



JISD ATTENDANCE HANDBOOK



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Welcome to the 2023-2024 school year. Attendance should be highly monitored this school year as we are returning from many changes in the past two years. Please help us reach our district **goal of 96%** for the 2023-2024 school year. We have many district efforts in place to reach our goal.

District Assistance

- Back to school welcome letters will be sent home to all students to remind them and their parents/guardians of the importance of attendance and our truancy measures put in place.
- A welcome back video by one of our Truancy Officers will be posted on the website and social media outlets.
- District wide all call will be made to ensure students are present on the first day of school.
- Schedule recognition assemblies and provide incentives for attendance with campus principal approval.
- RaaWeeK12 will have the first warning notification after 3 absences to be sent by Truancy Officers to reduce additional responsibilities from Assistant Principals who oversee attendance.
- Truancy officers will enter truancy measures in RaaWeeK12 for data collection to ensure truancy measures are documented.

Campus Assistance

- Please ensure teachers are trained on proper attendance procedures to include taking attendance accurately and the truancy process of contacting parents when students are absent more than two days and throughout the school year.
- If teachers are not taking attendance correctly, please make sure to follow the new process in place for accountability of attendance.
- Follow the truancy process document included in this handbook to include proper warning letter notification.
- Work closely with your assigned Truancy Officer to start the truancy process and monitor students with chronic absences.
- Monitor attendance for credit (90% rule) and ensure students are completing requirements as soon as possible. Complete last spring semester credit reinstatement for attendance in the fall semester.

We look forward to a successful school year please contact Monica Garcia if you have any questions or need assistance.

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Student and Family Support Services ATTENDANCE/TRUANCY

HB 2398

Texas Education Code §25.085, 25.0915, 25.092, 25.093, 25.095, 25.0951
and 11.158

STUDENT AWARENESS

- 90% Attendance
- Definitions of truancy(ADA)
- Individual Counseling
- Guidance Lessons
- Attendance Brochure

PARENT AWARENESS

- District truancy flow chart
- Materials for parent awareness face to face meetings and presentations
- Home Visits
- Evaluation of absences occurring
- Attendance brochure

STAFF AWARENESS

- Importance of Attendance Virtual Vs In person
- Definition on truancy
- Staff development training on reporting
- Data on number of chronic absences
- Attendance Brochure
- 90% Rule vs. Compulsory Attendance (Chart)

ATTENDANCE/TRUANCY POLICIES

TEC §25.092 and 11.158 TEC §25.085, 25.0195, 25.093, 25.095, and 25.0951

FED (Legal)

Ninety Percent Rule; Fees
TEC §25.092 and 11.158

The Texas Education Code requires students aged 6-19 who are enrolled in school to attend each school day for the entire period instruction is provided. Students must be in attendance for at least 90 percent of the days a class is offered to receive credit (Section 25.092). The district board of trustees are required to appoint one or more attendance committees that may grant credit due to extenuating circumstances for students that do not meet this requirement. The attendance committee must include at least one teacher. If a student is denied credit due to attendance by the attendance committee, the student has the right to appeal the decision to the board of trustees (Section 25.092).

This flexible requirement allows a district to establish ways to make up work or regain credit lost due to absences. It does not require that students spend a certain amount of time in a "Saturday school" or other educational setting equal to time missed during regular school hours. The district should be prepared with other options that give a student reasonable opportunity to make up work or regain credit even under challenging circumstances, including excessive absences that occur late in the school year.

In addition, this law is not intended to penalize students for not attending a class before the student was enrolled in the class. Students, including migrant students or transfer students, who were unable to attend a class before enrollment should not have the days of class that occurred before their enrollment counted against them for purposes of "the 90 percent rule". As with any other student, to receive credit a student who enrolls after instruction for the year or semester has begun is required to demonstrate academic achievement and proficiency of the subject matter as required under §28.021 and 19 TAC §74.26.

Additionally, TEC §11.158 gives the district the authority to charge a fee of up to \$50 for the purpose of "costs associated with an educational program offered outside of regular school hours through which a student who was absent from class receives instruction voluntarily for the purpose of making up the missed instruction and meeting the level of attendance required under Section 25.092."

Compulsory Attendance Enforcement

TEC §25.085, 25.0195, 25.093, 25.095, and 25.0951

As per TEC §25.085 the school district is required to adopt truancy prevention measures that will address student conduct related to truancy, and minimize the need for referrals to truancy court, by implementing behavior improvement plans and/or providing school-based community service, or referrals to services. A behavior improvement plan must include a description of the behavior sought to improve attendance, length of contract (up to 45 days), and outline the penalties for additional absences. A school district must offer access to services to students whose absences are due to pregnancy, being in a state foster program, homelessness, or who are the principal income earner for their family and may not refer students to truancy court in these situations (Section 25.0915).

