

The Cumulative Benefits of Mandatory Community Service Programs

By: Alex Warner

Community service programs in public high schools are a means of connecting classroom curriculum with community service projects. Community service programs engage students in projects that serve the community while building social, civic, and academic skills.¹ The amount of public high schools that have implemented community service programs in their curriculum has grown exponentially since the early 1990's.² However, such implementation did not come without controversy, resulting in several cases in which parents' -on behalf of their student children- brought action objecting to the mandatory requirements of service learning.

Steirer v. Bethlehem Area School District,³ the leading case on the issue, involved a school board that implemented mandatory community service for graduation.⁴ In *Steirer*, the Bethlehem (PA) Area School District mandated sixty hours of community service for all high school students not enrolled

¹ "Service Learning: Missions and Goals." *Service Learning*. Chicago Public Schools. Web. 01 Apr. 2011. <<http://servicelearning.cps.k12.il.us/>>.

² *Learn and Serve America Performance Report for Program Year 2006–2007*. Print.

³ 978 F.2d 989 (3d Circ. 1993)

⁴ *Id.* at 990

in special education classes.⁵ The plaintiffs in *Steirer* were two sets of parents representing their children who were enrolled in the district.⁶ The plaintiffs in *Steirer* contend that the Community Service Program forces students to engage in expressive conduct, as it forces them to declare a belief in the value of altruism. Such coercion represents an infringement upon the students' First Amendment right to refrain from expressing such a belief.⁷ Additionally, the plaintiffs in *Steirer* contend that the Community Service Program as required by the Bethlehem Area School District infringed the bar on involuntary servitude in the Fourteenth Amendment.⁸ The plaintiffs in *Steirer* alleged that the community service program was akin to slavery in that it forced students to work without receiving pay.

Altruism, the unselfish concern for or devotion to the welfare of others,⁹ is hardly a belief that one should object to. An altruistic ideology is something that should be inherent in all citizens of a democracy. Moreover, it is blasphemous to assert the title of "involuntary

⁵ *Steirer* at 990.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.* at 991.

⁹ "Altruism" *Dictionary and Thesaurus - Merriam-Webster Online*. Merriam Webster. Web. 18 Apr. 2011. <<http://www.merriam-webster.com/dictionary/altruism>>.

servitude" to a community service program. This program is in place to implement an important ideal throughout society, namely that of altruism. Utilizing high school as a means of doing so is an effective way of implementing this value to members of society at a young age.

Another intended goal of community service is for the students to benefit from an alternative method of education. Supporters of community service programs stress that community service will help improve students' self-esteem, ego, and moral development.¹⁰ The potential benefits of students serving their community are limitless.

In *Sterier*, students in the district were able to complete the mandatory sixty hours on weekends, after school hours, holidays, and during the summer months over the course of their four years of high school.¹¹ The stated objectives of the Bethlehem Community Service Program (herein BCSP) are for students to understand their role and responsibilities in the community, to acknowledge that their involvement in the community can have a positive

¹⁰ Loeb, Marshall. The Big Payoff From Public Service. *Fortune* 133 (1996). 135

¹¹ Steirer. at 990.

effect, and to take pride in their community and serve the community for no material compensation.¹²

The BCSP was open-ended, allowing students to opt out of serving an approved community organization in favor of an opportunity that may be better suited to their personal interests.¹³ By allowing students to volunteer an area of preference, the district provided each student with an opportunity to venture into and gain experience in fields in which they aspire to work as adults. This benefit is in addition to the aforementioned.

The plaintiffs in *Steirer* first challenged the constitutionality of the community service program by alleging that it violated the free speech provisions of the First Amendment, specifically "expressive conduct."¹⁴ The plaintiffs argued that members of the school board expressed a favorable view of altruism and that as a result of this, the reason for the community service program was to further their view.¹⁵ Moreover, the plaintiffs allege that the ideology of altruism is a matter of opinion that is not shared by all and that by serving his or her community, the student is giving off the impression that

¹² *Steirer* at 990.

¹³ *Id.*

¹⁴ *Id.* at 992.

¹⁵ *Id.*

they believe in altruism.¹⁶ The plaintiffs alleged that since community service was, in their opinion, equivalent to expressive conduct, the school board was violating the First Amendment in mandating that they participate in the program.¹⁷

It is no surprise that the court in *Steirer* upheld the community service program, as it found nothing that proved that the school board required its students to express a belief in the ideology of altruism.¹⁸ Furthermore, the court found that there was no evidence to suggest that performing community service caused one to appear as though they were expressing a belief in altruism.¹⁹ The court agreed with the Bethlehem Area School District as it found the mandatory community service program was educational in that it teaches students about community service and its values via their involvement in the program.²⁰

The court elaborated on the topic of "values" and explained that a significant portion of school curriculum is teaching important values such as community service. Other important values, such as discouraging drug use and premature sexual activity, abiding by the rule of law,

¹⁶ *Steirer* at 992.

¹⁷ *Id.* at 993.

¹⁸ *Id.* at 996.

