



Texas Home School Coalition ASSOCIATION

Dedicated to Serving and Protecting the Home School Community of Texas

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February 16, 2012

Child Protective Services
Mr. Juan Bernal, caseworker
2525 Murwurth
Houston, Texas 77054

Mr. Juan Bernal:

By way of introduction, let me explain that the Texas Home School Coalition Association is a statewide advocacy organization for home educators with almost 70,000 home school families on our mailing list, many of whom reside in your area. Our mission is to serve the home school community and protect the right of parents to teach their children at home.

I am writing in regard to your contact with Mr. and Mrs. G____ G____, home school parents in Houston and members in good standing with our organization. According to Mr. and Mrs. G____, after taking their daughter, T____ G____, to the hospital following an accident on December 18 that caused a burn to her foot, you approached the family in an effort to investigate the injury T____ sustained. During this investigation, the G____s stated they were questioned as to why they have chosen to homeschool their children. THSC was informed that following the hospital visit, on December 20, 2011, you again met with the family with the understanding that you would come to their home to ensure that the home environment was safe and clean for T____.

On January 6, 2012, the Houston Police Department arrived at the G____ home, investigated the accident, determined that there was no foul play involved, and concluded that the injury had indeed been an accident. Regardless of this official determination, you continued to harass the G____ family by contacting them and stating that you needed to return to their home to reevaluate the children and the home environment. Under the threat of bringing these fit parents to court, you then coerced Mrs. G____ into signing a form that would lead to specialists coming into the home and further evaluating T____ for speech, all the while expressing your personal opinion that home schooled children are uneducated and need to be in the public school system. On February 3, through communications with you, the family was informed that you intended to return to their home during the week of February 13. Your office claims that the reason they have not closed this case is because they feel the children in the home are not being schooled properly and specifically that T____ needs speech therapy.

Mr. Bernal, as a CPS worker you have no authority over home schools, nor can you or CPS legally require home school families to submit to academic testing or require them to place their children in the public school system, absent evidence of abuse or neglect. Home schools have been determined

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by Texas courts to be private schools, and, as such, their students are exempt from the compulsory attendance statute. The state does not regulate, monitor, or oversee them, contrary to your assertions.

I have enclosed the memorandum from the Texas Department of Family and Protective Services issued in March of 2005, which directly bears on this issue, for your review. The commissioner of DFPS has affirmed that this is still the current policy for the agency. I have also included the most recent letter from the Texas commissioner of education regarding home schooling, for your information as well. I plan to contact the commissioner of DFPS regarding your actions, statements, and violation of DFPS policy regarding this entire situation and take any other actions necessary to end the harassment of this innocent home school family.

Sincerely,



Tim Lambert

Enclosure: DFPS Memo; TEA Memo

cc: Mr. and Mrs. G____ G____; Ms. Maria Mejorado, Supervisor, CPS; Commissioner Audrey Deckinga, CPS; Commissioner Howard G. Baldwin, Jr., TDFPS; State Senator Mario Gallegos; State Representative Carol Alvarado; Mr. Thomas Ratliff, State Board of Education; Texas home schoolers