
Youth Truth



Official 'Zine of Americans for a Society Free from Age Restrictions www.asfar.org

Volume 3, Issue 1 January/February 2002

Stay In School, Kid?

Sandra Buckley

After the September 11, 2001 attacks on New York's World Trade Center and the Pentagon, the major networks covered the events nonstop and commercial-free for several days. Anchors on all the networks worked around the clock, staying on the air to provide what comfort they could to a frightened and overwhelmed public. By the time the week was over, ABC had regained its position as the number one network for news. Its anchor, Peter Jennings, was the one to whom the most Americans turned in this time of crisis.

Peter Jennings is a high-school dropout.

By almost any measure, Peter Jennings has an admirable level of ability and talent, and has used it to forge an extraordinary career in broadcasting. But Jennings didn't look so respectable in the school environment, where he was mainly known as a poor student. If he had waited to finish school and tried to advance his career on the basis of his diploma and his grades, he might never have made it on the air.

Top jobs in broadcasting, entertainment, and sports are hard to come by. Opportunities must be seized when they appear, and those who stop to consider the consequences often fall by the wayside. So we should not be surprised to find a host of high school dropouts who took a chance and became famous in these areas, and indeed we do. Here are just a few of them:

News anchors:

John Chancellor Peter Jennings

Entertainers:

Julie Andrews Aretha Franklin
Louis Armstrong Elton John
Lucille Ball Jerry Lewis
Humphrey Bogart Robert Mitchum
Pierce Brosnan Sidney Poitier
Ellen Burstyn Anthony Quinn
Glen Campbell Frank Sinatra
Ray Charles Patrick Stewart
Sean Connery Danny Thomas
Robert DeNiro Peter Ustinov

Film/TV producers and directors:

Peter Bogdanovich Federico Fellini
Charlie Chaplin John Huston
Walt Disney Quentin Tarantino

Composers:

Irving Berlin George Gershwin

Athletes:

Joe DiMaggio Joe Louis

Of course, there are also many famous personalities who *have* high school or college diplomas. But does that qualification really help them in their line of work? Would Peter Jennings be a better anchor if he'd graduated from high school? Would we respect him more?

It is not only people in broadcasting and entertainment who can achieve greatness without the benefit of formal education.

Eight men became President of the United States with little or no schooling (George Washington, Andrew Jackson, Martin Van Buren, Zachary Taylor, Millard Fillmore, Abraham Lincoln, Andrew Johnson, Grover Cleveland). Benjamin Franklin had no formal education beyond the age of ten. John Major, British Prime Minister from 1990-1997, never finished high school.

Many of the novelists, dramatists and poets who authored students' assigned reading in school never attended or completed school themselves: Jack London, William Faulkner, Samuel Clemens, Joseph Conrad, Herman Melville, Charles Dickens, William Shakespeare. The few years George Bernard Shaw spent in school were a failure; he admitted "I cannot learn anything that does not interest me."

Of the 400 famous 20th-century people examined in Victor & Mildred Goertzel's 1962 study *Cradles of Eminence*, three out of five despised or did poorly in school. The creative and exceptionally brilliant Thomas Edison and Albert Einstein were believed to be mentally disturbed by their schoolteachers; both left school to study on their own.

The innovations of individuals such as Antonie Van Leeuwenhoek, Wilbur and Orville Wright, George Eastman, and Frank Lloyd Wright could never have sprung from subject matter studied in schools—they all dropped out too.

continued on page 10

Letters

On the Teenage “Terrorist”

I’m sure by now everyone has heard about the 15-year-old crashing the plane into the building in Florida. The big focus (at least on all the AOL message boards) is not of preventing/predicting future cases, which is all but impossible, but rather of stripping all people under 18 (or 21) of permits/licenses. No one suggested banning Middle Eastern descendants or people of the age as the hijackers as a way to prevent future WTC type events.

Some people seem to think that 15-year-olds learning to fly is new and are saying things like “Now that I know that children are flying, I’m going to do whatever I can to stop it.” Tens of thousands (possibly millions) of people under 18 have been taking flight lessons since whenever and this is the first (and hopefully last) time something like this has occurred. Too many young people will be denied their dream or being a pilot or see it seriously delayed due to the actions of one. Pedro P

I think if a person under 18 wants to get a flying license, so be it. As long as they only fly supervised until they have reached the capabilities of flying by themselves without risk to other people. It’s a shame that if one person does something wrong, every teen that has that dream get shattered. But on the other note I think they only reason they’re taking such drastic measures is because of 9/11; if that hadn’t happened I don’t think this would be so dramatic. Casey

PediaCare (and Other Cold Remedies) Off Limits

I live in Arkansas. When I was at the store many nights ago, I read that they passed a law against buying/owning anything containing ephedrine or pseudoephedrine under the age of 18!!! What could you do with that that is MORE dangerous than something you could do with driving (that you can do at 16)? Nightvid

“Deputies Break Up Norway New Year’s Eve Party”

