

The Blumenfeld Education Letter

"My people are destroyed for lack of knowledge." HOSEA 4:6

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The purpose of this newsletter is to provide knowledge for parents and educators who want to save the children of America from the destructive forces that endanger them. Our children in the public schools are at grave risk in 4 ways: academically, spiritually, morally, and physically — and only a well-informed public will be able to reduce these risks.
"Without vision, the people perish."

Homeschoolers and the Courts or

Does the State Have a "Compelling Interest" in Education?

Few Americans know enough about our educational history to understand the philosophical basis of our government-owned and -operated primary and secondary schooling system. Only in recent years has there been any real interest in finding out why the government got involved in education in the first place so early in our history, particularly since the U.S. Constitution makes no mention of education.

The assumption held by most Americans is that the government has always been involved in education and that education is a natural function of the state. This view is certainly reflected in various court cases involving compulsory school attendance. For example, in a recent case in Iowa in which Christian homeschooling parents Aaron and Theresa Rivera challenged the state's law requiring them to submit a detailed report of their curriculum, teaching methods, hours of instruction, etc., the Iowa Supreme Court ruled in favor of the state which had argued:

First, it is beyond dispute that the State has a compelling interest in the education of its children.

Pierce v. Society of Sisters . . . (1925); *Wisconsin v. Yoder* . . .; *Johnson v. Charles City Community School Board* . . . The United States Supreme Court has recognized that "there is no doubt as to the power of a state, having a high responsibility for education of its citizens, to impose reasonable regulations for the control and duration of basic education." . . . Put another way, it has noted that "education is perhaps the most important function of state and local governments." *Brown v. Board of Education* . . . This court itself has noted that "the state has a clear right to set minimum educational standards for all its children and a corresponding responsibility to see to it that those standards are honored." . . . See also *Blount v. Department of Education and Cultural Services* . . . (" . . . it is also important to recognize that the State's interest is not simply an interest in education but an interest in the quality of education . . . 'it is settled beyond dispute, as a legal matter, that the State has compelling interest in ensuring that all its citizens are being adequately educated.'"); *State v. DeLaBruere* . . . (" . . . there can be little doubt today that the interest of a state in public education is among its most compelling considerations."). In *DeLaBruere*, the Vermont Supreme Court cataloged various decisions recognizing this interest:

A state's compelling interest in these and similar values has been overwhelmingly sustained in cases both in state and federal courts. See *Murphy v. Arkansas* . . . (8th Cir. 1988) (Home School Act, requiring submission of information to the state, did

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