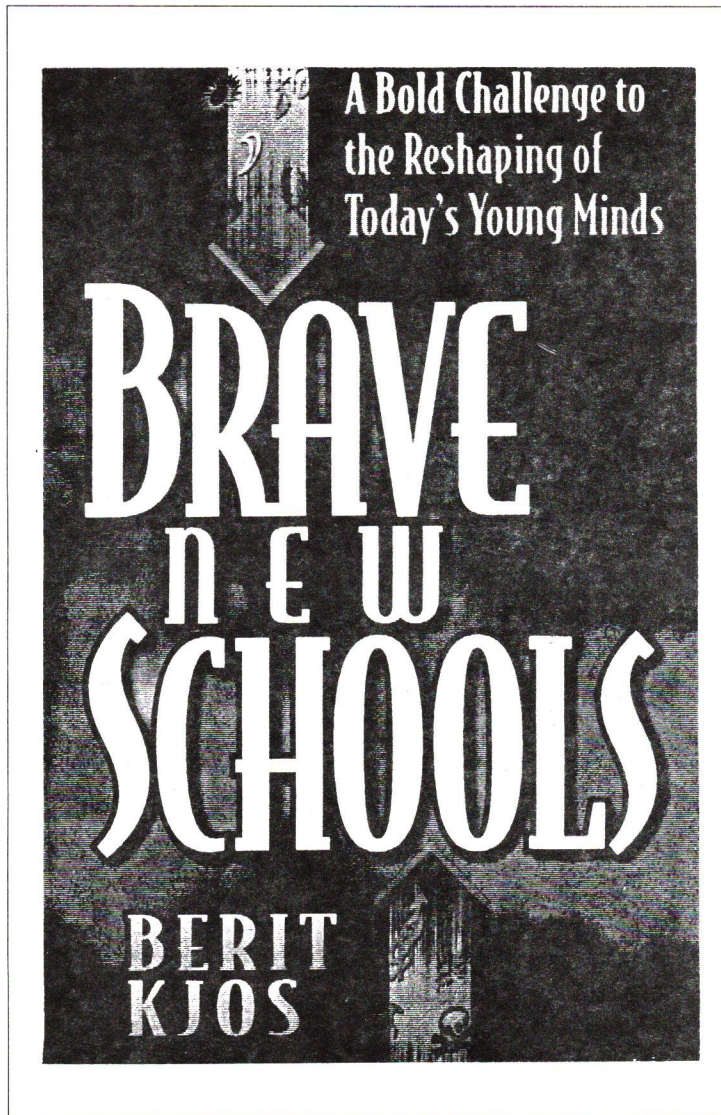
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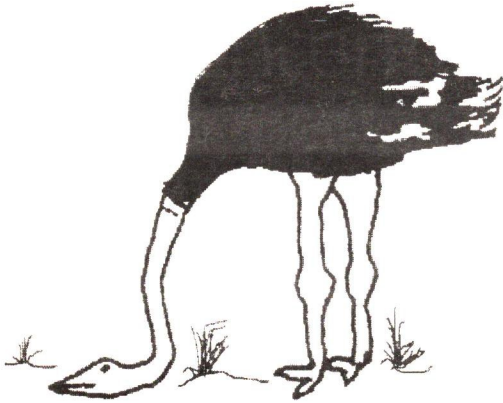
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---Robert Lewis Dabney



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