Regarding a news item seen at <<http://journaltimes.com/archives/index.inn?loc=detail&doc=/2002/January/01-162-900party.txt>>:

Oh my!! Teenagers getting together on New Year’s Eve and having a blast, we can’t have that! Send in the hired guns to break up their wild, out of control behaviour before someone gets hurt! In fact, we need 100 more Police Officers on the streets every weekend looking for this sort of thing. The taxpayers will be happy to throw buckets and busloads of cash towards this project. Alcohol is not to be tolerated! Teens can not be trusted to make decisions about their own lives. They’re just innocent babies, unable to comprehend anything around them! They don’t own their bodies, WE, the concerned, protective ADULTS own their bodies! We say what goes into them and what does not, and any TEEN who thinks otherwise can have a police record, pay us money, and go into treatment for his/her problem.

Oh, and Education doesn’t work. If you tell kids the truth about alcohol and let them make up their own minds and pay their own consequences, they’ll all “fall by the wayside” and “slip through the cracks”. Young people can NOT be trusted! They’re idiots! Now, when a young person turns 21, that’s a different story. By then, they’ve learned enough to be safe when they drink and drive. They won’t get plastered to the point of passing out anymore. They will drink responsibly and set a good example. This comes through experience, and the only way to get that experience is to turn 21. Daniel McGuire

Trying to Work, But Handicapped By Laws

The laws in NC are, if you’re not in school and not 18, you cannot get your drivers license, and if you’re *in* school you have to at least keep a C+ in all courses or lose your permit.... Which is sad because there are many people who have dropped out of school for good reasons, but they have to find a ride back and forth to work because they’re not able to get a license. Casey

Youth Truth (ISSN 1527-4489) is issued bimonthly, six issues per volume, by Americans for a Society Free from Age Restrictions. New volumes begin with the January issue of each year. The electronic edition is available at www.asfar.org/zine/ and is free of charge. Annual subscription rates for the print edition: Members \$2.00 per year; Nonmembers and Libraries \$10.00 per year. Printed copies of single issues are available at \$2.00 per issue. Checks should be made payable to ASFAR. Special rates may be negotiated.

Questions regarding the electronic version may be directed to <editor@asfar.org>. Questions about or requests for subscriptions to the print version may be directed to <swishnets@aol.com> or to *Youth Truth*, P.O. Box 11358, Chicago, Illinois 60611-0358.

Editorial and Publishing Staff

Editor in Chief: Justin Mallone <editor@asfar.org>
Research Coordinator: Brendan Perez
Electronic Edition Production: Justin Mallone <editor@asfar.org>
Print Edition Production: Susan Wishnetsky <swishnets@aol.com>
Print Edition Design: Synimo Designs <synimo@aol.com>

ASFAR
P.O. Box 11358
Chicago, IL 60611-0358
e-mail: info@asfar.org
web site: www.asfar.org

Editorial correspondence may be addressed to <editor@asfar.org> or Justin Mallone, Editor, *Youth Truth*, P.O. Box 11358, Chicago, Illinois 60611-0358.

Editor's note: Opinions expressed may not represent the views of ASFAR.

Message from the New VP

Hi, I'm Daniel McGuire. I recently was elected to ASFAR's Board of Directors, and at the Board meeting on the 2nd of 2002 was selected to be ASFAR's Vice President. I am honoured to take this position and look forward to a 2002 filled with actual action. I was also selected to be the Secretary of the Demonstrations committee. I hope you'll join me in taking action in the name of youth rights this year. Some suggestions for doing this include:

Writing letters to your newspapers' editors, city council, mayor, senators, and other representatives, organizing demonstrations for youth rights against curfews, gulag schools, the voting age, drinking age, driving age, compulsory schooling, the age of consent (whatever issue would be appropriate for your area and time and personality, or even just a general "pro youth rights" rally), writing articles or drawing toons for ASFAR's publication, *Youth Truth*, passing out or hanging up youth rights flyers and publications to interested people or around town, showing up at ASFAR meetings, coming up with ideas for action others can do around the country, starting or joining an ASFAR chapter in your community, starting and/or participating in a mailing list for youth rights activists in your area, and living free and according to your principles, being an example for others.

In this time of war, fear, and uncertainty, I hope our organization will play a part in building hope and confidence in young and old people alike. I dream of a day when young and old will stand together equally, with liberty and justice for everyone. True freedom for everyone is what I seek and I ask for your help.

Toon

Jacob Kafka



Perspective

Daniel McGuire

Vice-President, ASFAR

<mindmesh@yahoo.com>

There's been some good discussion on ASFAR's mailing list lately. If you're interested in learning more about what's been going on and what's been talked about, I encourage you to check out the messages at <http://www.groups.yahoo.com/group/asfar/messages>.

