

Homeschooling Under Fire

The Iowa Homeschooling Crisis of 1989-90

**A history of the plot to depict homeschoolers as truants
and child abusers.**

By Lynn and Sarah Leslie

Introduction

The following is based upon a speech delivered June 11, 2004, at the NICHE Convention homeschool support leaders banquet held in the fellowship hall at First Federated Church in Des Moines, Iowa. This is a story of the homeschooling crisis in the state of Iowa during the years 1989-90. It begins with background information so that the context of the crisis can be better understood. The remaining story is a firsthand account of the events that transpired. It is backed up with the author's own files and records, including handwritten notes made at the time, in order that it might be as factual and truthful as possible. Fifteen years later I still feel a sense of protectiveness towards the families who stood with us, so I have left out many names. Please don't misconstrue the omission of a name to be a personal slight. It is simply an indication of a reluctance to publicly divulge the family names of those who may still be vulnerable to State harassment and prosecution. I hope some day others who lived through these harrowing experiences will write their stories. On a final note, this is an intensely personal story. It could not be stripped of the essential element of our Christian faith, which sustained us so mightily during the time of crisis.

Sarah Leslie
August 30, 2004

...for the people had a mind to work. (Neh. 4:6b)

Faithful under fire

Easton Baptist Church sits high atop hills of corn overlooking the Four Mile Creek valley east of Des Moines. On the day of the Iowa home school parents meeting in June there was a mist rising from the fields in the cool hours of the early morning. Despite the serenity of this pastoral setting, there was a faint disquiet in the air as if something unsettling was going to occur. At various intervals throughout the day, I felt so uneasy that I peeked out the windows as if I expected to see tanks, poised with

guns, directed towards our small body. But the only view was rows of corn and a gentle rain, mixed with occasional sun, which was making rainbows in the mists.

These words were penned by me, anonymously due to fear, in a short article entitled “Faithful Under Fire” published in a small newspaper that was sent across the state of Iowa in early 1990.

This meeting at Easton Baptist took place in early June 1989. The meeting had been called by Iowa homeschool leaders in response to two new threats against the fledgling homeschooling community. The State of Iowa had just launched a two-barreled assault against home education:

- 1) The Supreme Court in Iowa had just rendered an opinion that significantly changed the interpretation of the truancy laws in the case of Barry Bear, a child from Tama, Iowa. No longer would parents simply be charged with truancy under the criminal code. From now on they could be charged as child abusers under the juvenile code.
- 2) And, perfectly coinciding with the issuance of this landmark ruling, was a dangerous new bill in the legislature that would codify this change into law, Senate File 149, which was precariously close to passage.

These two events raised the specter that homeschooled children could be declared truants, and being thus classified, could be thrust into the juvenile justice system where they would be treated as juvenile delinquents, and their parents regarded as child abusers.

At the time of this Easton Baptist gathering, there was a vague inkling that this imminent danger was not just localized to Iowa homeschoolers. Many of that day’s speakers presented well-documented information portending that this was the just the first skirmish in a sweeping plan to eradicate homeschooling once and for all across the face of America.

Homeschool pioneers in Iowa

The homeschool pioneers were influenced by John Holt, Raymond Moore, Samuel Blumenfeld and many others. For varying reasons parents chose to step out of the mainstream of society. They turned their hearts toward home with an unusual strength and courage to withstand the tide of modern cultural pressures. They stood on a foundation of religious and/or philosophical conviction that was so unwavering that many risked going to jail rather than submit to putting their children into government schools.

Many early homeschool families in Iowa—which included the Trucke’s, the Bluedorns, the Myers, the Cochran’s and others—withstood court battles, or were compelled to flee the state, in order to avoid the harassment of prosecution.

Iowa had a bitter history leading up to 1989. The homeschool community was deeply divided. The families who were hauled into courts for prosecution on truancy charges often found themselves isolated and alone, abandoned by families, churches, and even fellow homeschoolers. In the mid-1980s Republican Governor Terry E. Branstad set up a Task Force to grapple with the novel issues presented by home education, but the equivocating results of the Task Force only served to intensify the division. The primary state group at this time was Iowa Home Educators’ Association (IHEA), a fledgling organization with limited outreach.

By 1988, many new families were entering homeschooling for the first time, and as a result there were more families being threatened and harassed by state and local education officials. Things

were beginning to get messy politically. Iowa law required the use of a certified teacher in instruction. Several school districts in Iowa piloted programs, called “dual enrollment,” whereby a child was enrolled in the public school district, but permitted to be schooled at home by a parent, with the oversight of a certified teacher hired by the district.

By 1989, Iowa had the dubious distinction of being the worst state in the country for homeschooling. A one-year moratorium on prosecutions had been called statewide in 1988. The moratorium was due to expire on July 1, 1989. Everyone present at the Easton Baptist meeting fully expected prosecutions to start up again in earnest by mid-September.

Invited to the meeting at Easton Baptist, and all subsequent meetings, were a few pastors in charge of little church-based schools, who had every reason to fear that the Barry Bear case could affect them. Private, unaccredited Christian schools were also being persecuted across America during the decade of the 1980s. Iowa was no exception.

Iowa’s early history of intolerance

Throughout its history, Iowa has had a dark seam of intolerance of religious diversity in matters of private education. This is due, in part, to the particularly pervasive influence of John Dewey’s educational philosophies during the 1930s and 1940s, especially in the rural areas of Iowa where he experimented upon a generation of school children with his new teaching methodologies. Dewey emphasized socialization with one’s peers as an essential attribute of modern education in order to create a more socialist society. It was thought that children would be irreparably harmed without a State education.

In the early 1950s, Iowa began to persecute the Amish, an Anabaptist sect with a 350-year history of educating their children apart from mainstream society. This sect had fled the persecution in Europe and came to America after William Penn, a Quaker, opened up the territory of Pennsylvania as a haven where Anabaptists could practice their religious faith in freedom. Some of their descendents settled in rural Iowa countryside, peacefully practicing their old-fashioned agrarian way of life. At the height of the Iowa persecutions, a stunning photograph was published in the *Des Moines Register*. It showed a big burly Sheriff’s deputy chasing across a field after a terrified little Amish boy. The tide of public opinion quickly shifted in sympathy towards the Amish as a direct result of this award-winning photo.

This attempt to shut down Amish schools didn’t succeed. Nevertheless, State education officials began imposing severe restrictions upon the freedom of the Amish to practice their distinctive historical faith in matters of education of their young.

The federal encroachment on the family

There was a national push to reform child welfare during the decade of the 1980s. At the top of the agenda was more State intervention in the lives of children and their families. The erosion of the traditional family structure was given as the reason for deeper intrusion into the lives of America’s youngest citizens. An army of social workers, psychologists, social scientists, behaviorists, and political reformers coalesced—churning out documents, holding press conferences, proposing legislation, and writing media stories. A crisis in preschool, child care, health care, and all sorts of family social services was pronounced.

Concurrently, there was a move to reform education by expanding the role of the government school into family lives, developing uniform curricula and testing mechanisms, and adopting

federal standards for performance. The school day was tweaked by increasing the number of hours per day, adding days to the school year, and expanding the ages of compulsory attendance.

Education began to be portrayed as just one facet of a vast array of family psycho-social services sponsored by the State—services that were no longer designed simply to protect the neediest children, but also began to intrude into the lives of mainstream families. Homeschooling, and private schools which operated outside of this emerging government “system,” were viewed with animosity and suspicion. Homeschooling was most often depicted in the media in disparaging terms at this time. There was an inference that children were being deprived of adequate peer socialization, isolated, socially inept, and lagging behind their peers.

A prominent leader in the movement to federalize the reform of public education was William Bennett, who headed up the U.S. Department of Education under the Reagan administration during the mid-1980s. Despite his conservative credentials, Bennett proceeded to lay all of the bureaucratic groundwork for the education reform movement that mushroomed across America during the 1990s. Bennett was the first federal official (that we have on record) to make use of the phrase “educational abuse” when referring to private and home education.

The “closet child abuser” philosophy

In an interview with *Washington Times* conservative columnist John Lofton, conducted on January 2, 1986 (which was later inserted into the *Congressional Record* of March 7, 1986), U.S. Secretary of Education William Bennett laid the groundwork for what we now recognize as the *No Child Left Behind Act*: high standards, accountability, assessments, and rewards and penalties for performance. In this interview, Bennett called for the State to exert a “minimal interest” over those children who were in Christian and home schools. He said that the State should have the right to close down any school that “falls below the average of the state.” In a lengthy exchange, John Lofton pressed the point about what this “minimal interest” would entail:

Q [Lofton]: Where does the state acquire this “minimal interest” you assert?
Education is not mentioned in the Constitution?

A [Bennett]: I can’t cite you the cases, but I remember studying it... Most parents have the interest of their children foremost in mind. Some parents do not. Some parents abuse their children. The state has a right to protect those children from those parents....

Q [Lofton]: But why would you defend the right of the state to set testing standards when one reason a lot of parents want to send their kids to private schools is because they reject the state’s standards?

A [Bennett]: For the same reason that I send in the cops when I find a kid has been locked in the closet for three months.

Q [Lofton]: But that’s a criminal act. Why do you liken home schools or Christian schools that are not state-tested to a criminal act?

A [Bennett]: No, educational abuse of children—if you’re not teaching your children what they need to know to survive in this world... [ellipsis in original]

This view, which likens homeschooling to the criminal act of child abuse, was to become the pillar upon which Iowa's homeschool crisis was founded. A corollary view holds that homeschooling parents are potential "closet child abusers," and that the State must conduct routine surveillance of this atypical, "abnormal" family. Many social reformers held the cynical notion that it was implausible that parents would desire to stay home and educate children out of genuine affection, devotion, and sincere conviction. The nasty inference was made that there must be some sinister ulterior motive for wanting to keep the children at home.

The education reform term "accountability" gained rapid prominence during William Bennett's tenure in the Reagan administration as a proposed mechanism to enforce compliance to the new federal education standards. Several prominent leaders, from both the political Left and Right, proposed that the State find ways to hold parents "accountable" (or "responsible"), and they began to devise intrusive ways to monitor children in the context of their families.

Just to be sure he understood William Bennett's position correctly, columnist John Lofton asked him again a few months later: "Where does the state get the right to shut down a private Christian school or a home school? And I got the same fuzzy answer." ("A threat to private schools?" *Washington Times*, April 30, 1986).

The Iowa connection

Kathy L. Collins, who was shortly to become the legal counsel for the Iowa Department of Education, in 1987 wrote an article for *Free Inquiry*, a humanist publication (Vol. 7, No. 4, p. 11):

Christian parents who want the freedom to indoctrinate their children with religious education do not understand that the law that prevents them from legally teaching their kids prevents someone else from abusing them.

This article, which was abrasively entitled "Children Are Not Chattel," went on to describe the rationale for intrusive State regulation:

Certified teachers are state-mandated child-abuse reporters. When children are allowed to be kept at home, there may be no outside contact, no help for the abused child.

This idea, that homeschoolers were potential "closet child abusers" was to become the operating principle at the Iowa Department of Education over the course of the next several years. Kathy Collins would go on to become the "Great Nemesis" of Iowa homeschoolers. Her name became synonymous with the harassment, prosecution and persecution of families in the homeschool community. Anecdotal evidence at the time indicated that she engaged in a "witch hunt," tracking down homeschoolers across Iowa by contacting superintendents, county attorneys, and possibly even local media outlets, in an attempt to locate families to become guinea pigs for the next court case.

As tempting as it was to hate this woman, it should be noted that many homeschoolers devoted themselves to pray for this woman daily.

Our personal story

At this point in the telling of this tale, the story becomes our own. It is not an easy task to write down the following events, because they are highly personal and evoke painful memories. Even today my husband, Lynn, and I tell this story in awe and reverence, in complete recognition that this is not our own story, but rather a story of God's miraculous deliverance.