¹⁹ *Id.* at 997.

²⁰ *Id.*

encouraging exercise, and healthy eating habits, have been a part of the boards' curriculum for quite some time.²¹ School curriculum does not mandate that students adopt any of the aforementioned values, but it does believe that they are values that students should be exposed to in order to determine whether or not they are ideas that they would support. The school board believes that the community service program offers a value as important as those values already included in the curriculum. The purpose of the program is to provide exposure is to provide an opportunity for students to be exposed to values not taught in a regular curriculum.

The court did however limit the constitutionality of mandatory community service programs to those that are strictly about educating students about the values of community service and not requiring students to assume the school board's stance on an issue.²² Essentially, the court felt that schools should not be able to assign students to only the programs that the school prefers, for any reason.

The potential benefits of exposing students to community service are limitless. The involvement of

²¹ Steirer at 997.

²² Id. at 994

students in a service-learning program helps eliminate the negative criminal perception of community service as an alternative form of sentencing.²³ Additionally, involving students in community service programs serves to potentially inspire them to feel conscientious about civic duties. As long as the school board allows for alternative options for students who oppose the community service opportunities arranged by the school, there is no problem with the community service program. The constitutionality of the program hinges on the fact that it is not forcing a particular belief on students and that it is not restrictive to a particular area of opportunity.²⁴ As long as the program stays within those boundaries, it is a beneficial and educational opportunity that all students should experience.

The plaintiffs in *Steirer* contend that the Community Service Program as required by the Bethlehem Area School District infringed the bar on involuntary servitude in the Fourteenth Amendment.²⁵ The plaintiffs assert that the

²³ "Alternative Sentencing - Criminal Law." *Criminal Law Center - Criminal Law*. Criminal Law Center. Web. 17 Apr. 2011. <http://criminal.findlaw.com/crimes/criminal_stages/stages-sentencing/sentencing-alternatives.html>.

²⁴ *Steirer* at 996.

²⁵ *Id.* at 991.

mandatory condition of the community service program makes it involuntary, as a result of it being a condition for graduation.²⁶ The court cited the Supreme Court case of *United States v. Kozminski* which articulated the term "involuntary servitude" to cover "forms of compulsory labor akin to African slavery."²⁷ The court rejected the "slavery" claim, and just as it did in regard to the First Amendment claim, stated that the purpose of the community service program is primarily designed for the benefit and education of the student.²⁸ In reference to slavery, the court found that on account of the students receiving ample time (four years) to complete the required community service program hours, that the program was not involuntary servitude regardless of the fact that they worked without receiving pay.²⁹

Community service programs provide students with opportunities to apply the skills they have learned in school to the tasks of their placement. For instance, a student could volunteer at a local women's shelter and read stories to children, or volunteer at a local food bank and

²⁶ Steirer at 998.

²⁷ 487 U.S. 931 (1988)

²⁸ Steirer at 996.

²⁹ Id. at 1000.

use mathematical skills to tabulate monetary donations. Writing a follow up analysis paper or keeping a journal of tasks completed while performing community service helps to further reveal to the students the benefits of their volunteer work. Community service programs offer students an opportunity to take on tasks they normally would be unable to experience. Accomplishing tasks outside of the normal school related tasks and assignments (no comma) will give students confidence to take on larger tasks (no comma) and help to prepare them for the challenges they will face after high school. Additionally, community service assignments provide students with an opportunity to enrich their leadership skills.

Through community service programs, students have the opportunity to be exposed to many different facets of life, resulting in a broader understanding and appreciation for their community. Additionally, the benefit received by the community should not be overlooked as an outcome of community service programs. High school students provided 1.3 billion hours of community service in 2004 alone.³⁰

³⁰ "Building Active Citizens: The Role of Institutions in Teen Volunteering." *World Volunteer Web: Home*. Corporation for National and Community Service. Web. 18 Apr. 2011. <<http://www.worldvolunteerweb.org/resources/research-reports/national/doc/building-active-citizens-the/print.html?type=98>>.

Students can have an impact through various types of service and on various age groups, and other demographics of citizens. It is important that we continue to exercise community service programs, as they are both individually and cumulatively beneficial.

Community service programs are a beneficial method for engaging high school students in activities that will further educate and aide in their personal development. Proponents of mandatory community service programs believe that the experience enriches the students' life and provides them with invaluable experience outside the classroom.³¹

Mandatory community service programs are constitutional and do not infringe the students First Amendment rights to free speech.³² Comparing the compulsory aspect of mandatory community service programs to modern-day slavery is preposterous. Students are volunteering sixty hours of a course of four years and are receiving a benefit in the form of educational experience, negating any claim of involuntary servitude.³³

³¹ The Big Payoff From Public Service at 137.

³² Steirer at 996.

³³ Steirer at 1000.

No court has found any harm in mandating a community service program, nor have they found that mandatory community service programs infringe on one's constitutional rights. The potential benefit of experience gained in through volunteering as part of a mandatory community service program far exceeds any negative connotations that can be drawn from the programs.