TEC §25.085 allows schools to revoke a student's enrollment if the student is over the age of 19 years, is voluntarily enrolled, and has more than five unexcused absences in a semester. The district must first issue a warning letter after the student has three unexcused absences within a semester.

Section 25.093 relates to an offense committed by a parent for contributing to nonattendance, provided the parent was issued warning by the school as required by law, and with criminal negligence the parent fails to require the child to attend school. parent may be charged with a misdemeanor punishable by a fine of up to \$500.

Under §25.0951(a), a district may refer students to truancy court for truant conduct within ten school days of the student's tenth absence for students with 10 or more absences within six months. A court shall dismiss a complaint or referral that is not made in compliance with §25.0951. A school district may also delay or not refer a student for truant conduct if the school district's truancy prevention methods are proving successful.

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District Complaint or Referral

Against Student

If a student fails to attend school without excuse on ten or more days or parts of days within a six-month period in the same school year, a district shall within ten school days of the student's tenth absence refer the student to a truancy court for truant conduct under Family Code 65.003(a). [See FEA]

Against Parent

The district may file a complaint against the student's parent in a county, justice, or municipal court for an offense under Education Code 25.093 if the district provides evidence of the parent's criminal negligence.

A court shall dismiss a complaint made by a district against a parent that does not comply with Education Code 25.0951; does not allege the elements required for the offense; is not timely filed, unless the district delayed the referral as provided below; or is otherwise substantively defective.

Delaying a Referral

A district may delay a referral of a student for truant conduct, or may choose to not refer a student for truant conduct, if the district:

1. Is applying truancy prevention measures to the student under Education Code 25.0915; and
2. Determines that the truancy prevention measures are succeeding and it is in the best interest of the student that a referral be delayed or not be made.

Education Code 25.0951

Referral Prohibited

A district may not refer a student to truancy court if the school determines that the student's truancy is the result of pregnancy, being in the state foster program, homelessness, severe or life-threatening illness or related treatment, or being the principal income earner for the student's family. [See Truancy Prevention Measures, below] *Education Code 25.0915(a-3)*

Filing Requirements

Each referral to truancy court for conduct described by Family Code 65.003(a) must:

1. Be accompanied by a statement from the student's school certifying that the school applied the truancy prevention measures to the student, and the measures failed to meaningfully address the student's school attendance; and
2. Specify whether the student is eligible for or receives special education services under Education Code Chapter 29, Subchapter A.

A truancy court shall dismiss a petition filed by a truant conduct prosecutor under Family Code 65.054, if the court determines that the district's referral:

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1. Does not comply with the requirement above;
2. Does not satisfy the elements required for truant conduct;
3. Is not timely filed, unless the school district delayed the referral as provided above [see Delaying a Referral, above]; or
4. Is otherwise substantively defective.

Education Code 25.0915(b), (c)

**Expunction of
Records**

An individual who was convicted of a truancy offense under former Education Code 25.094 or has had a complaint for a truancy offense dismissed is entitled to have the conviction or complaint and records relating to the conviction or complaint expunged.

Regardless of whether the individual has filed a petition for expunction, the court in which the individual was convicted or a complaint for a truancy offense was filed shall order the conviction, complaints, verdicts, sentences, and other documents relating to the offense, including any documents in the possession of a district or law enforcement agency, to be expunged from the individual's record. After entry of the order, the individual is released from all disabilities resulting from the conviction or complaint, and the conviction or complaint may not be shown or made known for any purpose.

Code of Crim. Proc. 45.0541

Attendance Officer

A board may select a school attendance officer. A school attendance officer also may be selected by two or more boards to serve their districts jointly. *Education Code 25.088*

In districts where no attendance officer has been selected, the superintendent and the peace officers in a district shall perform the duties of attendance officer, but no additional compensation shall be paid for the services. *Education Code 25.090* [See Peace Officers, below]

Powers and Duties

An attendance officer employed by a district who is not commissioned as a peace officer has the following powers and duties with respect to enforcement of compulsory school attendance requirements:

1. To investigate each case of a violation of the compulsory school attendance requirements referred to the attendance officer;

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2. To enforce compulsory school attendance requirements by applying truancy prevention measures adopted under Education Code 25.0915 to the student and if the measures fail to meaningfully address the student's conduct:
 - a. Referring the student to a truancy court if the student has unexcused absences for the amount of time specified under Family Code 65.003(a); and
 - b. Filing a complaint in a county, justice, or municipal court against a parent who violates Education Code 25.093;
3. To monitor school attendance compliance by each student investigated by the officer;
4. To maintain an investigative record on each compulsory school attendance requirement violation and related court action and, at the request of a court, the board, or the Commissioner, to provide a record to the individual or entity requesting the record;
5. To make a home visit or otherwise contact the parent of a student who is in violation of compulsory school attendance requirements, except that the attendance officer may not enter a residence without permission of the parent or of the owner or tenant of the residence; and
6. At the request of a parent, to escort a student from any location to a school campus to ensure the student's compliance with compulsory school attendance requirements.

