



SCHOOL CHOICE MATTERS

Texas Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



Open Enrollment in Texas

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p>LIMITED</p> <p>Sending and/or receiving districts have discretion over transfers</p>	<p>Transfers between Districts or Counties Two or more adjoining school districts or counties may join in an agreement to arrange for the transfer and assignment of any student from the jurisdiction of one board to that of another.</p> <p>(Texas Ed. Code 25.035 Transfers Between Districts or Counties)</p> <ul style="list-style-type: none"> • Texas Education Code 25.035 is silent regarding State Board of Education rulemaking. <p>Transfer of Student Any child, other than a high school graduate, who is younger than 21 and eligible for enrollment, may transfer annually from the child’s school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.</p> <p>(Texas Ed. Code 25.036 Transfer of Students)</p> <ul style="list-style-type: none"> • Texas Education Code 25.036 is silent regarding State Board of Education rulemaking. <p>Contracts for Education Outside District Texas statute provides that school districts that do not offer each grade level from K-12 may provide by contract for students residing in the district who are at grade levels not offered by the district to be educated at those grade levels in one or more other districts.</p> <p>(Texas Ed. Code 25.039 Contracts and Tuition for Education Outside District)</p>

		<ul style="list-style-type: none"> • Texas Education Code 25.039 is silent regarding State Board of Education rulemaking. <p>Public Education Grants Texas parental choice laws provide that eligible students may use a public education grant to attend any other district chosen by the student’s parent.</p> <p>A student is eligible to receive a public education grant if the student is assigned to attend a public school campus assigned an unacceptable performance rating that is made publicly available.</p> <p>Texas statute also explains that if a student uses a public education grant to attend a school in a district other than the district in which the student lives:</p> <ul style="list-style-type: none"> • The student does not become ineligible for the grant if the school on which the student’s initial eligibility is based no longer meets the criteria; • The student becomes ineligible for the grant if the student is assigned to attend a school that does not meet the criteria under this law. <p>A school district chosen by the student’s parent can accept or reject the application for the student to attend school in that district – but this decision must not use criteria that would discriminate against a student on the basis of their race, ethnicity, academic achievement, athletic abilities, language proficiency, sex, or socioeconomic status.</p> <p>If a school district has more applicants than available seats, the district must give priority to students at risk of dropping out of school and must fill the available positions by lottery.</p> <p>(Texas Ed. Code 20.201, et al. Public Education Grant Program)</p> <ul style="list-style-type: none"> • Texas Education Code 29.201, et al., is silent regarding State Board of Education rulemaking.
<p>Transfers Within Districts</p>	<p>LIMITED</p> <p>School officials can block transfers</p>	<p>Assignments and Transfers in Discretion of Governing Board Parents may request the assignment or transfer of the student to a designated school or to a school designated by the board or file an objection to the assignment of the student to the school to which the student has been assigned.</p> <p>(Texas Ed. Code 25.033 Assignment or Transfer on Petition of Parent)</p>

The board of trustees of a school district or the board of county school trustees or a school employee designated by the board may assign and transfer any student from one school facility or classroom to another within its jurisdiction.

[\(Texas Ed. Code 25.031 Assignments and Transfers in Discretion of Governing Board\)](#)

The board of trustees or the board of county school trustees must make the decision concerning the assignment or transfer of a student on an individual basis and statute prohibits the national origin of the student or the student’s ancestral language from being a factor in the decision.

[\(Texas Ed. Code 25.032 Basis for Assignment or Transfer\)](#)

- Texas Education Code 25.031, 25.032, and 25.033 are silent regarding State Board of Education rulemaking.

Transfers on Petition of Parent

Parents may request the assignment or transfer of the student to a designated school or to a school designated by the board or file an objection to the assignment of the student to the school to which the student has been assigned.

[\(Texas Ed. Code 25.033 Assignment or Transfer on Petition of Parent\)](#)

- Texas Education Code 25.033 is silent regarding State Board of Education rulemaking.