One example of what's been going on is a campaign here in Salt Lake City to repeal our curfew. If you'd like to help with that, please write a letter to our Mayor and City council. Additionally, you can write a letter to our newspapers' editors and anyone else you can think of that may be interested in helping with this campaign. If we can be successful in repealing just one youth curfew, I believe it will add momentum to our movement, give us credibility. It will show people that we are legitimate and that we mean business, so I'm very sincere about this campaign. If you do write a letter, consider sending it to me for reposting on the ASFAR list or to the ASFAR list directly to provide a guide for others who may wish to do the same.

Thanks for listening and please don't hesitate to contact me via email: mindmesh@yahoo.com.

Peace, strength, love, and motivation,
Daniel McGuire

Poem

Pat Tesch

One thing that
We really detest
Is the curfew
Because it is youth house arrest.

News Link

Five Teens in Car Crash, Four Die ...

... through no fault of their own, as the article at http://www.kgw.com/kgwnews/oregonwash_story.html?StoryID=34803 makes clear. These five "happy-go-lucky kids" (just the types to be the culprits in such an accident) were struck when the pickup truck of a 38-year-old man driving under the influence of alcohol veered onto the wrong side of the road.

The Morality of Militancy

The opinion I am about to express is a rather “dangerous” one at a time like this; I suppose a certain part of my character rather enjoys “bucking the norm” as it were, riding dangerously close to or beyond that gray line between what is merely “fringe” and what could be deemed worthy of an FBI interrogation. Not merely for sensationalistic purposes do I do this however. I do it in large part to challenge myself, to remind myself of the importance of expressing what I believe to be true, regardless of whatever the “prevailing opinion” of the great majority of ignorants may be; also, perhaps it is to some degree, a reaffirmation of my sincere hope that no matter the opinion I express, I won’t be accosted by government-sanctioned goons in the middle of the night.

Being in the company of the sort of “fringe lunatics” of the political spectrum that I am (and having the time to aimlessly surf the web that I do), I hear a great deal about the activities of “animal-rights defenders” and their cousins in the broader environmental movement, particularly the more militant sort who “liberate” animals in captivity, blow up oil trucks for “raping Gaia”, and that sort of thing.

My purpose here is not to castigate these individuals on what I believe to be their bad moral theories regarding the rights of animals; that is another article, and not entirely germane to the subject matter of this publication. What I will take issue with here, however, and use as a convenient springboard to a discussion of the larger moral issue, is their priorities.

News Links

MADD Demands Boring Ads

Mothers Against Drunk Driving (MADD) resorts to all sorts of tactics to liven up its image, such as sponsoring a drag racer in the 2002 National Hot Rod Association Series, as reported in http://jtodaydirect.madd.org/plugin.jhtml?siteID=MADD&p=2&Tab=News&Object_ID=546948. But they insist that any semblance of “fun” must be kept out of liquor industry promotions, as reported at <http://www.madd.org/madd/news/0,1056,2644,00.html>. “Lizards, frogs, penguins, dogs [and] sports figures” are among the images MADD would ban from liquor ads in the name of “protecting youth”.

Suppose one does, indeed, believe that non-rational animals have rights. I will even accept this premise for the sake of argument (generally something I am terribly loath to do, but in this case I believe my argument is strong enough to withstand my temporary repeal of the laws of reason, reality, and the Universe).

So the question for the believer in the cause of animal rights turns to this: are human rights of no greater value? While youth rot in thinly-veiled concentration camps of the private as well as the public sort, while our society continues to condone the tagging and tracking, abuse and neglect, coercion and thought control of young people, where are all the “activists”? Blowing up oil trucks and “liberating” animals into the wild who will soon die anyway due to a lifetime spent in captivity. Oh, such well-thought-out priorities these individuals have!

The greater issue to be dealt with here, though, is the question of the framework within which militancy is a moral thing. Let me pose the question frankly: suppose a friend of yours, a staunchly individualistic youth not yet of the Magic Age, is coerced (kidnapped, threatened, etc.) into some sort of horrible “re-education” camp by their parents. Is it within the sphere of moral action to, say, hire mercenaries to liberate your friend? To go there yourself?

I would argue it is. In any situation where the rights of an individual are or have been violated, the right of retaliation is explicit and absolute. This right of retaliation applies to all those complicit in the violation, from the kidnappers to the slave-keepers running the operation. Once one accepts this principle, it becomes merely a question of assigning levels of complicity and figuring out the proper moral response.

No action happens in a vacuum; for everything except the barest hypothetical, there is all-important context. Thus, the mere fact that a large portion of individuals disregard youth rights and worship government law to the extent they do puts certain upper limits on the use of force of our hypothetical man in the above scenario (at least, in most situations).

When You Start Acting Like A Cop, We'll Treat You Like One

On December 24, the New Hampshire Supreme Court ruled that school employees who detain, search, or question students with the intention of turning over evidence to the police are acting as agents of the police, and must follow police regulations and procedures. According to <http://www.drcnet.org/wol/218.html#newhampshireschools>, this includes reading a suspect his rights before any interrogation begins.

