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# Demanding good deeds breeds performance anxiety: students and families who are challenging requirements to perform voluntary community services

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Abstract: Students are beginning to challenge in court school  
 districts that force children to work in community  
 projects as part of the requirements for graduation.  
 They object on grounds of involuntary servitude  
 stipulated in the 13th amendment and on moral  
 principles of mandatory giving.

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Aric Herndon is a model of the sort of youthful community service worker  
 that has been touted by presidents George Bush and Bill Clinton and other  
 advocates of civic involvement and charity. A  
 volunteer at the thrift shop run by the Chapel Hill, N.C.,  
 Parent-Teacher Association, the 14-year-old has donated his time  
 and sweat to build split-log benches for a local nature trail. So  
 it would seem that before even beginning his sophomore year at  
 Chapel Hill High School this fall, Herndon would have completed  
 the 50 hours of community service that the Chapel Hill-Carrboro  
 City Board of Education requires for graduation. But according to  
 the board's rules, Herndon's work doesn't count as true community  
 service because he received compensation: Boy Scout merit badges  
 and his Eagle Scout rank.

"They say I'm receiving a benefit by getting merit badges and Boy  
 Scout ranks," says Herndon. "But isn't it also a benefit to get a  
 diploma for community service?"

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Frustrated with the rules that disqualify his scouting activities and with the very concept of required service, Herndon and his parents joined a lawsuit with another student, John Reinhard III, challenging the constitutionality of the board's edict. They claim that by making students give away their labor without compensation, the board has run afoul of the 13th Amendment -- adopted immediately after the Civil War to end slavery -- which out-laws involuntary servitude.

The students are being represented by the Institute for Justice, a libertarian public-interest law firm that also is challenging a mandatory community-service program on behalf of students Daniel Immediato and Mario Gironda Jr. of Rye Neck High School in Mamaroneck, N.Y. Nor are these the first such lawsuits: The Institute for Justice represented three Bethlehem, Pa., teenagers who, though involved in a variety of volunteer activities, objected to their schools' required service programs. The students lost early this year in federal circuit court -- the judges ruled that the service wasn't involuntary servitude because the students could always drop out if they wished -- and the Supreme Court declined to take up the case.

But as mandatory community-service programs proliferate in schools across the country (according to the Educational Research Service, one quarter of America's public schools already impose a volunteering requirement and another 10 percent of school districts plan to prescribe community-service responsibilities within the year), the lawsuits are proliferating as well. Institute for Justice lawyer Scott Bullock says he hopes that if enough cases are argued in enough jurisdictions, the justices will decide to weigh in. "However you look at it," says Bullock, "kids are being forced to give away free labor."

Although the students in these cases share a legal strategy, the more striking similarity is their universal bewilderment about the notion that volunteerism can be required. "They call it mandatory volunteering," says Herndon, "but I don't think it's volunteering if it's mandatory." David Moralis, one of the Bethlehem students, echoes Herndon's argument that required volunteering is a contradiction in terms, adding that once community service becomes a chore to fulfill graduation requirements, the satisfaction that comes from giving time and effort freely is lost. "When people are forced to serve," says Moralis, "it takes the fun out of it. If it's required, you don't feel like you're giving anything."

Like Moralis, the other Bethlehem students behind the Pennsylvania lawsuit, Lynn Steirer and Rachel Galassi, are active volunteers. Steirer, for example, gives her time to Meals on

Wheels and works at a nursing home and participates in Girl Scout projects. Though they lost their legal challenge, the three seniors refused, on principle, to submit their community-service work for school credit and were denied diplomas by their schools, Liberty High and Freedom High. In June, they held an alternative graduation ceremony at the Unitarian Universalist Church in Bethlehem to mark the end of their high school years. The three will take the General Educational Development, or GED, tests in late summer to earn high school equivalency diplomas and are scheduled to start classes at state colleges in the fall. Moralis says he is disappointed that it all turned out this way, but he has no regrets.

The questions Herndon and Moralis pose -- whether required community service provides the same satisfaction as charitable acts and whether a mandatory program can be called volunteering -- illuminate a dividing line in the ongoing national debate about community service. Is the job of government to inspire people to give their energies and money to causes in which they believe -- as with Bush's "Thousand Points of Light"? Or should the government enforce the responsibilities of citizenship through a sort of Swiss-style national service program that drafts youth into publicservice programs? Or perhaps there exists some middle ground, as with Clinton's GI Bill approach, in which students earn cash for college by devoting a couple of years to community service.

