

Georgia insight

Sue Ella Deadwyler, 4168 Rue Antoinette, Stone Mountain, Georgia 30083

"She hath done what she could." Mark, 14:8a

April 2006

It Took Five Years of Lobbying, but, Now, Parents Will Be Notified

The only object was to require parental permission for membership in school clubs and extracurricular activities, a reasonable goal for reasonable people. But, somewhere along the line educators began to believe *in loco parentis* means they have parental authority over every thing pertinent to children once they enter what's often the "no-parents' land" of schools.

Ballentine's Law Dictionary defines a person *in loco parentis* as one that assumes the position of the child's lawful father, accepts the obligation to support the child and discharges parental duties, although not the actual father. *Ballentine* didn't refer to educators when he said *in loco parentis* is: "One who takes a child into his home and treats it as a member of his own family, educating and supporting it as if it were his own child." So, educators' authority is limited.

Although *in loco parentis* authority for teachers is assumed under common law, there seems to be nothing in the Georgia Code to describe its limitations for educators, except for Code Section 20-2-215 that extends it to paraprofessionals and aides. (a) They cannot use corporal punishment on students, but (b) can supervise planned release time and activities at other sites. They can (c) instruct individual students or small groups at sites away from the classroom, (d) meet with parent or guardian, (e) plan instructional programs or lessons, and (f) take part in staff development or other education activities **related to classroom instruction**.

In loco parentis does *not* authorize withholding from parents or guardians pertinent information about goings-on at school. So, it's puzzling that the State Board of Education first refused to require parental permission for membership in school clubs and extracurricular activities and, subsequently, refused to require local school systems to simply provide parents with a list of things children may join at school. Also puzzling is that five long years of consistent lobbying were required before legislators passed a bill requiring schools to give parents such a list, while education-loyal committees consistently shot down all parental permission provisions.

Bills introduced in both House and Senate in 2005 languished in committees for a year because the State School Superintendent promised, but failed, to get the State School Board to act on their provisions. When S.B. 149 and H.B. 661 began to move in 2006, attacks by education lobbyists and former educators in the legislature caused the parental permission part to be omitted before S.B. 413 passed. Only parental notification remained. It developed this way.

S.B. 413, A Vehicle Without Wheels

Senator Dan Moody's S.B. 413 requiring parental consent for minors to drop out of school was destined to pass the day it was dropped. Until it was introduced, no one had actually tried to fix a huge hole in the law mandating that six- to 15-year-olds attend school but allowed them to drop out the day they turned 16 without asking their parents. But, S.B. 149 and H.B. 661 requiring parental permission for membership in school clubs and extracurricular activities were headed for trouble, as usual. Also "iffy" was H.B. 1239 requiring schools to teach minors how sex crime laws affect them and which laws could get children tried as adults.

Parents Got Some Respect!

When the House and Senate agreed on S.B. 413 the last day of the session, three other bills were riding on it and the final version accomplished several good things.

- Students will have increased parental protection in life-changing decisions.
- Minors can no longer drop out of school without parental permission.
- Parents will be informed of what's available for children to join at school.
- Parents and students will know clubs' purposes, plans and goals before students join.
- Parents are affirmed *again* as the primary authority in their children's lives.
- Parents will be encouraged to remind children that underage sex has consequences.

Hitching a Ride on S.B. 413

Bill upon bill upon bill upon bill may be attached to another piece of legislation. Getting the bill-of-burden's author to agree to riders is often overlooked or ignored, but if bills are attached, their subjects must be germane to legislation chosen to be the vehicle. Not only does Senator Dan Moody's **S.B. 413** require *written* parental permission for students to drop out before graduation, it, also, requires a child/parent/principal conference *before* a student may legally withdraw. That discourages anyone from forging parental permission.

