

THSCA LEGISLATIVE ALERT

Home School Bill (HB 547) Has Moved out of the Senate Education Committee and Will Now Be Brought to the Senate Floor for a Vote

H.B. 547, by Rep. James Frank relating to the participation of home school students in U.I.L. Sponsored activities, was passed out of the House and assigned to the Senate Education Committee for review on 5/14/21. The Senate Education Committee met yesterday, Tuesday, May 18th, but HB 547 was not listed on their calendar for discussion. They deemed it pending business and voted it out of committee yesterday as amended by the House. This means H.B. 547 still has permissive language included to allow for home school participation to be a district by district decision. This also means the amendments requiring proof of residence, vaccine regulations and inclusion of those "home school" students that fall under the umbrella of the juvenile justice department are still in the bill as well. We anticipate a select group of Senators taking a vote 5/19 to suspend the protocols governing bill passage and fast track this bill to the Senate floor for a vote. We are reaching out to coaches at this time that can contact these specific senators and ask them not to suspend the rules and vote in opposition to this bill. We will continue to update you on the THSCA website.

We have been using the talking points provided below as evidence that, even as amended, this bill does not sufficiently create a level playing field for UIL activity participants.

We have provided the following bullet points for you to use when calling and emailing in opposition to Home School Participation in all U.I.L. Activities:

- It has been brought up multiple times in legislative session that 36 other states allow for home school participation in public school activities. However, all 36 states have different regulatory standards for participation and home school education program guidelines. Some standards required by others states that are not addressed in this bill:
 - Dual or Part Time Enrollment with the public school
 - Stricter standards on home school student's academic eligibility. (Some including proof of curriculum by the home school parent or parent requirements to prove they have a college degree. See [this video explanation](#), produced by the Texas Home School Coalition that supports this bill.)
 - Restrictions on allowable practice time.
- It has also been brought up several times that the legislators hope that this allowance will encourage more home school students to enroll in public school. We are more concerned that the permissive language in the bill does not provide enough restrictions for currently public schooled children to withdraw and become home-schooled to circumvent academic and behavioral standards that they cannot meet.
- If this legislation is passed home school students will dominate individual sports! A public-school student is required to meet the minutes of instruction requirements and cannot spend unlimited amounts of time each day perfecting their craft. A home school student can plan their day around private instruction, additional practice time, or personal trainers in this relaxed environment.
- Texas home schools are specifically defined in the Texas Education Code only for eligibility for merit scholarship and Advanced Placement testing, so home school settings are currently not regulated.
 - Neither teacher certification nor third-party curriculum approval is required.
 - Home school settings are exempt from compulsory attendance laws.These freedoms from government regulation are the reasons parents have chosen home school settings and waived their right to a free public education.
- HB 547 inherently secures a home school family's freedom from regulation with unlimited access to government funded services. The bill specifically prohibits "an agency of the state, a public-school district, or

any other governmental body to exercise control, regulatory authority or supervision over the home-schooled student, or a parent.” If the public school has no regulatory authority, the school leaders are essentially handcuffed as the bill prohibits them from ensuring that a home-schooled student is in fact meeting the same eligibility requirements of their public-school teammates. Without this authority, a school athletic program is left vulnerable and open to accusations of UIL violations or suspension from league participation.

- The bill creates a fundamental inequity regarding initial and continuing participation. Though H.B. 547 does propose a way to verify a student’s academic baseline, it takes the authority and the responsibility to monitor academic progress out of the hands of certified Texas teachers. A teacher/coach’s definition of academic achievement can be calculated and measured based on TEKS guidelines and the approved content provided by district curriculum specialists. Often, a home-school instructor is not a certified teacher, and impartial judgment of academic success is subjective.
- Further, the inequitable circumstances are extended as HB 547 does NOT offer solutions to:
 - equally balanced required minutes of instruction and state mandated assessments,
 - enforce restrictions to practice and athletic training time,
 - outline residential boundary restrictions for eligibility, or
 - augment budgets to offset costs associated with additional student participation in extracurricular activities.

The inconsistent standards established in the bill create problems in communities, regardless of the size. Students in many high schools will not have the same time for practice and training that home-schooled children have.

