



TEXAS EDUCATION AGENCY

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Shirley J. Neeley, Ed.D.
Commissioner

February 16, 2005

The Honorable Gonzalo Barrientos
Texas Senate
PO Box 12068
Austin, TX 78711

Dear Senator Barrientos:

Thank you for your interest in the Texas Education Agency budget and operations during the Senate Finance hearing on February 8, 2005. The hearing was a good exchange of information and ideas between the agency and members of the committee; however I feel that I must clarify some of my remarks regarding home-schooled students.

The decision rendered in *Leeper v. Arlington* clearly established that students who are home schooled are exempt from the compulsory attendance requirement to the same extent as students enrolled in private schools. Since home schools are considered private schools, the agency lacks regulatory authority over them in the same way it lacks authority over other private schools.

Further, I do not believe it is a state responsibility to regulate home schools. School districts which become aware of a student who is potentially being home schooled may request in writing a letter of notification from the parents of the student regarding their intention to home-school the student. This letter may require assurances that the home-school curriculum is designed to meet basic education goals including reading, spelling, grammar, mathematics, and a study of good citizenship. This notification should remain at the local level, since districts are responsible for ensuring compulsory attendance, not the state.

While serving as superintendent in Galena Park Independent School District, I reached out to our home school community. We offered our facilities for home school association meetings and allowed them to test on TAKS testing day at our

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school, if parents chose to have their children tested. We established a strong relationship with the home school community in our district and locally we were confident that our home school students were receiving a quality education.

Parents are the primary teachers of their children and are in the best position to make educational decisions for their children. Texas has decided to allow parents several options for securing educational opportunities for their children. Parents can choose between traditional public schools, magnet schools, charter schools, private schools and home schools. I hope that Texas continues to honor the choices of parents about their child's education.

Therefore, I do not believe that legislation is currently needed regarding home schooling or home school students at this time. Thank you for all you do for all Texas children. I look forward to working with you this session to secure a first-class education for all students.

Sincerely,

A handwritten signature in black ink, reading "Shirley J. Neeley". The signature is written in a cursive style with a large, prominent initial "S".

Shirley J. Neeley, Ed.D.

c: The Honorable Steve Ogden, Senate Finance Committee
Todd Webster, Office of the Governor
Tim Lambert, Texas Home School Coalition