

Frisco ISD Truancy Warning Notice

Notice: Laws and Frisco ISD Rules Governing Compulsory Attendance in Texas Schools

OFFICIAL NOTICE PURSUANT TO EDUCATION CODE 25.095, TO THE CHILD AND PERSON(S) STANDING IN PARENTAL RELATION TO THE CHILD. Failure to comply with the laws and rules governing compulsory attendance may result in legal action or other consequences.

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 18th birthday**

to attend school unless exempt by Sec. 25.086. Students enrolled in prekindergarten or kindergarten shall attend school. **Education Code 25.085** Except as provided by Texas Education Code 25.092, a student may not be given credit for a class unless the student is in

attendance for at least 90 percent of the days class is offered. **Education Code 25.092** If a

student is absent from school on 10 or more days or parts of days within a 6month period in the same school year or 3 or more days or parts of days within a 4week period (**tardies are considered parts of days**), the student's parent is subject to prosecution under Texas Education

Code Section 25.093, and the student is subject to prosecution under Texas Education Code

Section 25.094. An offense under either section is a Class C misdemeanor punishable by a fine

not to exceed \$500 for each offense. Each day may be a separate offense. The burden of showing

that an absence should be excused is on the student or parent. **Education Code 25.093;**

Education Code 25.094; EducationCode 25.095 It is an affirmative defense to prosecution

under Education Code 25.093 that one or more of the absences required to be proven was

excused by a school official or should be excused by the court. The burden is on the defendant to

show by a preponderance of the evidence that the absence has been or should be excused. A

decision by the court to excuse an absence for this purpose does not affect the ability of the

District to determine whether to excuse the absence for another purpose. It is an affirmative

defense to prosecution under Education Code 25.094 that one or more of the absences required to

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be proven were excused by a school official or by the court or that one or more of the absences

were involuntary, but only if there is an insufficient number of unexcused or voluntary absences

remaining to constitute an offense under 25.094. The burden is on the defendant to show by a

preponderance of the evidence that the absence has been excused or that the absence was

involuntary. A decision by the court to excuse an absence for purposes of this section does not

affect the ability of the school district to determine whether to excuse the absence for another

purpose. **Education Code 25.093; Education Code 25.094**

If a student is found to have violated Section 25.094, a court may order : 1) the child to attend

school without unexcused absences; 2) the child to attend GED preparatory classes or take a

GED examination; 3) the child to attend a special program that the court determines to be in the

best interest of the child, including an alcohol/drug abuse program; 4) the child and the parent/guardian to attend classes for students at risk of dropping out of school; 5) the

child to

complete reasonable community service; 6) the child to attend tutorials; and, 7) the child's

driver's license be suspended or not issued. **Code of Criminal Procedure Art. 45.054**

A parent/guardian of a school age child has the responsibility to require that their child attend

school regularly. When sickness or other obligation necessitates an absence, **a note signed by**

the parent/guardian explaining the reason for the absence **is required** the day the student

returns to school. If a student fails to submit a note, the absence will be considered unexcused

and the student will be allowed **three (3) days to submit a written note** (*emails acceptable*)

excusing the absence. **The absence will be unexcused if a parent/guardian fails to provide a**

note within the specified time. A student shall be excused from attending school for the purpose

of observation of religious holy days, including travel for that purpose, such days shall be limited

to not more than one day for travel to and one day for travel from the site where the student will observe the religious holy days. Additionally, a student may be excused for temporary absence resulting from an appointment with a health care professional if that student commences classes or returns to school on the same day of the appointment. **Education Code 25.087; 19 TAC**

129.21. A person required to attend school may be **excused for temporary absence** resulting from any unusual cause acceptable to the Superintendent, the principal or the teacher of the school in which the student is enrolled. Such causes may include, but are not limited to: 1) personal sickness; 2) family emergency; 3) documented juvenile court proceeding; 4) Board approved extracurricular activity; or 5) approved college visitation. **Education Code 25.087** When a student's absence **for personal illness exceeds four (4) successive days**, the student shall provide a statement from a physician or health clinic verifying the illness or other condition requiring the student's extended absence from school (the school nurse is available to verify an illness on 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 of illness after a single day's absence as a condition of classifying the absence as one for which there are extenuating circumstances. Absences such as nonschool related **vacations and trips**, babysitting, working (including modeling), and non schoolsponsored athletic events and programs shall be considered unexcused. 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; an accelerated reading instruction program to which the student is assigned; an accelerated instruction program to which the student is assigned; a basic skills program to which the student is assigned; or a summer program provided as a disciplinary program. (Saturday School, "Thursday/Friday Night Live" Tutorials and/or any afterhours

school are considered to be
extended year

programs.) **Education Code 25.085** A person who voluntarily enrolls in school
or voluntarily attends school after the person's 18th birthday shall attend school each
school day

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for the entire period the program of instruction is offered. A school district may revoke
for the

remainder of the school year the enrollment of a person who has more than five
absences in a

semester that are not excused under Section 25.087. A person whose enrollment is
revoked under

this subsection may be considered an unauthorized person on school district grounds
for

purposes of Section 37.107