

# **Forney ISD Elementary and Secondary Attendance Procedures and Guidelines**

## **Attendance Policy**

Regular school attendance is essential for the student to make the most of his or her education—to benefit from teacher-led activities, to build each day’s learning on that of the previous day, and to grow as an individual. Absences from class may result in a serious disruption of a student’s mastery of the instructional objectives; therefore, the student and parent should make every effort to avoid unnecessary absences. Two state laws, one dealing with compulsory attendance, the other with attendance for course credit, are of special interest to students and parents.

## **Compulsory Attendance**

The state compulsory attendance law requires that school employees must investigate and report violations of the state compulsory attendance law. A student absent from school without permission from any class or from required tutorials will be considered truant and subject to disciplinary action. Truancy may also result in assessment of penalties by a truancy court against both the student and his or her parents. A complaint against the parent may be filed in the appropriate court if the student is absent from school 10 or more days or parts of days within a six-month period in the same school year. If a student is absent 10 or more days or parts of days within a six-month period in the same school year, and those absences are unexcused, the school is required by law to report the absences to the appropriate court.

## **Attendance for Credit**

To receive credit in a class, a student must attend at least 90 percent of the days the class is offered. A student who attends fewer than 90 percent of the days the class is offered may be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit. In determining whether there were extenuating circumstances for the absences, the attendance committee will use the following guidelines:

- All absences will be reviewed with special consideration given for religious holy days, documented health care appointments for which routine make-up work has been completed, and other special circumstances as defined by the Texas Education Code.
- For a student transferring into the District after school begins, including a migrant student, only those absences after enrollment will be considered.
- In reaching consensus about a student’s absences, the committee will attempt to ensure that its decision is in the best interest of the student.
- The committee will consider whether the absences were for reasons over which the student or the student’s parent could exercise any control.

- The committee will consider the acceptability and authenticity of documentation expressing reasons for the student’s absences.
- The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
- The student, parent, or other representative will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit.

If credit is lost because of excessive absences, the attendance committee will decide how the student may regain credit. The actual number of days a student must attend in order to receive credit will depend on whether the class is for a full semester or for a full year

**Absences - Excused**  
**Texas Education Code Section 25.087**

- (a) A person required to attend school, including a person required to attend school under Section 25.085(e), 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 holy days, including travel for that purpose. A school district shall excuse a student for a temporary absence resulting from appointments with health care professionals if that 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 purposes of calculating the average daily attendance of students in the school 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. \* Documentation from a health care professional required.

**Attendance Requirements**  
**Texas Education Code Section 25.085**

- (a) A child who is required to attend school under this section shall attend school each day for the entire period the program of instruction is provided.
- (b) Unless specifically exempted by Section 25.086, a child who is at least six years of age, or is younger than six years of age and has previously been enrolled in the first grade, and who has not reached the child’s 19th birthday shall attend school.
- (c) On enrollment in pre-kindergarten or kindergarten, a child shall attend school.

- (d) Unless specifically exempted by Section 25.086, a student enrolled in a school district must attend an extended-year program for which the student is eligible that is provided by the district for students identified as likely not to be promoted to the next grade or tutorial classes required by the district under Section 29.084.

**Exemptions**

**Texas Education Code Section 25.086**

- (a) A child is exempt from the requirements of compulsory school attendance if the child:
  - (1) attends a private or parochial school that includes in its course a study of good citizenship;
  - (2) is eligible to participate in a school district's special education program under Section 29.003 and cannot be appropriately served by the resident district;
  - (3) has a physical or mental condition of a temporary and remedial nature that makes the child's attendance infeasible and holds a certificate from a qualified physician specifying the temporary condition, indicating the treatment prescribed to remedy the temporary condition, and covering the anticipated period of the child's absence from school for the purpose of receiving and recuperating from that remedial treatment;
  - (4) is expelled in accordance with the requirements of law;
  - (5) is at least 17 years of age; and
    - (A) is attending a course of instruction to prepare for the high school equivalency examination and
      - (i) has the permission of the child's parent or guardian to attend the course;
      - (ii) is required by court order to attend the course;
      - (iii) has established a residence separate and apart from the child's parent, guardian, or other person having lawful control of the child; or
      - (iv) is homeless as defined by 42 U.S.C. Section 11302; or
    - (B) has received a high school diploma or high school equivalency certificate;
  - (6) is at least 16 years of age and is attending a course of instruction to prepare for the high school equivalency examination, if:
    - (A) the child is recommended to take the course of instruction by a public agency that has supervision or custody of the child under a court order; or
    - (B) the child is enrolled in a Job Corps training program under the Job Training Partnership Act (29 U.S.C. Section 1501 et seq.), and its subsequent amendments;
  - (7) is enrolled in the Texas Academy of Mathematics and Science;
  - (8) is enrolled in the Texas Academy of Leadership in the Humanities;
  - (9) is specifically exempted under another law.
- (b) This section does not relieve a school district in which a child eligible to participate in the district's special education program resides, of its fiscal and administrative responsibilities under Subchapter A, Chapter 29, or of its responsibility to provide a free appropriate public education to a child with a disability.

