

The Blumenfeld Education Letter

"My People Are Destroyed For Lack Of Knowledge" HOSEA 4:6

Vol. V, No. 4 (Letter # 44) EDITOR: Samuel L. Blumenfeld

April 1990

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 those risks.
"Without vision, the people perish."

The Tama Story: Educational Tyranny in Iowa

On May 17, 1989, the Iowa Supreme Court ordered that an 11-year-old boy being taught at home be enrolled in school and left open the possibility he could be taken from his parents if they refuse to send him.

"A child's best interests include not only proper care and treatment, but also education," the court said in a Tama County case.

In a narrowly drawn opinion, the court said failure to enroll a child in school can leave parents vulnerable to proceedings seeking termination of their parental rights.

The case had been closely watched because of its potential impact on fundamentalist Christians who refuse to send their children to school, insisting on teaching them at home. The court didn't rule out state intervention on those cases, but didn't specifically allow it either.

Court staffers noted that the decision turned on special circumstances and said it left open the home schooling issue.

Mother Was Certified Teacher

The dispute centered on an 11-year-old boy who lives with his family on the Mesquakie Indian Settlement near Tama.

Beginning in 1983, the youngster was enrolled in local schools, but attended only sporadically. In one year, he attended classes 51 days and was absent 129 days. His mother, a certified teacher, said she was teaching the youngster at home. She cited health reasons -- not religion -- for not sending the youngster to school.

Court records described the child as "mildly to moderately mentally retarded" and said he was making little progress in the home schooling situation. The court noted that educational experts had said the child needed special education classes.

The parents refused to send the child to school, however, and both were prosecuted under the state's compulsory attendance law. Those convictions are on appeal.

The Blumenfeld Education Letter is published monthly. Sources of products and services described are not necessarily endorsed by this publication. They are intended to provide our readers with information on a rapidly expanding field of educational activity. Permission to quote is granted provided proper credit is given. Original material is copyrighted by Hosea Communications, Incorporated. Rate: 1 year \$36.00. Subscription Address: Post Office Box 45161, Boise, Idaho 83711, Phone (208) 322-4440.

The child still wasn't attending school, so state officials took the final step of seeking to have him removed from the home.

"In his case, the experts all agree that special education classes in school will provide those opportunities and that no more time can be wasted in this respect," the court said.

"She (the mother) is simply irrational when it comes to (the child) being in school," the court said. "She has tried to teach him at home, but to date he has made little progress. It is now time for (the mother) to give school a chance."

"Child in Need of Assistance"

The court formally declared the youngster a child in need of assistance, a legal step which clears the way for state intervention in the case, saying "his parents' failure to exercise a reasonable degree of care in supervising him."

"If the parents demonstrate continued resistance to in-school teaching, the juvenile court should then consider placement outside the home," the court said.

While the issue deals with legal technicalities, many fundamentalists fear that prosecutors will begin using the juvenile code in cases where they insist on teaching youngsters at home.

Currently, when parents don't send their children to school, prosecutors file charges against the parents, and that's led to highly publicized trials and fundamentalist ministers going to jail.

If prosecutors are allowed to use the juvenile codes, however, children could simply be removed from their homes and placed in foster care. Those proceedings are in juvenile court and are closed to the public.

Some prosecutors have expressed a preference for taking that step, arguing that putting parents on trial simply creates martyrs.

The issue carries more weight this summer because of a one-year ban on prosecutions under the compulsory attendance laws expires this summer. (Des Moines, Associated Press, 5/18/89)

Comment:

A showdown between home schoolers and the State of Iowa is being set up by the education establishment, the Iowa State Education Association, the bureaucrats and prosecutors. Like the Soviet moves against Lithuania, the totalitarians in Iowa are ready to move against the home schoolers.

The Tama case indicates to what length and expense the State will go to gain control of a child and deny his parents their rights as parents. The mother, Anna Lee Bear, received her bachelors degree at Black Hills College in 1960 and taught school for some 20 years. She has reared 4 other children, now ranging in ages 15 through 19, all of whom live at home. Barry, her youngest, is the child at issue. He has been described by the Juvenile Court Referee as "a pleasant manageable child" and by Dr. John Montgomery, a psychologist assigned as a liaison between the Bear family and the South Tama School District, as a "pleasant youngster, an enjoyable kid to be around."