Editor's note: Opinions expressed may not represent the views of ASFAR.

For instance, were an individual (or an organized group of youth liberators acting out of principle) seeking to liberate youth from a youth concentration camp, it would be tactically unwise *and* immoral, for propaganda purposes alone, to shoot all the people running the camp dead. Such an action would cause a public outcry and likely lead people to be even more belligerent in their treatment of youth, setting the stage for more oppression and setting the cause back tremendously. In other words, any such individual/group would have to use the least possible force that would still allow for the mission to be completed successfully.

One question I will almost assuredly receive is the question of whether I am advocating law-breaking. To this I respond that whether such an act is legal or not does not affect its moral status, even if the contention is that lawbreaking leads to a “general breakdown of societal order”, for it is very often the laws themselves that spiral us towards such a breakdown. What surer way is there to ensure that a societal collapses in upon itself then to cannibalize the minds and freedom of the young in exchange for PC-faddishness, electoral pandering, lazy parenting, and an ignorant refusal to recognize the natural human liberty possessed by all individuals?

Thus, while I am not advocating law-breaking per se, it is not the law per se that concerns me, but the fundamental moral issues which might motivate such acts.

After examining these fundamental moral issues, I've come to the (admittedly very radical) determination that a certain degree of militancy, tempered by reason and done with the least possible force, is theoretically moral when it comes to liberating youth. I emphasize theoretically because the potential for counter-productive action is very great whenever the usage of force is involved, even when done morally.

Being the radical that I am, even this point wasn't the one that gave me the biggest shock; that occurred when I reflected on the lack of the existence of such groups **already**. Sure, there are

Bun Better Than Blue, School Says

Maria Alexander, a Southgate, Michigan seventh-grader, can now return to school after a two-week suspension for dying blue streaks into her hair, according to <<http://www.detnews.com/2001/wayne/0111/16/d03-344307.htm>>. Administrators cite a school policy prohibiting styles that might cause distractions or teasing, but have allowed Maria to return to school with the dyed hair as long as she wears it in a bun.

The President's Pen

George Justin Mallone
President, ASFAR
<president@asfar.org>

supposed underground networks that smuggle kids around the country, but their support of youth rights per se is questionable, and there certainly is no group that goes around, say, evacuating gulag schools and burning them to the ground afterwards.

Which brings me back to the animal rights-types and their lack of proper prioritization. Even IF you assume that animals have rights (which I most certainly do not), certainly you must agree that youth do as well? Certainly to the point that they warrant the occasional liberation now and then, in between detonating the oil truck and throwing a brick in the fur store window, perhaps?

Pardon my sarcasm, friends, but the existence of individuals willing to risk life and limb for “Gaia” and the Great Apes but not their fellow man puzzles and befuddles me. Perhaps we lack sufficient marketing skill; I mean, after all, how many have heard of ASFAR and how many have heard of PETA? If that is indeed the core reason, then that bodes for an intriguing future: If the enslavement of youth is not redressed or abolished, will we one day see militant “Youth Liberation” groups running about the nation, taking matters into their own hands? I hope it doesn't come to that, for many reasons. But if the politicians of today continue to kick the Movement in the teeth, they may one day find that the non-voters whose rights they sold out and pleas they ignored have grown older and stayed pissed.

News Links

Judge Tones Down Idaho Abortion Law

In December a federal judge weakened Idaho's law requiring minors to get consent from a parent or judge before seeking an abortion by striking down the provision limiting the judicial consent to judges in the minor's home district or the district where the abortion would be performed. Also struck down was the requirement for parental notification in case of abortions performed in medical emergencies. According to <http://dailynews.yahoo.com/h/ap/20011220/us/idaho_abortion.html>, doctors providing abortions to minors without the necessary consent can face criminal charges.

School Search Policies and the Law

In an age where security in school is of utmost importance, the basic civil liberties of citizens, in this case, students, are threatened. Violence in schools receives great media coverage and hype. It creates a perception of schools as a scary place where everyone must be willing to do anything and everything for the sake of our children's safety. No doubt political rhetoric comes into play. Any politician running for office must be stringent on his/her ideals about safety in school and the safety of our "nation's children" in order to gain election votes. Policies are thrown out of whack, written to ridiculous or even unenforceable levels.

The number of students reported carrying weapons to school has dropped from 26.1% in 1991 to 18.3% in 1997. Less than 1% of all homicides of individuals aged 13-17 occur on or around school grounds (Centers for Disease Control, Youth Risk Behavior Trends). Though, with all the hype, there still remains a legitimate concern. Students attending school must have their safety ensured as much as possible by the administration and community. Just as important, however, students must also have their civil rights ensured.

The fourth amendment of the United States Constitution states "The right of people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue without probable cause supported by oath or affirmation particularly describing the place to be searched and the persons or things to be searched." This amendment has been consistently upheld in court in regards to individuals and is now widely accepted as an assumed "right", meaning every person in the United States can expect to have the fourth amendment applied to them as an individual.

