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OPINION

New York's Years-Long Battle To Regulate Yeshiva Education Is Coming to a Head

Despite the New York State Education Department's complaints, yeshivas excel to a degree well beyond what public schools accomplish.



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The other evening, like most evenings, I walked to a local synagogue at Staten Island, where I live, for *maariv*, the day's final prayer service. And, as usual, I entered the large building through a study hall that adjoins the main prayer room.

The room was filled with pairs and groups of boys, many of them with the identifiable side curls and garb marking them as chasidim. Some were post-bar mitzvah age; others, younger. All were excitedly studying Talmudic texts.

I was early for *maariv*, intending to do some studying of my own — so I sat down and listened to the discussions among the students. One *chavrusa*, or study-partner pair, was debating the issue of when it could be assumed that a found object had been given up on by its erstwhile owner.

The level of the debate, which centered on a Hebrew commentary on an Aramaic text, the Talmud, and which involved complex concepts, could have easily been described as college-level.

A group of five boys nearby was involved in the topic of property transactions, what action effects ownership of an item being sold from one party to another. The discussion among the boys was also on an impressively high level.

Ditto for another *chavrusa* delving into the issue of priorities in giving charity. There were other pairs and groups of boys similarly animated by various texts in the room, but it was time for *maariv*, so I moved on.

After services, returning the way I had come, I saw that the young scholars were still hard at it. Their studying each evening is not borne of any resented homework assignment, but of genuine appreciation of knowledge and their heritage. The sight I saw, and see nightly, is one found in any of hundreds of study halls in Orthodox Jewish neighborhoods.

In draft regulations released on March 10, the New York State Education Department proposed limited pathways for nonpublic schools to demonstrate the substantial equivalency of instruction for students “to ensure that nonpublic school students receive the education to which they are entitled under the law.”

The proposed regulations, which were presented to the Board of Regents at its March meeting, will be open for comment until May 30. The regulations come after a years-long battle against New York’s yeshivas by a small but vocal group of activists, some of whom were raised in chasidic communities but who chose to leave them for a different life. They claim that those yeshivas violate New York law and deprive the children who attend them of the ability to live productive lives.

The claim about the harm done to chasidic children by their parents’ choice of education for them is nonsense. Yeshivas excel, through their religious studies, at honing their students’ critical thinking to a degree well beyond what public schools accomplish.

That is a most important part of a productive life. And the results of the education received by boys like the ones I see each night are evident in the success of their parents.

The proportion of doctors and lawyers in chasidic communities may be smaller than in the larger Jewish world, though there are indeed chasidic men and women in medicine and law.

The community is filled, though, with successful small businesses — and with successful plumbers and electricians, car repairmen, electronics salespeople, and a host of religious professionals — like teachers, scribes and ritual circumcisers. All supporting families, all paying taxes.

There are Jewish institutions of higher secular learning like Touro College that have educated countless chasidim. There are also career training programs like COPE Education for Business, which is a project of Agudath Israel of America, for which I work. Scores of chasidic heads of household have sat for the CPA exams upon graduation from COPE's program.

I am not chasidic myself but have met countless chasidic businessmen, accountants, speech and physical therapists, bus drivers, Amazon sellers, and, not long ago, a baker and a personal trainer. Not to mention teachers — of both religious and secular studies.

There is clearly no dearth of jobs or professions in the chasidic community, and any lack of the full gamut of secular studies in chasidic schools has not been an impediment to that fact.

Bringing government in to throw regulatory monkey wrenches into the works of an educational system that produces child scholars and adult taxpayers is unnecessarily intrusive. And, given that religious Jews see education in religious studies to be a religious requirement, intrusion by government is arguably an abridgment of the free exercise clause of the First Amendment.

To the yeshivas being targeted, every hour of extra secular instruction that would be demanded of them is a priceless hour lost to the mind-honing, spiritually uplifting textual and religious studies that have served the community for centuries — and that are the lifeblood of a community of, overwhelmingly, strong families, happy children, and gainfully employed adults.



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