When government simply encourages charity and benevolence, the activities and organizations for which people volunteer do not become controversial political questions. But once volunteerism becomes a legal requirement, the question of what will count as "community service" can become a vitriolic issue. For starters, what about charitable organizations affiliated with churches? Does it breach the constitutional wall between church and state to fulfill a publicschool requirement by working for a religious organization? Concerned that it does, the school board in Bethlehem chose to allow students to serve with church groups only if the activities had no doctrinal component.

Even touchier than the religious issues, however, are the ideological ones. Conservative students and parents complain that school community-service programs strong-arm them into supporting liberal causes. For example, Planned Parenthood is on the list of organizations, preapproved by the Bethlehem School Board, through which students can earn their service credits; antiabortion groups such as Operation Rescue are not on the list.

The fact that Boy Scout service projects don't count toward the Chapel Hill schools' volunteering requirement may be one such

ideological conflict. "This is doublethink," says Mark Pastin, president of the Council of Ethical Organizations and a critic of mandatory service programs. "This reasoning says that if a student does such a good job with his charitable work that he receives a Nobel Prize, then it doesn't count" -- which raises the question of whether something else is going on.

Once upon a time, the Boy Scouts of America was seen as a model of community involvement, citizenship and service. That was before the organization became the target of activists and citizens who accuse it of heterosexism, theism and other offenses -- which then raises the obvious question of whether Herndon's Eagle Scout work has been disqualified because scouting itself just isn't ideologically trendy.

Not so, says John McCormick, the attorney representing the Chapel Hill schools in the Herndon-Reinhard lawsuit. When the school board launched its mandatory-service program in the 1993-94 school year, the issue of scouting came up, says McCormick. Some of the parents on the program committee worried that mandatory service could interfere with scouting. They decided, McCormick says, that "community service would have to be without pay, for a nonprofit and without receiving any other award or commendation."

McCormick admits, however, that the school board and the community-service committee is not without its biases. If students wish to work for an organization not on the school's approved list -- for example, for a nonprofit engaged in political action of some sort -- they can go to the school's community-service committee for the go-ahead. The school board and committee "hadn't thought about the problem of how to deal with political advocacy. They were just going to deal with the question on an ad-hoc basis," says McCormick. "It seemed that if the group in question was politically correct, then it would be okay, and if it wasn't PC, then not. I had to tell them that that wouldn't do."

The Chapel Hill schools still may be testing the ideological waters, but in Maryland the schools already have dived in head first. In 1992, the Maryland State Board of Education passed a bylaw requiring community service of all high school students as a condition for graduation, giving Maryland the first statewide student-volunteer requirement in the country. Administered by the Maryland Student Service Alliance, or MSSA, an office within the Education Department, the program requires teenagers to put in 75 hours of volunteer work during their high school years.

Sensitive to the charge that they might be perpetuating an

oxymoron, the MSSA doesn't call the required work "volunteering" -- instead, the agency prefers the term "service-learning." The choice of words is not just an exercise in euphemism; it is an effort to head off the sort of legal challenges being issued in other parts of the country. If the program is defined as an effort to force youth to work for free, it could be vulnerable to the involuntary-servitude charge. But by describing it in terms

of educational goals, the MSSA hopes to render the program noncontroversial -- no more objectionable than requiring students to complete homework or insisting they attend physical-education classes.

The MSSA High School Service-Learning Guide, a handbook for the program, defines service-learning as "making a difference through actions of caring for others through personal contact, indirect service or advocacy, either in the school or in the community, with preparation and reflection."

The preparation and reflection parts are the educational gloss -- the learning component, as it were. But what really distinguishes the Maryland program is its aggressive encouragement of political activity. By "personal contact," the MSSA refers to the types of activities usually considered community service -- visiting nursing homes, coaching for the Special Olympics, handing out sandwiches at a soup kitchen. But personal contact is only the start of what the Maryland agency sees as a "progression" of service-learning. After personal contact, students are encouraged to perform "indirect service" -- for example, recruiting other workers for the soup kitchen. As a final step, "the student may engage in advocacy," which could range from "writing a letter to the editor, to lobbying for a cause, to engaging in a political campaign."

Turning students into teenage lobbyists may seem a far cry from encouraging volunteerism, but the director of the MSSA, Maggie O'Neill, sees no contradiction in that. In O'Neill's view, the program doesn't cross the line from requiring community service to mandating political action. "How would you differentiate between the two?" she asks.