For the most part, courts at the federal level have upheld that students attending schools do not "leave their rights at the school gate" as a supreme court justice once said. This means that all rights applying to persons outside of school shall be expected to be applied within school and the school environment.

Situations do exist where people are asked to voluntarily give up their rights, usually in order to gain a privilege or luxury of some sorts. When people board planes, it is understood that they are giving up their right to privacy and allowing people to examine their person and bags, in exchange for permission to board the flight. Another example would be anytime anyone walks through a metal detector. That is a search of their persons and any bags they are carrying that has no reasonable cause behind it, it is simply a precautionary measure. The practice of suspecting people of committing crimes before any crime has been committed is what's happening, but people knowingly are giving up their right in order to gain a privilege.

The issue of public schools gets tricky in this area of voluntary searches and has been the source of much debate. Most people look at school as a privilege, but students are generally required by law to attend school. If a student chooses to break the law and *not* attend school, there can be severe legal consequences. So, effectively, when schools search students entering or within a school building the government is giving the student an ultimatum: attend school and submit to be searched, or face consequences as harsh as jail time. This is stripping the student of his/her 4th amendment right.

Students have challenged schools and taken them to court on many 4th amendment issues. The categories of searches breaks down into five separate types: metal detectors/random searches when entering the building, searches of lockers, searches of bags/purses, searches of persons and searches of vehicles parked on school property.

Students should expect a "reasonable degree of privacy." Interpretation of the term "reasonable" is decided on a case-by-case basis.

Metal detectors used on students randomly as they enter school has been, for the most part, ruled legal and a small enough invasion of privacy to legitimize its benefit to the mutual safety of all. In California, however, it's been ruled that if metal detectors are to be used, they must be used on all students, not just randomly selected ones. This law is to prevent discrimination towards students of certain ethnicities. Two percent of schools in the U.S. use metal detectors (CDC, Youth Risk Behavior Trends).

It is a precedent that lockers are school property and therefore, as long as the students are informed in writing at some point (usually stated in a handbook of some kind) that lockers are subject to searches, then they may be legally searched without any reason for suspicion. Random searches of lockers using drug sniffing dogs are commonplace and legal. "I'm not sure that's quite right," said Salyer of the ACLU. "Ownership has never been the defining factor over whether you have a privacy interest. . . . It's like telling everyone you're going to make them prove their innocence," Salyer said.

**— ATTEND SCHOOL AND
SUBMIT TO BE SEARCHED OR FACE
CONSEQUENCES AS HARSH AS JAIL TIME —**

The bottom line about searches of lockers is that they're legal and have consistently been upheld as legal and constitutional in both state and federal courts. Any faculty member may search any locker at any time and turn evidence over to the police which can then be used in court.

Searching people's personal bags is a different issue than lockers, despite the comments of Salyer of the ACLU that "ownership has never been the defining factor over whether you have a privacy interest." It seems the simple fact that students own their bags makes them exempt from random, baseless searches, unlike lockers. For a member of a school's administration to search a student's bag they must have "reasonable suspicion". The term "reasonable suspicion" isn't to be confused with "probable cause". Probable cause is a much heavier term that requires a larger burden of proof on the part of the searcher; this burden is placed on police when searching suspects. Reasonable suspicion is merely that the administrator has reasonable grounds to believe a search will result in incriminating evidence, as defined by the case of New Jersey VS. T.L.O in 1985.

If an administrator has several interrelated corroborating facts, then they have reasonable suspicion and can legally search a student and their bags. In the late 1980's in Texas one student who had a reputation of getting into trouble was seen walking away from an area where several items had been stolen in the past. The administrator that caught the student conducted a search of his belongings and person. The student took the state to court and the judge ruled in the state's favor stating that, "Prior propensity to

get into trouble, coupled with the fact that he was in the hall without a pass and returning from an area where thefts had previously occurred" was enough evidence to have reasonable suspicion (Coffman VS State, Tex. 1989). Reasonable suspicion can also be attained with the corroboration of two witnesses (faculty or students). Examples of such situations include when a student shows a group of students drugs or a weapon and two or more students report it; then a search can legally be conducted. A confusing contradiction to this is that a ruling in a California court that says a search is unlawful when done on "curiosity, rumor or hunch" (re William G. VS State, Cal 1985). The contradiction comes in with the word "rumor". The difference between corroborating eyewitness statements and a "rumor" can be negligible.

Random searches of large groups of people based on the suspicion that something has been done by one or few students is illegal, as indicated by several cases of the late 80's (R.J.M. VS State, FLA Dist. App. 1984; Webb VS McCullough, 6th Cir. 1987; Kuehn VS Renton School District, Wash. 1985). In one of these cases a class was detained because the teacher smelled marijuana on someone. The principal brought in local authorities with a drug-sniffing dog. They asked every student to leave the room and leave their bags behind so that they could be sniffed. One student refused because it was in violation of his civil rights. He was brought to the principal's office where his body and bag were searched; no drugs were found. He won his court case.