Our story begins in the early 1980s. Through a series of complex circumstances, I was catapulted out of anonymity to head the Right to Life movement in Iowa. After Jimmy Carter's White House Conference on the Family in 1980, many evangelical Christians entered politics. They became involved in issues for the first time—abortion, family matters, and education were highest on their list. Lynn and I rode the crest of this wave, educating the Iowa public about the true nature of abortion before the 1988 presidential caucuses. As a consequence, we had a small amount of political clout, gaining both friends and enemies in the process. We also had a reputation as non-compromisers. The first time we were approached to take “half a loaf” in a political scheme, we declined, citing King Solomon's offer to chop the baby in half to give a portion to each mother.

In 1983, evidently because I was a highly educated evangelical woman with credentials in education and counseling, Iowa Governor Terry E. Branstad appointed me to the Juvenile Justice Advisory Committee. He was actively working to put a diverse group of new people on state boards and commissions, including many women, minorities and representatives from various religious groups. This included evangelical Christians. For many years I fulfilled my duties on the council pertaining to how federal juvenile justice funds would be appropriated in Iowa. I sometimes wondered, in a spiritual sense, why I was serving in this capacity. I was soon to learn precisely *why*.

By late 1988, I had retired from active political life. I was pregnant with my 4th child and was enjoying the quiet life (if one can have “quiet” with a house full of toddlers). In November of that year, I missed a meeting of the Juvenile Justice Advisory Council (JJAC) because of family illness. At this meeting a member of the council, an administrator from the Sioux City school district named Dr. Warren Montgomery, presented handouts. He proposed that the JJAC take up truancy as juvenile justice cause. Up to this point truancy had not been a matter that had garnered much attention from the JJAC. This is because it was generally perceived as a school matter, adequately remedied by Chapter 239 of the Iowa Code.

In February 1989, I attended the subsequent JJAC meeting where Dr. Montgomery was permitted to make a presentation about his handout. He claimed that Iowa had a truancy “crisis.” Most of his examples, however, were notably homeschoolers! In fact, Dr. Montgomery asserted that homeschoolers in his district were “closet child-abusers,” and he claimed they were keeping their children home to “baby-sit” and for other negligible reasons.

Most significantly, Dr. Montgomery reported that there was a bill in the Iowa legislature that would once and for all “solve” the truancy “crisis.” He claimed that he had helped to author this bill, and intimated that there were a number of state and national experts who worked on this bill with him. At the time I thought he was simply bragging, but later we came to realize that this was a much larger plan. If homeschooling in Iowa fell, the rest of the fledgling homeschooling movement in America was supposed to fall like dominoes—eradicating all private home education once and for all.

The JJAC was reluctant to get involved in the truancy issue and so they simply tabled the matter at this meeting. I immediately rushed over to the legislature after the meeting. Some of my best

friends were homeschoolers and I worried about this proposed bill that Dr. Montgomery had mentioned. How would this affect them? I wanted to get a copy and read it for myself. The bill number was Senate File 149.

As I walked up the stairs of the State Capitol and into the Rotunda area, I peered off to my side, and noticed that the Planned Parenthood lobbyist was making a panicked phone call to her superiors, obviously thinking that I was up there because of some Right to Life matter. I was relieved to see the Iowa Home Educators Association's (IHEA) homeschool lobbyist standing right in front of me. I ran up to him and breathlessly cried, "There's a bad bill up here, S.F. 149, that is going to wipe out homeschooling!" He looked around nervously, and then lowered his voice, "Get away from me! I don't want to be seen with you. You're too controversial!"

Stunned and hurt, I moved away. I then tried to plead with him to listen to me about the bill, to at least go get a copy to read, but he pointed to a prominent *Des Moines Register* political reporter standing off to the side, and said, "I don't want David Yepsen seeing me with you. Go away!"

He was right. I was controversial. I was a well-known face and everyone knew what I stood for. If he were seen with me, it might evoke memories in other peoples' minds of his early beginnings, when he also used to be controversial. In the mid-1980s this handsome and articulate father had stood courageously and spoken with great conviction at political conventions on behalf of family issues. But eventually he compromised and ended up working for a newly formed Reverend Moon political front organization, the American Freedom Coalition, which was trying to organize Iowa's political and religious Right. My husband had approached this man with wise counsel to avoid this entanglement. But he rejected Lynn's counsel, which perhaps explains some of his animosity towards me personally that day. IHEA leaders later told us that they had not been aware that their lobbyist was also working for Rev. Moon's outfit.

Dejected, I picked up a copy of the bill and left. The bill was every bit as bad as I had imagined. It would have required a homeschool family to hire a certified teacher to teach their children 180 days in order to be legal. Other provisions of the bill would bring homeschool families within the provisions of the "child in need of assistance" (CHINA) provisions of the Juvenile Court. The proposed law stated that a truant child "shall" be reported to the county attorney and that the county attorney "shall investigate" the report and "may file" a petition in Juvenile Court. Ultimately, this meant that a child could be removed from his/her parents simply because they teach the child at home. Characteristic of Dr. Montgomery's remarks at the JJAC, the bill lumped hardened, dysfunctional truant families together with solid, stable homeschool families. If a family, for whatever reason, wasn't in full compliance with the law, their children could be deemed "truant." "Truant" was loosely defined as any child not attending a public school or receiving 180 days of instruction elsewhere by a certified teacher—in other words, the overwhelming majority of homeschoolers!

After I read the bill I rushed home and phoned Johann Hicks, a retired kindergarten teacher who had great concern about family issues and privately assisted some homeschool families. She was already aware of the bill, she informed me, and recognized how serious it was. I told her about Dr. Montgomery's remarks and his handouts. Now she had even more to worry about. But the two of us had no way to stop this bad bill. No state organization existed that would fight this. Given the lobbyist's reaction, IHEA was obviously not intending to fight it. Johann and I decided that all we could do was get down on our knees and start praying fervently, which we did over the next 3 months.

In April, I gave birth to our fourth child. Shortly thereafter Lynn and I began to make plans to move to the eastern side of Des Moines to a larger house to accommodate our growing family. We were not homeschoolers at this time. Our oldest son was in a private Christian school. But I began to worry about how I would manage the long one-half hour drive back and forth each day, with two toddlers and a newborn, to get him to school.

We hadn't considered homeschooling up to this point, but several factors began to change our minds. First, my mother, a certified elementary teacher, began to call me with concerns that our oldest son was "gifted" and needed extraordinary challenges. The Christian school where he attended was not willing to work with his unique gifts. My mother had homeschooled me during part of my childhood (due to illness) and it had been a profitable experience for both of us. I held a bachelor's degree in elementary education, but had let my teaching certificate lapse. My mother encouraged me to think about it, "just for one year." A second factor was that one of my best friends, Mary Stuart from Earlham, Iowa, became convicted in her Christian walk to pull her children out of public education and begin homeschooling. As she shared her spiritual journey with me, I could feel the Lord tug at my own heartstrings. Lynn also came under conviction.

The multi-pronged threat

In April 1989, I received a phone call one day from a man named Paul Zylstra. He introduced himself by saying that he had heard me talk in November 1988 at a meeting sponsored by an organization called Iowans for Moral Education which was headed by an older woman named Iola Hedinger. He told me that he had remembered my presentation on the erosion of parental rights and the national move to reform child welfare laws.

Paul told me that there was a bad bill in the legislature that would further erode parental rights. Intrigued, I asked him what that might be. I was shocked when he said S.F. 149. That was the bad homeschool bill!

Paul explained to me that he had been one of the pioneer homeschoolers who fled Iowa. He ended up in Nebraska where there was another battleground, this time over private Christian education. Pastor Sileven had been running an unaccredited church school without using certified teachers, a crime in Nebraska. One dark night at Pastor Sileven's church, Paul Zylstra was with a group of men praying at the altar when the doors opened and they were handcuffed and hauled out by Sheriff's deputies. This strong-armed incident of religious persecution was filmed. It quickly became a rallying point for American citizens across the country who supported private education and religious freedom.

Against his own will and better judgment, Paul Zylstra and his family had recently moved back into Iowa—just in time for the homeschool crisis to erupt. He was to become the man of the hour.

Paul outlined a strategy whereby he would contact Dutch Reformed legislators and beg them to stall out the bill in the waning days of the legislative session. Because he was of Dutch heritage, Paul had contacts within that conservative and influential ethnic community. Ultimately, it took one of their own—Des Moines lawyer Craig Shannon—rendering a legal opinion about the true nature of the bill, before Paul would be able to persuade Senator William Dieleman from Pella to stop the bill. Legislators had been told that the bill had nothing to do with homeschoolers. The official "spin" about the bill was that it would simply solve the perceived "truancy crisis" in Iowa.

Paul's strategy worked. The bill stalled out at the end of the 1989 legislative session. But it was still alive. It had only to go to the floor of the House in the opening days of the next legislative session, be voted upon (presumably carrying with ease), and then be passed on to a conference committee. Once the conference committee met and decided on the bill's final language, the revised bill would have to pass both houses. Then it would end up on the Governor's desk to await his signature. Of particular concern to the homeschool community was the fact that all of this could take place within a matter of minutes.

S.F. 149 was stalled, but it wasn't dead. It hung over our heads for eight long months until the start of the next legislative session in early 1990.

That bill was bad enough, but there was more trouble lurking. Paul had noticed a little blurb that had appeared in the January 12, 1989, "State and Capitol Report" section of the *Des Moines Register* under the caption "Statehouse Briefing: In the House":

Iowa prosecutors are seeking more power to intervene in truancy cases and have suggested law changes that could give county attorneys more tools to use against fundamentalist Christians who want to teach their children at home.

Recommendations from the Iowa County Attorney's Association include a change in the state's juvenile code to add truancy to the list of reasons officials can start proceedings that can lead to removing the child from the home or to terminating the parents' rights to their child.

Here were our worst fears in print. The County Attorney's Association (probably working at the instigation of Kathy Collins) was recommending "removing the child from the home" and "terminating the parents' rights."

As if that weren't bad enough, there was another unsettling bill in the Iowa legislature at this same time. House File 690 would create a new category of "mental injury caused by the acts of the child's parent, guardian, or custodian." We quickly realized that "mental injury" could be easily connected with the idea of homeschooling as "educational abuse."

A similar threat loomed in the form of a report which was issued just prior to the 1989 legislative session by the Kempe National Center at the University of Colorado. It recommended that Iowa juvenile laws be revised to make it "easier to remove abused children from their homes and improve procedures for terminating parental custody." A concurrent report was issued by a state committee of the Department of Human Services. (*Des Moines Register* articles by William Petroski, "Deficiencies seen in state abuse laws," 1-7-89, and "Guidelines given for examining children for abuse, 1-5-89.)

But even this wasn't all. There was another threat looming against home education which originated from a different direction—one which could catch many homeschoolers unawares. Johann Hicks, who was following education reform issues very closely, began to express grave concerns about an activity planned by Iowa Department of Education Director William Lepley. He was promoting House File 794, which would create an "autonomous" Board of Educational Examiners and Professional Practices Commission, a move which would consolidate power into the hands of an education elite and pave the way for national teacher certification. Would some homeschoolers, who thought they were "safe" because they possessed teaching certificates, find that their credentials would no longer be renewed? The bill contained ominous provisions that required classroom experience.

The Barry Bear case

The final, most catastrophic blow came to homeschoolers on May 17, 1989, when the Iowa Supreme Court issued its landmark decision that Barry Bear “is a child in need of assistance because of his parents’ failure to exercise a reasonable degree of care in supervising him.” It was the new interpretation of truancy that most concerned homeschoolers. This redefinition essentially placed homeschool families within the realm of Chapter 232 of the Iowa Code, meaning juvenile court jurisdiction. J. Michael Smith explained the danger clearly in the Summer 1989 issue of *Home School Court Report*:

The real difference between the two methods of pursuing the home schooler is that in the criminal prosecution against the parents, the maximum penalty upon conviction is community service. However, in a CHINA proceeding, the judge can order a child to be removed from the home should the parents not comply with a court order; i.e. enroll a child in a public or approved private school.