Education Code 25.091(b)

Peace Officers

A peace officer serving as an attendance officer has the following powers and duties concerning enforcement of compulsory school attendance requirements:

1. To investigate each case of a violation of compulsory school attendance requirements referred to the peace officer;
2. To enforce compulsory school attendance requirements by applying truancy prevention measures adopted under Education Code 25.0915 to the student and if the measures fail to meaningfully address the student's conduct:
 - a. Referring the student to a truancy court if the student has unexcused absences for the amount of time specified under Family Code 65.003(a); or
 - b. Filing a complaint in a county, justice, or municipal court against a parent who violates Education Code 25.093;

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3. To serve court-ordered legal process;
4. To review school attendance records for compliance by each student investigated by the officer;
5. To maintain an investigative record on each compulsory school attendance requirement violation and related court action and, at the request of a court, the board, or the Commissioner, to provide a record to the individual or entity requesting the record; and
6. To make a home visit or otherwise contact the parent of a student who is in violation of compulsory school attendance requirements, except that a peace officer may not enter a residence without the permission of the parent of a student required to attend school or of the tenant or owner of the residence except to lawfully serve court-ordered legal process on the parent.

A peace officer who has probable cause to believe that a child is in violation of the compulsory attendance law may take the child into custody for the purpose of returning the child to the school campus of the child to ensure the child's compliance with compulsory attendance requirements.

Education Code 25.091(a), (b-1)

**Truancy Prevention
Measures**

A district shall adopt truancy prevention measures designed to address student conduct related to truancy in the school setting before the student engages in conduct described by Family Code 65.003 and minimize the need for referrals to truancy court for conduct described by Family Code 65.003(a). *Education Code 25.0915(a)*

A district shall take one or more of the following actions as a truancy prevention measure:

1. Impose:
 - a. A behavior improvement plan on the student that must be signed by an employee of the school, that the district has made a good faith effort to have signed by the student and the student's parent or guardian, and that includes:
 - (1) A specific description of the behavior that is required or prohibited for the student;
 - (2) The period for which the plan will be effective, not to exceed 45 school days after the date the contract becomes effective; or

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- (3) The penalties for additional absences, including additional disciplinary action or the referral of the student to a truancy court; or
 - b. School-based community service; or
2. Refer the student to counseling, mediation, mentoring, a teen court program, community-based services, or other in-school or out-of-school services aimed at addressing the student's truancy. A referral may include participation by the child's parent or guardian if necessary.

A school district shall offer additional counseling to a student and may not refer the student to truancy court if the school determines that the student's truancy is the result of:

1. Pregnancy;
2. Being in the state foster program;
3. Homelessness;
4. Severe or life-threatening illness or related treatment; or
5. Being the principal income earner for the student's family.

If a student fails to attend school without excuse on three or more days or parts of days within a four-week period but does not fail to attend school for the time described by Education Code 25.0951(a), the district shall initiate truancy prevention measures on the student.

Education Code 25.0915

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| Minimum Standards | <p>The minimum standards for the truancy prevention measures implemented by a district under Education Code 25.0915 include:</p> <ol style="list-style-type: none">1. Identifying the root cause of the student's unexcused absences and actions to address each cause;2. Maintaining ongoing communication with students and parents on the actions to be taken to improve attendance;3. Establishing reasonable timelines for completion of the truancy prevention measure; and4. Establishing procedures to notify the admission, review, and dismissal committee or the Section 504 committee of attendance issues relating to a student with a disability and ensure that the committee considers whether the student's attendance issues warrant an evaluation, a reevaluation, and/or |
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modifications to the student's individualized education program or Section 504 plan, as appropriate.

