

110TH CONGRESS
2D SESSION

H. RES. 1076

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

APRIL 3, 2008

Mr. McKEON (for himself, Mr. BOEHNER, Mr. BLUNT, Mr. EHLERS, Mr. PRICE of Georgia, Mr. HOEKSTRA, Mr. KLINE of Minnesota, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mr. DAVID DAVIS of Tennessee, Mr. MARCHANT, Ms. FOXX, Mr. FEENEY, Mr. HENSARLING, Mr. POE, Mr. SAM JOHNSON of Texas, Mrs. MUSGRAVE, Mr. BROUN of Georgia, Mr. PITTS, Mr. HAYES, Mr. AKIN, Mr. BRADY of Texas, Mr. DANIEL E. LUNGREN of California, Mr. WAMP, Mr. CAMPBELL of California, Mr. JORDAN of Ohio, Mr. MCCARTHY of California, Mr. FRANKS of Arizona, Mr. MCCOTTER, Mr. FORBES, Mr. BARTLETT of Maryland, Mr. ROYCE, Mr. CALVERT, Mr. MCHENRY, Mrs. BONO MACK, Mr. HUNTER, Mr. SESSIONS, Mr. HERGER, and Mr. GARY G. MILLER of California) submitted the following resolution; which was referred to the Committee on the Judiciary

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 homeschooled 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.

○