

# California Makes a New Move Against Christian Education

Christian education in traditional school settings has been under attack for the past several years in California, and now “educrats” in the Golden State are taking aim at another school choice option popular with many evangelical parents.

According to the Home School Legal Defense Association, members in the San Benito High School District received a letter saying, “[U]nder California Law, a home school is not a private school, nor is it a lawful alternative to public school ... ” The organization’s president, Mike Smith, issued the following statement in response:

*The private school exemption has been used by California homeschoolers since the revival of the movement in the late '70s. Many school districts and the California Department of Education took the same position that the San Benito High School is now taking. But despite years of official opposition in numerous places in a variety of ways, HSLDA successfully advocated for many families whose homeschooling was challenged by school districts and other public agencies.*

*Then in February 2008, in a confidential juvenile court case (subsequently known as Jonathan L.) that initially we were not made aware of, the Court of Appeals ruled that homeschooling in California is not legal. Because HSLDA was not involved in the underlying case, the appellate court was not properly briefed about the many ways the legislature had made provision for parents to teach their own children under the private-school option.*

*When the court published its opinion, HSLDA led a large coalition asking the appellate court to reconsider. In*

August 2008, the same three judges who had said back in February (before we were involved) that homeschooling was illegal now reversed course and held that "California statutes permit home schooling as a species of private school education."

We cannot understand or explain how a school district today, so many years after the decision in the Jonathan L. case, could still be sending official correspondence that is so clearly wrong. When we learned of San Benito's letter, we quickly responded on behalf of our member families, explaining that homeschooling is indeed a legal exemption to public school attendance pursuant to the private-school exemption.

This episode demonstrates the continued opposition to homeschooling by some in California.