

BCISD Truancy Prevention



State of Texas Family Code

Chapter 65

Truant Conduct

Definition of Truant Conduct

“A child engages in truant conduct if the child is required to attend school **every day every class period** And fails to attend on 10 or more days or parts of days within a six-month period in the same school year.”

(Family Code Sec. 65.003(a)) (Sec. 25.085, Education Code)

Campus Rules

First Bell rings at 7:35 AM

School Starts at 7:40 AM

School Dismisses at 3:10 PM

If a student misses significant educational instruction time at the start of the school day or at the beginning of any class during the day it will be counted as an Unexcused Absence for that class period.

3 Tardies = 1 Unexcused Absence

Campus/District Rules

- When a student is absent their parent or guardian has 3 days to turn in a written excuse to the office
- A student is responsible for all missed classwork
- If a student is absent and goes to the doctor
the doctors office can fax the excuse directly to BCJH

Fax Number 979-245-1419

Exemptions to Compulsory Attendance

- *Religious holy days
- *Required court appearances
- *Activities related to obtaining U.S. citizenship
- *Documented health-care appointments for the student or a child of the student if the student comes to school or returns to school on the same day as the appointment.
- *For students in the conservatorship (custody) of the state
- *Spending up to five days with a military parent who's leaving for combat duty, has just returned from a long deployment, or is on leave
- *Any court-ordered activity

90 % Attendance Rule

Students in grades K-12

Must attend class for **90** percent of the time

class is offered to receive **credit** or a **final grade**

Excused and/or **Unexcused** Absences Count

Sequence of Steps

Excessive Truant Conduct

Student accumulates 10 or more unexcused absences

Mandatory Parent Conference is held

Review and Sign Attendance Contract

Monitor Student Attendance for Compliance

Student Complies No Further Action

Student Fails to Comply – Complaint filed with **Court**

Court Proceedings

Subpoena's are Issued

Court Docket is Set

Parents and all Students 12 years of age and up are **required** in Court

Hearings are held at Matagorda County Courthouse

Student Consequences for Truant Conduct

State of Texas Family Code Chapter 65: Remedial Order

- **Attend School without unexcused absences**
- **Impose a \$50 Fine**
- **Up to 50 hours of Community Service**
- **Attend a special program:**
 - Alcohol and drug abuse program
 - Counseling program, including self-improvement program
 - Work and job skills training program
 - Parenting training program
 - Advocacy or Mentoring Program
- **Tutoring**

Parent Consequences for Truant Conduct

State of Texas Family Code Chapter 65:

0 - \$500 Fine

50 Hours of Community Service

1-3 days in Jail

Remedial Orders Affecting the Parents and Others

- Court may enter remedial order affecting parents and other who may have contributed to truant conduct (similar to current provisions in Family Code Sec. 54.041)
 - At-Risk of Dropping Out Class
 - Do any act that the court determines reasonable and necessary if parent/other contributing
 - Enjoin contact between the person and the child (unless related within third degree, in which case judge can contact CPS)
 - Social or psychological counseling to assist child
 - Pay all or part of the costs of treatment
 - Up to 50 hours of community service with the child

BCISD Responsibilities After Remedial Order

Monitor Compliance of Student

Student Complies

No Further Action

Student Fails to Comply

Court is Notified of Non-Compliance

Family Code Chapter 65

Failure to Comply With Remedial Order

Failure to Comply with a Remedial Order is considered **Contempt of Court** which holds additional penalties for both *Parent and Student*

Contempt – Child

- *Court may order contempt if child fails to obey remedial order or when a child commits an act of direct contempt*
- *Court may order one or both of the following:*
 - *Require child to pay fine up to \$100*
 - *Order DPS to suspend child's driver's license or permit or deny the issuance of a license or permit, if the child does not currently have one, until the child complies with the court's order*
- *A truancy court MAY NOT order a child confined to jail for contempt of court*

Contempt – Parent

- Court may also order that parent be held in contempt for failing to obey court's order or in direct contempt of the court
- Penalty is a fine not to exceed \$100 in addition to original fine
- May also order one or both of the following:
 - **Confinement in jail for up to 3 days**
 - **Maximum of 40 hours of community service**

School Responsibilities

- State Law requires a school district to initiate truancy prevention measures if a student fails to attend school without excuse on 3 or more days or parts of days within a 4-week period or fails to attend school for 10 or more days or parts of days within a 6-month period in the same school year
- Requires school districts to issue a Notice of Unexcused Absence letter to students who accrue three unexcused absences stating that the student's attendance is NOT in compliance.
- Implement/Impose truancy prevention measures at schools prior to referring a student for truant conduct.

Parent Responsibilities

- Make sure your child attends school **every** day **every** class period that school is offered
- When your child is absent you have 3 days to turn an excuse in upon their return
- If you sign out your child for any reason you must turn in an excuse
- Sign up for Parent Portal to access your child's school information

Best Practices

Access Parent Portal for current information about your child

Ask about your child's day at school

Communicate with your child's teachers, administrators and counselors

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- Any child once enrolled in a public school is required to attend school every day, every class period including Pre-K and Kindergarten
- The best interest of the child is primary consideration in adjudicating truant conduct
- Sec. 25.085 amended to specifically require 18-year olds to attend school



*Be There For Your Child
So Your Child Can Be Here*



Thank You

On Behalf of BCISD