

## New York's Unaddressed Educational Issue

December 23, 2018

In response to widespread outrage, the New York State Education Department's has now modified its onerous iteration of its guidelines for yeshivos' secular studies. It has now reduced the number of hours of required study per day in the seventh and eighth grades, removed the time requirement from the fifth and sixth grades, clarifying that those grades have the same requirements as grades one through four.

The original requirement yielded a great outcry from our community, an op-ed in the *Wall Street Journal* by two prominent *Roshei Yeshivah* and a petition signed by over 53,000 citizens irate at the intrusion on their right to direct their children's education.

While the recalibrated guidelines might on the surface appear to be a step in the right direction, in reality they are still deeply troubling and unacceptable. For one thing, seventh- and eighth-graders with a four-day-per-week schedule would need 4.2 hours of secular studies per day to be in compliance. Furthermore, the larger issue — and it remains as unaddressed as it is urgent — isn't about hours but rather about the imposition of governmental control over private schools and, perforce, its repression of parental freedom.

Our community has shown, and will continue to show, its commitment to the principle that, decisions about our children's education should be made by parents, and they in turn, overwhelmingly choose to be guided by our spiritual leaders. Not by government bureaucrats, not school boards and not individuals who may have grown up among us but chose to veer from the path and now seek to redirect our own.

As Harav Elya Brudny, *Rosh Yeshivah* at Yeshivas Mir in Brooklyn, stated in last week's *Hamodia*, "We have to do everything possible to educate the public about the danger of the mere notion of the government interfering in the way that we educate our children: It is poison. The concept that they will, *Rachmana litzlan*, dictate to us how much Torah to teach our students — this is something that we cannot tolerate."

In a positive development, the challenge to personal and religious freedom inherent in the New York Education Department's decision to try to "fix" what, as the saying goes, "ain't broke" (yes, education department officials, we know it's poor grammar), has not been lost on other observers either.

The New York Catholic Archdiocese's Director of Public Policy, Edward Mechmann, wrote a strongly worded essay in which he cited the *Roshei Yeshivos' Wall Street Journal* op-ed, and noted that "Long-standing constitutional decisions recognize the right of parents to educate their children as they see fit, including the right to send them to religious schools of their choosing"; and how the New York State guidelines would, alarmingly, "subject the curriculum and materials to government inspection and approval."

The guidelines, he continued, “would even require private school teachers to be evaluated by the government. No objective standards are set out in the directives, leaving broad discretion in the hands of local school boards. Any private school that fails this inspection will be forced to close.”

Such “virtually unlimited power over private religious schools” placed in the hands of local school boards across the state, Mr. Mechmann points out, offers “no protection against government officials who are hostile to religious schools or who just want to eliminate the competition. One can only imagine the kinds of curricula and materials that school boards could mandate. ...”

In fact, the New York State Council of Catholic School Superintendents has rejected the guidelines and directed its schools to not participate in any review carried out by local public school officials.

The Cato Institute’s Center for Educational Freedom director, Neal McCluskey, writing in *Forbes*, who also cited the *Wall Street Journal* op-ed, made a similar case.

“What is the right balance between children’s need to be equipped for eventual independence, and the freedom of the nation’s wonderfully diverse communities?” he asks.

“The answer,” he writes, “is emphatically not to require that private schools furnish the same education as public institutions. Freedom as an adult means little if as a child your mind is engineered to think as the state demands. And there is grave danger to diversity and freedom of thought if government dictates that education cannot be solidly constructed around conceptions of what is good and right outside the mainstream.”

It is imperative that our community and all our allies continue to speak up on this most vital issue and leave no stone unturned in our efforts to protect the independence of our the children’s education.