

California Rules Homeschooling Legal, Again

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[] On Friday the California Second District Appellate Court overruled its February decision that required all homeschool teachers to be state certified. Religious pundits praised the ruling citing its importance as a "victory for families."

"Parents have a constitutional right to make educational choices for their children," said Alliance Defense Fund Senior Counsel Gary McCaleb. "We're pleased with the court's decision, which protects the rights of families and protects an avenue of education that has proven to benefit children time and time again."

Families and advocate groups were outraged after the initial February 28 ruling, which criminalized parents who taught their children at home without certification. They consequently launched a petition and filed an appeal.

"I have never seen such an impressive array of people and organizations coming to the defense of homeschooling," said Michael Farris, chairman of the

Home School Legal Defense Association. "The team effort was remarkable. This is a great victory for homeschool freedom."

In a unanimous decision the three judges overruled their original conclusion, which was based on a case in 1929 that outlawed teaching without certification. Friday's decision stated that the case was re-evaluated in light of other cases upheld in the state's courts that assumed homeschooling without a teaching certificate was "permissible in California when conducted as private schools."

The ruling also stated that the permission granted to a homeschooler could be "overridden in order to protect the safety of a child who has been declared dependent."

The February case came to light after a Lynwood, Calif., family was accused of abusing some of their eight homeschooled children. The judges have ordered a family court to decide whether the Lynwood family can continue to homeschool their children.

Steve Crampton, general counsel for Liberty Counsel, an advocate group who filed a brief in the case in favor of homeschooling, said that parents must be able to decide what their children are taught.

"We are pleased that the court recognized what all other states have also recognized, namely that the child is not the mere creature of the state," he said. "Homeschooling is a constitutionally protected

alternative to placing
one's children in government schools, which frequently push
harmful political
and social agendas." –**Felicia Mann**