

## CLA DEFENDS PARENTAL CHOICE IN EDUCATION

The legal missionary team at the Christian Law Association aggressively defends the rights of Christian parents. This constitutionally protected right to direct and control the upbringing of your child includes the right to make educational choices.

- CLA stands with parents who are concerned about what is happening to their student in the public schools. Our new resource Keeping Christ in America's Public Schools outlines those rights.
- CLA stands with pastors and Christian school leaders across the nation in defending their students. During our forty years of ministry, God has allowed CLA to win over 8,000 cases in defense of educational freedom.
- CLA serves and defends home-schooling parents and their students.

Does Homeschooling Have a Future in America?

A search of the White House web site (<http://www.whitehouse.gov/>) reveals no reference at all to any official administration position on homeschooling. This is not to say that they are silent on the general topic of education. Indeed, they have many expansive and expensive ideas for government-run public schools.

Reaching first into the cradle, the "Zero to Five" plan proposes increased funding for early childhood education, beginning at birth. Other ideas being considered by the current administration include longer school days and a year-long school calendar. Is this an admission that public education can't get the job done in the already allotted time? Or is it merely a proposal for more government control of our children?

The policy of "more" (time, money, regulation, etc.) has not solved the crisis in education thus far and it is unlikely to do so in the future. More money, more teacher qualifications, more federal education standards have not produced more quality or achievement.

CLA's New Homeschool Legal Advantage

The Christian Law Association has launched a new ministry initiative for homeschool families called Homeschool Legal Advantage. The web site for this new venture can be found at [www.HomeschoolLegalAdvantage.com](http://www.HomeschoolLegalAdvantage.com). This new ministry recognizes the fact that homeschooling is growing in popularity in America. There are several reasons for this growth.

1. The public education system is under-performing. While many good teachers remain, statistics show that too many American public school children are being taught by teachers who don't have a heart for teaching. It's just a job for them. In other situations, bureaucratic demands on teachers make it nearly impossible for them to actually teach well. Public school test scores continue to decline, even as our educational expectations continue to decline. Parents are justifiably concerned for their children.

2. Beyond the academic concerns of a broken education system are the moral and spiritual concerns that many, especially Christian, parents share. These parents have become so alarmed by the ever-declining moral climate of their local public schools, they feel they have no choice but to assume their God-given right and responsibility to educate their children in a manner consistent with their faith.

What Does the Future Hold?

Homeschool blogs and other news sources are issuing warnings to keep an eye on the Obama administration. Some homeschool sources are very concerned that under this administration's leadership, homeschooling as we know it may be in for a change.

Clearly, the fundamental right of parents to direct and control the upbringing of their children has been entrenched in American constitutional law for over 100 years. Today, however, instead of looking to themselves, to their communities, to their families, or to their churches, Americans are increasingly turning to government to care for them, cradle to grave. If this trend continues in education, it could provide a significant challenge for homeschooling families.

Part of the stimulus package is going to be another large infusion of taxpayer money into failing public schools and other government-run education programs. Many in the federal government seem to act as if they alone know what is best for our children. It is this sort of thinking that could lead to an attack on freedom for parents to quietly educate their children at home.

A well-worn political adage warns us to "follow the money." Concern over massive government funding and control of public schools and the potential corresponding impact on homeschoolers is not unfounded. It is another well-worn adage that "whatever the government pays for, it retains the right to control."

Who Should Decide?

Someone must decide what sort of education is best for individual children. The government could decide. The children could decide. Or the parents could decide. American law is rapidly shifting away from parental authority to decide and is moving toward children having more power and input into their own education.

Rather than accepting the decisions of Mom and Dad, courts may well begin to say that a child of 10, 11, or 12 now has the legal right to choose for himself, even where his education is concerned. While that has not yet happened in America, clearly the law is trending in that direction as courts are allowing children at ever younger ages to make important decisions for themselves—including their involvement in sexual activity or choosing a sexual preference. Parents are increasingly being seen as impediments to their child's freedom, sexual or otherwise. The government then steps in to protect the children from their parents. Mandated government-run public education becomes the best way to ensure that children will break free from the "out-dated" religion, ethics and morality of their parents and embrace the new values of the state.

What are the Basics?

Political movements opposing potential challenges to homeschooling may become more urgent in the near future, but right now parents need to focus on several basic issues. Homeschool families need to make sure that homeschooling itself will remain a strong and difficult movement to stop. Follow these basic steps first.

1. Know the law in your state.
2. Follow the law.
3. Do your work as homeschoolers excellently.
4. Keep good records.

These will be the keys to best protect homeschooling in the future, whatever the challenges. It is parents who are doing an outstanding job and who are able to demonstrate that their

children are being well-educated that will best protect the continuing freedom to home educate.

#### Damaging Court Cases

A well worn legal adage is: "Bad facts make bad law." One homeschool disaster in court could unfortunately eliminate this liberty for many others.

Last year, for instance, the State of California provided us with a decision that could have had this effect. The issue arose in a juvenile court proceeding and actually had nothing to do with homeschooling. Nevertheless, the Court of Appeals ordered that the children in question attend public school or a qualified private school instead of continuing in what it considered to be a poorly run homeschool. This quirky ruling, of extremely limited application, was ultimately vacated and life went on as usual for California homeschool families.

Yet, the fear that was engendered and encouraged in the wake of this bad court decision had homeschoolers across the nation on edge. The implication was that this bad facts/bad law scenario might become the beginning of the end for homeschooling in America. After all, homeschooling has already been outlawed in Germany. It could happen here.

#### Taking a Stand

Whatever the specific issue, vigilance is always the price of freedom. CLA has always recommended three questions to ask whenever Christians take a stand.

1. Am I taking the right stand? (The right stand always lines up with the Word of God.)
2. Am I standing in the right way? (The right stand must be done in a way that pleases God.)
3. Am I standing with a right spirit? (The right stand must always be put forward with a Christ-like spirit that God can bless.)

The Christian Law Association is honored to serve parents and defend the choices that they make in educating their children. You only have one opportunity to educate your children, and then you will live with the benefits or the consequences of your decisions. Moms and dads, I challenge you to make choices regarding your children's education wisely.