S.B. 413 had no trouble passing both committees to get to the Senate floor for a vote and, at that point, it became a vehicle for another parental permission bill. Since the author was agreeable and the subjects were, certainly, germane, Senator Nancy Schaefer attached her **S.B. 149** requiring written parental permission for membership in school clubs and extracurricular activities, plus notification of anything available for students to join at school. After passing the Senate with her bill in tow, it went to the House Education Committee that had already stripped permission for school club membership from Representative Bobby Reese's **H.B. 661** and diluted it to parental *notification* of existing school clubs and extracurricular activities.

The House committee accepted S.B. 413's parental permission for dropping out of school, but did a hatchet job on permission for club membership, reducing it to parental notification, as well. S.B. 413 passed the House and Senate with different verbiage and neither would accept the other's version. So, an appointed six-member conference committee wrote a compromise.

The S.B. 413 that passed (a) *still* requires parental permission for students to drop out of school before they graduate and (b) parents *will* be notified of all school clubs and extracurricular activities through the annual student code of conduct publication. (c) However, parental permission is *not* required for membership in school clubs and extracurricular activities, (d) *unless* they are created *after* school starts. But, the committee threw parents a bone. While parental permission is *not* required for membership in anything available at school, (e) *parents are allowed to "decline permission,"* the bill's term for opt-out. How magnanimous of them!

Also, S.B. 413 includes an illusion to Representative Setzler's **H.B. 1239** that required schools to teach students in grades six, eight and ten about sex crime laws, emphasizing those that can get minors tried as adults. His bill didn't pass, but S.B. 413 (f) requires the student code of conduct to *encourage parents to tell students* of the consequences of underage sex and sex crimes that can get them tried as adults. So, sex educators can continue telling children they can be sexually active without explaining what crimes they'll be committing. Go figure!

Food for Thought: If two people have a difference of opinion, who gets to decide which is the bigot?
Parental Permission *Not* Required for Homosexuals' Day of Silence April 26th

On April 26th, students in classes across the country may give teachers a card that says . . .

"Please understand my reasons for not speaking today. I am participating in the Day of Silence, a national youth movement protesting the silence faced by lesbian, gay, bisexual and transgender people and their allies. My deliberate silence echoes that silence, which is caused by harassment, prejudice, and discrimination. I believe that ending the silence is the first step toward fighting these injustices. Think about the voices you are not hearing today. What are you going to do to end the silence?"

Will your school allow students and teachers to observe homosexuality's day of silence?

The *day of silence* is illegal. Georgia law provides students a one-minute daily period for silent meditation but allows no child or teacher a day of silence for anything, including promotion of alternate lifestyles. Not only does observing a day of silence in schools defy Georgia law, it undermines family and community values by promoting homosexuality to children.

The University of Virginia spawned a *day of silence* in 1996. It went nationwide and bled into at least 35 Georgia schools by 2005. In 2001, GLSEN, the Gay, Lesbian, Straight Education Network formed in 1995, became *the day's* official sponsor in collaboration with the United States Student Association (USSA) that promotes homosexuality to college students. GLSEN, an organization of full-time adults, works year-round to entice children to accept alternate lifestyles and trans-sexuality as normal, desirable and healthy, using the Internet to solicit participation in *the day* that's scheduled for April 26th this year.

The *day of silence* is one of many projects promoted in schools by gay-straight alliances (GSA) that are booster clubs propagandizing students into alternate lifestyles. GSAs also promote same-sex proms that crown boy-queens and girl-kings, "coming out" days, break-the-silence events, rallies, political lobby days, editorial writing, "homophobia" reporting and class discussions of alternate lifestyles. All are K – 12 strategies GLSEN uses to normalize homosexuality in schools where vulnerable children are sitting ducks, courtesy of mandatory education.

GLSEN claims *the day* is "the largest student-led LGBT-related action in the nation." In 2004, to increase participation in the *day*, outreach was expanded to "queer, allies, and intersex" (their words) students and educators and the acronym became LGBTQAI. GLSEN's 40-page *Day of Silence Organizing Manual* denounces objections to homosexuality as racism, intolerance and discrimination instead of admitting they are legitimate differences of opinion.