Random searches on people using drug sniffing dogs is illegal. Several California schools would have students line up in hallways as a dog passed by sniffing

Redirect

Mike Hills
ASFAR Member

everyone. This practice has been ruled unconstitutional in several court cases (Jones VS Latexo, E.D. Tex. 1980; United States VS Place, U.S. 696 1983; Horton VS Goose Creek Independent School District, 5th Cir. 1986).

The searching of students' vehicles is an issue that is up for debate and has yet to really be ruled on decisively by any major courts. It could be interpreted that vehicles, when parked on school property, are equivalent to students' bags and therefore would be subject to search with merely "reasonable suspicion" by the administrators. Because the vehicle is comparable to a bag, reasonable suspicion must exist for an administrator to search it. They cannot randomly search students' cars because they believe *someone* in the area may have incriminating evidence in their vehicle; they must have specific evidence that creates a reason to believe a search of *your* property would result in incriminating evidence that you broke the law or school rules.

In the end, searches of lockers may be conducted at any time, randomly, without any suspicion as long as a written statement has been provided to the student stating that the administration has such a right. Searches of a person's body, bags and vehicle must be backed by reasonable suspicion: having reasonable grounds to believe a search would result with incriminating evidence. Reasonable suspicion is decided on a case-by-case basis. That's the way the law stands right now.

This article was written by Mike Hills. Mike currently publishes a print newsletter about student rights. For more info and a free trial subscription to his newsletter, Liberty High, visit <www.libertyhigh.com>.

— A SEARCH IS UNLAWFUL WHEN DONE ON "CURIOSITY, RUMOR, OR HUNCH" —

Sue's Review

Susan Wishnetsky
Treasurer, ASFAR
<swishnets@aol.com>

Last month I reviewed Gerald Bracey's *Setting the Record Straight*, an attempt to debunk claims that America's education system and its students were going to hell in a handbasket. I concluded that this 1997 book did not do a good job of presenting its arguments.

Author Richard Rothstein must have felt the same way, because the following year his own vastly improved version of the arguments, *The Way We Were*, was released. The book states its case in a coherent, readable manner, with a ringing persuasiveness throughout. The author does give credit to Bracey, in his acknowledgments, for getting the ball rolling.

Now, to those youth rights activists out there who abhor public schools and believe them to be the source of all evil for kids, I assure you, you won't hate this book! It won't convince you that school is where all kids should be; the author never argues for that and I'm not sure he believes it. It does show how eternal and unsolvable the problems with school seem to be.

Chapter one gives strong evidence that today's students are *not* inferior to previous generations—and never were. Looking back at media-fueled frenzies about the “decline” of education in earlier times, we find that the hysterical condemnations and horror stories sound very much like the ones we hear today. Later, the author examines comparisons of similar groups of students in different years on identical tests; the results almost always show that the later students do better.

In response to the common belief that “kids today” graduate without the skills to perform even entry-level work, Rothstein points out that this complaint is most often heard from employers offering dead-end, minimum wage jobs without benefits. He cites two recent statements by top officials of Daimler-Benz and Siemens—which offer more attractive

Rothstein, Richard. *The way we were? the myths and realities of America's student achievement*. (Century Foundation report.) New York : Century Foundation Press, 1998.

entry-level packages—praising the ability and skills of young Americans. And a 1990 survey of employers found, to the surprise of the commission which conducted it, virtually no complaints about the knowledge or cognitive skills of employees (poor work habits were a bigger concern).

Many Americans believe students taught with tough “three-Rs”, sink-or-swim, drill and practice methods—which they *think* they remember from their own school days—outperform those who are “coddled” with the often-maligned methods of bilingual education, “social promotion” and “values clarification”. Author Rothstein shows that these policies are hardly new, and were put in place to address real problems with the “old-fashioned” ways. Social promotion, which the author calls “an unavoidable consequence of compulsory education”, has been debated throughout the 1900s and was generally accepted by 1938; the practice has been attacked in the media for nearly as long. The first bilingual public school was established in 1837 in New York City to prepare immigrant children for transition to English-only schools; many other such programs followed around the country to address the widespread failure and high drop-out rates of immigrants. As for the “modern” trends of focusing on students' emotional needs and exploring values such as tolerance, the author cites a 1950 article urging schools to return to the “three Rs” and leave the exploration of students' feelings and beliefs to the mothers and fathers. An editorial of 1902 recalled the good old days when students “had to do a little work”, claiming that in public schools of the times “the child must be kept amused and learns what he pleases.”

Also mentioned are some of the ridiculous and unrealistic standards demanded by politicians and public officials. In 1998, for example, the California Department of Education declared its goal that 90% of the state's students should place at or above the 50th percentile on national

standardized tests—overlooking the basic truth that this “average” level of achievement is, by definition, a level that will *not* be met by around half the students. Rothstein points out that this goal could only be achieved if California had “a near monopoly of the best and brightest performers nationwide Of course, other states would also prefer that 90% of *their* students be above average.” Another state proposal mentioned would have resulted in a third of all students being held back each year.