Unacceptable Performance Rating Transfer

Texas statute specifies that students may be eligible to attend another public school in the district in which the student resides, if the student is assigned to attend a public school campus assigned an unacceptable performance rating that is made publicly available.

[\(Texas Ed. Code 29.202 Eligibility\)](#)

- Texas Education Code 29.202 is silent regarding State Board of Education rulemaking.

<p>Year-round Transfer Window</p>	<p>NO No policy</p>	<p>Texas does not provide an application window in all types of transfers that would give families timely opportunity to make open enrollment decisions.</p> <p>Public Education Grants Texas statute does provide that school districts must notify parents of each student in the district assigned to attend a campus that the student is eligible for a public education grant.</p> <p>(Texas Ed. Code 29.204 Notification)</p> <ul style="list-style-type: none"> • Texas Education Code 29.204 is silent regarding State Board of Education rulemaking.
<p>Tuition-Free Public Schools</p>	<p>LIMITED Tuition can be charged</p>	<p>Transfers between Districts or Counties In the case of agreements between boards of trustees of two or more adjoining districts or counties for transfer of students, the participating governing boards must agree to the transfer of school funds or other payments proportionate to the transfer of attendance.</p> <p>(Texas Ed. Code 25.035 Transfers Between Districts or Counties)</p> <ul style="list-style-type: none"> • Texas Education Code 25.035 is silent regarding State Board of Education rulemaking. <p>Transfer of Student On the timely filing of notice of a child’s transfer, the state available school fund apportionment transfers with the child.</p> <p>In certain circumstances, the receiving school district may charge a tuition fee – in cases where the district’s actual expenditure per student in average daily attendance exceeds the sum the district benefits from state aid sources.</p> <p>Unless a tuition fee is prescribed and set out in a transfer agreement before its execution by the parties, an increase in tuition charge may not be made for the year of that transfer that exceeds the tuition charge of the preceding school year.</p> <p>(Texas Ed. Code 25.031, et al. Assignments and Transfers)</p> <ul style="list-style-type: none"> • Texas Education Code 25.036 is silent regarding State Board of Education rulemaking.

		<p>Contracts for Education Outside District In situations where a district contracts with another district to provide education at grade levels not offered in the original district, the district must agree to the transfer of school funds or other payments proportionate to the transfer of attendance.</p> <p>The school district in which the student lives must pay full tuition to any district with which it has a contract. This contract must not be longer than 5 years.</p> <p>(Texas Ed. Code 25.039 Contracts and Tuition for Education Outside District)</p> <ul style="list-style-type: none"> • Texas Education Code 25.039 is silent regarding State Board of Education rulemaking. <p>Public Education Grants Texas statute prohibits school districts chosen by students’ parents under this section only from charging the student tuition.</p> <p>(Texas Ed. Code 29.203 Finance)</p> <ul style="list-style-type: none"> • Texas Education Code 29.203 is silent regarding State Board of Education rulemaking.
<p>School Capacity Transparency</p>	<p>NO No transparency policy</p>	<p>Texas does not require school districts to publicly report capacity by school and grade level; however, Texas statute does require districts to notify parents of eligibility relating to the public education grant.</p> <p>(Texas Ed. Code 29.204 Notification)</p> <ul style="list-style-type: none"> • Texas Education Code 29.204 is silent regarding State Board of Education rulemaking.
<p>Transfer Data Transparency</p>	<p>NO No transparency in data reporting</p>	<p>Texas does not require the state agency to collect and publicly report district-level open enrollment data.</p>
<p>Transparent Appeal Process</p>	<p>NO</p>	<p>Transfers on Petition of Parent State statute relating to the transfer of students through a petition of the parent requires the board to reconsider any decisions if an exception is filed; if the exception is overruled, an appeal of the board’s decision may be filed in the district court of the county in which the board is located.</p>

([Texas Ed. Code 25.034 Hearing; Action on Petition; Appeal](#))

- Texas Education Code 29.204 is silent regarding State Board of Education rulemaking.

Public Education Grants

Texas statutes relating to the transfer of students relating to Public Education Grants do not provide a process to appeal a district’s denial of transfer.

