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(Original Signature of Member)

110TH CONGRESS
2D SESSION

H. RES.

Calling upon the courts to uphold the fundamental and constitutional right of parents to direct the upbringing and education of their children.

IN THE HOUSE OF REPRESENTATIVES

Mr. McKEON submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Calling upon the courts to uphold the fundamental and constitutional right of parents to direct the upbringing and education of their children.

Whereas the modern homeschool movement in the United States demonstrates that home schooled children are a vital component of the American education system;

Whereas homeschool graduates act responsibly as parents and as students in colleges and universities, are valuable in the workplace, and are productive citizens in society at large;

Whereas many studies confirm that children who are educated at home score considerably above the national average on nationally-normed achievement tests, and above

the average on both the SAT and ACT college entrance exams;

Whereas homeschooled children, such as 2007 Heisman Trophy winner Tim Tebow, are receiving national recognition for their victories in national competitions, national spelling bees and geography bees, and are being highly sought after in nationally recognized colleges and universities;

Whereas homeschooling families contribute significantly to the cultural diversity important to a healthy society;

Whereas notable individuals such as Benjamin Franklin, John Quincy Adams, Patrick Henry, Ansel Adams, Charles Dickens, and General Douglas MacArthur all received a high quality education at home;

Whereas over 2,100,000 children are being homeschooled nationwide;

Whereas the United States Supreme Court has ruled that parents have a fundamental and constitutional right to direct the upbringing and education of their children (*Pierce v. Society of Sisters*, 268 U.S. 510 (1925), *Meyer v. Nebraska*, 262 U.S.390 (1923), and *Wisconsin v. Yoder*, 406 U.S. 205 (1972));

Whereas on February 28, 2008, the Court of Appeal for the Second Appellate District in Los Angeles, California, issued an opinion in the case of *In re Rachel L.*, that homeschool parents who did not hold a teaching credential could not legally homeschool their children;

Whereas the initial California Second Appellate District Court of Appeal decision would have had an adverse impact on approximately 166,000 children in California who are receiving a quality education at home; and

Whereas on March 25, 2008, the Court of Appeal for the Second Appellate District in Los Angeles, California, granted a motion for rehearing in the In re Rachel L. case—the decision that required parents to hold a teaching license in order to legally homeschool their children; Now therefore, be it

1 *Resolved*, That the House of Representatives hereby
2 commends the Court of Appeal for the Second Appellate
3 District in Los Angeles, California, for allowing a rehear-
4 ing in this matter and calls upon the court to uphold the
5 United States Supreme Court’s opinion that parents have
6 a fundamental and constitutional right to direct the up-
7 bringing and education of their children.