19 TAC 129.1043

Best Practices

A district shall consider the following best practices for truancy prevention measures:

1. Develop an attendance policy that clearly outlines requirements related to truancy in accordance with Education Code, Chapter 25, Subchapter C, and communicate this information to parents at the beginning of the year.
2. Create a culture of attendance that includes training staff to talk with students and parents about the attendance policy and the root causes of unexcused absences.
3. Create incentives for perfect attendance and improved attendance.
4. Educate students and their families on the positive impact of school attendance on performance.
5. Provide opportunities for students and parents to address causes of absence and/or truancy with district staff and link families to relevant community programs and support.
6. Develop collaborative partnerships, including planning, referral and cross-training opportunities, between appropriate school staff, attendance officers, program-related liaisons, and external partners, such as court representatives, community and faith-based organizations, state or locally funded community programs for truancy intervention or prevention, and law enforcement to assist students.
7. Determine root causes of unexcused absences and review campus- and district-level data on unexcused absences to identify systemic issues that affect attendance.
8. Use existing school programs such as Communities in Schools, 21st Century Community Learning Centers, restorative discipline, and positive behavior interventions and supports (PBIS) to provide students and their parents with services.
9. At the beginning of each school year, conduct a needs assessment and identify and list, or map, services and programs available within the district and the community that a school, a student, or a student's parent or guardian may access to ad-

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dress the student's barriers to attendance and make the information available to staff, students, and parents. The information must include, but is not limited to:

- a. Services for pregnant and parenting students;
 - b. Services for students experiencing homelessness;
 - c. Services for students in foster care;
 - d. Federal programs including, but not limited to, Title 1, Part A, of the Elementary and Secondary Education Act;
 - e. State programs including, but not limited to, state compensatory education programs;
 - f. Dropout prevention programs and programs for "at risk" youth;
 - g. Programs that occur outside of school time;
 - h. Counseling services;
 - i. Tutoring programs and services available at no or low cost;
 - j. Mental health services;
 - k. Alcohol and substance abuse prevention and treatment programs;
 - l. Mentoring programs and services;
 - m. Juvenile justice services and programs;
 - n. Child welfare services and programs;
 - o. Other state or locally funded programs for truancy prevention and intervention; and
 - p. Other supportive services that are locally available for students and families through faith-based organizations, local governments, and community-based organizations.
10. After identifying and listing, or mapping, services available in the district and community, school districts should target any new resources, programs, or services to gaps in services identified during the needs assessment.
 11. School districts should ensure that personnel, including truancy prevention facilitators or juvenile case managers, attendance officers, McKinney-Vento (homeless) liaisons, foster care liaisons, Title IX coordinators, 504 coordinators, preg-

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nancy and parenting coordinators, dropout prevention coordinators, special education staff, and other appropriate student services personnel, meet to contribute to the needs assessment, discuss opportunities to work together, and identify strategies to coordinate both internally and externally to address students' attendance barriers.

In determining services offered to students identified in Education Code 25.091(a-3), a district shall consider:

1. Offering an optional flexible school day program and evening and online alternatives;
2. Working with businesses that employ students to help students coordinate job and school responsibilities; and
3. Offering before school, after school, and/or Saturday prevention or intervention programs or services that implement best and promising practices.

19 TAC 129.1045

Sanctions

An aggrieved party may file a written complaint with the Texas Education Agency (TEA) regarding an allegation that a district has failed to comply with Education Code 25.0915 or 19 Administrative Code Chapter 129, Subchapter BB related to truancy prevention measures. TEA may request that a district provide documentation regarding its compliance in response to a complaint. If, after a review of this documentation or a district's failure to provide this documentation, TEA determines that the district is not in compliance with required truancy prevention measure provisions, TEA may issue a preliminary report of its findings to the district in accordance with 19 Administrative Code 157.1122 (Notice). A district may request in writing an informal review of TEA's preliminary report in accordance with 19 Administrative Code 157.1123 (Informal Review). Following the informal review, or if no informal review is requested by the deadline, a final report will be issued. The commissioner of education may implement any sanction listed in Education Code 39.102(a) against a district found to be out of compliance with Education Code 25.0915 or 19 Administrative Code Chapter 129, Subchapter BB. *19 TAC 129.1047*

**Truancy Prevention
Facilitator or
Juvenile Case
Manager**

A district shall employ a truancy prevention facilitator or juvenile case manager to implement the truancy prevention measures required by Education Code 25.0915 and any other effective truancy prevention measures as determined by the district or campus. 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 in truancy cases.

Instead of employing a truancy prevention facilitator, a school district may designate an existing district employee or juvenile case manager to implement the truancy prevention measures and any other effective truancy prevention measures as determined by the district or campus.