Homeschoolers faced, for the first time, the frightening prospect of not only criminal prosecution, but also losing their children to the child welfare system.

Barry Bear was an 11-year-old Native American boy with a minor mental handicap, who had been raised on the Meskwaki Indian reservation according to Indian tradition. Serious illnesses, never properly diagnosed, kept him out of school most of his early life. His mother, a certified teacher with many years of teaching experience, never claimed to be homeschooling. She simply was educating her ill child at home. Her teaching certificate did not contain a special education endorsement, and that was the fragile basis upon which the prosecutions started. Even after Archie and Anna Bear faced prosecution and conviction numerous times over Barry’s alleged truancy, including other harassments from the State, they continued to educate Barry at home. State officials became frustrated that this family was not cooperating, despite the persecution and prosecution.

The Archie Bear family had a long and bitter history of disputes with the leadership of the Meskwaki Indian reservation. Therefore, this family had been isolated not only from mainstream society while the court proceedings were going on, but also from their own people. No one in the Iowa homeschool community had known that the Barry Bear case was lurking within the state’s court system until it exploded onto the public scene in an Iowa Supreme Court ruling.

The court case precedent had been set. The crisis was just beginning.

The grim implications

Paul Zylstra organized an emergency meeting. He put me in charge of finding a safe location for the meeting. I contacted a close, long-time friend of our family, Pastor Craig Nelson, who pastored Easton Baptist Church on the east side of Des Moines. I knew that his small church, nestled quietly in the cornfields near a rural suburb, would be perfectly suitable. By this time, Paul had alerted IHEA board members about the seriousness of the situation. Because of his prior history as a homeschool leader in Iowa, they respected him enough to listen to him. They decided to join the meeting.

The meeting at Easton Baptist was punctuated by four testimonies by parents who had previously been jailed or harassed by the state of Iowa for homeschooling. Each family spoke of their

family's extreme vulnerability to future prosecution because of unique circumstances and/or previous prosecutions. Some told tearful stories of being abandoned by family, friends, churches and even fellow homeschoolers when faced with prosecution. One father, who had withstood prosecution for homeschooling, said that he deserved to go to jail for the things he had done before he was a Christian. He courageously stated that he was willing now to go to jail for doing what was right. His pregnant wife nodded her head, agreeing with every word he said. Another father explained that he had been homeschooling his children in violation of state *and* federal laws because of their special handicap. Would he lose his precious children with the looming Iowa crisis? I feared greatly for their safety. I had overheard HSLDA attorneys, in a private conversation, indicate that they would not defend this family in court because the situation simply wasn't "winnable."

There were many children in the audience, as is characteristic of most homeschool gatherings. The older youth were hearing about this for the first time, and slowly began to comprehend the danger. They began to realize that they could be forcibly removed from their parents simply because they were being homeschooled. I watched as fear began to cloud their faces. Then John Harvey stood up and spoke. He headed the Iowa chapter of Victims of Child Abuse Laws (VOCAL), an advocacy organization that assisted families falsely accused of child abuse. He explained the ramifications of the national child welfare reform agenda, and explained that there was a plan underway to extradite children in the juvenile system from one state to another if they fled. In other words, the time might come when there could be no escape. At this point there was an audible gasp from the audience. A young teen girl, visibly shaken, exclaimed, "Where could we flee then? To another country? This is America!"

HSLDA attorney J. Michael Smith carefully explained that organization's position in this newly created legal quagmire. He explained that this was a terrible new form of persecution against homeschoolers. He and HSLDA lead attorney Michael Farris would try to find workable solutions, including a unique strategy to attempt to reverse Iowa's teacher certification requirements in the courts over a technicality. [This strategy was tried, but unsuccessfully, ed.] In the meantime he warned that HSLDA would be nearly powerless to assist a family if a CHINA investigation started. Because of the Barry Bear case, a child in the juvenile system could be appointed his/her own separate lawyer! Worse, under the juvenile code, parents are essentially considered guilty until proven innocent. Michael Smith tried to reassure homeschool parents that it wasn't likely that the Barry Bear case would be applied to homeschoolers. He noted some significant flaws in the case that made it less than suitable as a court case precedent to go after homeschoolers.

In summarizing the meeting at Easton Baptist, I wrote:

Despite of the serious nature of these times, it was remarkable how many new families attended the meeting because of a strong conviction that they must begin homeschooling their children, regardless of the consequences. Some parents wistfully stated that the costs were too great for them to bear at this time, and they had no choice but to put their children back in accredited schools. It was estimated that there are hundreds of Christian families across the state who will be vulnerable to prosecution this next year, and there are hundreds more who are home educating and utilizing a State-certified teacher in a limited capacity to try to avoid prosecution. Many more have already left the state and are waiting for better times so that they can return to family and friends. Ironically, these home school families are some of Iowa's best. They depict the deep heritage of family-centered values and

rugged independence that so characterized Iowa's pioneers. This year they will be fighting on an ideological battleground for survival. If they lose, we all lose!

War starts

Things were quiet the rest of the summer, but nobody in the homeschooling community rested easily. On Monday, September 4, 1989, the worst case scenario happened. A headline in a *Des Moines Register* story read, "School opens in showdown over Iowa education laws." Henry County Attorney Mike Riepe publicly announced that he would "for the first time, ask a judge to take children away from parents who refuse to comply" with Iowa's education law. He announced that he was going after Rev. T.N. "Tot" Taylor and his family. Rev. Taylor had run the tiny unaccredited Bluebird Christian Academy out of his church in Mt. Pleasant, Iowa. Bluebird Academy did not use State-certified teachers due to religious convictions. He and his wife had already been prosecuted two separate times for violating the law. They were not homeschoolers!

I knew Rev. Taylor. Whenever he would get out of jail, he would go to the State Capitol Building and stand near the railing in the rotunda with his arms folded across his expansive chest, cheerfully greeting each elected official that passed by. He sincerely believed that these elected officials had it within their power to keep him out of jail, if they would simply change Iowa's law pertaining to private education.

One day, in the mid-1980s when I headed Iowa Right to Life Committee, I visited the legislature to lobby against a particularly bad school-based clinic bill. As usual, I was very scared. But I spotted Rev. Taylor standing at his usual spot on the railing of the rotunda and he greeted me. "Stand here," he instructed me, seeing how nervous I was to be there. "All you need to do is STAND," he said, citing the biblical passage in Galatians, "and having done all to stand." He explained that his very presence in that place caused "conviction." He was right. I could see the pained expression on the legislators' faces as they quickly and nervously darted by. He told me that once he explained his position to the legislators, his job was done. The ball was now in their court. He didn't need to engage in aggressive lobbying tactics or political activism.

Rev. "Tot" Taylor's laid-back style of nonresistance "lobbying" was later to become the model of "conscience" used by most homeschoolers during the 1990 legislative session.

Paul Zylstra responded to this new crisis by going immediately into action. He invited a group of homeschool and non-accredited Christian school leaders to a meeting. The meeting would be in our newly-purchased home, which we had just moved into a week earlier. There were unpacked boxes everywhere! This house was rather unique in its design. It had a great room with skylights which had been reconstructed from the old two-car attached garage by the previous owner. We learned over the ensuing months that this large room could pack a good-sized crowd, sometimes as many as 100 people. We also would learn that this home was uniquely situated for the battle at hand because of its strategic location—we were only 15 minutes away from the State Capitol Building.

Paul prefaced this meeting with a dreadful message. "You are free to leave this meeting right now," he said. "You need to know that if you stay, you could be charged with kidnapping."

There was absolute silence in the room for a few moments. A few faces went ashen. No one got up to leave. Paul continued, "John Harvey has explained to me that there is a five-day period between the time when a CHINA investigation is launched before the parents are required to be

notified. If a CHINA investigation has already been initiated by Henry County Attorney Mike Riepe, Rev. Taylor's children are already technically wards of the State. Your presence here in this meeting, which is for the purpose of assisting Rev. Taylor and his children in leaving the state of Iowa immediately, could be construed as cooperating in kidnapping."

There was a stunned silence. No one moved.

"We are here today to set up an underground railway," Paul continued. I could feel my heart pounding in my chest. I knew quite a bit about the original Underground Railway because I had grown up in a house with a secret room that had been used for this purpose during the Civil War era. I fought back tears. Had America come to this?

That very day we organized an underground railway for homeschoolers. We were provided with a secret list of names of families in other states who would be willing to receive our children, and if necessary, raise them as their own. Several older gentlemen (among them a close family friend, David Elrod) stepped forward and offered to risk their own future lives to transport homeschooled children to the borders of Iowa or beyond. They said they would be willing to go to jail for the crime of kidnapping if it came to that. We were also instructed to have our children memorize key phone numbers. We were told to teach our children how to secretly evacuate the house and flee to the nearest telephone or friendly neighbor while the parent detained a social worker or truancy officer at the door.

(How does one teach their child these things? How does one tell a young child that someday, perhaps soon, a bad knock will come to the door and they must flee— they must flee for their life or end up in a stranger's home, or a group home, or an institution? How can one take away a child's innocence? The security of a family's loving arms? How can one possibly describe the horrors of a future life, controlled by the State, possibly in an institution, away from mom and dad, brothers and sisters, church and friends? How can one explain to children that it is very important, that this is more than just a game, to memorize phone numbers, plan an escape route and do practice drills?)

That day an awful realization swept over us. We couldn't run and hide. Every fiber of my being wanted to panic and flee and go hide somewhere. Some of us knew we had no choice but to stand on the front lines as leaders in this battle—visibly, so that the whole world could see who we were, where we lived and identify our "truant" school-aged children. This was the most terrifying step of faith that we could ever imagine having to take.

(May God bless those who had the courage that day, and throughout the dangerous days of adversity, to visibly stand and withstand. May the present generation of homeschooling parents, most of you untested by the fires of persecution, take note. May you have the courage of conviction to stand and withstand the persecutions, prosecutions, enticements, deceptions, seductions and snares that will inevitably test your fortitude, faith, and utter dependence upon God in the days to come.)

That day, at the meeting in our home, we all had to face a horrific new reality for the coming school year— any family non-compliant with the law for any reason could be deemed truant under the juvenile code. The moratorium had expired. Few families in Iowa could be compliant with the existing law.

John Harvey explained the raw reality. He told how parents would be investigated under Chapter 232 of the juvenile code for "lack of supervision." An investigation could be initiated by an

anonymous tip, a complaint from a school official, a tip from a mandatory reporter, or many others. The investigation stage could be intrusive and exploratory. Asking about forms of discipline, checking to make sure the house is safe, inspecting to see if the dishes in the sink are clean, inquiring with neighbors and friends, and other subjective investigative procedures could be utilized.

At this point, many families in the room groaned. Homeschooling was still in its infancy, and many of the parents in the room had faced serious opposition from family members, close friends, and their churches. What would happen if these hostile friends and family members were contacted by a social worker during an investigation? What would these people say about their homeschooled children? Scriptures warning that even one's own family could turn against them came to our minds and were recited.

John Harvey continued. If a social worker, school employee or peace officer knocked on the door, it meant that a petition had already been filed or an investigation was in process. Parents would not be given much information at this point. After the petition was filed the Court would then determine in an adjudicatory hearing whether the child should come within the jurisdiction of the Court. At the adjudicatory hearing the child would be represented by a truant officer, probation officer, guardian and/or a court-appointed attorney. The parent would have to obtain their own attorney. If there was a determination that the child was in "need of assistance," a dispositional hearing would be held to determine how the child would be served by the Juvenile Court. A plan would be drawn up for the family. This could include mandatory counseling, gag orders, home studies, psychological testing, and a host of other requirements. It could also include placing the children back in government schools, or removing them from the family to live in foster care, group homes or institutions. Ultimately parental rights could be terminated.

John warned that the State "system" does not tolerate religious diversity. He noted that homeschool families, who often possess divergent cultural and religious beliefs and practices, would not easily accommodate to some of the requirements that could be imposed by the State. Furthermore, he explained that children removed to a foster home or State institution could be exposed to activities, practices and philosophies that run contrary to what they had been taught in their family. Once again, the room grew silent as parents realized the seriousness of the situation.

