

Private and Home Educators of California  
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## **Roy Hanson's HELP Tree Action Alert Pro-Home School Anderson Resolution**

JOINT LEGISLATIVE ACTION ALERT – March 10, 2008

From: Roy Hanson's Private and Home Educators of California and HSLDA

**Bill: Assembly Concurrent Resolution ACR 115 – Denounces Anti-homeschool Appellate Court Decision**

**Author:** State Assembly Member Joel Anderson

**Position: Strongly SUPPORT**

**Status:** Introduced Monday, March 10, 2008 – May be assigned to a policy committee first, or be sent directly to the Assembly Floor for a vote by a date yet to be assigned.

### **Summary of Resolution:**

ACR 115 supports the right of parents to direct the education and upbringing of their children. It expresses the Legislature's position that the Appellate Court's interpretation of the laws, under which parents teach their children at home, was misguided. And, it would call on the California Supreme Court to reverse the Appellate Court's opinion. ACR 115 will NOT change any existing laws and it will NOT create any new law.

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### **Information Included In This E-mail:**

**A. Action Items**

**B. Background**

**C. The Resolution**

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### **A. Action Items:**

**We need to send a strong message!**

**Call your State Assemblymember and State Senator as soon as possible.**

(You can find your Assembly Member's Capitol phone and fax numbers, and address by entering your 9-digit ZIP code in HSLDA's Legislative Tool Box at <http://www.capwiz.com/hsllda>, or by calling the office in your county that handles voter registration. The Governor's office is (916) 445-2841 or fax him at (916) 445-4633.)

**Ask them to –**

“Please support Assembly Member Anderson's ACR 115 by signing on as a co-author. This Resolution calls for a reversal of a California Appellate Court's misguided interpretation of the laws under which we educate our children at home.”

Notes:

- \* Because e-mails are usually ignored, letters and calls are significantly more effective.
  - \* Reprint or forward this to your friends, church, school, and group.
  - \* Pray for a proper outcome.
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**B. Background:**

On February 28th, the Second Appellate District Court in Los Angeles issued a ruling concerning a homeschooling family from Southern California that effectively and outrageously claimed that home schooling in California is illegal unless the parent is a credentialed tutor.

At this time, any legislation would be premature and counterproductive. In order to head off legislation, Assembly Member Joel Anderson has introduced an Assembly Concurrent Resolution (ACR 115), which would express support for private home education and the desire of the Legislature that the Supreme Court reverse the Appellate Court decision.

This past weekend Assembly Member Anderson's staff contacted us to explain what he was going to do, and to seek our input. We then worked closely with Michael Smith of HSLDA and Assembly Member Anderson's staff to ensure that the wording of this Resolution would be the best possible wording under the circumstances in which the homeschoolers in California find ourselves. It is important to know that ACR 115 will NOT change any laws in California.

Nothing has changed in California regarding your homeschool. [HSLDA](#) maintains that the advice they have given home school families for some twenty-five years is still accurate and that filing a private school affidavit, or enrolling in a private school independent study program (I.S.P) are valid options under the law in California.

As we have said previously, homeschoolers should not panic but continue to home school as in the past. The leaders of the statewide homeschool groups and HSLDA continue to coordinate with each other on a regular basis. Continue praying for a positive outcome. The attorneys at HSLDA are continuing to work very hard to prepare for additional legal action in the courts to reverse this decision.

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**C. The Resolution:**

**Assembly Concurrent Resolution ACR 115**

WHEREAS, Some thirty years of experience with the modern homeschooling movement in California demonstrates that home school graduates take up responsible positions as parents, as students in and graduates of Colleges and Universities, in the workplace, and as citizens in society at large; and

WHEREAS, Homeschooling by California families with diverse backgrounds has historically given children a quality education through proven, independent approaches that nurture valuable family bonds and support successful student development; and

WHEREAS, Private homeschooling has a long and rich history in the State of California, currently estimated as involving 200,000 students in the State of California, and 2,000,000 students nationwide; and

WHEREAS, The United States Supreme Court has ruled that parents have a fundamental constitutional right to direct the education and upbringing of their children (*Wisconsin v. Yoder*, *Pierce v. Society of Sisters*, *Meyer v. Nebraska*); and

WHEREAS, On February 28, 2008, the Court of Appeals for the Second Appellate District in Los Angeles issued an opinion in the case of *In Re: Rachel L.* holding that homeschooling without a teaching credential is not legal; and

WHEREAS, This misguided interpretation denies California parents' primary responsibility and right to determine the best place and manner of their own children's education; and

WHEREAS, The fair opportunity of California families to educate their children should not be undermined; now, therefore, be it

RESOLVED, By the Assembly of the State of California, the Senate thereof concurring, that the Legislature hereby calls upon the California Supreme Court to reverse the opinion.

RESOLVED, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

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Permission is given to reprint this document or distribute it by email in its entirety without alteration. You are encouraged to link to this document on our website [www.pheofca.org](http://www.pheofca.org)

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The purpose of this communication is to present information and express our position on the issue(s) addressed. We encourage you to research this for yourself and come to your own conclusions. Regardless of your position, we strongly urge you to exercise your constitutional right to express your position to your elected representatives. We have included an example of how we have expressed our position.

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