SOURCE CITATIONS

Statutes

[Texas Ed. Code 25.031, et al. Assignments and Transfers](#)

[Texas Ed. Code 29.201, et al., Public Education Grant Program](#)

State Department of Education

[TEA, Attendance, Admission, Enrollment Records, and Tuition – August 2017](#)



Charter Schools in Texas

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p>YES</p> <p>Multiple authorizers</p>	<p>Texas provides for 3 main classes of charters:</p> <p>A home-rule school district charter The commissioner of education approves the charter for home-rule school district charters.</p> <p>A campus or campus program charter The board of trustees of a school district or the governing body of a home-rule school district will grant or deny a charter for a campus or campus program charter to parents and teachers.</p> <p>An open-enrollment charter The commissioner of education and the State Board may grant a charter to an eligible entity for an open-enrollment charter school.</p> <p>(Texas Ed. Code 12.001, et al. Charters)</p> <ul style="list-style-type: none"> • Texas statute allows the State Board to promulgate regulations to implement these laws. <p>Texas Administrative Rules are silent on authorizers of charter schools in the state.</p>
<p>Charter Appeal Process</p>	<p>NO</p> <p>No appeals process</p>	<p>Texas statute is silent on paths to appeal and overturn authorizer denials.</p> <p>Texas Administrative Rules are silent on appeals to overturn authorizer denials.</p> <p>Open Enrollment Charters The TEA reviews applications submitted for open-enrollment charter schools – if an application is not complete, the TEA will notify the applicant and allow them 5 days to submit missing documents.</p> <p>(Texas Admin. Code 100.1002 Application and Selection Procedures and Criteria)</p>

<p>Charter Regulatory Flexibility</p>	<p>LIMITED</p> <p>Some or no exemptions</p>	<p>Texas statute states that this chapter relating to charters seeks to encourage different and innovative learning methods.</p> <p>Home-Rule School District Charters Home-rule school districts have the powers and entitlements granted to school districts and school district boards of trustees. Texas statute provides a list of the rules and laws that home-rule school districts are subject to, including a prohibition, restriction or requirement imposed in this law or a rule that relate to: educator certification, student admissions, school attendance, transfers of students, class size limits, high school graduation, special education programs, and others.</p> <p>Campus or Campus Program Charters Texas statute provides that these charters are exempt from the instructional and academic rules and policies of the board of trustees from which the campus or program is specifically exempted in the charter.</p> <p>Further, campuses or programs are subject to federal and state laws and rules governing public schools, unless otherwise provided for in this law.</p> <p>Campus or campus program charters are similarly subject to the list of rules and laws that home-rule school districts are subject to.</p> <p>Open-Enrollment Charters Texas statute provides that open-enrollment charter schools are subject to federal and state laws and rules governing public schools.</p> <p>Open-enrollment charters are similarly subject to the list of rules and laws that home-rule school districts and campus programs are subject to, as well as a few additional rules and laws.</p> <p>(Texas Ed. Code 12.001, et al. Charters)</p> <ul style="list-style-type: none"> • Texas statute allows the State Board to promulgate regulations to implement these laws. <p>Texas Administrative Rules are silent on charter school flexibility.</p>
<p>Equitable Charter Funding</p>	<p>YES</p> <p>Students are funded as in a traditional district school</p>	<p>Home-Rule School District Charters Texas statute requires home-rule school district charters to specify how they will adopt an annual budget, including a description of the use of program-weight funds.</p>

