

NH Supreme Court Hears Homeschooler's Case

The New Hampshire Supreme Court on Thursday is hearing the case of a homeschooled girl who was ordered into a government school by a state judge.

In the original order issued in July 2009, the court reasoned that the girl's "vigorous defense of her religious beliefs to [her] counselor suggests strongly that she has not had the opportunity to seriously consider any other point of view" and then ordered her to be enrolled in a government school instead of being home-schooled.

Alliance Defense Fund (ADF) allied attorney John Anthony Simmons will argue before the high court on behalf of the girl's mother, who is objecting to the judge's order on appeal.

As Simmons sees it, parents have a fundamental right to make educational choices for their children. Courts can settle disputes, he argues, but they cannot legitimately order a child into a government-run school on the basis that her religious views need to be mixed with other views. That's precisely what the lower court admitted it is doing in this case, and that's where Simmons' concern lies.

The court acknowledged that, while being home-schooled, the girl was "well liked, social and interactive with her peers, academically promising, and intellectually at or superior to grade level," but then it ordered her out of the home schooling she loved so that her religious views will be challenged at a government school. That's where Simmons says the court went too far.

Simmons filed a motion to reconsider and stay the order in August 2009. In her denial of the motions, Judge Lucinda V.

Sadler of the Family Division of the Judicial Court for Belknap County in Laconia wrote that the girl “is at an age when it can be expected that she would benefit from the social interaction and problem solving she will find in public school, and granting a stay would result in a lost opportunity for her.”

“The lower court effectively determined that it’s a ‘lost opportunity’ if a child’s strongly held Christian views are not sifted and challenged in a public school setting,” says Simmons. “We appealed because that’s a dangerous precedent.”

Do you feel the government should be allowed to force kids into government schools to challenge their religious beliefs?