



# Rockwall

INDEPENDENT SCHOOL DISTRICT

## **NOTICE: LAWS GOVERNING COMPULSORY ATTENDANCE IN TEXAS SCHOOL**

Texas requires a child who is at least 6 years of age, or who is younger than 6 years of age and has previously been enrolled in first grade, and who has not yet reached his/her 19<sup>th</sup> birthday to attend school unless exempt by TEC 25.086. Students enrolled in pre-kindergarten or kindergarten shall attend school [TEC 25.085/FEA (LEGAL/LOCAL)].

A student may not receive credit for a class unless the student is attendance for at least 90 percent of the days the class is offered. [TEC 25.092/FEC(LEGAL/LOCAL)].

A parent/guardian commits an offense of thwarting compulsory attendance under TEC 25.093, if after having been warned in writing, a child has **unexcused absences of 10 or more days or parts of days within a 6-month period**. An offense under this section is a misdemeanor punishable by a fine not to exceed \$500 (TEC 25.093).

A civil offense of "truant conduct" may be filed against a juvenile 12 years of age or older and younger than 19 years of age under TFC 65.003. Upon finding by a county, justice, or municipal court that an individual has committed an offense under Family Code, Sec 65.003, the court has jurisdiction to enter an order that includes one or more of the following provisions requiring that:

- (1) The student:
  - (A) Attend school without unexcused absences;
  - (B) Attend a preparatory class for the high school equivalency examination administered under section TEC 7.111, if the court determines that the student is better suited for an alternative environment; or
  - (C) If the student is at least 16 years of age and takes the high school equivalency examination administered under TEC 7.111.
- (2) The student attends a special program that the court determines to be in the best interest of the student including:
  - (A) An alcohol and drug treatment program
  - (B) A rehabilitation program;
  - (C) A counseling program, including self-improvement counseling;
  - (D) A program that provides training in self-esteem and leadership;
  - (E) A work and job skills training program; and/or
  - (F) A program that provides training in parenting, including parental responsibility.

A parent/guardian of a school-age child has the responsibility to require that their child attend school regularly. When illness or higher obligation necessitates an absence, a **note signed by the parent/guardian or health care provider** containing the reason for the absence is required upon the student's return to school. If a student fails to submit a note, the absence will be considered unexcused.

**Excused Absences** (TEC 25.087): (a) A person required to attend school, including a person required to attend school under section 25.085, may be excused for temporary absence resulting from any cause acceptable to the teacher, principal, or superintendent of the school in which the person is enrolled.

(b) A school district shall excuse a student from attending school for the purpose of observing religious holidays, including traveling for that purpose. A school district shall excuse a student for temporary absence resulting from health care if the student commences classes or returns to school on the same day of the appointment. A student whose absence is excused under this subsection may not be penalized for that absence and shall be counted as if the student attended school for the purposes of calculating the average daily attendance of students in the district. A student whose absence is excused under this subsection shall be allowed a reasonable time to make up school work missed on those days. If the student satisfactorily completes the school work, the day of absence shall be counted as a day of compulsory attendance [TEC 25.087 and FEA(LEGAL/LOCAL)].

**When a student's absence for personal illness forms a questionable pattern**, the principal may require a statement from a physician or health clinic verifying the illness or other condition requiring the student's extended absence from school (a school nurse is available to verify an illness the day of the absence). The attendance committee may, if the student has established a questionable pattern of absences, also require a physician's or clinic's statement after a single day's absence as a condition of classifying the absence as one for which there are extenuating circumstances [FEC(LOCAL)].

Unless specifically exempt, an enrolled student who is eligible must attend an extended-year program or required tutorial classes that are provided by the district for students identified as likely not to be promoted to the next grade level. Tutorials and/or any after-hours instruction are considered to be extended-year programs (TEC 25.086 and 29.084).

Absences such as vacations and trips (except those excused by the principal; for unusual circumstances), babysitting, working, and non-school sponsored athletic events and programs shall be considered unexcused (TEC 25.087).