According to Dr. Montgomery, the child was well fed and not neglected. He described Anna Bear as a "charming hostess" saying "I always feel comfortable in her home."

The issue is: who owns the child? The compulsory attendance law infers that the child belongs to the State, and the current trend is to extend these laws to cover preschool years.

Barry in Kindergarten

In 1983 Mrs. Bear enrolled Barry in kindergarten. He was absent 26 days out of 180-day school year. School officials recommended that Barry be placed in special education in the following year because his progress was unsatisfactory. Anna Bear and her husband Archie, a disabled Native American, objected, and Barry did not attend school during the 1984-85 school year. But the school provided Mrs. Bear with a curriculum for home study, and she taught Barry at home.

During 1984-85, Dr. John Montgomery often visited the Bear home to monitor Mrs. Bear's home-schooling efforts. He later testified in court that while Anna Bear was a conscientious teacher, Barry made no educational progress. He further opined that Barry was not receiving enough lesson time and that he was suffering educational, social, and emotional harm by being withheld from school.

Special Ed

Nobody in the court bothered to ask if Barry might suffer educational, social and emotional harm by being in school -- especially in Special Education. According to Lori and Bill Granger, authors of The Magic Feather: The Truth About Special Education, "the whole Special Education movement is a giant hoax designed to breathe billions of dollars and temporary life into the corpse of public education."

What their own experience with Special Ed taught them is that it is basically a labeling process. Once a child is labeled learning disabled, dyslexic, minimally brain damaged, neurologically impaired, hyperkinetic, or whatever, he or she is condemned to spend the rest of his or her school life in Special Ed. The horrible part of all of this is that the labels have no scientific basis whatever. They are

the inventions of psychologists for the purpose of getting federal and state funds to pay the salaries of Special Ed professionals.

Dr. Montgomery also believed that Barry needed the skills he would gain by being with other children. The skills Barry was gaining from his parents and four siblings at home were apparently not enough. He needed the social enrichment that drug education, sex education, death education, AIDS education, and condom education would provide. How could Barry's poor, inadequate parents provide him with multiculturalism, globalism, values clarification, sensitivity training, transcendental meditation, whole language, critical thinking, and other educational goodies?

Barry reached the age of compulsory attendance during the 1985-86 school year. He was scheduled to return to school for special education tutoring. However, he attended classes only 51 out of 180 days.

In the 1986-87 school year, Barry attended classes only nine and one-half days. During that year Barry suffered ear and throat infections, and Mrs. Bear said that she kept him home because of the illnesses.

"Experts" Evaluate Barry

In June 1987 a team of professionals in psychiatry, education, medicine, and social services conducted an "evaluation" of Barry. In a detailed report, the team concluded that Barry was retarded but educable and that he needed to attend special education classes to "maximize his potential." Anna and her husband disagreed with the recommendations and refused to release the report to school officials.

In 1987 Anna and Archie Bear were each charged with three counts of violating Iowa's compulsory attendance

laws. The judge issued citations ordering them to appear on these complaints. When the Bears failed to appear, arrest warrants were issued. They were later charged with contempt. Officers of the Tama county sheriff's office attempted to serve warrants at the Bears' home, but the parents were not at home.

Deputies Terrorize Children

Later, on that same day, the radio operator at the sheriff's office received a call from Anna Bear. She asked if the radio operator would give the sheriff a message. She said her children were terrorized by the sheriff's two cars coming into the place. She said she did not understand why they were being called in and complained that she was not offered a hearing or an attorney.

She said that the deputies had trespassed on their property, and that she and her husband were going to resist illegal arrest.

"They did not offer us an attorney, they violated our rights to the nth degree," she said. "Before they have a chance to come out here, you tell them they're trespassing. There are loaded guns. . . . If they try to break in the house. . . . You darn right there are kids. . . . And I'll hold em."

