

Friday, August 21, 2020

To Whom It May Concern:

By way of introduction, the Texas Home School Coalition Association is the largest statewide advocacy organization for home educators in Texas, with more than 82,000 families on our mailing list. We regularly work with state and federal agencies on issues related to home education. In fact, the Texas Education Agency (TEA), frequently refers calls they receive regarding home education to our organization for verification or resolution.

**We are contacting you specifically with regards to homeschool students in your district and the policies by which families may withdraw from public school to homeschool or may transfer from homeschooling back to public school.**

Teachers, school administrators, and families have all been severely burdened by the changes in education caused by the coronavirus pandemic.

With tens of thousands of new families moving into homeschooling or otherwise altering their student's education, we want to work collaboratively with you to ensure that families are able to transfer into homeschooling or from homeschooling back into public school as smoothly as possible.

This smooth transition is critical to minimize the hurdles for families and schools so they can continue providing students with essential education.

With that in mind, I wanted to pass on to you the latest TEA policies regarding the processes for homeschool students to withdraw from or enroll in public school.

In 1994 the Supreme Court of Texas (SCOTX) ruled in *TEA v. Leeper* that homeschools are legal and are exempt from compulsory attendance. So long as a homeschool includes courses in reading, spelling, grammar, mathematics, and a study of good citizenship, that homeschool is considered a legal, unaccredited private school.

Longstanding TEA policy, [reissued by Commissioner Mike Morath](#) on July 11, 2019 states,

*Students should be dis-enrolled by school officials when they receive written notice either by signing withdrawal forms or a letter of withdrawal. It is not necessary for the parents to make a personal appearance with school officials, present curriculum for review, or comply with any other requirements in order to successfully withdraw their student. For purposes of Leaver Reason Code 60, a signed and dated letter from the parent or guardian stating that the student is being homeschooled and the date homeschooling began is sufficient documentation.*

The policy also covers rules for how a school may request assurances from a family that a family is homeschooling in compliance with Texas law, should questions on the subject arise:

*School districts that become aware of a student who is potentially being home schooled may request in writing a letter of assurance from the parents that the student is being home schooled. 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. Please note that a letter of this type is not required each year.*

Additionally, the TEA has provided guidance for public schools regarding the process by which homeschool students seeking to enroll in public school should be awarded academic credit:

*Under Title 19, Texas Administrative Code (TAC), §74.26(a)(2), students transferring from home schools should be afforded the same treatment as students transferring from unaccredited private schools. Awarding of credit for courses taken may be determined by reviewing the curriculum and/or work of the student, or by using appropriate assessments.*

*When appropriate assessments are used for determination of placement, the passing standard for those students who have been home schooled should be no higher than the standard required of students transferring from unaccredited private schools. As the TEA has stated in the past, school districts may assess students by administering valid and reliable assessment instruments. The determination of whether or not to use such instruments is a local matter. Districts may place students according to a review of the curriculum, course of study, and work of the student coming from a home school environment. §28.021 of the Texas Education Code (TEC) requires advancement or credit to be awarded on the basis of "academic achievement or demonstrated proficiency of the subject matter."*

*If assessments are used for determining placement, the agency would suggest the following guidelines:*

- 1. Elementary students should be assessed by means of a nationally recognized norm-referenced test or by a previously released STAAR assessment for the appropriate grade level.*
- 2. Secondary students may be assessed using credit-by-examination methods for individual subject areas or by previously released STAAR end-of-course assessments.*

3. *A secondary student assessed using the credit-by-examination method should be given adequate time to prepare for the test, particularly if multiple examinations are required. Under 19 TAC §74.24(c), the standard of 70% for students to receive credit for courses they have already taken should be used rather than the 80% standard for earning credit for courses not previously taken.*
4. *Under TEC §29.916, school districts are required to allow home school students the opportunity to participate in PSAT/NQMST and Advanced Placement (AP) testing that each district provides enrolled students. The statute also requires districts to notify the public via website or local newspaper of the dates of PSAT/NQMST and AP tests; that home school students are eligible to take the test; and the procedures for registering for such tests. This public notice must be posted or published at the same time and with the same frequency as the notice given to students attending the school district.*

Thank you for your important work in helping to provide millions of Texas children the education they need. During these uncertain times, it is essential that families, teachers, and school administrators work together to ensure that this critical work continues and that we are able to empower students to learn and grow despite the unprecedented obstacles now confronting us.

If you have any questions regarding the TEA Commissioner's policy on homeschooling please do not hesitate to reach out to the TEA or THSC for clarification. Thank you for your dedication to Texas students and families.

Sincerely,

Tim Lambert

A handwritten signature in black ink that reads "Tim Lambert". The signature is written in a cursive style with a long, sweeping underline.

President, Texas Home School Coalition

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