

Court rules for teacher in private/public school dispute

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GREENVILLE (RNS)—A federal appeals court has ruled for a Texas public school teacher who was denied the chance for a promotion after she refused to withdraw her children from a private religious school.

In 1998, Karen Jo Barrow was denied an interview for an assistant principal's job with the Greenville Independent School District after she refused to take her children out of Greenville Christian School and enroll them in a public school.

Two years later, Barrow filed suit against the Greenville Independent School District and former Superintendent Herman Smith. While the courts did not find the district liable, Barrow won a judgment against Smith, which the appeals court upheld.

"Parental rights do not become null and void just because the parent is a teacher," said Kelly Shackelford, president of the Liberty Legal Institute, which represented Barrow in the recent proceedings. "The decision of whether or not to consider an employee for a job should never be based on

where the applicant chooses to educate her own children.”

In its Oct. 23 ruling, which upheld a lower court’s decision in Barrow’s favor, the 5th U.S. Circuit Court of Appeals said, “a rule requiring public school employees to enroll their children in public schools is simply more invasive of parental rights and less clearly tied to the public school’s management of its students and educational program” than the law allowed.

In a public statement, the Greenville school district noted a jury found in its favor, the Fifth Circuit Court confirmed it, and Barrow lost her petition to the U.S. Supreme Court.

The district was “vindicated by three courts including the highest court in the land,” a Greenville ISD spokesman said. “The courts have held that the Greenville Independent School District did not violate the law.”

The district characterized the suit against its former superintendent and his appeal as “a personal matter between Ms. Barrow and Dr. Smith.”

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