		<p>Campus or Campus Program Charters Texas statute does not address funding for campus charters.</p> <p>Open-Enrollment Charters Open-enrollment charter schools receive funding equal to the amount of funding per student in weighted average daily attendance. Open-enrollment charters are also entitled to receive charter school enrichment funding based on the state average tax effort.</p> <ul style="list-style-type: none"> • Texas statute allows the State Board to promulgate regulations to implement these laws. <p>Texas Administrative Rules provide for funding for open-enrollment charter schools. Charter schools are entitled to funding from both tiers of the Foundation School Program (FSP) in accordance with the funding formulas for school districts.</p> <p>(Texas Admin. Code 100.1041 State Funding)</p>
<p>Charter Facilities Funding</p>	<p>LIMITED</p> <p>Some or no facilities funding</p>	<p>Open-Enrollment Charters Texas statute provides for funding per student in average daily attendance in an amount equal to the guaranteed level of state and local funds per student per cent of tax effort – charters that are entitled to receive this funding may use it for facilities.</p> <p>Texas statute provides that municipalities may borrow funds, issue obligations, or otherwise spend its funds for school buildings and facilities.</p> <p>(Texas Ed. Code 12.001, et al. Charters)</p> <ul style="list-style-type: none"> • Texas statute allows the State Board to promulgate regulations to implement these laws. <p>Texas Administrative Rules confirm this information in the rules concerning open enrollment charter schools.</p> <p>(Texas Admin. Code, Title 19, Chapter 100 Charters)</p>

<p>Options for High-Performing Charters</p>	<p>YES</p> <p>High-performing charter schools receive incentives and a favorable regulatory environment</p>	<p>Sec. 12.1011. CHARTER AUTHORIZATION FOR HIGH-PERFORMING ENTITIES.</p> <ul style="list-style-type: none"> (a) Notwithstanding Section 12.101(b), the commissioner may grant a charter for an open-enrollment charter school to an applicant that is: <ul style="list-style-type: none"> (1) an eligible entity under Section 12.101(a)(3) that proposes to operate the charter school program of a charter operator that operates one or more charter schools in another state and with which the eligible entity is affiliated and, as determined by the commissioner in accordance with commissioner rule, has performed at a level of performance comparable to performance under the highest or second highest performance rating category under Subchapter C, Chapter 39; or (2) an entity that has operated one or more charter schools established under this subchapter or Subchapter C or E and, as determined by the commissioner in accordance with commissioner rule, has performed in the highest or second highest performance rating category under Subchapter C, Chapter 39. (b) A charter holder granted a charter for an open-enrollment charter school under Subsection (a) may vest management of corporate affairs in a member entity provided that the member entity may change the members of the governing body of the charter holder before the expiration of a member's term only with the express written approval of the commissioner. (c) The initial term of a charter granted under this section is five years. (d) The commissioner shall adopt rules to modify criteria for granting a charter for an open-enrollment charter school under this section to the extent necessary to address changes in performance rating categories under Subchapter C, Chapter 39.
<p>Charter Zoning Exemptions</p>	<p>YES</p> <p>The same exemptions are provided</p>	<p>Sec. 12.1058. APPLICABILITY OF OTHER LAWS.</p> <p>(d) A political subdivision shall consider an open-enrollment charter school a school district for purposes of zoning, project permitting, platting and replatting processes, business licensing, franchises, utility services, signage, subdivision regulation, property development projects, the requirements for posting bonds or securities, contract requirements, land development standards as provided by Section 212.902, Local Government Code, tree and vegetation regulations, regulations of architectural features of a structure, construction of fences, landscaping, garbage disposal, noise levels, fees or other assessments, and construction or site development work if the charter school provides to the political subdivision the certification described by Subsection (e).</p> <p>Sec. 12.103. GENERAL APPLICABILITY OF LAWS, RULES, AND ORDINANCES TO OPEN-ENROLLMENT CHARTER SCHOOL. (a) Except as provided by Subsection (b) or (c), an open-enrollment charter school is subject to federal and state laws and rules governing public schools and to municipal zoning ordinances governing public schools.</p>

(b) An open-enrollment charter school is subject to this code and rules adopted under this code only to the extent the applicability to an open-enrollment charter school of a provision of this code or a rule adopted under this code is specifically provided.