Paul Zylstra concluded the meeting with a dark premonition. He reminded us that the Barry Bear case was "messy" and not the optimum case to set precedent. He cautioned that in the months to come, the State might attempt to come up with more test case families to create a better precedent with which to go after all homeschoolers.

Rev. Tot Taylor's children successfully fled Iowa that weekend. This occurred before the Henry County attorney initiated action. Everyone was relieved and thankful that Mr. Riepe had bragged to the newspapers about what he was going to do before he actually took the steps to file charges.

Foiled attempts

Fall 1989 loomed dark and bleak for Iowa homeschoolers. Some families, feeling threatened for whatever reasons, simply packed their bags, sold their houses, quit their jobs and quietly left the state. Iowa lost some of its best and brightest that fall. No one knows for sure how many families left.

Some families fled the state after learning that they were being investigated. This is where the story of modern-day miracles begins. Each and every time that State officials located a family and

began to target them for creating the next court case, there was a miraculous forewarning and/or inexplicable protection. The following is an account of the stories that we knew of firsthand during the fall of 1989 and throughout 1990.

The West family contacted me shortly after the school year began. To this day I do not recall precisely how she got my name and phone number. Mrs. West told me that they had fully complied with their school district for years and had experienced no previous problems. They were even using a State-certified teacher. Nevertheless, someone tipped them off that there was a Juvenile Court officer “looking into” their homeschooling. She asked me what that meant. I was able to explain the full ramifications of this situation and warn her of the imminent danger to her family. The family fled the state immediately.

The Rivera case was the first clear-cut attempt to charge homeschool families under the CHINA laws. It was well-publicized at the time in local Iowa newspapers. Aaron and Theresa Rivera had religious objections to using a State-certified teacher, although they fully complied with the excessive and burdensome demands of the Cedar Rapids school district. The Judge refused to consider testimony that their children were progressing academically, including exemplary standardized test results. He recommended that the County Attorney investigate this family under the CHINA laws. The mother and children fled the state.

For the first time in Iowa history, the homeschool community came together in visible unity and packed the Linn County Court House. At the Rivera hearing, the truant officer for Linn County testified that she had hundreds of truants in the system. But she was unable to explain why she was only targeting this one homeschool family for prosecution. The judge backed off, the family remained in the state, but the Rivera family was continually harassed for the next few years.

One day Dr. Montgomery came to a JJAC meeting and I sat at his table for lunch. He was evidently unaware of my role in the homeschool movement at this time. He was still pushing the council to discuss his tabled truancy/child abuse agenda. Over lunch, he began to describe a family in his school district that he planned to use as a test case for “truancy” in order to further his agenda in the court system. He didn’t give the name at that time, but he claimed the mother was an “illiterate” Greek immigrant. He said that their son refused to go back to middle school after reporting that “something happened.” Dr. Montgomery, an administrator, apparently never bothered to investigate what happened to this child and why he refused to go back to school. Dr. Montgomery planned to ask the judge in this case to recommend that the county attorney investigate this family under the CHINA laws.

Dr. Montgomery, still freely talking with those of us at the lunch table, then went on to brag that once he had accomplished his objectives with this particular family, he would then immediately target another family in his district for prosecution. He gave quite a bit of detailed information about this family, too. I recognized the family! They had been homeschoolers for many years. In fact, they had been in our home several times. I knew that they had experienced previous harassment from this school district. Dr. Montgomery was unabashedly attempting to use a truancy situation in his district to create more court case precedent to form a basis to then go after this homeschool family!

After lunch, I quickly made up an excuse and left the JJAC meeting early. I flew home to make phone calls. I first contacted the homeschooling family that Dr. Montgomery had threatened to go after. As a result of this warning they moved out of Iowa within the week.

I then contacted the Trucke family in northwest Iowa, homeschoolers who had previously experienced their own court battles earlier in the 1980s. These courageous people offered to go to the county Court House on the day that Dr. Montgomery indicated there would be a preliminary hearing so that we could learn more about the un-named family that was being targeted. They discovered that the family's last name was Poulos. That very evening I phoned Mr. Poulos. I explained to him the dire situation he was in: that Dr. Montgomery intended to have the courts declare his son a "child in need of assistance." I warned Mr. Poulos that this meant the courts could remove his son from his home. I explained how he was being "used" by the district administration to set court case precedent to go after homeschoolers. He responded dejectedly that his family was very poor and he couldn't afford a lawyer. He sounded completely helpless!

I knew of a lawyer in northwest Iowa but I wasn't sure if he would be willing to help. He was a Christian believer, but then many lawyers who had tried to help homeschoolers over the years were also professing believers. Unfortunately, the homeschool community had become quite skeptical about lawyers, especially those who said they were Christian. Often, when they got into court, these lawyers would try to forge compromises that the families couldn't agree to. This happened so frequently that some homeschoolers across the country had gone to court *pro se*, taking their chances without any lawyer at all rather than face a compromise they couldn't in good conscience live with. I picked up the phone and contacted this lawyer's wife, a good friend of mine, Karen Kurth.

Karen thought Bill might be willing to talk to me about it. The way she phrased it was that he was at the point in his Christian walk where this would be a good challenge. I knew that Bill had a reputation for not compromising. I took a deep breath and prayed it would go well, then contacted Bill to explain the situation. He replied, "Well, I can't contact the family. They would need to contact me." Relieved greatly, I called Mr. Poulos back and explained that there was a lawyer willing to help him *pro bono*. Mr. Poulos was very grateful. He then contacted Bill.

Iowa attorney Bill Kurth was able to get the Poulos family off on a technicality—one which would later cause Kathy Collins at the Department of Education to express much grief. Bill had uncovered a significant loophole in the Iowa compulsory attendance law. Mr. Poulos, it seemed, had duly "enrolled" his son in the school that fall. It turned out that the Iowa law did not require "attendance—merely "enrollment."

The final test case was concocted when the "Des Moines Plan" teachers attempted to set up a phony homeschool family in the fall of 1990. The Des Moines school district officials selected a Vietnam veteran with residual problems, whose children apparently weren't functioning well in the public school, and persuaded the family to begin homeschooling using the "Des Moines Plan." The "Des Moines Plan" was one of the names of a "dual enrollment" option offered by the Des Moines public school system. Technically the child was enrolled in the public school system even though it had the superficial appearance of being "homeschooling." Most families in the "Des Moines Plan" felt they were very safe from prosecution because they were in full compliance with the law—by publicly enrolling their children and using a State-certified teacher on the district's payroll.

This assumption of safety was quite false. I had personal knowledge about the danger to the "Des Moines Plan" families, but at the time few wanted to hear this warning. I had been invited to a luncheon with the Des Moines Plan teachers in Spring 1990. Clarence Townsend, who ran the Grandview Park Baptist homeschool satellite program, a homeschooling option that operated out of a private unaccredited Christian school, invited me to meet with these teachers. He hoped that he and I could be persuasive with these public teachers about the rights and freedoms of private

homeschooling. He hoped that by now they would have seen the overall benefits and advantages to a home education and would be easily persuaded to come around to a position in support of private home education, i.e. homeschooling.

I was very scared to do this! Lynn and I immediately took precautions to protect our children in the event that our family was targeted during my known absence from the home while at this luncheon. These women were informed in advance that I was a homeschool leader. They knew where we lived, and they could easily discover that our family was not in compliance with the law. *(To this day, we do not know why they didn't come after our family. To God be the glory for His protection!)*

During this cordial luncheon, as the four of us discussed the issues confronting education in the home, both public and private, one of the teachers began to argue with me. We were discussing the role of the State in ensuring that children were getting a good education through testing or teacher certification. She flatly told me that no private homeschool option was acceptable. When I asked her why, she answered: "I consider that my PRIMARY job is to be a mandatory child abuse reporter when I go into these homes."

Knowing this attitude, I was therefore dismayed, but not surprised, to learn that the Des Moines district had targeted one of its own families for prosecution. This Vietnam veteran family came to our attention on the local ABC-affiliate's *Channel 5 News*. Dee Gillman, a homeschool leader, just happened to be watching the evening news when she heard a report that the Des Moines school system was about to charge one of its families with truancy—a family enrolled in the Des Moines Plan! The news report said that school officials intended to turn the family over to the juvenile system by requesting that the judge rule that the children were "in need of assistance." CHINA! Dee contacted the reporter and asked for more details on the story. After hearing Dee's grave concerns, the reporter provided Dee with a private phone number to contact the family. The family was scheduled to go to court the next day!

Perhaps it was fortunate that the man was a veteran, because he had seen combat before. He listened to Dee's explanation and immediately recognized the danger to his family. He was going to be set up! He and his family fled the state in the middle of that very night. The next day *Channel 5 News* covered the event outside of the Polk County Court House, showing two Des Moines Plan teachers (the very two that I had lunch with!) walking dejectedly down the steps. Their "truancy" family hadn't shown up to court that day. The State's plans to create another precedent-setting case had failed!

In the ensuing years, the State of Iowa was to try many more times to come after families. But the cases were often messy, frequently got bogged down, and were not the perfect case that the State wanted to create to serve as a companion to the Barry Bear decision. In the meantime, the Bear family had gone through an extensive and complex appeals process, and some court decisions were rendered which overturned the original Barry Bear case in significant ways that undermined its basic structure.

Racial profiling

It is a shameful fact now etched in history that high officials within Iowa government were profiling certain types of families in order to create a court case. At first we assumed that State officials would come after the visible leaders. We were sitting ducks, after all. But gradually a horrible, unimaginable realization began to dawn on us. The State was targeting families that were of other races!

It was already obvious that they were trying to locate families that were marginal, isolated, potentially ostracized, poverty-stricken, or living on the fringes of society. But then we took note of the other common denominator: Archie Bear was Indian; his wife Anna was white. Aaron Rivera was Hispanic; his wife Theresa was white. Mrs. Poulos was a Greek immigrant; Mr. Poulos was an American. We believed the Des Moines plan family was African-American, according to the limited information we had at the time.

Did the State of Iowa presume that no one would rush to the aid of these families? Did they hope these families would be easy targets? Were state officials operating under the serious misconception that the homeschool leadership was racist? Did they suppose we would abandon these families to the courts?

I still vividly recall the day I was standing in my kitchen, talking on the phone with Dee Gillman, when this fact first hit us. We both dissolved into tears. We knew what we had to do. Quietly and quickly we began to phone support group leaders across the state. We told them that they needed to be on the lookout because of this racist profiling. We told them to take care of the homeschoolers in their area who were marginal or isolated for whatever reason—people of color, “too many” children, poor, broken tractors on the front lawn, atypical marriage and family configurations, different religions, etc.

In Des Moines, it became my unfortunate and painful responsibility to have to phone a prominent African-American leader whose wife was white, and warn them that they would no longer be safe in Iowa as homeschoolers. They left the state.

We later heard reports that support groups began to minister in unprecedented ways to needy homeschool families in their area, including families that were substantially different from them in faith, lifestyle and/or worldview.

In retrospect, this unprecedented response from the homeschool community seems to be a miracle. But then we all knew full well the risks inherent in our inaction or apathy. There was too much at stake. If Kathy Collins—who was scouring the state for another test case—caught even a glimmer of a hint that there was a single family out there that we wouldn’t all rally behind, that family would become a sitting duck for prosecution. And, if any family lost, we all would lose.

More bad bills

Shortly before the 1990 legislative session, more bad legislation surfaced. The State Board of Education submitted a proposal to the General Assembly for amending Iowa’s compulsory attendance law to include an “alternative for private instruction.” The proposal would create a new chapter in the Iowa Code permitting parents to provide a child’s education in a setting other than a public or accredited nonpublic school by “retaining a state licensed teacher subject to certain limitations.” A child under instruction by a non-licensed instructor would be tested annually and would be required to make “adequate progress or be subject to remediation or removal from private instruction to an accredited school setting.”

