

# Homeschooled Girl Ordered to Attend Public School Over Her 'Rigid' Faith

---

10-year-old's 'vigorous' defense of her faith condemned by judge

---

Posted: August 28, 2009

12:35 am Eastern

By Bob Unruh

© 2009 WorldNetDaily

A 10-year-old homeschool girl described as "well liked, social and interactive with her peers, academically promising and intellectually at or superior to grade level" has been told by a New Hampshire court official to attend a government school because she was too "vigorous" in defense of her Christian faith.

The decision from Marital Master Michael Garner reasoned that the girl's "vigorous defense of her religious beliefs to [her] counselor suggests strongly that she has not had the opportunity to seriously consider any other point of view."

The recommendation was approved by Judge Lucinda V. Sadler, but it is being challenged by attorneys with the [Alliance Defense Fund](#), who said it was "a step too far" for any court.

The ADF confirmed today it has filed motions with the court seeking reconsideration of the order and a stay of the decision sending the 10-year-old student in government-run schools in Meredith, N.H.

The dispute arose as part of a modification of a parenting plan for the girl. The parents divorced in 1999 when she was a newborn, and the mother has homeschooled her daughter since first grade with texts that meet all state standards.

In addition to homeschooling, the girl attends supplemental public school classes and has also been involved in a variety of extra-curricular sports activities, the ADF reported.

But during the process of negotiating the terms of the plan, a guardian ad litem appointed to participate concluded the girl "appeared to reflect her mother's rigidity on questions of faith" and that the girl's interests "would be best served by exposure to a public school setting" and "different points of view at a time when she must begin to critically evaluate multiple systems of belief ... in order to select, as a young adult, which of those systems will best suit her own needs."

According to court documents, the guardian ad litem earlier had told the mother, "If I want her in public school, she'll be in public school."

The marital master hearing the case proposed the Christian girl be ordered into public school after considering "the impact of [her religious] beliefs on her interaction with others."

"Parents have a fundamental right to make educational choices for their children. In this case specifically, the court is illegitimately altering a method of education that the court itself admits is working," said ADF-allied attorney John Anthony Simmons of Hampton.

"The court is essentially saying that the evidence shows that, socially and academically, this girl is doing great, but her religious beliefs are a bit too sincerely held and must be sifted, tested by, and mixed among other worldviews. This is a step too far for any court to take."

"The New Hampshire Supreme Court itself has specifically declared, 'Home education is an enduring American tradition and right,'" said ADF Senior Legal Counsel Mike Johnson. "There is clearly and without question no legitimate legal basis for the court's decision, and we trust it will reconsider its conclusions."

The case, handled in the Family Division of the Judicial Court for Belknap County in Laconia, involves Martin Kurowski and Brenda Kurowski (Voydatch), and their daughter.

The ADF also argued that the issue already was raised in 2006 and rejected by the court.

"Most urgent ... is the issue of Amanda's schooling as the school year has begun and Amanda is being impacted by the court's decision daily," the court filing requesting a stay said. "Serious state statutory and federal constitutional concerns are implicated by the court's ruling and which

need to be remedied without delay.

"It is not the proper role of the court to insist that Amanda be 'exposed to different points of view' if the primary residential parent has determined that it is in Amanda's best interest not to be exposed to secular influences that would undermine Amanda's faith, schooling, social development, etc. The court is not permitted to demonstrate hostility toward religion, and particularly the faith of Amanda and Mother, by removing Amanda from the home and thrusting her into an environment that the custodial parent deems detrimental to Amanda."

"The order assumes that because Amanda has sincerely held Christian beliefs, there must be a problem that needs solving. It is a parent's constitutionally protected right to train up their children in the religious beliefs that they hold. It is not up to the court to suggest that a 10-year-old should be 'exposed' to other religious views contrary to the faith traditions of her parents. Could it not be that this sharp 10-year-old 'vigorously' believes what she does because she knows it to be true? The court's narrative suggests that 10-year-olds are too young to form opinions and that they are not yet allowed to have sincerely held Christian beliefs," the ADF said.

"Absent any other clear and convincing evidence justifying the court's decision, it would appear that the court has indeed taken sides with regard to the issue of religion and has preferred one religious view over another (or the absence of religion). This is impermissible," the documents said.

The guardian ad litem had an anti-Christian bias, the documents said, telling the mother at one point she wouldn't even look at homeschool curriculum.

"I don't want to hear it. It's all Christian based," she said.

<http://www.wnd.com/index.php?fa=PAGE.view&pageId=108084>