## **HIGH SCHOOL ONLY (19 AND OLDER)**

A referral to truancy court is prohibited for students attending school after their 19<sup>th</sup> birthday.

- A. School districts will issue a warning letter to a student attending school after age 19 that has 3 unexcused absences in one semester;
- B. The district may revoke enrollment for the student if the person has more than 5 unexcused absences in one semester; or
- C. As an alternative, impose a behavior improvement plan on the student.
- D. A school district cannot revoke the enrollment of an older student on a day on which the student is physically present at school.

### **Truant Conduct**

#### **Family Code 65.003**

- (a) An individual commits an offense if the individual:
  - (1) Is required to attend school under Section 25.085; and
  - (2) Fails to attend school on 10 or more days or parts of days within a six-month period in the same school year.

### **Minimum Attendance for Class Credit**

#### **Texas Education Code Sec. 25.092**

- (a) Except as provided by this section, a student may not be given credit for a class unless the student is in attendance for at least 90 percent of the days the class is offered.
  - (a-1) A student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit under this subsection without the consent of the judge presiding over the student's case.
- (b) The board of trustees of each school district shall appoint one or more attendance committees to hear petitions for class credit by students who are in attendance fewer than the number of days required under Subsection (a). Classroom teachers shall comprise a majority of membership of the committee. A committee may give class credit to a student because of extenuating circumstances. Each board of trustees shall establish guidelines to determine what constitutes extenuating circumstances and shall adopt policies establishing alternative ways for students to make up work or regain credit lost because of absences. A certified public school employee may not be assigned additional instructional duties as a result of this section outside of the regular workday unless the employee is compensated for the duties at a reasonable rate of pay.
- (c) A member of an attendance committee is not personally liable for any act or omission arising out of duties as a member of an attendance committee.
- (d) If a student is denied credit for a class by an attendance committee, the student may appeal the decision to the board. All appeals must be made within 30 days of the campus attendance committee meeting. The decision of the board may be appealed by trial de novo to the district court of the county in which the school district's central administrative office is located.

- (e) This section does not affect the provision of Section 25.087 of this code regarding a student's excused absence from school to observe religious holy days.

**Parent Contributing to Non-Attendance**

**Texas Education Code Section 25.093**

- (a) If a warning is issued as required by Section 25.095(a), the parent with criminal negligence fails to require the child to attend school as required by law, and the child has absences for the amount of time specified under Family Code 65.003, the parent commits an offense.
- (b) The attendance officer or other appropriate school official shall file a complaint against the parent in a justice court of any precinct in the county in which the parent resides or in which the school is located, or in a municipal court of the municipality in which the parent resides or the school is located.
- (c) An offense under Subsection (a) is a class C misdemeanor. Each day the child remains out of school may constitute a separate offense.

**Warning Notice**

**Texas Education Code Section 25.095**

- (a) A school district shall notify a student's parent in writing at the beginning of the school year that if a student is absent from school on 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period:
  - (1) the student's parent is subject to prosecution under Section 25.093; and
  - (2) the student is subject to truancy court under Family Code 65.003.
- (b) A school district shall notify a student's parent if the student has been absent from school, without excuse under Section 25.087, on three days or parts of days within a four-week period. The notice must:
  - (1) inform the parent that:
    - (A) it is the parent's duty to monitor the student's school attendance and require the student to attend school;
    - (B) notice to parent that the student is subject to truancy prevention measures;
    - (B) the parent is subject to prosecution under 25.093; and
  - (2) request a conference between school officials and the parent to discuss the absences.
- (c) The fact that a parent did not receive notice under subsection (a) or (b) does not create a defense to prosecution.
- (d) In this section, "parent" includes a person standing in parental relation.

## **Excused and Unexcused Absences**

Absences from school shall be two types, excused and unexcused. Excused absences can be made up and credit for makeup work recorded. If a note is not received it will be recorded as an unexcused absence. Unexcused absences of 10 or more days or parts of days during a six month period are subject to a truancy filing according to state law. This would include situations revolving around late arrivals or early dismissals.