Many homeschoolers supported the State Board of Education bill because they felt it would once and for all serve to make homeschooling “legal” in the state of Iowa. They naively assumed that being “legal” would solve all problems and that they would then be “safe.” In all fairness to them, the climate was so fearful in Iowa at the time that some families simply desired to grasp onto any solution that might relieve them of anxiety.

Despite these hopes for a “safe” solution, however, the minutes of the State Board of Education meeting on November 15, 1989, tell another side of the story. In an extended discussion about the proposed “homeschool” bill, concerns were raised by several board members about “child abuse.” One member expressed concern “regarding child abuse and the opportunity for children to fall behind in their educational program.” Other members expressed “concerns regarding penalties/sanctions, testing and child abuse.”

It quickly became quite apparent that a two-pronged assault was going on. The two bills were companion bills! On the one hand, S.F. 149 would define “truancy” by suggesting remedies such as CHINA. On the other hand, the State Board bill would define “competent private instruction” (homeschooling) so narrowly that most homeschoolers would not, or could not, comply with the bill’s stringent requirements. This restrictive definition of what constituted “competent private instruction” would have the chilling effect of creating a vast new group of “truants” in Iowa—homeschoolers who were noncompliant with the law for whatever reasons. Special education, testing, certified teacher, religious beliefs, and other issues would adversely affect a huge number of families if these two bills worked together in lockstep.

In other words, it was very precarious and dangerous time to pass a homeschool bill because of how the courts might define “truancy,” and how the legal remedies for “truancy” might be applied; i.e., child abuse charges. And, if S.F. 149 *also* passed, it would guarantee that “truancy” would be defined legally as a form of child abuse and subject to the worst punishments imaginable—loss of one’s children.

A division began to arise within the homeschool community. Many held to the position that “anything is better than nothing; take what they give you and run.” These folks wanted a homeschool bill. Others believed it was necessary to hold to a firm bottom line, that no bill was better than a bad bill. The only common ground was that S.F. 149 was bad and needed to be defeated.

We were part of the group that worked against a homeschool bill. Our group believed that each and every concession would endanger other homeschool families. We begged these other homeschool leaders not to barter away rights while things were still so dangerous. We fervently tried to persuade them that each act of concession could result in something terrible happening to somebody else—a child could be forcibly removed from parents’ loving, protective arms and tossed over to the State.

Those of us who resisted compromise came from divergent theological traditions. Yet there was a unity of faith. Because of this ever-widening division, and some of the attacks that inevitably came with it, we delved deeply into the Scriptures together. Were we wrong? To answer this, we asked ourselves some very hard questions. Were we our brother’s keeper? “Yes!” we declared unanimously. How could we then agree to a “little” concession and then look a father or mother in the eye the next day—after they had lost a child to the “system” because of our compromises?

Our little group determined to stand on a firm principle: we would not do anything to risk the loss of a single child.

We likened compromise to the psycho-social “lifeboat” or “survivor” game. Nobody’s child would be tossed overboard. Could we, in good conscience, agree to testing when we knew that some kids couldn’t pass the test for such simple reasons as test anxiety or illness? What was the penalty for not being able to pass the test? Under S.F. 149 it could be CHINA, and ultimately that

child's removal from the home! Some families had children with special needs. Other families had strong religious convictions against government education, State-certified teachers, and the psychological foundations of standardized testing. Would *our* concessions jeopardize *their* Constitutional freedoms?

One day, in the midst of a heated argument with some homeschool leaders who wanted to negotiate away the right to special education, I piped up: "We are all just one car accident away from having a special education child." Immediately the conversation became more sober.

The meeting in the Governor's office

Unity among homeschool leaders began to deteriorate rapidly. By November of 1989, homeschool leaders from various segments of the widening divide were called to a meeting in Governor Branstad's office. Our group was told that the purpose of the meeting was to forge a consensus on some of the critical issues facing homeschoolers in the upcoming legislative session. Given the growing disunity, we were excited to be a part of this effort. It seemed like a positive development. We looked forward to the opportunity to speak to the Governor one-on-one about our grave concerns.

Until this meeting, we had not been certain about Governor Branstad's stand on homeschooling. He had verbally indicated support, but he was also a leader in the rapidly burgeoning education reform movement. He had declared himself the "Education Governor" and sought a national reputation among his peers for progressive reform. We were dismayed by this development, but still had high hopes that we could persuade him to defend the rights and liberties of homeschooling. We were, after all, a growing block of his voting constituency.

We were to be sadly disappointed. As the meeting unfolded it became apparent that this was an orchestrated meeting. A legislator, whom we thought was friendly to our cause, presented a prepared homeschool bill which he asked everyone in the room to support. We read the first paragraph. It read the State had a "compelling interest" in the education of our children. Our hearts sank. We understand the legal nuances of that particular legal language and knew we would be signing away our parental rights and freedoms to homeschool. The rest of the bill was basically a re-hash of the State Board of Education's proposed legislation.

When some of us objected to the bill in particular, and to any homeschool bill at all, the legislator responded with angry outbursts. The Governor's staff also responded in threatening tones. We were perplexed and dismayed by this reaction. Some leaders were even attacked for their religious beliefs!

In the middle of the meeting, I took my baby across the hall for a nursing break. My friend, Karen Kurth, went with me. We decided to pray. While praying, it came to us that something disturbing was going on that we didn't understand. Why had a meeting, that was supposed to bring homeschoolers together in unity, so quickly degenerated? We asked the Lord to show us what was really going on. "Reveal what is hidden in darkness to light," we specifically prayed.

Our prayer was quickly answered. Soon after we re-entered the meeting, one man incidentally remarked that he had been privy to seeing the bill beforehand. I spoke up and inquired about this point. We had been told that nobody had seen this bill prior to the meeting, I noted. How was it then that he had seen the bill ahead of time? Obviously caught, he then confessed that some leaders in that room had been prepped ahead of time, on the drive down to the State Capitol

building, to support this homeschool bill. It was part of an effort to put pressure on the rest of us to compromise.

At this point, the meeting disintegrated into disarray. A Governor's aide stormed out of the room angrily. The legislator was upset that things had not gone according to plan. We were all upset.

After this meeting, one group of homeschoolers was openly pitted against another in high-level political maneuvering to pass any one of a number of extremely restrictive "competent private instruction" (homeschool) bills in the Iowa legislature. The homeschool bill proposed that day in the Governor's office was later re-forged into something called "The Governor's Bill," and it was just as unpalatable as ever. IHEA broke ranks with the rest of us and began to actively support these bills, with some minor modifications in language. There were times during the legislative session when one group of homeschoolers would be actively lobbying against another. Our group was characterized as "the handful of radical few" by one of the Governor's top aides. Other homeschool leaders quickly latched onto that term in a pejorative fashion. That term stuck and it was nearly impossible to overcome the negative stigma. We were ostracized and alienated.

That day in the Governor's office we also learned for certain that we could not count on the Governor to stand with us and support us in the upcoming legislative session. We knew he would sign the bills if they ended up on his desk. This was the darkest time in Iowa homeschool history. We were a small remnant of people, hopelessly divided, with no monetary assets, no political clout, no friends in high places, and by all natural appearances, no hope.

Two bright spots during the darkest hours

Yet, other things were changing, a little bit at a time.

Throughout the year of 1989, Maxine Sieleman kept phoning me. She was a well-known evangelical Christian leader in Des Moines who hosted a popular early morning radio interview show on the local Christian radio station. She had been recruited to set up an Iowa chapter of the national group Concerned Women for America. She wanted me to serve on the board of her state committee because of my expertise in issues and politics.

Experience had already taught me, time and again, that I was not a model "Christian Right" leader. I always seemed to get in trouble with the "powers that be" because I wouldn't compromise. Maxine persuaded me that I could do quiet things behind the scenes to monitor issues that might adversely affect children and their families. This was an activity I was already doing. I consented to becoming involved once again, but in this minimal capacity. I thought it wouldn't take a very big time commitment. I was so wrong!

Maxine Sieleman was eventually able to launch a state chapter of Concerned Women for America in November 1989. This group would go on to become a vehicle through which the opposition to the bad homeschooling legislation could operate. A state organization would enable us to send out alerts. National CWA had a legislative liaison on staff at the time, Ellen Smith, who understood the gravity of the situation and supported our state efforts. Much later we came to realize that this unique situation was an anomaly, and it probably wasn't supposed to happen. There were deep fractures developing in the national Christian Right in the early 1990s, particularly over education issues.

At the premier public meeting to launch the state chapter of CWA, I happened to ask a lady to my right—a complete stranger!—to watch my baby boy while I ran to the bathroom. To this day, I

still don't know what provoked me to ask this friendly-looking woman and her husband to hold my precious baby! Even more surprising, she agreed. This woman, Marla Quenzer, would quickly become one of my best friends. Together we watched a satellite feed from Washington promoting CWA. Ironically, the feed showed the face of Paul Zylstra, as he and the other men were being hauled out of Pastor Silevan's church in Nebraska!

In the coming months, as they learned about the homeschool crisis, Dr. Del and Marla Quenzer assisted the state chapter formation of CWA and provided the funds to re-publish two issues of Samuel Blumenfeld's *Blumenfeld Education Letter* in a newsprint format. By this time, Sam Blumenfeld had explicitly given us the permission to reproduce two newsletters that pertained to the Bear and Rivera family court battles. We were able to reprint 10,000 copies of this newsletter in a newsprint format and distribute them across the state. (*Blumenfeld Education Letter*, Vol. V, No. 4, April 1990 and Vol. V, No. 6, June 1990—see later remarks towards the end of this story.)

The state leaders of CWA met weekly in the library at First Federated Church for prayer. We were all young mothers at that time and Maxine hired someone to babysit our children so that we could share and pray. Prayer was the glue that held everything together. Each week we would meet, share stories about what was happening, and pray. We made a commitment to keep balance in our lives by making our families our top priority, and would frequently challenge and encourage each other on this matter. The homeschool crisis was to dominate all other issues for the next year and a half until this state committee dissolved.

Another positive development proved to be most providential. One day I received a phone call from my friend Mary Stuart. She asked if Lynn and I would be willing to go to a meeting with some Dallas County homeschoolers and explain to them what was happening. We were invited to speak at the Dave and Jean Koch home. I already knew Jean Koch. Several years earlier Mary, Jean and I had been part of a Bible study for young mothers that met in western Dallas County. For some odd reason, we had a profound sense of "destiny" back then—that God was preparing each of us for some future plan that we couldn't yet see. Little did we know!

At this meeting I shared the history of what had been transpiring. I previously had told many people this story, but encountered apathy, unconcern, and sometimes even disbelief. I was therefore totally unprepared for the reaction to my talk. The young parents in that room listened to the story and said, "We have a responsibility to do something. We have to help. We live close to Des Moines. What can we do?"

Lynn and I were stunned. Here was a group of people actually offering to help! Mary later told me that God had been preparing the hearts of these people for the task that lay ahead. The Dallas County support group formed a critical foundation to our efforts at the State Capitol in the spring of 1990. In 1991 they sponsored their own homeschool bill, which did not compromise away the rights of *any* homeschoolers. [Unfortunately, it did not pass, ed.] They would later go on to form NICHE.

These uncompromising Dallas County couples became the real unsung heroes in the battle to save homeschooling freedoms in Iowa. Day after day, week after week, month after month, they relentlessly and sacrificially stood against the persecution—not only at the State Capitol, where they were to have a profound impact, but also across the entire state of Iowa.

One interesting event, which cannot be left in obscurity, illustrates the great pains that the State of Iowa was taking during this period of time to eradicate private religious education. The Dallas County support group included a homeschooling family that was from an Anabaptist church not

unlike the Amish. I had met the mother on a field trip when we were both nearly nine months pregnant and awkwardly trying to hike rocky paths at a nature preserve. It was to become a fortuitous encounter.