SOURCE CITATIONS

Statutes

[Texas Ed. Code 12.001, et al. Charters](#)

Administrative Code

[Texas Admin. Code, Title 19, Chapter 100 Charters](#)

State Department of Education

[TEA, Charter Schools](#)



Private School Choice in Texas

POLICY	OVERALL RATING	PROGRAM OVERVIEW
<p>Universal Eligibility</p>	<p>YES</p>	<p>Education Savings Account Texas statute authorizes the creation of the Education Savings Account program to be operational starting with the 2026-27 school year. (Texas Education Code 29.351 et seq.)</p> <p>Access to an ESA is available to any child who is eligible to attend a Texas school district or open-enrollment charter school as “a citizen or national of the United States” or “lawfully admitted into the United States.” Multiple options are given for families to “establish proof of the child’s residency” in Texas.</p> <p>(Texas Education Code 29.355)</p>
<p>Comparable Student Funding</p>	<p>LIMITED Funding below 90%</p>	<p>Education Savings Account Three categories of funding are available based on student characteristics and educational methods:</p> <ul style="list-style-type: none"> • Base funding is "85 percent of the estimated statewide average amount of state and local funding per student in average daily attendance," an amount estimated at about \$11,000 in Year 1 • A child with a disability may receive up to \$30,000 per year, with specific funding “calculated based on the child ’s individualized education program” • Funding is capped at \$2,000 for "a participating child who is a home-schooled student, as defined by Section 29.916(a)(1)" of the Texas Education Code <p>(Texas Education Code 29.361)</p>
<p>Uncapped Student Access</p>	<p>LIMITED Funding or enrollment cap</p>	<p>Education Savings Account The legislature is charged with setting program funding levels every two years. The initial appropriation is \$1 billion.</p> <p>(Texas Education Code 29.3521)</p>

<p>Extended Application Window</p>	<p>N/A Does not qualify for policy ratings</p>	
<p>Student Testing Options</p>	<p>YES</p>	<p>Education Savings Account Participating private schools are required to administer an approved nationally norm-referenced assessment to ESA students in grades 3 through 12, and to report a participating student’s test results directly to the parents. Aggregated results are required to be included as part of an annual longitudinal report produced by the Texas Comptroller’s Office in collaboration with the Texas Education Agency and certified educational assistance organizations.</p> <p>(Texas Education Code 29.357, 29.358, 29.371)</p>
<p>School Autonomy</p>	<p>YES</p>	<p>Education Savings Account Texas statute clarifies that service providers and vendors “may not be considered to be state actors” and that state agencies may not impose requirements “contrary to [their] religious or institutional values or practices,” nor limit the freedom to implement curriculum or educational methods, admissions or enrollment policies, assessments, operations, and employment practices, based on those values.</p> <p>(Texas Education Code 29.368)</p>
<p>Accessible School Participation</p>	<p>LIMITED Accreditation requirement</p>	<p>Education Savings Account In order to be approved, all private schools must be accredited by an agency recognized by the Texas Private School Accreditation Commission, or the Texas Education Agency and must have “consistently operated a campus for at least two years.”</p> <p>(Texas Education Code 29.358, Texas Private School Accreditation Commission Policy Manual)</p>

ESAs and Parent-Directed Spending

Freedom to Customize

YES

Score is based off the largest ESA program (Education Savings Account)

LIMITED

Must attend private school, or spending options limited

Parent-Directed Special Education Services Program

The Parent-Directed Special Education Services program provides a one-time, \$1,500 grant to eligible students only to be used to purchase supplemental special education services and supplemental special education instructional materials.

[\(Texas Ed. Code 29.042 Establishment and Administration of Program\)](#)

- Texas Education Code 29.041 provides that the commissioner must adopt rules to administer the supplemental special education services and instructional materials program.

Administrative Rule provides that funds to purchase supplemental special education instructional materials and supplemental special education services must be used through the curated marketplace of educational goods and services.

These supplemental special education instructional materials and services must directly benefit the eligible student’s educational needs.

[\(Texas Admin. Code 102.1601 Supplemental Special Education Services and Instructional Materials Program for Certain Public School Students Receiving Special Education Services\)](#)

YES

Education Savings Account

Texas statute authorizes the creation of the Education Savings Account program to be operational starting with the 2026-27 school year. (Texas Education Code 29.351 et seq.)

