

MEMORANDUM

TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

TO: CPS District Directors
CPS Program Administrators
CPS Program Directors

FROM: Joyce James
Assistant Commissioner for CPS
State Office - Austin - E557

SUBJECT: Investigating Families Who Are
Homeschooling



DATE: March 16, 2005

PSA 05-055

Home schools are considered private schools in Texas (Leeper vs. Arlington ISD, 1987; affirmed by the Texas Supreme Court in 1994). They are not subject to inspection, monitoring, or regulation by CPS.

A reporter with concerns about truancy/compulsory attendance problems is referred to the local school district in which the child in question lives.

An investigation worker should not ask for verification of home schooling due to concerns about truancy or compulsory school attendance. Whether parents choose to home school their child or send their child to another private or public school is not relevant to a CPS investigation. When CPS staff investigates a family for abuse / neglect, the investigation must focus on the occurrence, or risk, of abuse / neglect and not on the child's educational setting.

Action: Communicate this information to all CPS staff.

Contact: Regina Patridge
512/438-4963