You can't help but feel sorry for public school teachers and administrators. The job they are asked to do is, frankly, impossible: to accept all students—wealthy and impoverished, native and immigrant, ready and unready, with all their differing talents and shortcomings, problems and advantages, frustrations and aspirations—and make them all into well-rounded, college-bound intellectuals. Even if schools should succeed in turning a generation of young human beings into identical, smart automatons (and they'd surely be criticized for that too!), most of the graduates would be sorely disappointed to find themselves in a society where the majority of jobs are found in relatively low-skill, low-paying retail, service, and manufacturing sectors.

Yes, our schools *are* failing, but that's nothing new. Schools are failing in the ways they always have—failing to give the poorest students the chance to develop and use the talents and skills they do possess, instead of discouraging them and branding them as lifelong losers who will never get anywhere. Public schools are supposed to level the playing field for all, but the grades and the standardized tests, which so often parallel the incomes and educational levels of the parents, only serve to maintain class divisions in our society. Employers further maintain this system by placing their trust in the school system and accepting its judgments. As long as we insist that all students must be good at everything, as long as we worship the diploma instead of the individual and his or her particular assets, schools will continue to fail.

Deadly Snow Must Go

According to <http://www.weather.com/newscenter/topstories/schoolday/011213xschlxsnowcavenwfatal.html>, Matt Stoor of St. Anthony, Idaho wants the city to remove the snow from all the vacant lots in town to prevent other children from tunneling into it and suffocating, as his son Jacob did.

Controversial Teacher May Sue School

After actor Woody Harrelson's visit to Donna Cockrel's fifth grade class in Shelbyville, Kentucky to talk about the merits of industrial hemp, Ms. Cockrel suddenly began receiving reprimands and was fired in July 1997. A lower court dismissed her lawsuit against the school, but the 6th U.S. Circuit Court of Appeals ruled in the teacher's favor on November 9, 2001. According to <http://www.freedomforum.org/templates/document.asp?documentID=15346>, Cockrel had received the necessary approval for the speaker—and his topic—in advance.

Whistleblower Wins Wad

A Portland, Oregon physical education teacher, fired after reporting that her school's treatment of disabled students violated federal laws, was awarded over \$1 million by a jury on November 16, according to <http://www.freedomforum.org/templates/document.asp?documentID=15389>.

Free Speech Fans Outnumber Fanatics

On January 1, 2002, a church group in Alamogordo, New Mexico fanned the flames of censorship, burning Harry Potter books and other "satanic" reading material; see <http://www.messengerinquirer.com/news/doubletakes/3950114.htm>. Hundreds of community members—a far larger group—were in attendance to *protest* the bookburning.

Cop Cover-Up in Columbine Case?

It now seems likely that Columbine killer Dylan Klebold was responsible for one fewer death than previously believed. The parents of deceased student Daniel Rohrbough became convinced that their son was shot by a Denver SWAT team member, not the teen killers, and there seems to be evidence which supports this belief. One recent article at <http://www.washingtonpost.com/wp-dyn/articles/A45772-2002Jan14.html> describes the Rohrboughs' efforts to get at the truth.

Hockey Dad to Get Penalty

"Hockey dad" Thomas Junta was found guilty of involuntary manslaughter after beating his son's coach to death last July; a summary of the case is at <http://www.msnbc.com/news/686964.asp?cp1=1>.

Child Quietly Starves in Parental Care

Eighteen-month-old James Fredrickson of Streamwood, Illinois weighed 10 pounds 10 ounces at the time of his death on December 14, 2001. His parents, both 24 years of age, have been charged with first-degree murder, according to the item at <http://chicagotribune.com/news.local/chi-020114starve.story?coll=chi%2Dnewslocal52Dhed>.

Father Doesn't Know Best

Left to care for his 6-month-old daughter alone after the girl's mother was arrested, Flordina Andrews' 23-year-old father did nothing when the infant became ill and began rejecting food, according to <http://www.washingtonpost.com/wp-dyn/articles/A42308-2002Jan14.html>. Charged with murder after Flordina died of starvation and dehydration on December 31, 2001, the Columbus, Ohio father insists that he did the best he could to take care of her.

News Links

Police Records for "Talking Back"?

Police in London plan to enter minor "misbehavior" such as talking back to adults, into a database, to be used to monitor kids who (they believe) display "criminal potential", according to <http://www.wired.com/news/business/0%2C1367%2C48637%2C00.html>.

