

# DEALING WITH THE SCHOOL DISTRICT

## FREQUENTLY ASKED QUESTIONS

### **1. I have decided to homeschool. What do I need to do? My child is enrolled in public school.**

The first thing you need to do is obtain a curriculum. It is wise to find a local support group to help you set up your school.

Although you are not legally required to contact the school district, chances are very high that you will receive a visit from an attendance officer if you simply remove your child. Therefore, once you have a curriculum in hand, write the principal of the school your child attends and tell him that you are withdrawing your child to teach him at home. (See sample letter at [http://www.thsc.org/Getting\\_Started/LetterOfWithdrawal.asp](http://www.thsc.org/Getting_Started/LetterOfWithdrawal.asp).) Send the letter certified mail to receive proof of delivery. If the school subsequently contacts you and says that you must do more (come to the central office, fill out a form, etc.), do not go to the school. Follow directives on question #8.

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. (See the commissioner's letter at [http://www.thsc.org/pdf/TEA\\_Letter.pdf](http://www.thsc.org/pdf/TEA_Letter.pdf).) Unless the school district has evidence that your letter of assurance is not true, this should be the end of your contact with the school district over withdrawal.

### **2. I have 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. If the school contacts you and says that you must do more (come to the central office, fill out a form, etc.), do not go to the school. Follow directives on question #8.

### **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 has no authority to approve curricula used by private schools.

### **5. What is "a study of 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. Teaching U.S. and Texas history, government (theoretical and practical), the pledge of allegiance, and similar activities will also help meet this requirement.

### **6. Do I need accredited curriculum? If so, where can I get it?**

Actually, schools are accredited not curricula. To be accredited, a school must meet certain standards such as holding

classes a minimum number of days and hours and having certified teachers. There are accredited correspondence schools in which the student can enroll. In these cases, teachers from the schools make the assignments and grade the work. These programs tend to be more expensive because the school is doing more of the work. Being enrolled in an accredited school is not legally necessary to home school. (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 #1. NOTE: Home-school families are not required to present an annual letter of assurance. (See the commissioner's letter at [http://www.thsc.org/pdf/TEA\\_Letter.pdf](http://www.thsc.org/pdf/TEA_Letter.pdf).)

### **8. What if a school district official calls or a truant officer comes to the door?**

- Be polite and friendly. Smile. Stay calm.
- Get his name and business card.
- Ask what prompted his visit or call.
- 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 will need to give 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.
- Call THSC Association, (806) 744-4441, as soon as possible to report the contact.

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. (See sample letter at [http://www.thsc.org/Getting\\_Started/LetterOfAssurance.asp](http://www.thsc.org/Getting_Started/LetterOfAssurance.asp).) If you do not respond to a written request in a timely manner, 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. However, THSC does not recommend following this procedure. 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 is not required and you may not want to give. Also, voluntary compliance with an unlawful request can often lead to the request becoming mandatory.

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

The Texas Education Code requires that public schools meet 180 days per year; public school students must attend 170 days/year. 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 or the number of days a student must attend.

### **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 a shorter 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. May 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 (See [http://www.thsc.org/about\\_us/hs\\_history\\_lesson.asp](http://www.thsc.org/about_us/hs_history_lesson.asp).) 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, the teacher may encounter problems with local zoning ordinances, and the state will require that the teacher be licensed for child care.

### **13. May my child participate in classes at the public school?**

A local public school could allow your child to participate in classes. The policy on this matter is established by the locally elected school board.

### **14. May my child participate in extracurricular 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. The policy on this matter is established by the locally elected school board. However, the student would not be allowed to participate in events sponsored by the University Interscholastic League (UIL) such as athletic competitions or band and choir contests, because of a UIL rule requiring all participants to be full-time students enrolled in public schools.

### **15. What is the compulsory school age requirement?**

A child who is age six as of September 1 of the current school year and who has not yet reached his 18th birthday must attend school through the year in which he turns 18 unless he has graduated. (See [http://www.thsc.org/about\\_us/texlaws.asp](http://www.thsc.org/about_us/texlaws.asp).)

### **16. What about testing my child?**

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

### **17. May 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 educate at home 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, it may 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 enroll in 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 ask the local school district for written copies of its policy regarding enrolling students from unaccredited private schools. (See [http://www.thsc.org/pdf/TEA\\_Letter.pdf](http://www.thsc.org/pdf/TEA_Letter.pdf) for the letter from the commissioner of education to school districts.)

### **19. What is required for graduation?**

Home schools in Texas are private schools and not regulated by the state; therefore home schools, just as with other private schools, set their own graduation standards. There is no minimum age requirement for graduation.

### **20. How can my child receive a diploma?**

When a student meets the requirements set by his school for graduation (See question #19.), he may receive a diploma. Diplomas may be ordered from the Texas Home School Coalition Association (See [http://www.thsc.org/detail.asp?product\\_id=DP1000\\_and\\_other\\_sources](http://www.thsc.org/detail.asp?product_id=DP1000_and_other_sources).)

### **21. Can my home-educated student get into college?**

There is no reason that a student with a diploma from a home school in Texas could not go to college. Some colleges and universities are more friendly toward home schoolers than others, so some will be easier to work with.

### **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 written 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 is difficult and takes 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 by the state; therefore, home schools in Texas are not regulated by the state. 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 2004-2005 *Handbook for Texas Home Schoolers* published by the Texas Home School Coalition Association 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 where to find curricula; the laws in Texas; the "how-to"s of home schooling; graduation; national, state, regional, and local organizations; and samples of letters referenced in this article. It can be purchased from the Texas Home School Coalition Association at PO Box 6747, Lubbock, TX 79493, for \$23.82 (includes tax and shipping). For more information, contact the THSC Association at (806) 744-4441, [staff@thsc.org](mailto:staff@thsc.org), or [www.thsc.org](http://www.thsc.org).