

A RESOLUTION OPPOSING ANY INCREASE HOMESCHOOL REGULATION: DEFENDING PARENTAL RIGHTS AND EDUCATION FREEDOMS

WHEREAS, any increase in homeschool regulation provides for unprecedented State overreach into the jurisdiction of the home and private schools.

WHEREAS, if enacted and enforced, any increase in homeschool regulation would infringe upon the full and free exercise of certain freedoms and civil liberties guaranteed in the United States Constitution and Bill of Rights as commonly and historically expressed through the natural a priori rights of parents to direct, define, determine, design, and delegate the education of their children.

WHEREAS, the United States Supreme Court has affirmed the fundamental right and liberty of parents to direct the education and upbringing of their children in such cases as *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) , and *Troxel v. Granville*, 530 U.S. 57 (2000).

WHEREAS, the State of Illinois has long recognized homeschooling as a legitimate form of private education, as affirmed in *People v. Levisen*, 404 Ill. 574 (1950).

WHEREAS, if enacted and enforced, any increase in homeschool regulation would cause a chilling effect on educational practices that would otherwise lead to progress, innovation, and the discovery of improved educational systems and methodologies and would, therefore, also stifle the natural evolution of education and society.

WHEREAS, the synopsis of any increase in homeschool regulation declares that the justification for any homeschool regulation bill is a presupposition that some homeschoolers use home education as a cover for abuse and neglect and therefore all home educators should be subjected to insert: annual registration requirements with short 3- or 10-day filing windows, parental credentialing requirements, mandated portfolio creation and portfolio reviews, state oversight of curricula, undefined standards arbitrated by unelected officials, private interviews of minor children, and all under threat of fines and penalties that can include referral to Department of Children and Family Services, removal of children from the home, 30 days jail time, criminal truancy charges, and referral to the State's Attorney; leading to a "Guilty until proven innocent" practice that is diametrically opposite to fundamental American legal principles, Fifth Amendment protections, and Due Process.

WHEREAS, existing truancy and child welfare laws, including those enforced by truant officers and the Department of Children and Family Services, already provide mechanisms to address isolated incidences of educational neglect or abuse, rendering broader new regulations duplicative and excessively burdensome to law-abiding families, and that legislative efforts to ensure child safety should utilize these established structures,

enhancing their enforcement where necessary rather than creating new regulatory frameworks that penalize the majority for the actions of the few.

WHEREAS, any increase in homeschool regulation mandates annual registration of homeschool and private school students including an expandable data set of detailed student information that includes, but is not limited to: name, date of birth, grade level, home address, guardian contact information and home address, and since this information may be tied to sectarian schools or various religious or ethnic affiliations, a plausible fear arises that the data set could be used for selective scrutiny and discrimination of targeted groups.

WHEREAS, any increase in homeschool regulation requires homeschool instruction to be substantially equivalent to the curriculum prescribed by the Illinois State Board of Education. It would subject homeschool families to evolving public school standards that may be altered at any time by administrative rule without legislative oversight or public input, raising serious concerns about family autonomy, philosophical and religious freedom, and the potential for future mandates that conflict with the values and instructional approaches of individual families.

WHEREAS, any bill that grants discretionary authority to regional education officials to request reviews of homeschool educational portfolios without clearly defined criteria or cause raises the risk of selective and arbitrary enforcement and the potential for discrimination against families based on educational philosophy, religious beliefs, or other personal factors would hurt and harm families.

WHEREAS, any increase in homeschool regulation may impose a disproportionate burden on families with limited financial resources and formal education, as well as those pursuing nontraditional educational models, thereby undermining equitable access to alternative education and marginalizing communities who rely on flexible approaches to instruction.

WHEREAS, any legislation will create new obligations for Regional Offices of Education and other local authorities without corresponding funding or support, constituting an unfunded mandate that may strain already limited resources, reduce efficiency, and divert attention from other critical educational and student support services.

WHEREAS, the County Board stands in solidarity with their constituents and the homeschool and private school families across Illinois, who as of April 10, 2025, have filed over 125,000 combined witness slips in opposition to increased homeschool regulation.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board as follows:

1) The Marshall County Board firmly opposes any expansion of state authority that undermines the ability of parents to tailor educational approaches to the individual

needs, values, and beliefs of their children, viewing such mandates as intrusive into the private spheres of family life and education.

2) The Marshall County Board affirms the right to define, determine, design, direct, and delegate the education of children is a fundamental a priori right of parents and families, not the State.

3) The Marshall County Board firmly opposes any legislation in the future that would infringe on the rights of parents and guardians to direct the education of their children or that would impose burdensome and intrusive mandates on homeschool and private educational institutions.

4) The Marshall County Board, instead, calls upon legislators to address cases of abuse or neglect within educational settings by strengthening and utilizing existing truancy and child welfare frameworks, thereby protecting children without infringing upon the rights and freedoms of all families who choose homeschooling or private education.

5) The Marshall County Clerk is hereby directed to send copies of this Resolution to Governor Pritzker, the Speaker of the Illinois House of Representatives, the President of the Illinois Senate, the Minority leaders of both chambers, and the representatives and senators serving Marshall County.

ADOPTED by the Marshall County Board:

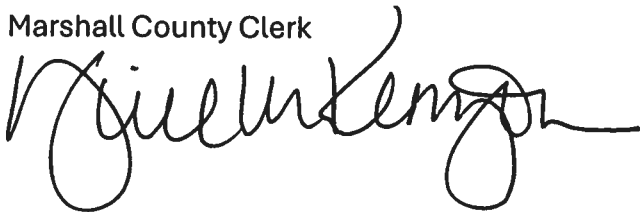
This 18th DAY OF September 2025.

A handwritten signature in black ink, appearing to read "Tom McSh", followed by a long horizontal flourish.

Marshall County Board Chairman

ATTEST:

Marshall County Clerk

A handwritten signature in black ink, appearing to read "Michelle Kenyon", written in a cursive style.