One day in the fall of 1990, Susan (Sharp) Spencer picked up the notes for the pending State Board of Education meeting. She attended these meetings, along with Johann Hicks, so that homeschoolers could be kept informed of any new dangers lurking in the bureaucracy. Susan told me that the State Board intended to create more trouble for the Amish. It was quite apparent to her that the State had no intention of contacting the Amish in advance before significantly altering the “Amish exemption” requirements. Past protocol indicated that the State had at least been decent enough to alert Amish elders before changing rules. This time, they were simply going to ramrod the whole issue through.

I picked up the phone and contacted Jean Koch. She was able to contact the Anabaptist homeschooler. And, amazingly for a people who had few telephones, the message quickly crossed the State within a matter of 24 hours. That next State Board meeting, some Amish elders showed up. Their mere presence thwarted the State Board’s plans.

Preparing for the 1990 legislative session

Shortly before the legislative session starting in January 1990, Paul Zylstra called another meeting at our house. During that meeting we realistically assessed the potential worst-case scenarios that could arise. We fully expected that S.F. 149 would quickly pass in the House in the opening days. It would then be swept off to a conference committee, where if it passed (and we fully expected that it would pass), it would then be sent to both Houses. If things were greased, this could go quickly. We had every reason to suspect that the machinations behind the scenes were already being worked upon, to see to it that this bill’s quick processing would be fully orchestrated. After passage, we estimated that it could land on Governor Branstad’s desk within 20 minutes. There was nothing to stop the Governor from signing this bill. It would be all over for us once he signed.

We also considered the sobering fact that all of the bad bills, previously mentioned, that arose during the 1989 legislative session were still alive and viable in 1990. And now there were at least two new homeschool bills to worry about. It was a multi-pronged threat.

To respond to this crisis, we developed a unique strategy, based upon our extremely limited strength, to stand and resist the bad legislation that was aimed at us from all directions. First, we formed a coalition of divergent groups to fight these bad bills. One group wouldn’t be enough. CWA, Iowans for Moral Education, Iowans for Christian Education, Iowa Home Educators’ Association, VOCAL, Women for Constitutional Government, Grandview Park Baptist Home School Satellite Program, the Dallas County Home School Support Group, First Federated Home School Support Group, and Iowa Home School Youth in Action all supported this effort. Other groups and families joined our effort in a more limited capacity.

Homeschool teens above the age of compulsory education formed the Home School Youth in Action group on their own initiative in order to lobby on behalf of their younger brothers and sisters. Our oldest son, Colin, who was only 9 years old at the time, volunteered to do the computer work. (Back then computers were old clunkers with very little memory. Fax machines were rare and there was no Internet. We had to rely upon old-fashioned phone trees and mailings for alerts.)

It was decided to hold weekly meetings in our home throughout the legislative session so that everyone could be informed and stay on course. Over the next few months, many families were to come from all across Iowa to our home to share in this experience. Often our meetings had approximately 100 men, women and children in attendance. Our house would look like a disaster the next morning. It was a rugged time for me as I kept up with four children, became pregnant with my fifth, homeschooled, and coordinated the legislative activity on a daily basis. Each morning I would awaken and wonder if this was the day that we would get the knock on the door. I would cry out to the Lord for mercy in prayer and then get on with my day. I am thankful for the many people behind the scenes who prayed for our strength and protection during those turbulent days.

Johann Hicks agreed to go to the legislature every day that she was physically able. (I am sure that she went to the legislature even on days when she wasn't feeling well.) She informed us that we would need to make sure that somebody was always present at State Board of Education meetings, education committee meetings in the House and Senate, and any other meetings pertaining to education. Several volunteered to help her with those duties, most notably Susan (Sharp) Spencer and Marla Quenzer.

John Harvey informed us that bad legislation could pop up literally anywhere in the legislative arena, and that we would need somebody to scrutinize other bills emanating from other committees. He volunteered to look under every rock to see if any bad language appeared in other bills that didn't seem germane on the surface. Indeed, over the years, John was often able to locate "truancy/child abuse" language when it popped up in many strange places.

It was apparent that we needed around-the-clock monitoring of the legislature. Once the bill passed the House, the conference committee could meet at any time. Dee Gillman, a homeschool mom from the east side of Des Moines, offered to be a key person to monitor this committee. We developed an elaborate phone tree. It had to work in such a way that those phoned could immediately drop everything and show up at the Capitol on a moment's notice. Here was where the Dallas County support group came in. Dallas County is directly west of Polk County, where the State Capitol Building sits atop a hill on the east side of the city of Des Moines. Dallas County folks said that they could drive to the Capitol Building in less than a half hour. Some of the fathers, including my husband, worked in downtown Des Moines. These men offered to go to the Capitol on their lunch breaks. Others offered to come in on a regular basis when they weren't busy farming or at their jobs.

I declined to lobby except in emergencies. Besides obvious family duties, I reminded the people that I was a known face. "If I show up at the Capitol Building I'll be too easily recognized," I said. Everyone agreed. We decided that the best course of action would be to develop a citizen corps of lobbyists—anonymous faces, unknown faces, constantly changing faces. This proved to be a fortuitous decision. It would have been easy for the conference committee to meet if they could easily identify one or two lobbyists and take note of when they were gone. With a large, indistinguishable group of people constantly coming and going at the legislature, it would be more difficult for the conference committee to do their dirty work.

Homeschoolers from across the state volunteered to come to Des Moines and spend a few hours at the Capitol whenever possible. Many members of the Plymouth Brethren Church in Stratford, Iowa, donated time in this manner. When Maxine Sieleman of CWA heard about this big volunteer effort, she exclaimed excitedly, "You need a grandparents brigade!" She proposed a strategy whereby people who weren't at risk, who weren't homeschoolers—meaning supporters of homeschoolers and older people who no longer had young children in the home—could go on

our behalf to lobby. Johann Hicks volunteered to head up this Grandparents' Brigade, and was later honored and written up in a national CWA publication for her faithful work on our behalf. Mary Ellen Nicholls joined her. The Zylstra family's teenage daughters volunteered, at great risk to their own family, to appear publicly at the Capitol Building to engage in an authentic exercise of civic government education.

Each individual act took great courage—if homeschoolers stuck their neck out of the foxhole they could become easy targets for prosecution. In years past, things had been so bad in Iowa that homeschool families had sometimes gone to lobby at the State Capitol with paper bags over their heads. Even though the danger was greater this time around, it was decided that it would not be right to hide our faces.

There were many families who were more comfortable assisting in quiet ways in the background, and we were grateful for their faithfulness. We were especially indebted to Heather McCargar, a mature teen who donated time to our family without pay, and to all others who were willing to babysit while parents went to lobby. The effort would have failed without the many private families who wrote letters, made phone calls, and alerted others. Each person's work was a valuable and essential part of the overall resistance to this bad legislation. *(To all of you, on behalf of those who now experience the freedom to educate their children in the state of Iowa, THANK YOU!)*

One more individual must be credited for his incalculable assistance: Jan Mickelson of WHO Radio, which blankets the entire state of Iowa. From the earliest days of the homeschool crisis, he offered leaders a platform on his morning radio show to proclaim the danger across the state. As he heard more of the story, he became gravely concerned. One day he promised Paul Zylstra an amazing thing, which gave many families hope during the darkest hours. He told Paul that if a social worker ever knocked on a door to take away a homeschooled child, he would blast the news across the state. He then made this commitment publicly on his radio show.

Upon hearing of this commitment, we sent news to all of the support group leaders. We instructed them to make sure that at least one homeschool family in their network had a video camera, tape recorder, and/or camera. We boldly stated on Jan's radio show, hoping that State officials could hear, that should that knock ever come at the door, homeschoolers were ready and "armed" with media equipment to record the entire event. We hoped that this proclamation would serve as an extra layer of protection. We wanted State officials to know that the entire state of Iowa would be able to see and hear the nightmare of children screaming and crying as they were hauled away from their parents. Obviously, this strategy hearkened back to the effectiveness of the original award-winning photo of the panic-stricken Amish child fleeing the burly Sheriff's deputy.

Some support groups took our recommendation very seriously and arranged every detail in the event of this worst-case scenario. Some even timed the driving distances between each other's homes. They weren't going to take any chances.

The legislative session of 1990

Our worst-case predictions proved to be correct. In the first days of the legislative session, S.F. 149 quickly and easily passed the House. It was then supposed to be sent to conference committee so that the wrinkles could be ironed out. For some reason it never made it to the conference committee that day. Then a week went by. Then two weeks. We soon began to realize that it was stalled. But why? Were the legislators simply playing games with us? By this time we had a steady corps of volunteers covering the Capitol every minute of the day. Some of these

citizen lobbyists had become known, but not all were recognized. It must have slowly dawned on the legislators that somebody was always up there watching them. The conference committee meeting continued to be delayed time and again.

By mid-March the constant monitoring at the Capitol began to take its toll on the regular volunteers. Some simply couldn't maintain that level of activity day after day. We were thankful for the many occasional volunteers, some from far away, who would come in and relieve the regulars.

One day Rep. Horace Daggett, a staunch homeschool supporter, approached Dee Gillman. He told her, "You don't always have to come up here. I'll call you if the conference committee members all leave the floor at the same time. I'll try to stall things so that you'll have a few minutes to get here." From that time forward, Rep. Daggett made a habit of doing a regular head count on the floor of the House to see if the particular members were all missing at the same time. If all of them suddenly disappeared from the floor, he'd run out of the chamber after them to see if they were headed to a conference committee meeting. There were a few false alarms.

Interestingly, our effort was going so well that a few legislators that session attempted to write a bill to stop citizen lobbying! This ridiculous idea obviously wasn't going to fly with the public. It encouraged us to learn that our methods were so successful.

In years past, homeschoolers had shown up at the State Capitol building en masse, at big rallies with baby strollers and toddlers, and lots of noise and confusion. This had not been well-received, and we became aware of some negative stereotypes that had developed. We determined that it would be best to exhibit more restraint. We decided the best course would be to quietly, calmly, and peaceably attend to one-on-one conversations with individual legislators. Rather than engaging in aggressive "lobbying" we encouraged the volunteers to simply state their positions. This approach was particularly suitable to the largest number of homeschoolers, some of whom had religious convictions against "lobbying." The men and women were encouraged to dress appropriately in business and/or church attire. Fact sheets were prepared that succinctly explained the homeschooling position opposing these bad bills.

People were asked to speak for themselves, but also to soberly consider that if they began to make concessions such as, "Well, I could live with a homeschool bill that included testing," that it could adversely affect other homeschoolers. It remains a remarkable fact to this day, that most homeschoolers who went to the legislature that spring did not make statements that compromised away the freedoms and rights of other homeschoolers. Despite the diversity and large numbers of citizen lobbyists, the message was consistent and on target. The special care that these families took to look out for their weakest brethren will always be remembered and appreciated.

Believe it or not, the "spin" machine was still working overtime to persuade legislators that S.F. 149 did not pertain to homeschoolers. Legislators still scolded us that S.F. 149 was just a "truancy" bill. To counter this disinformation campaign, we amassed a stack of legal opinions and handed them to the legislators.

Each group in our coalition was responsible for its own legislative activities and approached the issues from various perspectives. Iowans for Christian Education (I.C.E.), headed by Paul Zylstra, represented a large number of Iowa Christian homeschoolers who had a "conscientious objection" against working with the State education system, based on their doctrinal beliefs and historical research. I.C.E. handed out one-page legislative fact sheets on a very regular basis, which served

as useful tools to educate the legislators about religious diversity and tolerance, as well as private and home education matters.

One of I.C.E.'s most effective legislative handouts was entitled "Conviction vs. Preference." This paper described **preference** as a *choice* — not unlike, "I prefer steak but I will settle for hamburger." Compromise would be a normal part of *choosing* a preference. But the statement "Give me liberty or give me death!" would represent a **conviction**. The handout explained: "A conviction may be something for which an individual would be willing to lose monetary or material possessions, go to jail, suffer injury, or forfeit their life to maintain. Conviction does not compromise."