Mother Charged with Harassment

Apparently Anna was somewhat upset. But it's dangerous to become upset when the State is trying to arrest you and take your child away, for on the basis of Anna's emotional phone call the State filed an additional charge of harassment against Anna. But who was harassing whom?

The judicial magistrate found the Bears guilty of all six charges of violating the compulsory school attendance law and two charges of contempt. The magistrate also found Anna Bear

guilty of the crime of harassment, sentencing her to 30 days in jail. The Bears appealed to the district court. The district judge overturned the compulsory school attendance convictions, finding the evidence insufficient to establish that Barry was physically able to attend school on the specific three days as charged in the complaints. However, the district court affirmed Anna Bear's harassment conviction and the judgments of contempt.

In January 1988, the State authorities filed a Child in Need of Assistance (CHINA) petition, which would enable the State to take Barry away from his parents. Meanwhile, the State prosecuted Anna and Archie Bear for violating the compulsory attendance law. They were found guilty, fined, and given jail time. Part of their jail time was suspended on the condition that Barry would be enrolled in and attend an accredited school. Anna was also found guilty of harassing the authorities.

The State Pursues Anna

On June 1, 1988 Juvenile Court Referee Sylvia Lewis denied the state's CHINA petition, arguing that truancy was not a cause for removing children from their parents. The State appealed the ruling but the next court upheld Referee Lewis's judgment. On December 12, 1988 the State filed an appeal with the Iowa Supreme Court.

Why wouldn't the State accept Referee Lewis's ruling and thereby save the taxpayer a lot of money? Because it wanted to establish a legal precedent whereby home-schooled children could be removed from parents found guilty of violating the compulsory attendance law.

The juvenile law states that a child in need of assistance is a child (1) whose parents physically abused or neglected the child, (2) a child who "has suffered or is imminently likely to suffer harmful effects as a result

of the failure of the child's parent . . . to exercise a reasonable degree of care in supervising the child," or (3) a child who is in need of treatment for serious mental illness or disorder.

Calling in the "Experts"

Definition two is the one the State decided could be effectively used to prosecute Barry Bear's parents. It is also vague enough, wide enough to include fundamentalist Christian home schoolers. After all, the State can always get humanistic psychiatrists, psychologists, guidance counselors, and other "experts" to testify that keeping a child out of public school can cause "harmful effects" by depriving the child of needed socialization.

And that's exactly what the State did. In its appeal statement it presented all of the expert opinion it could marshal to prove that Barry Bear was being harmed by his parents' refusal to place him in school.

A psychiatrist testified that to deny the child special education amounted to neglect.

The education consultant stated that Barry's poor school attendance "may have affected his social development and independence."

A speech consultant urged "formal training in a class room."

A nurse stated that Barry needed "continued opportunities with the necessary structure, routine, and consistency of expectation in order to become more independent."

A social service assessment reported that although Anna Bear had a bachelor's degree, she was a full-time homemaker, that her husband was a disabled Native American, and that Mrs. Bear, as a white person, had at one time reported some tension with reservation members and with the law -- all innuendos without explanations.

The Iowa City Child Development Clinic, where Barry was evaluated, recommended that the child attend school.

Mother's Teaching Not Good Enough

School psychologist John Montgomery testified that Barry had not made "sufficient academic progress while being taught by his mother," and that at school Barry would "have a better chance at learning some rudimentary and survival skills."

Apparently two parents and four brothers and sisters were incapable of teaching Barry rudimentary and survival skills!

The judges wrote: "The academic and social harm was attested to by many witnesses. He (Barry) is being emotionally harmed due to the 'social deprivation with peers.' . . . B.B. is a child being emotionally damaged and whose parents will not treat that damage within the meaning of Iowa Code 232.2(6)(f)(1987)."

As if public schools -- and special ed classes in particular -- do not damage children!

The Court then argued that it was necessary to use the CHINA laws to enforce compulsory attendance because the present law "does not give the truancy officer the power to enter the home, which would need to be done here. In short, the statute was not designed with this type of situation in mind, one where conflict with the parent, not the child, is the center of the problem." (Our emphasis.)

