



# Texas Home School Coalition ASSOCIATION

*Dedicated to Serving and Protecting the Home School Community of Texas*  
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September 28, 2011

Mr. Chris Riggins, Assistant Superintendent  
Lamesa ISD  
212 N. Houston  
Lamesa, Texas 79331

Mr. Riggins:

I am writing as a follow-up to our conversation regarding our letter to Ms. Melissa Rebber dated September 13, 2011. Ms. N\_\_\_\_ N\_\_\_\_ has forwarded to us the packet of ten pages of “home school information” distributed by the district to this family. The packet contained some information that was out of date (some dated 2007) as well as three forms that asked for the signature of the parent.

My concern is regarding the form titled “Home School Requirements.” This form includes a great many “requirements” that are inaccurate based on the letters from the Texas Education Agency (TEA) included with the packet itself and asks for a signature of the parent to indicate he or she had received the document.

The form states, “Parent must present written curriculum to the district. Parent must have student . . . take recognized achievement tests. Parent must insure [sic] that the amount of time devoted to instruction is reasonably equivalent to that for students enrolled in the public schools or other private or parochial schools in the district. Parent must be prepared to present other objective information to determine that a child is enrolled in a private or parochial school.”

The document continues by stating, “If the school receives information about the student not being in school, they are authorized to ask to see homework and exams the student is being given. Parents must be prepared to present the following written materials: a. Curriculum being used by the child. b. Allow the school to examine the performance of the child as reflected by samples completed schoolwork or homework or on recognized achievement tests. c. Provide the school information regarding the amount of time devoted to instruction each day and the number of days each year in which instruction is occurring in order to determine if the child is pursuing the curriculum being used in a bona fide manner. The amount of time devoted to instruction should be reasonably equivalent to that for students enrolled in the public schools or in private or parochial schools in the district. d. Be prepared to provide other objective information that the attendance officer may need to determine if the child is enrolled in a private or parochial school.”

As the TEA has explained, home schools in Texas have been determined by the courts to be private schools and as such are not regulated by the state. Statements that parents must present curriculum to the district prior to withdrawing their children are in direct conflict with the TEA policy. Home

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schools, as private schools, may set their own hours and days of instruction and are not required to administer achievement tests or provide such information stated to prove that they are home schooling.

Finally, school districts that seek to force a family whose child has simply been alleged “not to be in school” to present curriculum, homework, test results, hours of instruction, and to “provide other objective information that the attendance officer may need to determine if the child is enrolled in a private or parochial school” are in violation not only of TEA policy but the law as set forth in *Leeper et al. vs. Arlington ISD et al.*

I suggest that the district remove this document from its “Home School Information Packet” and make clear to district employees and staff that it should follow the guidelines as laid out in the TEA’s most recent letter included in the packet. Should we become aware that Lamesa ISD is actively pursuing implementation of the policy described in this form, we will take all necessary action to defend the family or families involved and pursue legal action against the district. Should you have any questions, I would be happy to discuss this matter with you further.

Sincerely,



Tim Lambert

Enclosure: Commissioner’s Letter

cc: Ms. N\_\_\_\_ N\_\_\_\_; Mr. Scott Davis, Superintendent, Lamesa ISD; Mr. Johnny Anzaldua, Attendance Officer, Lamesa ISD; Mr. Robert Scott, Texas Commissioner of Education; State Senator Robert L. Duncan; State Representative Tom Craddick; Mr. Bob Craig, State Board of Education; Texas home schoolers