



Scott Placek <txedrights@gmail.com>

Educational Grounds for CPS Investigation

DFPS OCA <OCA@dfps.state.tx.us>
To: TX Ed Rights <txedrights@gmail.com>

Wed, Mar 9, 2016 at 9:58 AM

Hello,

Thank you for contacting the Office of Consumer Affairs (OCA) for the Department of Family and Protective Services (DFPS).

Child Protective Services investigates allegations of abuse/neglect as they are defined by the Texas Family Code in Chapter 261. Here is a link to those definitions: <http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.261.htm>

"Educational abuse/neglect" is not a part of the TFC definitions; and therefore CPS would not investigate a report that was based on this allegation.

Sincerely,

Tracye Risener, Lead Associate
Office of Consumer Affairs
Department of Family and Protective Services
1-800-720-7777 (toll free hotline)

From: TX Ed Rights [mailto:txedrights@gmail.com]
Sent: Friday, March 04, 2016 4:59 PM
To: DFPS OCA
Subject: Educational Grounds for CPS Investigation

Good afternoon -

I am the chairman of the Texas Parents' Educational Rights Network. We are a group of loosely affiliated parents, attorneys and activists who support parents in defending their rights to participate in the education of their child.

A large number of the parents who use our resources have made a decision to "opt out" or refuse to participate in the Texas STAAR assessment system for their children. They do this by either home schooling their children on assessment days, or by having the child passively refuse to complete the assessment in school. They do not engage in disruption of the school premises.

Unfortunately, this year, we have received reports of two different school districts threatening to report the parents to CPS if they refuse to permit their child to be assessed.

In one case, the parent was told that they would be reported for educational neglect. I would point out that the State of Texas has alternative means for promotion and advancement of children who do not take the STAAR assessment. In fact, over the last two years, our organization has exactly zero reports of opt out kids being retained at grade level.

In another case, the parents were told that their children would be taken from them and administered the assessment.

Could you please confirm for me, that as I expect, a parent's decision not to participate in STAAR assessment is not considered grounds for a CPS investigation of the parent or removal of the children from the care of the parent.

Thank you,

A handwritten signature in black ink, appearing to be "A. M. Smith".

[Quoted text hidden]