
Truancy

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Truancy Prevention Measures

If a student has three or more unexcused absences for three or more days or parts of days within a four-week period but less than 10 or more days or parts of days within a six-month period, the district shall initiate truancy prevention measures. If the school determines that the student's absences are the result of pregnancy, being in the state foster program, homelessness, or being the principal income earner for the student's family, the district shall offer additional counseling to the student and may not refer the student to a truancy court. A district shall employ a truancy prevention facilitator or juvenile case manager to implement the truancy prevention measures. At least annually, the truancy prevention facilitator shall meet to discuss effective truancy prevention measures with a case manager or other individual designated by a truancy court to provide services to students of the district.

Judicial Enforcement

The judicial process for truant conduct is governed by new Chapter 65, Texas Family Code. Under §65.003, Texas Family Code, truant conduct is conduct committed by a student who is 12 years of age or older and younger than 19 years of age. Under §25.0951(a), a referral for 10 or more unexcused absences within six months must be made within 10 school days from the date of the student's 10th absence. Section 25.093 is an offense for contributing to nonattendance, which is committed by a parent.

Attendance Enforcement 19 or Older

Under §25.085(e), a person who voluntarily enrolls in or attends school after the person's 19th birthday is required to attend each school day for the entire period the program of instruction for which the student is enrolled is offered. However, if the person has more than five unexcused absences in a semester, the school district may revoke the person's enrollment for the remainder of the school year subject to certain conditions. After the third unexcused absence, the district must issue the person a warning letter stating that the person's enrollment may be revoked for the remainder of the school year if the person has more than five unexcused absences in a semester. The revocation may not occur on a day that the person is physically present at school. The authority to revoke enrollment does not override the district's responsibility to provide a free appropriate public education to a person who is eligible for special education services. Also, please note that a person whose enrollment is revoked under this provision is considered a dropout for accountability purposes. As an alternative to revocation, a school district may impose a behavior improvement plan under §25.0915(a-1) (1).