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**JOINT NEWSFLASH – March 27, 2008**

**From:** Roy Hanson's Private and Home Educators of California and Christian Home Educators Association of California

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**Court of Appeal Grants Petition for Re-hearing**

We are forwarding the following press release from HSLDA regarding a motion for rehearing in the *In re Rachel L.* case.

We received this information yesterday but waited to send it on to you until this morning so that we could post the order from the California Court of Appeal, Second District, on our website. It can be viewed at [www.pheofca.org](http://www.pheofca.org).

The only parties in the case defending the right of home education remain mother, Mary Long who is represented by a court-appointed attorney and father, Philip Long who is represented by Gary Krep of United States Justice Foundation who is allied with Alliance Defense Fund in this case. Sunland Christian School (represented by Pacific Justice Institute) is not a party to the case and was denied a motion to intervene in the case as a party. They will now be filing an amicus brief along with many other organizations such as HSLDA.

The court order refers to Jonathan L. and Mary Grace L. These are Philip and Mary Long's children in addition to Rachel who are involved in the *In re Rachel L.* case.

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Even with this encouraging news in favor of homeschooling, it is important to continue to contact your legislators and ask them to support Assembly Member Anderson's pro-homeschool resolution (ACR 115). Refer to our March 10<sup>th</sup> Alert at [www.pheofca.org](http://www.pheofca.org). As the court battles continue, we do not want our legislators to introduce any legislation addressing private home education or that would change the private school exemption in current law. Because ACR 115 is a resolution it does not change current law.

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From the HSLDA E-lert Service...  
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**Court of Appeal Grants Petition for Re-hearing**

On March 25, the California Court of Appeal granted a motion for rehearing in the 'In re Rachel L.' case--the controversial decision which purported to ban all homeschooling in that state unless the parents held a teaching license qualifying them to teach in public schools.

The automatic effect of granting this motion is that the prior opinion is vacated and is no longer binding on any one, including the parties in the case.

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The Court of Appeal has solicited a number of public school establishment organizations to submit amicus briefs including the California Superintendent of Public Instruction, California Department of Education, the Los Angeles Unified School District, and three California teacher unions. The court also granted permission to Sunland Christian School to file an amicus brief. The order also indicates that it will consider amicus applications from other groups.

Home School Legal Defense Association will seek permission to file such an amicus brief and will coordinate efforts with a number of organizations interesting in filing briefs to support the right of parents to homeschool their children in California.

"This is a great first step," said Michael Farris, chairman of HSLDA. "We are very glad that this case will be reheard and that this opinion has been vacated, but there is no guarantee as to what the ultimate outcome will be. This case remains our top priority," he added.

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Roy Hanson's HELP Tree  
Private and Home Educators of California  
P.O. Box 730  
Lincoln, CA 95648-0730  
Fax: (916) 415-9470  
[contact@pheofca.org](mailto:contact@pheofca.org)

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