Funds deposited in a participating student’s ESA may be used for any of the following expenses:

(1) tuition and fees for a private school, higher education provider, an online educational course or program, or a program that provides training for an industry-based credential approved by the agency;

			<p>(2) the purchase of textbooks or other instructional materials or uniforms required by a private school, higher education provider, or course in which the child is enrolled, including purchases made through a third-party vendor of educational products;</p> <p>(3) fees for classes or other educational services provided by a school district or open-enrollment charter school;</p> <p>(4) costs related to academic assessments;</p> <p>(5) fees for services provided by a private tutor or teaching service;</p> <p>(6) fees for transportation provided by a fee-for-service transportation provider for the child to travel to and from a preapproved education service provider or vendor of educational products;</p> <p>(7) fees for educational therapies or services provided by a practitioner or provider, only for fees that are not covered by any federal, state, or local government benefits or by private insurance;</p> <p>(8) costs of computer hardware or software and other technological devices required by an education service provider or vendor of educational products or prescribed by a physician to facilitate a child’s education, up to 10% of the total yearly ESA deposit; and</p> <p>(9) costs of breakfast or lunch provided to a child during the school day by a private school.</p> <p>(Texas Education Code 29.359)</p>
<p>Freedom to Access</p>	<p>YES</p>	<p>LIMITED Eligibility restricted by school type</p>	<p>Parent-Directed Special Education Services Program Texas statute provides for eligibility requirements for this program – these include the following:</p> <ul style="list-style-type: none"> • Students must be enrolled in the current school year at a school district or open-enrollment charter school; • Students must be enrolled in a district’s or school’s special education program.

			<ul style="list-style-type: none"> Students for whom a school district or open-enrollment charter school is eligible for a compensatory education allotment will receive priority. <p>(Texas. Ed. Code 29.044 Program Eligibility Criteria)</p> <ul style="list-style-type: none"> Texas Education Code 29.041 provides that the commissioner must adopt rules to administer the supplemental special education services and instructional materials program. <p>Administrative Rule confirms these eligibility requirements.</p> <p>(Texas Admin. Code 102.1601 Supplemental Special Education Services and Instructional Materials Program for Certain Public School Students Receiving Special Education Services)</p>
		<p>YES</p>	<p>Education Savings Account Students participating in the Education Savings Account Program may use funds for tuition or fees at a participating private school.</p> <p>(Texas Education Code 29.358, 29.359)</p>
<p>Carry-Over Funding</p>	<p>YES</p>	<p>LIMITED Most or all unused funds revert to the state</p>	<p>Parent-Directed Special Education Services Program Eligible students receive a grant of not more than \$1,500 to purchase supplemental special education services and supplemental special education instructional materials. State statute does not limit the use of funds to one year.</p> <p>(Texas Ed. Code 29.041, et al. Supplemental Special Education Services Program)</p> <ul style="list-style-type: none"> Texas Education Code 29.041 provides that the commissioner must adopt rules to administer the supplemental special education services and instructional materials program. <p>Administrative rules are silent on carryover of account funds.</p> <p>Note: Ranking reflects policy as clarified by TEA administrators.</p>

		YES	<p>Education Savings Account "Any money remaining in a participating child's account at the end of a fiscal year is carried forward to the next fiscal year" unless the child enrolls in a public school, graduates from high school, is otherwise no longer eligible to attend a Texas school district or open-enrollment charter school, or is declared ineligible to continue in the program by the Comptroller's office.</p> <p>(Texas Education Code 29.361, 29.355, 29.357)</p>
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Tax Credits

Full Tax Credit	N/A	Texas does not have an education tax credit program.
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SOURCE CITATIONS

<p>Statutes</p> <p>Texas Ed. Code 29.041, et al. Supplemental Special Education Services Program</p>	<p>Administrative Code</p> <p>Texas Admin. Code 102.1601 Supplemental Special Education Services and Instructional Materials Program for Certain Public School Students Receiving Special Education Services</p>	<p>State Department of Education</p> <p>TEA, Supplemental Special Education Services (SSES)</p>
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Homeschooling in Texas

