

Dear House Members,

I am licensed teacher and current homeschool mother to six children living in Lakeville, MN. Thank you for taking the time to consider my grave concerns regarding HF 874. While there is no doubt that all of us care about improving education for all Minnesotan students, the language proposed in HF 874 is extremely concerning. First, there are there are many vague terms that need defining. Who will determine, quantify, and evaluate what constitutes a “quality education”? Who will determine what “skills are necessary”? Who will define, create, and implement the “uniform achievement standards”?

Beyond this, the language changes that are most concerning to us have to do with the wording that changes public education from being the responsibility of the legislature to provide, to being the “fundamental right” of every child.

If public education is a fundamental right of the child, then what happens to educational freedom and the right of a family to choose private education, homeschool education, or specialized tutoring? Would a parent withdrawing a child from public education be viewed as violating that child’s “fundamental right” to a “quality PUBLIC education”? Specific language must be added to protect the parents’ and families’ right to choose non-public educational options for their children. If this bill is not meant to threaten a family’s freedom to choose private school, homeschool, or other non-public educational settings, then it must state so specifically and unequivocally, so there is no room for misinterpretation. If the authors and cosponsors of this bill are unwilling to do so, then it should be absolutely rejected.

Furthermore, the language of the “positive rights” of the child is an actual strategy that is being used to override parental rights and educational choice for families. Consider this Harvard anti-homeschooling paper authored by Liberal education activist Professor Elizabeth Bartholet. Link: [62arizlrev1.pdf \(harvard.edu\)](#) . In it, she explicitly advocates the legal language of “children’s rights” as a means to limit or eliminate home education as a parental right. She concludes: “What is needed is a true child rights movement... We need adults to step up and create the legal regime that will provide that protection. We need adults to create the political movement to advance child rights through political and litigation campaigns. The courts may be essential to move things forward. Here, children are also dependent on adults—judges—to vindicate their rights. But courts can at least operate somewhat more freely than legislatures from political pressure.”

The bottom line is that language about “the rights of the child” essentially pits the child’s rights against the parents’ rights and invites the Government in to create a “legal regime” to arbitrate between the two.

Please consider the explanation of a friend of mine who became a naturalized U.S. citizen after growing up in Russian and Germany: “For example, the EU asserts that parents have the right ‘to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions.’ However, the same article (Right to education) also states that ‘this right includes the possibility to receive free compulsory education.’ The EU has interpreted this ‘right’ to mean that school attendance can be compulsory even when the parents’ deeply held philosophical, religious, and pedagogical beliefs compel them to homeschool their children. In Germany, the ‘right’ to a public education has in some instances become an obligation because parental rights have been forcibly subordinated to ‘children’s rights.’ Courts have repeatedly ruled in favor of German authorities to deny parental rights to educate their children at home, specifically citing this language.”

In conclusion, I believe that many well-intentioned Legislators such as yourself are being encouraged to support HF 874 under false pretenses. The language of the proposed changes is far too undefined to effect meaningful change, and as currently worded, poses a definitive threat to educational freedom and choice for Minnesotan families. Overall, I do not trust the language nor the intent behind this amendment, and neither should you. Please dig further into these concerns and consider opposing this amendment.

Thank you very much for your time and consideration.

Sincerely,
Karin Miller