The legislators were urged to accommodate those homeschoolers who had convictions. Nevertheless, more than one legislator reprimanded homeschoolers with this statement: "You have the right to *believe* anything you want, but you don't have the right to *practice* those beliefs." We were learning quite about the sad state of religious freedom and tolerance in America in the late 20th century.

The final hours

Throughout the legislative session IHEA leaders had attended many of the weekly meetings at our home. Despite our disagreements, we did not ever exclude anyone, especially since we were all in agreement about defeating S.F. 149. In the waning weeks of the 1990 legislative session, IHEA leaders introduced "compromise" language in a final attempt to pass a homeschool bill. Some still believed that their hopes rested on making homeschooling "legal" in Iowa. IHEA lobbyist, Ed Dickerson, told us that the compromise language had been written by HSLDA. It offered minimal protection for a very small percentage of homeschoolers. The rest of us would be less fortunate. Thankfully, this last-ditch attempt went nowhere. No "homeschool" bill passed.

In the waning hours of the 1990 legislative session, one day the call came forth from Rep. Daggett. The Senate File 149 Conference Committee was going to meet immediately. Within a matter of fifteen minutes, several dozen homeschoolers packed the tiny room where the conference committee was meeting. Some of the committee members were already discussing the bill. One legislator loudly proclaimed that she would once-and-for-all like to get rid of a particular private homeschool satellite program. Just then Clarence Townsend from Grandview Park Baptist School walked into the room. She had been talking about his program! Her face turned red. Another legislator showed up who was not on the conference committee, Senator Charles Bruner. I had long suspected that he had a hand in writing the bill because he had extraordinarily bad views about traditional families. By this time, there were well over three dozen homeschoolers at the State Capitol. Most of them had been regular volunteers at the legislature all session.

As expected the conference committee easily worked out their differences and passed S.F. 149. It quickly and easily passed the Democrat-controlled House of Representatives a few moments later in its new form. Moments later it went to the Republican-controlled Senate. Our only hope was to completely stop the bill in the Senate. But, most Senators were not known to be favorable to homeschooling. Because of the stance of the Governor throughout the legislative session, and the ambitious activities of his legislative aide in promoting this bill, we thought there would be few Republican Senators who would have the courage to vote against it. And because the teacher's union so heavily controlled Democrat politics in Iowa, we held out even less hope for Senate Democrat votes against the bill. Things looked very grim.

Homeschoolers packed the upper balcony to watch the proceedings. The floor debate started. All of the typical pros and cons were stated by the legislators we had come to know, both for and against this bill. But then, suddenly, something unexpected happened. Senator Jim Riordan, a well-known liberal Democrat from Dallas County (*Dallas County!*), stood up and proclaimed his opposition to the bill. He said that he had watched his constituents come in day after day during the legislative session. He said he now recognized that they should have the freedom, based on the Constitution, to practice their beliefs and their faith. He pronounced that he would vote against S.F. 149.

Then something even more dramatic happened. Senator Tom Mann, the only African-American in the Senate, also a Democrat, rose to speak. He defended the right to homeschool from a Constitutional perspective. His stand was very courageous and revealed his deep commitment to human and civil rights.

In the meantime, a curious event transpired. Republican Senator Paul Pate took a walk. No one really ever learned why he took a walk that day. We like to think that he didn't have the stomach to vote for this bill.

The vote was taken. A miracle happened! S.F. 149 was defeated by one vote! ***One vote!***

We quickly scanned the vote tally. Who had voted for the bill, who had voted against the bill? There were many unexpected votes that day. Some homeschool support groups it seemed had made a real difference.

Homeschoolers stood around the rotunda, stunned and amazed, and rejoiced. They wept and expressed great joy, and this went on for a few moments.

It was up to me to burst their bubble. "Look, you all can't go home yet!" I called out to those who started walking away. They all stopped and looked at me in amazement. I think they thought I was absolutely crazy. I gathered everyone around in a close circle and told them a story in hushed tones. I explained how that bad school-based clinic bill that I had successfully worked to defeat in 1987 had suddenly appeared in an appropriations committee bill in the middle of the last night of that legislative session. It had only been because I had found favor with the Governor (pertaining to his re-election campaign and the Right to Life vote in 1986) that he had agreed to line-item-veto the offensive school-based clinic language out of that appropriations bill.

But this time we were not going to be that fortunate. "If the language in S.F. 149 appears in a last-minute appropriations bill, we know that the Governor will *not* line-item-veto that language out of the bill," I cautioned

Another miracle happened. Nobody left! Fathers stayed while moms went home to care for the children. Approximately 30 people stayed all night that night. Legislators kept climbing up to the Senate balcony to persuade everyone to go home. But nobody did. Shortly before midnight, a lobbyist from a manufacturers' organization approached my husband and some other fathers. He told them that he didn't want to see the homeschoolers get harmed. The good behavior of the people who had come to the legislature day after day, month after month, had been exemplary. He had learned that we were all decent, ordinary people with solid convictions about doing what was right. He then warned the homeschool dads that there was going to be an attempt to put the language of S.F. 149 into an appropriations bill!

When the bedraggled group of homeschoolers walked into the small room at the back of the Senate chamber where Lieutenant Governor Joy Corning was just about to add the language of S.F. 149 to an appropriations bill, she looked up and her face sank. It wasn't going to work. She dropped this last ditch attempt.

But still nobody went home. It wasn't until the 1990 legislative session was officially over, and the gavel sounded at 10:30 the next morning, that these people left and wearily drove themselves home.

One battle down, but there was still more to come.

The meeting with Kathy Collins

On September 6, 1990 I had to face the "Great Nemesis" of homeschooling in person! Kathy Collins had been invited to speak to the Juvenile Justice Advisory Council. They had tabled Dr. Montgomery's proposals for nearly a year and this was the day that they would address his concerns. Kathy was clearly upset about Bill Kurth's legal victory with the Poulos case. She described the legal technicalities of the compulsory education statutes and referred to the previous homeschool cases. She also talked about the Barry Bear case in a manner which indicated that she was familiar with every single detail. Dr. Montgomery then reiterated the situation in Sioux City where he claimed that genuinely truant families were using homeschooling to hide behind so that they could abuse their children.

Then I was asked to speak. Shaking inside and out, I began by stating that I had been homeschooled as a child and it had been a positive experience. This fact surprised many on the Council. I explained that there are two vastly different family structures, calling upon my background as a family counselor. I drew an illustration. I pointed to one end of the continuum where the most seriously dysfunctional families are—the type where the mother is drunk and passed out on the couch and the children are roaming the streets unsupervised. I noted that these families eventually enter the child welfare system, and that truancy is a symptom of greater problems that were frequently addressed through the many options available to the juvenile court. I then pointed to the other end of the family continuum. I said that these families often represented the most rock solid, dedicated families left in America. These were parents who loved their children, devoted their time and energy to educate them, sacrificed careers, and were exemplary law-abiding citizens in every way. These were the homeschoolers.

I then carefully explained how the various bills proposed so far in the legislature had lumped the seriously dysfunctional families together with the profoundly functional families. I stated that by refusing to clearly define truancy and homeschooling as separate and distinct legal issues, these two ends of the continuum would continue to be linked together, and would end up clogging the juvenile court system with kids who weren't truly truant.

When I finished talking, there was a slight pause in the room. Then a man on the Council who had spent years in the trenches of the juvenile justice system leaned back in his chair and folded his arms across his chest. He quietly stated, "Well, I have never seen a homeschool kid in the system." Several others quickly agreed with him. There was another slight pause. And then someone made the recommendation to drop the issue of truancy altogether. The official position of the Council that day forward was that truancy was not a juvenile justice issue.

We won that small battle. Miraculously, once again God had given me the courage and strength to stand before our enemy, face to face, and state the truth with boldness and conviction.

Later, I met with JJAC member Sylvia Lewis, who had been a juvenile court referee at one of the Barry Bear hearings. It was her decision, favorable to the Bear family, which had been appealed to and overturned by the Iowa Supreme Court. She confided something that I had always wondered about. She said that Barry Bear did not belong in the juvenile court system and that she had always felt badly about the way things had gone for him. I was gratified to be reminded that there were decent people like her working in the court system.

The visit to meet Barry Bear

In November 1989, in the role of legislative liaison of the Iowa chapter of Concerned Women for America, I sent a letter and packet of documentation on Iowa's homeschool crisis to various Christian ministries and media outlets across the country. We sent packets to Marlin Maddoux, James Dobson, other large media ministries, and homeschool leaders. We naively assumed that these ministries and organizations would care about what was going on in Iowa. We even tried to communicate in our opening paragraphs the reasons why we believed this was the beginning of a national move.

Christian Liberty Academy responded with encouragement and an offer to warn their people in Iowa. We received only one other response. Sam Blumenfeld, author of *Alpha-Phonics*, *NEA: Trojan Horse* and *Is Public Education Necessary?*, became very interested in what was happening in Iowa. Sam wrote about the Barry Bear family in his April 1990 *Blumenfeld Education Letter*.

Sam contacted me and said that he wanted to visit with the Bear family personally. We had been advised by the HSLDA attorneys to have no contact with the Bears, based upon the fact that they weren't "really" homeschoolers. Michael Smith told me that if we kept our distance from the Bear family it would be a form of protection for us—avoiding a "guilt by association" appearance.

Sam was quite insistent, however. He called at the right time. Some of us had been stricken in conscience about the Bear family. We knew that Barry had been removed from his parents and put into foster care. Somehow we felt guilty about this family's grief. We knew that Barry Bear was simply a tool that the State was wielding in order to get at us. As committed Christians we felt a responsibility to find out if this family needed our help or assistance in any way. Sam's prodding gave me an excuse to finally find out what we might do to help. I contacted the Bear family's attorney in Marshalltown. The attorney was quite pleasant and said he was certain that Anna would be willing to talk with us.

When I phoned, Anna indicated that she might be willing to talk. But first I had to state emphatically and repeatedly that neither Sam nor I were associated with the Bureau of Indian Affairs in any way. She briefly explained the historical context of her concerns and said that if we were not being honest that the interview would be immediately terminated.

When she realized that Sam would want to meet Barry personally, Anna got excited. She thought up a strategy that was both subtle and clever. Anna indicated that she would contact Barry's social worker and tell her that some "eminent guests" would like to interview him. She never told the social worker precisely who we were. She simply indicated that we were "important" and "officials" concerned about Barry's welfare.

Sam Blumenfeld flew to Iowa and stayed at our home. The next day we took a trip to the Meskwaki Indian Reservation. As we drove down the dirt lane I noticed an Indian man waving to

us on the left side of the road. Anna greeted us at the door. Soon after, Archie walked in—the same man who had waved to us from the road. I was immediately struck by his appearance. If I had been an artist I would have wanted to draw his face. It had the most remarkable characteristics of the proud and stately Indian countenance that I had ever seen.

Archie did not greet us, however. Instead we had to once again state emphatically and repeatedly that we were not in any way, previously or presently, associated with the Bureau of Indian Affairs. After this went on for a bit, we were welcomed into the home by Anna. Archie sat on the couch expressionless for the entire meeting, staring straight ahead while we chatted. The house was clean, but unfinished and sparsely furnished.

I explained how the Barry Bear case had set court case precedent against all homeschoolers. Anna was quite interested in the history. Sam told Anna some national homeschooling history, and she chatted with him from the perspective of being a teacher. We learned her story, how she had married Archie and moved onto the Indian reservation. She had been hired as a certified teacher to work in the tiny school located on the reservation. She then related a complicated family history about Archie's background. It turned out that there was a tribal dispute about inheritance and genealogies that had been going on for several generations. (A few years later, when the gambling business became an official Meskwaki occupation, we realized the economic significance of this dispute.)

A few hours later, as we were getting ready to leave their house, I addressed Archie directly. I told him, "I am here today because they want to do to me what they did to you."

His entire countenance changed. He got it! Suddenly he was very friendly. He began talking rapidly about many things. He told us a story which was quite interesting. He said that he had also been taken away from his family when he was young, and had been raised by a foster family due to a tribal dispute at the time. He said that the Indians had learned an effective way to punish those they were having disputes with. They simply contacted the child welfare agency and claimed that child abuse was going on. It was a form of punishment on the reservation that began back in the 1930s.