Frank Slobig is the director of the Center for Training and Technical Assistance at Youth Service America, a community-service advocacy group that works to develop effective programs. "I take the radical philosophical stance that service programs that don't lead to social change aren't worth their salt," says Slobig. "Kids can't help it if they are doing it right and being guided correctly. It has to make the person different and also change society."

The political activities that the program encourages tend to have

a distinctly left-of-center flavor. "Environmental projects, hands down, have been the most popular," says O'Neill. In some cases this entails noncontroversial "personal contact" like planting marsh grasses or trees, but more often it involves immersing students in green politics. The Maryland service program reaches into the grade schools as well as the upper schools, not requiring hours of outside work, but incorporating service-learning into the curriculum. For students at Chevy Chase Elementary School, this means monitoring local streams for pollution and reporting their findings to the county council as a way to build political pressure for clean water. "That's kind of neat," says O'Neill. "The students are not only being thoughtful about the environment, but they're sharing their information with the community."

The MSSA handbook for elementary school service is chock-full of advocacy projects -- projects that are not necessarily presented in a politically neutral manner. In the streammonitoring section, students first are asked to respond to questions about the pollution they have seen in streams: "How does this make you feel?" They receive three possible responses from which to choose: "very angry," "angry" or "don't care."

Students then are encouraged to: "Speak to public officials. Advocate clean streams in the community.... Lobby [the] legislature about a proposed pollution law; propose a new law." Other projects in the handbook encourage elementary school children to "investigate U.S. companies whose products exploit the rain forests of the world," decide on ways to make them stop and then "speak to elected officials [to] ask for their support and help." O'Neill admits that the young students are not exactly left to make up their own minds about the politically sensitive issues at hand. "The teacher is structuring it for them, of course," she says.

The political content of the Maryland high school curriculum is even more prominent than that in the elementary schools. Among the chapter headings in the high school handbook are "Ending Bias," "Saving the Environment" and "Ending Poverty." In the poverty section, students are encouraged to "Lobby country or city council to provide greater access to services available through the Department of Social Services," and to "Write to state legislators supporting legislation that assists those in poverty."

Similarly, in the section titled "Serving People with Disabilities," the MSSA handbook suggests that teenagers "Lobby to provide access to all public places.... Conduct a consciousness-raising about handicapped parking facilities."

Perhaps the most troubling example of the way in which the Maryland program enlists children in political causes is the suggestion that students "Be watchdogs for the Americans with Disabilities Act, and take action to remedy noncompliance with employment, transportation and accessibility provisions." When parents were told their children were going to be required to perform community service, they probably did not imagine it could entail reporting the family business to the Equal Employment Opportunity Commission. "Parents and students are under the correct assumption that the school system is selling a social agenda at the expense of its basic chartered objective," says mandatory-service critic Pastin.

That basic objective is to teach students to read, write, add, subtract and perform other academic tasks, argues Amitai Etzioni, a professor at George Washington University. A leader of the communitarian movement, Etzioni is a vocal advocate of volunteerism and community participation and believes it is perfectly reasonable for parents to teach their children to serve others by forcing them to perform charitable work. But he thinks the public schools have moved beyond their mission by requiring community service for graduation. "We're overwhelmed with the basics," he says. "Schools can't even keep law and order." Etzioni also points out that the volunteers -- those assisting at hospitals, for example -- often are more burdensome than helpful.

The Maryland community service program is opposed by the Maryland State Teachers Association, an affiliate of the National Education Association, because the teachers believe they already are overloaded without the additional responsibility of tracking and checking up on the service projects of their students. "We'd much rather be devoting our time to teaching the basics," says Kathleen Lyons, a spokes-woman for the association. "Other institutions ought to take care of that part of rearing children, for example, parents through their churches."

Because the Maryland program hasn't provided schools with funding or teachers with compensation for administering the projects, it has been largely ignored at the local level. "The Maryland program has been gutted," says Institute of Justice lawyer Bullock, which is why the group has not yet chosen to bring a challenge against the Maryland requirements. That may change, however, in the next two years when the students who were freshmen when the program was instituted become the first class of seniors to be confronted by the service requirements: "There are going to be a lot of frantic phone calls from parents," says Lyons.

At that point, the lawsuits in North Carolina and New York are sure to be in full swing, and the Institute for Justice may have a flood of clients ready to challenge the Maryland service



mandates. Until then, the number of school-based service programs across the country is likely to grow. Court decisions may put an end to the mandates, but if not, the fight over mandatory volunteerism will be a political battle, waged in state houses and school boards. By then, as the reality of having their children drafted in political causes in the public schools comes home to parents, the electorate's attitude toward required service may take a decidedly unfriendly turn.

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