Parents Versus the State

And that's exactly what the State prosecutors and the Iowa State Education Association wanted the Court to say! They now had a legal battering ram with which to break open the doors of home-schooling families.

The Court closed its judgment with these words:

"That is why effectuation of the CHINA statute is necessary here. It allows adjudication of the child's placement, presumes conflict between the State and the parent, and provides for resolution of that conflict by either allowing the parent to retain control of the child or depriving them of it. In this case it would allow the court to condition continued placement with the parent upon school attendance, or to remove the child from the parent if necessary."

And so educational tyranny is now the law in Iowa and parents' rights have been sent down the drain. The "educators" now control the children of Iowa.

State Power Arrayed Against Anna

Just about everyone involved in persecuting Anna Bear was on the public payroll: the school authorities, the psychologists, social workers, counselors, state attorneys, judges, truant officers, sheriff's deputies -- an army of public "servants" determined to deprive Anna Bear of her unalienable right to bring up and educate her child in her own loving manner.

It is obvious why the State chose to move against Anna Bear. She is a white woman, married to a Native American, living on a remote reservation. Her child is "mildly retarded" and "needs" special education. The court case could be conducted away from public scrutiny. The "experts" would all testify for the State, and the Iowa Supreme Court would set a legal precedent that could be used to destroy home schooling. For months, no one knew what was happening in Tama. But now we know. And it is up to us to make sure every one else in America knows.

Although it was not reported in the press, Barry Bear was taken from his family and placed in foster care. Sixty Minutes, 20/20, 48 hours, Peter

Jennings, Ted Koppel, Dan Rather, Jane Pauley, where are you?

We have further learned that on March 21, 1990, the Iowa Supreme Court reversed the State's compulsory attendance convictions on the basis that the State did not have jurisdiction over the Indian tribe to which the Bears belong. However, the court upheld the conviction of Anna on harassment.

Iowa may have once been known as "first in education," but now she is certainly, "first in educational tyranny."

Boy Hangs Self After Seeing Suicide Film in School

An 8-eight-old boy hanged himself on 3/24/90 in Canton, Michigan, one day after seeing a film on suicides shown to his class. Stephen Nalepa was found by his brother Jason about 9:30 p.m., Saturday, dangling by a belt from his bunk bed, his feet barely an inch off the floor.

Stephen's shocked parents, Larry and Debby Nalepa, said their son's hanging may have been an accident inspired by a movie on suicides shown to his class Friday at Gallimore Elementary School in Canton.

"A sequence in the movie depicts a child who is depressed trying to commit suicide by hanging from a belt and being saved at the last minute," Debby Nalepa said. "Less than 24 hours later, this happens."

Stephen had never played with belts before and wasn't depressed like the child in the movie, said his mother, a nurse at Garden City Osteopathic Hospital, who tried in vain to revive him.

"He was always imitating and mimicking because he was always so adept at everything," she said. "The principal told me the essence of the movie is to show that life is worth living,

but what really angers me is she admitted she had not even screened the film to see if it is appropriate for 8-year-olds."

Three officials at Plymouth-Canton Community Schools said they had never heard of the movie and refused to comment. Unlike the movie Stephen watched Friday, there was no last-minute rescue in his own hanging, the Nalepas said.

They Watched "Titanic"

Debby Nalepa said Stephen stayed home to watch a vintage movie, Titanic, but became bored and went upstairs to play. About 9:30 p.m., she sent her older son, Jason, to get Stephen.

"That's when we heard this blood-curdling scream," Larry Nalepa said. "I ran upstairs and found Jason trying to hold Stephen up.

"His feet were only this far from the floor," Nalepa said, holding his forefinger and thumb barely an inch apart. "I took him down, and Debby started CPR (cardio-pulmonary resuscitation) while Jason dialed 911. EMS came quickly and worked on him a whole hour, but it was too late."

Stephen, who had an IQ of 130, was an outgoing child who played soccer and basketball, collected baseball cards and took art and music classes.

