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# A Bolt From the Blue — A Homeschooling Decision in California

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Like a bolt from the blue, a California appeals court has ruled that the state's parents have no constitutional right to homeschool their own children. In a flash, a child welfare case that no one had noticed has become a flash point of controversy in the nation. Will homeschooling be ruled illegal in California?

Here is how *The San Francisco Chronicle* introduced the story:

*A California appeals court ruling clamping down on homeschooling by parents without teaching credentials sent shock waves across the state this week, leaving an estimated 166,000 children as possible truants and their parents at risk of prosecution.*

*The homeschooling movement never saw the case coming.*

*"At first, there was a sense of, 'No way,'" said homeschool parent Loren Mavromati, a resident of Redondo Beach (Los Angeles County) who is active with a homeschool association. "Then there was a little bit of fear. I think it has moved now into indignation."*

From *The Los Angeles Times*:

*Parents who lack teaching credentials cannot educate their children at home, according to a state appellate court ruling that is sending waves of fear through California's home schooling families. Advocates for the families vowed to appeal the decision to the state Supreme Court. Enforcement until then appears unlikely, but if the ruling stands, homeschooling supporters say California will have the most regressive law in the nation. "This decision is a direct hit against every home schooler in California," said Brad Dacus, president of the Pacific Justice Institute, which represents the Sunland Christian School, which specializes in religious home schooling. "If the state Supreme Court does not reverse this . . . there will be nothing to prevent home-school witch hunts from being implemented in every corner of the state of California."*

The court's decision states that California's compulsory education statute does not allow for parents to teach their own children as an exemption. Instead, the only teachers qualified to teach children under the law are those with official teaching credentials.

The decision is sending shockwaves across the homeschooling movement nationwide. In California alone, over 160,000 families homeschool their own children. Some believe that the number is actually far higher.

In any event, the requirement of teacher credentials has long been used by the public school systems and teacher unions as a ploy to shut down competition.

In the most important section of the court's ruling, the 3-judge panel ruled that California parents have no constitutional right to educate their own children. As the decision reads [[see full text here](#)]:

*The trial court's reason for declining to order public or private schooling for the*

*children was its belief that parents have a constitutional right to school their children in their own home. However, California courts have held that under provisions in the Education Code, parents do not have a constitutional right to home school their children. Thus, while the petition for extraordinary writ asserts that the trial court's refusal to order attendance in a public or private school was an abuse of discretion, we find the refusal was actually an error of law.*

The words, "parents do not have a constitutional right to home school their children," are nothing less than explosive. Even as the court's decision is expected to be stayed pending appeal, some parents are already making clear that they will move their families from the state if necessary.

As *The Los Angeles Times* reports:

*Glenn and Kathleen, a Sacramento-area couple who requested that their last name not be used for fear of prosecution, home school their 9-year-old son Hunter because their Christian beliefs would be contradicted in a public school setting, Glenn said. He is troubled by the idea that his son would be exposed to teachings about evolution, homosexuality, same-sex marriage and sex education. "I want to have control over what goes in my son's head, not what's put in there by people who might be on the far left who have their own ideas about indoctrinating kids," he said. If the ruling takes effect, Glenn vowed to move his family out of state. "If I can't home school my son in California, we're going to have to end up leaving California. That's how important it is to me."*

This is a controversy that demands the attention of all parents. After all, if parents have no constitutional right to educate their own children, what other aspects of the parent's choices for their own children lack protection? This question reaches far beyond educational decisions.

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We will discuss this issue on Monday's edition of *The Albert Mohler Program*. Stay tuned.

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