The manual tells teachers to (a) "dike-out" in *day of silence* T-shirts and stickers, GLSEN caps, rainbow rings or clothes affirming LGBT rights and causes. (b) Use silent lessons to explore censorship, prejudice and social justice and (c) GLSEN's lesson plan "The Silencing Effect of Anti-LGBT Name-Calling." (d) Direct in-class writing or e-mail to public officials about LGBT issues and (e) ask students to continue such actions beyond *the day* and outside class.

At the end of the *day*, students and teachers are invited to *celebrate alternate lifestyles by attending "breaking the silence" rallies*. So, the *day* is, simply, a springboard for expanding alternate lifestyles and training students to be pro-homosexual activists in the political arena.

ACTION – Ask whether your child's school did or will observe the day. If so, who authorized it and why? Were parents consulted beforehand? Ask state and local school boards to prohibit such observances and activities in the future.

More activism planned to squelch student objections to homosexuality!
Fourth annual No Name-Calling Week in schools set for January 22-26, 2007.

**March 28th, House and Senate Made 13-Yr.-Olds Fair Game for Sodomy
H.B. 1059 Passed: Promotes Homosexuality at Younger Age than Straight Sex**

“Romeo & Juliet” Façade does not Hide the Hard Facts

(a) Minimizing penalties will lead to more and earlier premarital teen sex.

(b) Changes encourage sodomy younger than other sexual conduct.

With passage of H.B. 1059, cultural sex standards have been lowered almost, but not quite, to the lowest possible denominator. It was “sold” to legislators as the bill Representative Jerry Keen had worked on all session and *really* wanted passed. There was more concern about prison records of teens convicted of sex crimes than the reality that sexual conduct outside of marriage is always physically and emotionally damaging, especially to minors. Sexually transmitted diseases (STD) now number over 50, up from the five that had been treatable, plus the death sentence of AIDS that’ll be dealt to even younger teens.

As you read the following provisions of H.B. 1059, please note that sodomy and aggravated sodomy and aggravated child molestation can be practiced between 13-, 14-, or 15-year-olds and other teens 18 or younger. However, an 18-year-old who wants to indulge in statutory rape, child molestation and enticing a child for indecent purposes has to wait until the victim is 14 years old. Does passage of this bill mean representatives and senators think children are ready for sodomy at 13, a year earlier than other premarital sex?

Code Section 16-6-2. Sodomy and Aggravated Sodomy. If the victim is at least 13 but less than 16 years of age and the person convicted of sodomy is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Code Section 16-6-3. Statutory Rape. If the victim is at least 14 but less than 16 years of age and the person convicted of statutory rape is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Code Section 16-6-4. Child Molestation. If the victim is at least 14 but less than 16 years of age and the person convicted of child molestation is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Code Section 16-6-4. Aggravated Child Molestation. When the victim is at least 13 but less than 16 years of age, the person convicted of aggravated child molestation is 18 years of age or younger and is no more than four years older than the victim and the basis of the charge of aggravated child molestation involves an act of sodomy shall be guilty of a misdemeanor.

Code Section 16-6-5. Enticing a Child for Indecent Purposes. If the victim is at least 14 but less than 16 years of age and the person convicted of enticing a child for indecent purposes is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Really shrewd teenagers can engage in sodomy at 13 with other 13-year-olds and continue until they’re 19. None will ever be four years older than the others and at 14 they can include other sex acts with multiple partners. Imagine how many STDs those teens are likely to have at 19.

H.B. 1059 says intercourse can begin at age 14, but 13-year-olds can practice sodomy.

ACTION – Contact Governor Perdue at 404 656-1776 and request that he veto H.B. 1059.

Georgia Insight is a conservative publication financed entirely by its recipients.