Later, Sam and I had an opportunity to visit with Barry Bear and his social worker in a park in Marshalltown. Anna and Archie and one of their older sons accompanied us. Barry Bear was 14 years old at this time and living in a foster home. He was a handsome young man. It was evident that he had some sort of mild mental handicap. Sam spent some time with him, analyzing his school work and his abilities. The social worker probably thought that Sam was some expert on education, but she instinctively began to get more and more nervous as time went on. Sam and I took many pictures that day. They show a relaxed Barry Bear, clearly confused about why he had to live apart from his mother and father, enjoying the company of his big brother on the swings. It was manifestly clear to us that this child had never been abused during his upbringing. Sam wrote about this visit in a subsequent *Blumenfeld Education Letter*.

Sam also wanted to meet Aaron and Theresa Rivera and talk to them about their court case. He had written about their situation in the June 1990 issue of his *Blumenfeld Education Letter*. We held a meeting in our home and many homeschool families from all across the state came to meet Sam. Aaron Rivera arrived with bright yellow bumper stickers that said "Free Barry Bear." Many of us took those and put them on our cars. It stayed on our black van for many years until Barry was finally freed.

During the meeting, Sam gave us some radical advice. “I know you all want to go hide,” he said. “I know that you all want to flee the state or go underground. But that is the worst thing you can do. Then you are easy targets. What you really need to do it to publish what is going on. Proclaim it from the housetops! Then the whole world will know what is going on.” Sam quoted the Scriptures about light and darkness. He said we needed to walk in the light. He asked for a volunteer. Who would be willing to publish the truth about what was going on in Iowa so that everything would be done in the light?

I was stunned when my husband Lynn raised his hand. Sam immediately gave us permission to reproduce his newsletters about the Bear and Rivera cases and distribute them across Iowa. We decided to reprint 10,000 copies in an inexpensive newsprint format. We sent out thousands of these flyers right away, and it accomplished what Sam had predicted. Quickly the whole state of Iowa became familiar with the homeschool crisis.

The fruit of our efforts

In the years to come, many things happened as a direct result of the Iowa homeschool crisis, including some things that we could have never predicted. In the darkest days of the homeschool battle, some of us used to pray that God would greatly multiply our efforts. We felt so weak and so powerless that this seemed a good thing to pray. We hung on this Scripture: *Now unto Him that is able to do exceeding abundantly above all that we ask or think, according to the power that worketh in us.* (Eph. 3:20) Indeed, He did.

Iowa homeschoolers continued to sit in on legislative committee meetings, State Board of Education meetings and education conferences for years to come. The dangers still lurked everywhere and no one rested. A compulsory education bill was passed in 1991 which made everyone very nervous. There were too many loopholes for State mischief. The situation required continual monitoring for the next few years. Many families were still in grave danger. The Barry Bear case still hovered over our heads like a dark cloud.

During the next few years homeschoolers came out of the closet and began to become more organized. Their numbers were rapidly growing. By 1991, Mary Syverson began to faithfully attend to matters at the legislature. Julie Naberhaus began to take over the responsibility of answering the dozens of phone calls each week from new homeschoolers. The Dallas County support group set up the NICHE group. Bill Kurth set up an Iowa chapter of the Rutherford Institute for a few years to assist some of the threatened families, thwarting a few more test cases that the State was trying to create.

It was Iowa homeschoolers who first stumbled onto David Hornbeck’s education reform plan which would to massively transform education for the 21st century. It was Iowa homeschoolers who first discovered a state-developed global education curriculum that openly promulgated the religious doctrine of “Gaia” worship. It was Iowa homeschoolers who first began publishing national articles warning other homeschoolers about the multi-pronged threats created by the encroachment of federal education reform.

Our family eventually went on to assist Wayne Wolf in the publishing of a little newspaper first called *The Iowa Report*. Wayne had a real heart for family issues. Within two short months it became a national publication, and he renamed it the *Free World Research Report*. For several years it had a major impact on education reform across the country, especially those areas that negatively impacted homeschooling. Because of the Iowa crisis, we now had a solid

understanding of the many divergent ways that homeschool freedoms could be jeopardized and could warn other states.

When that publication discontinued, Lynn and I began publishing *The Christian Conscience* magazine. For the next few years we covered issues pertinent to homeschooling, education reform and other Christian family issues. In 1999 we formed Conscience Press and published Charlotte Iserbyt's landmark book on the history of education reform, *the deliberate dumbing down of america: A Chronological Paper Trail*, which was a best-seller on for a long time (<http://www.deliberatedumbingdown.com>). Some of the Iowa homeschool story is contained within its pages.

Our family moved away from Iowa in 1998. Our oldest son was permitted to participate in the NICHE graduation with his peers in June 1999. We were blessed to see the fruits of our labors. I cried when children I recognized—some of them seriously threatened in 1989—walked across the podium that day. These children were now grown. They were now “safe.”

Barry Bear's situation went from bad to worse for many years. He was moved in and out of foster homes, group homes and institutions. He was maltreated, abused and his medical problems were never adequately diagnosed or treated. The education his mother had given him, declined. His mother wept in a court hearing when a social worker testified that while in the custody of the State he had “learned to tie his shoes.” Anna had taught him that skill when he was very young.

Barry ended up in a State institution for adults and was given heavy doses of psychotropic medications. His health continued to decline. State officials went to great length to keep his case viable, even to the point of absurdity. The Bear family continued to press on with every possible maneuver in the Courts.

Eventually one day in the late 1990s the State of Iowa forgot to file an important paper that would keep Barry imprisoned as an adult. Anna and Archie immediately picked him up and took him out of state. When Anna came back into Iowa she was thrown into jail for contempt of court for refusing to divulge the whereabouts of Barry. When Barry finally came home proper medical care revealed the source of Barry Bear's childhood illnesses—stomach ulcers, which could have been easily treated.

Barry Bear's tragic story has a bittersweet ending. It stands as a constant reminder and warning to us that our freedoms are precious and very, very fragile.

In May of 1990, after the legislative session was over and S.F. 149 was finally defeated, we prepared a paper for posterity. Below, it is copied in its entirety. May you be blessed by reading it. An epilogue follows.

TO GOD BE THE GLORY!

For the miraculous defeat of Senate File 149, a scourge on the homeschoolers in the State of Iowa for the past two years, we, the following represented groups that formed a coalition for the purpose of defeating said bill, hereby go on record to give God the Glory, Honor and Praise. Great is the Lord, and worthy to be praised. We thank Him for miracles, both big and small, many of which we will never know of until eternity. We mention some so that other Christians will know and also give God the Glory He so richly deserves for this victory.

- For alerting homeschoolers about the dangers of S.F. 149 in the first place and providing legal opinions at timely moments throughout the two-year period.
- For alerting three families that they were in danger of CINA and providing a way for them to flee the State of Iowa before their children were in danger.
- For providing monies, cars that worked, food, weather, people, resources, volunteers, babysitters, and timely words.
- For giving people the vision to pray, for giving some the burden to fast, for causing them to do so with joy, expectancy and faith, and with no recognition save the Lord.
- For giving people the vision to get active, for holy boldness, for courage in the face of mocking and persecution, for words of wisdom in the face of intimidation and fear, and for equipping simple people of faith with a message of the truth that in the end defied all lies of the enemy.
- For shining testimonies that were consistent in children, teens and adults over time and tribulation.
- For unity despite diversity and the ability to speak forth the truth in one voice.
- For friends in high and low places when extra voices were needed.
- For little miracles each day.
- For accidents, fires, delays, screw-ups, falls, sicknesses and other difficulties, because God's time and ways are perfect.
- For faithfulness, perseverance, and consistency in believers to follow through to the final hours of the battle without wavering or fleeing.
- For the ability to endure a hopeless situation with hope and a clear mind centered on our Lord and Saviour, Jesus Christ.
- For allowing us to soften hearts with a message of God's love in an atmosphere of constant evil, and giving us the ability to shine as lights in the great halls of darkness that is the Iowa Legislature.
- For forewarning us before every significant event in miraculous ways, and for giving us the vision of the battle ahead so that we were incredibly prepared every step of the way.
- For loving us despite our human frailties, weaknesses, imperfections, sins, impatience and human errors.
- For giving us compassionate friends, supportive groups, and committed organizations to fight along side us.

To GOD we give thanks. He alone deserves all Praise, Honor and Glory. Amen.

Iowans for Christian Education	Paul Zylstra, Lynn Leslie, Gaylon & Dee Gillman
Concerned Women for America of Iowa	Sarah Leslie
Victims of Child Abuse Laws	John Harvey
Women for Constitutional Government	Mary Ellen Nicholls
Iowans for Moral Education	Johann Hicks
Iowa Home Educators Association	Gregory Nichols
Grandview Park Baptist Home School Satellite Program	Clarence Townsend
The Dallas County Home School Support Group	Bob & Mary Stuart
The Des Moines First Federated Home School Support Group	Marla Quenzer

Epilogue

No homeschooler ever lost a child in Iowa during those turbulent years. We did not compromise away the rights of other homeschool parents during this volatile era.

I wish I could say that this is the end of the story. I wish I could say that the crisis we all experienced fifteen years ago has gone away. It would be wonderful to report that homeschooling is completely free and no longer under this threat.

But this isn't the case. The very same agenda, which attempted to equate homeschooling with child abuse, still exists across America today. One need only do a simple Internet search on Google to discover that "homeschooling" and "truancy," or "homeschooling" and "child abuse," appear together frequently in unfavorable or badly misinformed newspaper articles and media stories.

The threatening agenda still lurks in darkness. The multi-pronged threats, coming at all truly private education from every conceivable direction, still exist. There are still people in positions of power, both political Right and Left, who have sinister plans to link homeschooling with child abuse. It is not a time for homeschool leaders to become complacent. It is not time to let down your guard, nor to be soothed into a false sense of peace and safety.

The plans to reform education contain elements of luring and enticing homeschoolers into the net of public or quasi-public ("choice") programs. Some reformers drew diagrams depicting children educated in the home linked to the government "system" by computer technologies. The reformers promised that "no child" would be left behind. They eagerly anticipated the final extinction of truly private education—by a state-controlled psycho-social assessment *testing* mechanism that would require that **all** children be enrolled, monitored and databanked in the "system." They proposed severe penalties for non-compliance.

Days of trial and testing for homeschoolers—and all truly private schools—will quickly set upon us once again. Will we be able to stand and withstand? May God have mercy on us all!

CONVICTION vs. PREFERENCE

"I prefer steak but I will settle for hamburger"

This statement is a **preference**. It is a desired outcome made among acceptable choices. **Compromise** is a normal part of choosing a preference.

“Give me liberty or give me death!”

This famous statement reflects a **conviction**. Conviction goes beyond a mere refusal to eat liver. A conviction may be something for which an individual would be willing to lose monetary or material possessions, go to jail, suffer injury, or forfeit their life to maintain. Conviction does **not** compromise.

The Black Civil Rights Movement of the 1960s is a good example of **active conviction**. Because Black Americans demanded the same rights, privileges, and opportunities afforded other Americans, they suffered the destruction of their private property, jailing, and even loss of life. Amish, Mennonite and Quaker religious groups practice what is considered as **passive conviction**. This is characterized by nonparticipation in certain activities for the sake of conscience, such as refusing to fight in a war.

A great many **homeschool** families have a **passive conviction** regarding participation in the public school system. They consider the institution of government education to be deleterious and destructive to the Christian family. These beliefs are rooted in an historical and theological understanding of modern education. **These beliefs are convictions, not preferences.**

You may not understand these convictions. They may be entirely different from your own. Homeschool parents can understand disagreement with their position. However, they do not understand why the State of Iowa would force them into subjection to a system of which they conscientiously object to being made party.

We urge you to accommodate both the preferences and the convictions of the homeschool families in the State of Iowa.

Iowans for Christian Education, 1990.

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