



Written by [Joe Wolverton, II, J.D.](#) on July 30, 2016

## New Law in Alaska Restores Right of Parent to Control Content, Quality of Child's Education

*"A free people claim their rights as derived from the laws of nature and not as the gift of their chief magistrate."*

— Thomas Jefferson

A new law in Alaska restores the right of parents to determine the content and quality of the education their children will receive, including the right to prevent their children from taking so-called standardized tests.



The bill, HB 156, became the law in the Last Frontier without the governor's signature. It was, however, passed by the both houses of the state legislature: 14-4 in the senate and narrowly in the state house of representatives by a final vote of 21-18.

Specifically, the new statute recognizes the authority of the parents, allowing them "to object to and withdraw the child from a standards-based assessment or test required by the state" and "to object to and withdraw the child from an activity, class, or program."

In other words, children in Alaska will not be forced by the government — local, state, or federal — to participate in standardized testing (exams which more often than not don't test any relevant skills and serve merely as vehicles for qualifying for federal funds or collecting critical personal data about the children and their families) and they will not be forced to sit through classroom instruction that violates or contradicts the principles of the children's families — sex education, for example.

Shane Vander Hart of the group Truth in American Education, praised the new bill, while acknowledging its limitations.

"This doesn't change Alaska's standards which are essentially Common Core," Vander Hart said in a blog post, "but this is a win for parents who were having issues opting their students out of assessments and certain classes, like sex ed." "This is something all states should do if they haven't already. While parents have a natural right to opt their children out of assessments it is so much easier when the government cooperates with parents rather than oppose them," he added.

According to the provisions of the new law, parents will be notified "not less than two weeks before any activity, class, or program that includes content involving human reproduction or sexual matters is provided to a child."

Beyond simply allowing parents to have their child "opt out" of certain classes that may contain material they find offensive, under the law parents are provided an opportunity "to review the content of an activity, class, performance standard, or program."

That is of enormous benefit to parents who oftentimes report feeling blindsided by activities or lessons that place their children in a position of having to be "deprogrammed" when they get home from school.



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The problem, of course, with such efforts to undo the unsanctioned lessons is that one cannot unring a bell. Once the child is exposed to information or images that are forbidden in his home, his acceptance and interest in such material may increase, despite the best efforts of parents.

Another aspect of the Alaskan statute is the prohibition on schools of punishing children who don't participate in a particular lesson or program or who opt out of a standardized test. According to a section of the law, "when a child is absent from an activity, class, program, or standards-based assessment or test required by the state under this section, the absence is not considered an unlawful absence under AS 14.30.020 if the child's parent withdrew the child from the activity, class, program, or standards-based assessment or test or gave permission for the child's absence."

Alaska's ability to pass such legislation is noteworthy in light of attempts in other states to pass similar parental right bills.

In Tennessee, for example, a very similar measure was passed by the legislature, but was marked as fiscally harmful to the state as it would force schools in the Volunteer State to forfeit millions in federal funds that according to the Every Student Succeeds Act (ESSA) are tied to state administration of standardized tests. The fewer the number of students who take the tests, the less money the state receives from the federal government.

There is much to fear from a federal government possessed of the power granted by the ESSA, legislation described by *The New American's* Alex Newman as "[a disaster for real education, children, parents, liberty, and the U.S. Constitution.](#)"

In an article announcing President Obama's signing of the bill passed overwhelmingly by Republicans in Congress, Newman lays out the metes and bounds of this unconstitutional usurpation of control over the education of the youth of America:

Among other unconstitutional schemes, the bill reauthorizes a dizzying array of programs to usurp even more control over education from communities and states. Chief among those measures is the reauthorization of the anti-constitutional Elementary and Secondary Education Act (ESEA) through 2020. The gargantuan bill, cheerfully signed into "law" by Obama last week, also continues to mandate the unpopular and unconstitutional standardized national testing regime to enforce compliance with Washington D.C.'s dictates. Despite false claims to the contrary by lying lawmakers and special interests hoping to deceive Americans and get the bill passed, the unconstitutional legislation also cements the deeply unpopular [Common Core](#) agenda into place.

Common Core State Standards Initiative is the official name of the scholastic standards copyrighted by the Washington, D.C.-based National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO). Common Core has come under significant fire from parents, teachers, and school administrators across the country, who declare that the standards are a bid by the federal government to take over the education system. Additionally, privacy advocates have voiced concerns over the distribution to contractors of personally identifiable information about students and their families.

Remarkably, ESSA endows the federal secretary of education with the responsibility of approving state plans for compliance with Common Core standards and assessments.

Finally, while it is certainly laudable for the state legislature of Alaska or any other state to push back against federal monopolization of the education of children and the collection of personal data from them, it is certainly a characteristic of the brave new world in which we live that a citizen of the United



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States of America must receive permission from government — albeit state government — to exercise a right that was given by God.

For parents to be placed in a position of praising a bill that purports to restore to parents a right that the government could not lawfully take from them in the first place is a scenario that would have been incomprehensible to the men who framed our Constitution and founded our Republic.

Thomas Jefferson seems to have been speaking directly to this point when he said, “Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift from God?”

Certainly not.

Meanwhile, states should follow the example of Alaska and restore rights to parents that were once considered unalienable: that is, the right to raise one’s children according to the dictates of one’s own conscience.



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