The family donated Stephen's organs, Debby said, "so he will live on and help other people, the way he would want to." (Detroit News, 3/27/90)

Comment:

Stephen Nalepa was another tragic victim of the American school's obsession with teaching children about death and dying. How much death education did Stephen get in his third-grade class? Did they also play the lifeboat survival game? Stephen hung himself after

watching Titanic in which the lifeboat survival game was played out in earnest. Obviously, Stephen was the kind of person who would have sacrificed himself rather than throw someone else out of the lifeboat.

Since death education was introduced in American schools in the early 1970s, about 50,000 school children have committed suicide. Yet, there hasn't been a single inquiry made by the educators to see if death education is a contributing factor to this ongoing carnage. Why not? Because if it can be shown that death education has contributed to the death of a single child, the educators would have to get it out of the schools, and the educators are not prepared to do that.

We hope that the Nalepa family will file suit against the Plymouth-Canton Community Schools for irresponsibility, dereliction and malpractice. Only a lawsuit with a large award for damages will put a stop to death education.

Second Student Suicide in Same Township Shocks Community

Three hours after Stephen Nalepa hanged himself in his bedroom on Saturday, March 24, Douglas Briggs, a 16-year-old sophomore at Plymouth-Salem High School was found hanging from the joists in the basement of his home in the same township.

Briggs, a quiet, respectful teen, had many friends and few problems, puzzled mourners recalled Monday night (3/26/90) at the John N. Santeiu and Son Funeral Home.

The sophomore, who played defensive end on the school's varsity football team, led a simple life, dominated by his enthusiasm for football, said his brother, Dan.

"He was getting better in his classes," Dan Briggs said. "Things were going so well." The brother became

angry when the word suicide was mentioned. He refused to believe his brother killed himself.

"When I heard about it, I wanted to kill somebody myself. Somebody did it," Dan Briggs said.

According to Wayne County Medical Examiner's Office, both boys died of asphyxiation by hanging.

Canton Township police said they were investigating the deaths, which occurred within three hours and two miles of each other, as unrelated hangings, linked only by the bizarre coincidence of timing and location.

Good-Natured Young Man

The Briggs family and Canton police refused to discuss details surrounding Douglas Briggs' hanging. But his friends and classmates said they could find no reason for the popular, quiet but good-natured young man to commit suicide.

"He was always the one without the problems," said Susan Zarsyski, 15, tears streaming down her face. "If you sat by him in class, he would make you laugh."

Tom Maliszewski, who was in welding class with Doug, said another friend who had played basketball with the boy two hours before his death reported that "Doug was in a really good mood."

As family and friends struggled to make sense out of Douglas Briggs' death, they remembered his short life as a happy and active one.

He was most successful at football, said Brian Connell, a teammate.

"If you were sitting on the sidelines with him, he never shut up -- he was always cheering," said Connell. And on the field, Douglas Briggs was an aggressive, hard-hitting defensive player. (Detroit News, 3/27/90)

Comment:

Another perfectly normal, apparently happy youngster commits suicide, and everyone is puzzled. The police saw the two suicides as unrelated, "linked only by the bizarre coincidence of timing and location."

But the suicides are indeed related, for both boys attended schools in the same district, and if they are now teaching death education in the elementary school, you can be sure they are teaching it in the high school as well.

Will anybody in the Michigan department of education investigate? We doubt it. Their main concern is making sure that home-schooling parents and teachers in Christian schools are certified!

Third Annual PURE Conference July 6-7, Boise, Idaho

Parents for Unalienable Rights in Education (PURE) will hold their third annual conference in Boise, Idaho, on the weekend of Friday, July 6, and Saturday, July 7, 1990.

The conference will be held in conjunction with The Montgomery Institute, an educational enterprise that assists home schoolers in developing home education programs on Biblical principles.

The conference will be held at the Total Life Center, 6250 Cloverdale Road, Boise, Idaho 83709. For additional information call The Montgomery Institute at 208-888-2315 or The Blumenfeld Education Letter at 208-322-4440.

Speakers will include Samuel L. Blumenfeld, Sharon Pangelinan, Bob Forrey, former Idaho legislator, and others. The theme of the conference will be: "A Parents' Rights Strategy for the Nineties."