- Each year, parents will be given an opportunity to provide 5 discretionary notes to explain why their student was absent on a particular day.
  - NOTE: The district is not required to excuse any absence, even if the parent provides a note explaining the absence, unless the absence is an exemption under compulsory attendance laws.
  - For a list of excused absences see Policy FEA (Legal).

## **Considerations for Excused Absences**

- Personal illness – home restriction required and/or temporary hospitalization.
- Childhood diseases – temporary quarantine required (measles, chicken pox, etc.).
- Chronic illness – if a student has a chronic medical condition which would cause the student to be absent excessively, a doctor’s note is required stating the nature of the illness. The doctor’s letter (on doctor’s letterhead and signature) will be placed in the student’s file.
- Family circumstances – death in the immediate family (parents, siblings, grandparents, etc.).
- Weather or road conditions making travel dangerous (determined by the school district).
- Driver’s license test

## **Considerations for Unexcused Absences**

Including but not limited to the following:

- Truancy.
- Personal or family vacation (skiing, hunting, fishing, or other pleasure trips), business trip, non-school related trips, work activities other than district work approved programs, and private lessons.
- Personal business.
- Job interviews, college visitations and educational trips not approved by the school.
- Off-campus activities that cause the student to miss other classes (excluding school/district approved extracurricular activities).
- Aptitude testing or Achievement testing by an outside agency.
- Non-school club, youth, or other organizational activities.
- Babysitting.

## **Tardy/Partial Absence Definition**

- A tardy is defined as “missing a specific amount of instructional time at the beginning of the day or class period.”
- A partial absence is defined as “any part of the school day.” See clarification listed below in the

appropriate school level section.

- Tardy guidelines will start the second week of school.
- Tardies at any level (elementary, middle, or high school) will count against perfect attendance and exemption status.
  - Each year, parents will be given an opportunity to provide 5 discretionary notes to explain why their student was absent on a particular day.
    - NOTE: The district is not required to excuse any absence, even if the parent provides a note explaining the absence, unless the absence is an exemption under compulsory attendance laws.
    - For a list of excused absences see Policy FEA (Legal).

### **Guidelines: Warning of Truancy and Filing Truancy**

1. Run a truancy report every week checking for 3 or more unexcused absences in a 4 week period.
2. After 3 unexcused absences:
  - a. Skyward will generate 1<sup>st</sup> Attendance Warning Letter
  - b. Set up conference with parent and student
  - c. Initiate Truancy Prevention Measures
3. After 6 unexcused absence (prior to six month period):
  - a. Skyward will generate 2<sup>nd</sup> Attendance Warning Letter
  - b. Contact parent by phone or email
  - c. Continue or adjust Truancy Prevention Measures
4. At 10 or more days or parts of day within a six-month period in same school year
  - a. Campus will send Truancy Filing Letter
  - b. Must file within 10 school days from 10<sup>th</sup> absence
  - c. Refer students to truancy court (12-18 yrs. old); **and/or**
  - d. Parental criminal liability (TEC 25.093)

### **Guidelines: Warning of Tardy and Filing (Elementary Only)**

1. 10 Tardies and/or 180 minutes within a 4 week period:
  - a. Skyward will generate 1<sup>st</sup> Warning Letter
2. 15 Tardies and/or 360 minutes within a 6 month period:
  - a. Skyward will generate 2<sup>nd</sup> Warning Letter
  - b. Set up conference with parent and student
  - c. Initiate Truancy Prevention Measures
3. 20 Tardies and/or 540 minutes within a 6 month period:
  - a. Campus will send Truancy Filing Letter
  - b. Must file within 10 school days from 10<sup>th</sup> absence
  - c. Refer students to truancy court (12-18 yrs. old); **and/or**
  - d. Parental criminal liability

### **Truancy Prevention Measures Texas Education Code 25.0915**

1. Impose a Behavior Improvement Plan including the specific behavior required or prohibited of the student ;

2. The period of time the plan will be in place (not to exceed 45 school days);
3. The penalties for additional absences, including disciplinary action or referral to truancy court;
4. Set measurable goals;
5. Make a good faith effort to have the plan signed by the student and/or the student's parent or guardian;
6. Impose school-based community service (optional according to age level);
7. Refer the student to counseling, mediation, mentoring, teen-court, or other in-school or out-of-school service aimed at addressing the truant behavior.