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p>YES</p> <p>No permission required</p>	<p>Texas does not require families to receive permission from a local school board or administrative body to practice homeschooling.</p> <p>Texas does not have statutes or administrative regulations relating to homeschooling.</p> <p>The Texas Supreme Court ruled, in Leeper et al. v. Arlington ISD et al., that children being taught at home are exempt from the compulsory attendance requirement to the same extent as students enrolled in private schools.</p> <p>This court decision provides that home schooled children are exempt from compulsory attendance requirements; parents must follow a course of study, including good citizenship; and a public school district <u>may</u> ask parents to provide assurances in writing that they intend to home school their child.</p> <p>(TEA, Home Schooling)</p>
<p>No Extra Homeschool Notifications</p>	<p>YES</p> <p>One-time or no notification</p>	<p>Texas does not require families to notify local or state officials annually of plans to homeschool.</p> <p><i>Leeper et al. v. Arlington ISD et al.</i> provides that public school districts may ask parents to provide assurances in writing that they intend to home school their child.</p> <p>(TEA, Home Schooling)</p>
<p>No Certification to Homeschool</p>	<p>YES</p> <p>No certification requirement</p>	<p>Texas does not require homeschool parents to possess state teacher certifications.</p>

Flexible Assessment Options	YES Flexible academic accountability	Texas does not have statutes or administrative regulations relating to homeschooling or flexible academic assessment options.
SOURCE CITATIONS		
State Department of Education TEA, Home Schooling	Other Resources Texas Home School Coalition Texas Home Educators	

POLICY ENHANCERS



Part-time Enrollment in Texas

POLICY	RATING	POLICY OVERVIEW
Resident Course Access	<p>NO</p> <p>No policy</p>	<p>Texas does not have a policy requiring school districts to provide nonpublic and homeschool students access to core and elective courses.</p>
Nonresident Course Access	<p>NO</p> <p>No program</p>	<p>Texas does not have a program requiring school districts to provide nonpublic and homeschool students access to courses outside their district of residence.</p>
Virtual Course Access	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Texas statute establishes a State Virtual School Network – students are eligible to enroll in a course or courses provided through this network if certain conditions are met, including:</p> <ul style="list-style-type: none"> • The student is younger than 21 or younger than 26 and entitled to benefits of the Foundation School Program • The student has not graduated high school • The student is otherwise eligible to enroll in a public school. <p>State statute also allows students to enroll full-time in courses provided through the state virtual school network if the student was enrolled in a public school in the state during the preceding school year and is a dependent of the member of the military in certain circumstances or has been placed in substitute care in the state.</p> <p>(Texas Ed. Code 30A.002 Student Eligibility)</p>

		<ul style="list-style-type: none"> • Texas Education Code 30A.051 provides that the commissioner may adopt rules necessary to implement this law. <p>Texas Administrative Code confirms the requirements established in statute.</p> <p>(Texas Admin. Code 70.1013 Texas Virtual School Network Student Eligibility)</p>
<p>Extracurricular Access</p>	<p>YES</p> <p>Public schools must make extra/co-curricular activities available to all students that reside in their district</p>	<p>Texas statute relating to equal opportunity for students to participate in the University Interscholastic League Activities requires public schools that participate in activities sponsored by the league to provide a non-enrolled student, who otherwise meets eligibility requirements, the opportunity to participate in the activity on behalf of the school in the same manner as the school provides the opportunity to participate to students enrolled in the school. This statute treats home schools the same as private schools for these purposes.</p> <p>The non-enrolled student may only participate in a league activity for the school in the school district that the student would be eligible to attend based on the student’s residential address.</p> <p>Non-enrolled students are subject to certain relevant policies that apply to students enrolled in the school, including:</p> <ul style="list-style-type: none"> • Registration for league activities • Age eligibility • Fees • Insurance • Transportation • Physical condition • Qualifications • Responsibilities • Event schedules • Standards of behavior • Performance <p>(Texas Ed. Code 33.0832 Equal Opportunity for Certain Students to Participate in University Interscholastic League Activities)</p>