Youth Opportunity Sacrificed for Tobacco Money

Last November, 16-year-old NASCAR racer Kyle Busch had to sit out a race sponsored by Marlboro, due to the agreement between big tobacco companies and state attorneys general which bars minors from participating in tobacco-sponsored events. Now NASCAR has decided not to risk losing any tobacco money and ban people under 18 from *all* races. According to http://www.lvrj.com/lvrj_home/2001/Dec-14-Fri-2001/sports/17638523.html, NASCAR is claiming it imposed the restriction, which applies to crew members as well as drivers, "to allow young drivers to develop their racing skills and protect their welfare." Busch's thoughts about being banned can be seen at http://www.nascar.com/2001/NEWS/12/13/smith_reax/index.html.

School Lunches Really Are Bad

An item at http://www.sltrib.com/2001/dec/12232001/nation_w/161044.htm exposes meat plants which continually fail USDA inspections for bacterial contamination, yet continue to supply their meat products to schools across the country through the National School Lunch Program.

Stay In School?

continued from page 1

For more famous dropouts, see <http://www.education-reform.net/dropouts.htm>, <http://www.uselessknowledge.com/vmd/dropout.shtml>, <http://lists.hollywood.com/dropouts.html>, <http://www.autodidactic.com/profiles.htm> and <http://www.sparknotes.com/content/dropouts/>.

But let's face it: most of us aren't destined for the kind of fame and fortune achieved by these talented and extraordinary people. Even in the business arena, there are only so many good ideas that can succeed; we cannot all expect the success of Henry Ford, Andrew Carnegie, John D. Rockefeller, Henry Kaiser, Ray Kroc, Richard Branson, or Dave Thomas (none of whom, incidentally, got *their* high school diplomas).

There has always been an elitist attitude about formal education. Twenty years ago or more, it was common to hear uneducated people proclaim, with a touch of defensiveness, that they'd attended "the school of hard knocks", which had immersed them in the "real world" more effectively than any fancy college could.

Nowadays people seldom try to defend "the school of hard knocks", and that's a shame. People with little or no formal education have been convinced that they are inferior and that they should *feel* inferior. Considering the people listed above and their contributions to our society, the "school of hard knocks" is probably worth defending.

It has been true throughout America's history that more education *generally* leads to better jobs and better financial rewards—and this is still true. But now that greater numbers of people are completing high school and pursuing higher education, the financial and career related rewards of formal schooling are becoming less certain and less impressive. With high school diplomas now considered essential, the few who "make good" without them

may feel especially proud of having overcome what is now seen as an insurmountable obstacle to success. But more people are now ashamed of having jobs for which they are greatly *overqualified*.

It stands to reason. If twice as many students get MBAs but the number of jobs available for MBAs remains roughly the same, many of these graduates will end up working in jobs outside their fields—as cashiers in video stores, for example. And this is the phenomenon we are seeing more and more: even when *unemployment* is low, *underemployment* among people with advanced degrees is on the rise. An article at <http://www.ironminds.com/ironminds/issues/001121/workplace.shtml> tells of University of Missouri graduates working for years in minimum-wage jobs while looking for jobs in their fields; a study at <http://www.stfx.ca/people/wjackson/incomes.html> comparing employment of 1987 and 1992 grads confirms the increase in this phenomenon.

Our expectations have been raised too high—there are only so many high-paying, high-profile jobs to go around. No matter how many kids stay in school or how "well-educated" our society becomes, we will still need plumbers and builders and video store cashiers. For those who do end up filling these jobs, doesn't it make sense for them to be able to get a head start on earning and saving for their futures?

For the majority of us who will *not* become rich or famous, probably the best way to prepare for a satisfying career with a good income is to focus on a specific interest and pursue it. Distinguishing oneself from the competition in some way can be a great advantage when seeking a job. But since schools try to make all students "well-rounded", rather than encouraging

them to focus on their strengths or areas of interest, this is precisely the advantage one is *least* likely to get from school.

For a young person who is academically inclined, likes school, and is excited about a career for which some form of schooling is the best education, then staying in school makes perfect sense. But when *everyone* is expected to sit through classes whether they care about them or not, the diploma becomes vacuous and school becomes nothing more than an exercise in obedience, a meaningless hoop through which one is expected to jump.

But who would try to talk a young person *out* of staying in school? Dropping out should surely be discouraged, if only because of the stigma attached to it by our society. You may be qualified, but employers won't care; they just want the diploma. If you get a job, the lack of a diploma will keep you from advancing. Why invite unnecessary discrimination?

The same argument has been used in the past to try to change left-handed people, gay people, and people in interracial relationships: even if there's nothing wrong with it (the argument goes), society will discriminate against you. But instead of hiding or trying to change themselves, some made the effort to gain greater acceptance for their differences, lifestyle choices, or preferences. Because of their bravery, openness, and advocacy for their right to be themselves, these differences are far more readily accepted today.

The homeschooling/unschooling movement is doing its best to promote this tolerance and acceptance of different ways of educating oneself. Even those of us who choose school for ourselves should accept the differences of others. We're not all the same. We shouldn't all be expected to submit to the same kind of education. And we shouldn't be afraid to say so.

Please Please Please!! Don't discard this issue.
Instead, pass it along to someone else.