- HB 547 attempts to deter students that cannot meet required public school standards from withdrawing to begin unregulated home-school by stipulating that their access to extracurricular participation be revoked for the remainder of that school year. This acknowledges that UIL participation is **not a right**, it is a **privilege** that should be withheld if established standards are not met.
- Enforcement of a code of conduct will be inconsistent, a serious problem for academic and athletic activities in which consistency for ALL students is hallmark. Teachers and coaches use participation in extracurricular academic and athletic programs as an incentive to positively influence student behavior in the classroom, sustain academic achievement, and raise self-awareness involving social exchanges on and off the campus. The bill as drafted stipulates that home school students are bound only by athletic program behavioral guidelines, thus making them exempt from accountability standards that must be met by the public-school students. This inequity makes it impossible for the educator/coach to manage academic and behavioral performance and hold the entire team accountable to consistent high standards of morality and ethics.

It is critical to act immediately. The quicker that you respond, the better!

Need to find out who represents you? [CLICK HERE!](#)

| Senator | E-mail | Phone |
|--------------------|------------------------------------|--------------|
| Alvarado, Carol | carol.alvarado@senate.texas.gov | 512-463-0106 |
| Bettencourt, Paul | paul.bettencourt@senate.texas.gov | 512-463-0107 |
| Birdwell, Brian | brian.birdwell@senate.texas.gov | 512-463-0122 |
| Blanco, Cesar | cesar.blanco@senate.texas.gov | 512-463-0129 |
| Buckingham, Dawn | dawn.buckingham@senate.texas.gov | 512-463-0124 |
| Campbell, Donna | donna.campbell@senate.texas.gov | 512-463-0125 |
| Creighton, Brandon | brandon.creighton@senate.texas.gov | 512-463-0104 |

| | | |
|-----------------------|-------------------------------------|--------------|
| Eckhardt, Sarah | sarah.eckhardt@senate.texas.gov | 512-463-0114 |
| Gutierrez, Roland | roland.gutierrez@senate.texas.gov | 512-463-0119 |
| Hall, Bob | bob.hall@senate.texas.gov | 512-463-0102 |
| Hancock, Kelly | kelly.hancock@senate.texas.gov | 512-463-0109 |
| Hinojosa, Juan (Chuy) | juan.hinojosa@senate.texas.gov | 512-463-0120 |
| Huffman, Joan | joan.huffman@senate.texas.gov | 512-463-0117 |
| Hughes, Bryan | bryan.hughes@senate.texas.gov | 512-463-0101 |
| Johnson, Nathan | nathan.johnson@senate.texas.gov | 512-463-0116 |
| Kolkhorst, Lois | lois.kolkhorst@senate.texas.gov | 512-463-0118 |
| Lucio, Jr., Eddie | eddie.lucio@senate.texas.gov | 512-463-0127 |
| Menendez, Jose | jose.menendez@senate.texas.gov | 512-463-0126 |
| Miles, Borris | borris.miles@senate.texas.gov | 512-463-0113 |
| Nelson, Jane | jane.nelson@senate.texas.gov | 512-463-0112 |
| Nichols, Robert | robert.nichols@senate.texas.gov | 512-463-0103 |
| Paxton, Angela | angela.paxton@senate.texas.gov | 512-463-0108 |
| Perry, Charles | charles.perry@senate.texas.gov | 512-463-0128 |
| Powell, Beverly | beverly.powell@senate.texas.gov | 512-463-0110 |
| Schwertner, Charles | charles.schwertner@senate.texas.gov | 512-463-0105 |
| Seliger, Kel | kel.seliger@senate.texas.gov | 512-463-0131 |
| Springer, Drew | drew.springer@senate.texas.gov | 512-463-0130 |
| Taylor, Larry | larry.taylor@senate.texas.gov | 512-463-0111 |
| West, Royce | royce.west@senate.texas.gov | 512-463-0123 |
| Whitmire, John | john.whitmire@senate.texas.gov | 512-463-0115 |
| Zaffirini, Judith | judith.zaffirini@senate.texas.gov | 512-463-0121 |