SOURCE CITATIONS

Statutes

[Texas Ed. Code 30A.001, et al. State Virtual School Network](#)

[Texas Ed. Code 33.0832 Equal Opportunity for Certain Students to Participate in University Interscholastic League Activities](#)

Administrative Code

[Texas Admin. Code 70.1001, et al. Commissioner’s Rules Concerning the Texas Virtual School Network \(TxVSN\)](#)

State Department of Education

[TEA, Texas Virtual School Network](#)



Learn Everywhere in Texas

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p>NO</p> <p>No program</p>	Texas has not established a Learn Everywhere program.
Course Credit Standard	<p>NO</p> <p>No program</p>	
Core Course Opportunities	<p>NO</p> <p>No program</p>	
Central State List	<p>NO</p> <p>No program</p>	



Transportation in Texas

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p>LIMITED</p> <p>Less than equitable and/or for some students only</p>	<p>Public School Transportation System Texas statute requires districts to operate an “economical public school transportation system”:</p> <ul style="list-style-type: none"> • In the county or district • Outside the county or district if the country or school district enters an interlocal contract • Outside the district if students enrolled in the district reside outside the district and the district meets certain requirements, including: <ul style="list-style-type: none"> (A) has an active policy adopted by the board that prohibits screening transfer students who reside outside the district based on the student’s academic performance, disciplinary history, or attendance record, regardless of any relevant district or innovation plan adopted by the board or authorized to screen transfer students under any other authority; and (B) certifies that the district has: <ol style="list-style-type: none"> i. an overall performance rating of C or higher under Section 39.054 for the preceding school year or the most recent school year in which a performance rating was assigned; ii. an overall accountability score of 70 or higher for the preceding school year or the most recent school year in which a performance rating was assigned as calculated by the agency for purposes of determining the district’s overall performance rating under Section 39.054; and iii. the same or better overall performance rating under Section 39.054 for the preceding school year or the most recent school year in which a performance rating was assigned as the school district from which the district will transport students. <p>(Texas Ed. Code 34.007 Public School Transportation System)</p> <p>Transfer out of District Texas statute requires students who transfer to a district outside their district of residence to provide each student attending a school in another district transportation free of charge to and from the school the student would otherwise attend.</p>

		<p>(Texas Ed. Code 29.203 Financing)</p>
<p>Fair Transportation Access</p>	<p>LIMITED</p> <p>Equitable transportation offered to some charter OR private students</p>	<p>Texas statute relating to charter schools requires open-enrollment charter schools to provide transportation to each student attending the school to the same extent a school district is required by law to provide transportation to district students.</p> <p>(Texas Ed. Code 12.109 Transportation)</p> <p>It is not clear that the state requires transportation services for nonpublic students on equivalent terms as district students.</p>
<p>Vehicle Flexibility</p>	<p>YES</p>	<p>Texas statute requires school buses or mass transit authority motor buses to be used for the transportation of students to and from schools on routes having 10 or more students. If a route has fewer than 10 students, passenger cars may be used for the transportation of students to and from school.</p> <p>For transporting students for school activities, school buses or motor buses may be used to transport 15 or more students and passenger cars may be used to transport fewer than 15.</p> <p>(Texas Ed. Code 34.003 Operation of School Buses)</p> <ul style="list-style-type: none"> • Texas Education Code Chapter 34 is silent regarding State Board rulemaking. <p>Texas Administrative Code does provide for school bus safety standards, which includes a section related to school bus specifications. There is no further information regarding the options for school buses.</p> <p>(Texas Admin. Code 14.52 Texas School Bus Specifications)</p>

SOURCE CITATIONS

Statutes

[Texas Ed. Code 12.109 Transportation](#)

[Texas Ed. Code 29.203 Financing](#)

[Texas Ed. Code 34.003 Operation of School Buses](#)

[Texas Ed. Code 34.007 Public School Transportation System](#)

Administrative Code

[Texas Admin. Code 14.52 Texas School Bus Specifications](#)

