

Dealing with the School District

Frequently Asked Questions

1. I've decided to home school. What do I need to do? My child is enrolled in public school.

The first thing you need to do is obtain a curriculum. Although you are not legally required to contact the school district, chances are high that you will receive a visit from an attendance officer if you simply withdraw your child and do not notify the school. Therefore, once you have a curriculum in hand, telephone the principal of the school your child attends and tell him that you are withdrawing your child to teach him at home. You may receive a variety of responses. If you are told you must do something else (come to the central office, fill out a form, or something else along those lines), your reply should be that if they will provide their request to you in writing, you will be glad to respond. If you receive a request of any kind, you are only required to give them a simple letter of assurance.

The Texas Education Agency has told the school districts in Texas that such a letter meets the guidelines of cooperation with the school district in compliance with the compulsory attendance laws. This will almost always be the end of your contact with the school district over withdrawal.

It is wise to find a local support group to help you along the way.

2. I've decided to home school. What do I need to do? My child is NOT enrolled in the public school.

There is no need to contact the school district if your child is not enrolled in the public schools. Simply obtain curriculum and get started. It is wise to find a local support group to help you in this endeavor.

3. What is the required curriculum?

In order to be a legitimate home school, you must have a curriculum which teaches reading, spelling, grammar, mathematics and a study of good citizenship, and you must pursue that curriculum in a *bona fide* (not a sham) manner. This curriculum may be obtained from any source and can consist of books, workbooks, other written materials, or materials on an electronic monitor including computer or video screens, or any combination thereof.

4. Does the school district have to approve my curriculum?

Absolutely Not. Home schools in Texas are private schools, and private schools are not regulated by the state. The school district does not approve curricula used by private schools.

5. What is "good citizenship"?

"Good citizenship" is usually taken to mean civics. Public schools teach one semester of civics, usually in the senior year of high school. Generally, teaching history, the pledge of allegiance, and similar activities will also meet this requirement.

6. Do I need accredited curriculum? Where can I get some?

Actually, schools are accredited, not curriculum. To be accredited, a school must meet certain standards such as having so many books in its library and certified teachers. Texas Tech University and the University of Texas both have accredited correspondence schools in which the student can enroll. In these cases, teachers from the universities do all of the assignments and grading. These programs tend to be more expensive because the school is doing more of the work. They are also secular in nature. Accredited curriculum is not necessary. See question 3 above.

7. Do I need to register with the local school district?

No. Home schools in Texas are private schools and are not regulated by the state. Private schools do not have to register their students with the local school district. If your children are currently enrolled in public schools, you should follow the procedure outlined in question one.

8. What if the truant officer comes to the door?

- * Be polite and friendly. Smile.
- * Get his name and business card.
- * Ask what prompted his visit or call.

For HSLDA members:

- * Leave him at the door.
- * Call HSLDA immediately (540-338-5600).
- * Ask for the attorney for Texas.
- * Follow his instructions.

For HSLDA non-members

- * Tell him:
 “My children are privately educated at home.”
- * Answer other questions with:
 “I will be glad to cooperate as far as the law requires, but you'll need to give to me your request in writing.”
- * Repeat the above statements as often as necessary. Do not be afraid of silence.
- * After he leaves, write down everything that occurred.

Do not allow him to enter your home or to speak to your children. The only legal ways into your home are with your permission or a search warrant. If you receive a written request, respond with a letter of assurance. If you do not respond to a written request, the school district can file truancy charges against you for lack of cooperation.

9. What if the school district wants me to fill out a form?

You may fill out the form if you wish. In order to cooperate with the school district’s inquiry, you are only required to give the assurance letter mentioned above. Many times, forms ask for information that you may not want to give.

10. How many days per year must we have school?

The Texas Education Code requires that a student enrolled in a public school attend school for 170 days. This applies to public schools only. Home schools in Texas are private schools and the state of Texas does not regulate the number of days per year that private schools must be in session.

11. How many hours a day must we conduct school?

Home Schools in Texas are private schools and are not regulated by the state. No minimum hours are required. You will probably find that your student can accomplish more work in the same period of time than a public school child, if for no other reason than because of not having to stand in line, wait for roll call, and the like.

12. Can someone else homeschool my child?

Yes. Home schools in Texas have been determined by the Texas Supreme Court to be private schools. Private schools are not regulated by the state of Texas. There are no requirements such as teacher certification or curriculum approval. The ruling of the Leeper case states that a parent “or one standing in parental authority” may educate a child. However, if a person is teaching more than three students outside her family, she may encounter problems with local zoning ordinances, and the state may require that she be licensed for childcare.

13. Can my child participate in classes at the public school?

That is a local school decision. It is possible for a public school to allow this, but not likely.

14. Can my child participate in extra-curricular activities at the public school?

At this time, a local public school could allow your child to play in the band or other such activities; however, he would not be able to take part in events sponsored by the University Interscholastic League (UIL) such as athletic competitions or band and choir contests.

15. What is the compulsory school age requirement?

A child must be enrolled in school from age 6 as of September 1 through the year in which he turns 18, unless he has graduated.

16. What about testing my child?

Although the state of Texas does not require testing of private school students, many home school parents do give their children annual tests using nationally-normed achievement tests.

17. Can my child go out in public during the day? What if someone questions him about why he is not in school?

Home schools in Texas are private schools. Home school parents are law-abiding citizens and should not feel the need to hide their children during the day. If someone asks you or your child why he is not in school, you should respond that you home educate and that you have already accomplished your work for the day or that you are on a school field trip. You should be aware that if your children are seen during public school hours you will generate questions. If your child is in public without you and your city has a daytime curfew, you will probably encounter difficulties.

18. What happens if my child wants to return to public school?

School districts set the requirements for entry into their schools. This is a local decision not one made by the state of Texas. You should check with the local school district on their requirements.

19. Can my handicapped or learning disabled child participate in dual enrollment?

Dual enrollment, being enrolled in public and private schools at the same time, is allowed in Texas only for those children who have special needs. You may homeschool a special needs child and take advantage of special education classes at the public schools as well. The parent is the one who makes the final decisions on this issue as well as which classes and how many classes their child will take.

20. What is required for graduation?

Home Schools in Texas are private schools and not regulated by the state; therefore, just as with other private schools, home schools set their own graduation standards.

21. Can I get a diploma and where?

Yes, they may be ordered from various sources (see listing in the *Handbook for Texas Home Schoolers*).

22. What if I work?

Remember that home schools are private schools and there is no requirement for hours or the time when education must take place. The only requirement is that a curriculum covering the basic areas must be pursued in a *bona fide* (not a sham) manner. Consequently, one could work and teach his child as well. While this would be difficult and take some discipline, it is certainly possible and legal.

23. Is there a recurring theme here?

The answer is "yes"! Home schools in Texas are private schools. Private schools in Texas are not regulated. Therefore, home schools in Texas are not regulated. Keep this thought central in your mind when dealing with those who want to regulate or restrict your freedom to teach your children.

This article is reprinted from the *Handbook for Texas Home Schoolers* published by the Texas Home School Coalition and may be copied only in its entirety including this paragraph of credit and information. The *Handbook for Texas Home Schoolers* is a manual for home educators in Texas that includes information about the history of home education in the state and the nation; the laws in Texas; the how-to's of home schooling; graduation; national, state, regional and local organizations; and various resources. It can be purchased from the Texas Home School Coalition at PO Box 6982, Lubbock, TX 79493, for \$18 (includes shipping). For more information, contact THSC at (806) 797-4927, staff@thsc.org, or www.thsc.org.