Education Code 25.0915(d), (e)

On approval of the board, a district may employ or agree in accordance with Government Code Chapter 791, with any appropriate governmental entity to jointly employ or to jointly contribute to the costs of another entity employing:

1. A case manager to provide services in cases involving juvenile offenders who are before a court consistent with the court's statutory powers or referred to a court by a school administrator or designee for misconduct that would otherwise be within the court's statutory powers prior to a case being filed, with the consent of the juvenile and the juvenile's parents or guardians; or
2. One or more juvenile case managers who shall assist the court in administering the court's juvenile docket and in supervising the court's orders in juvenile cases, and may provide prevention services to a child considered at risk of entering the juvenile justice system, and intervention services to juveniles engaged in misconduct before cases are filed, excluding traffic offenses.

A district that jointly employs a case manager in accordance with Government Code Chapter 791 employs a juvenile case manager for purposes of Code of Criminal Procedure Chapter 102 and Government Code Chapter 102.

Code of Criminal Procedure 45.056(a), (c)

Funding

A district may apply to the criminal justice division of the governor's office for reimbursements of the costs of employing a juvenile case manager. The district may pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the local truancy prevention and diversion fund established under Local Government Code 134.156. *Code of Criminal Procedure 45.056(b)*

Priority

A juvenile case manager employed jointly under Government Code Chapter 791 shall give priority to cases brought under Education

Codes 25.093 (parent contributing to nonattendance). *Code of Criminal Procedure 45.056(e)*

Rules

The board of a district that employs a juvenile case manager shall adopt and implement reasonable rules for juvenile case managers that provide a code of ethics, and for the enforcement of the code of ethics; appropriate educational preservice and in-service training standards for juvenile case managers; and training in:

1. The role of the juvenile case manager;
2. Case planning and management;
3. Applicable procedural and substantive law;
4. Courtroom proceedings and presentation;
5. Services to at-risk youth under Family Code Chapter 264, Subchapter D;
6. Local programs and services for juveniles and methods by which juveniles may access those programs and services; and
7. Detecting and preventing abuse, exploitation, and neglect of juveniles.
8. The juvenile case manager shall timely report to the judge who signed the order or judgment and, on request, to the judge assigned to the case or the presiding judge any information or recommendations relevant to assisting the judge in making decisions that are in the best interest of the child.

Code of Criminal Procedure 45.056(f)–(i)

Truancy Updates HB 2398

Judson Independent School District

What does House Bill 2398 do?

HB 2398 changes the way school districts and courts treat children who have unexcused absences from school. Schools will be required to provide more help to families in order to ensure students attend school before they send students to court. If students are sent to court, they will no longer be charged with a criminal offense, but with a civil offense called “truant conduct.”

What changes will affect Judson ISD?

- Schools must provide more meaningful help to students before they send them to court, and are required to employ truancy prevention facilitators to implement truancy prevention measures. For example, schools can create behavior improvement contracts with families and refer students to counseling, mentoring, or other services.
- Schools cannot send a student to court before ten (10) unexcused absences and may choose not to file at that time if the truancy interventions are working.
- Students may never be sent to truancy court if their absences are because of pregnancy, homelessness, being in foster care, or being the main income-earners for their families.
- A student who voluntarily attends or enrolls after his or her 19th birthday is required to attend each school day until the end of the school year and is subject to compulsory attendance laws. In addition, if a student 19 or older has more than five (5) unexcused absences in a semester the district may revoke the student's enrollment. The student's presence on school property thereafter would be unauthorized and may be considered trespassing. Board Policy FEA
- School districts must adopt the truancy prevention measures created by the Texas Education Agency (TEA) as a minimum standard for the district's truancy prevention policy.

What changes will affect courts?

- Failure to Attend School (FTAS) will no longer be a criminal offense, so students cannot be fined and will not receive criminal records.
- Schools may refer students to court after ten (10) or more unexcused absences in a six-month period. A truancy prosecutor will review the school's referral and decide whether to file a civil case in court for the offense of “truant conduct.” This filing is called a “petition for an adjudication of a child for truant conduct.” **Parent Contributing**
- The cases will be heard in truancy courts, which are county, justice, or municipal courts that are specifically designated to hear truancy cases.
- Truancy courts may still order a student to attend school without additional unexcused absences; un-enroll from school and take the GED; attend other counseling, training, or rehabilitation programs; perform community service; or complete academic tutorial programs. Courts may also still order the suspension of a student's driver's license or permit for truant conduct.
- A truancy court must dismiss a truancy petition filed against a student if it does not state:
 - a. whether the student receives special education services,
 - b. that the school attempted truancy prevention measures, and
 - c. that the truancy prevention measures failed.
- Courts may dismiss charges against children who are suffering from mental illness.

Truancy Updates HB 2398

Judson Independent School District

What is the State required to do?

The Texas Education Agency (TEA) must create minimum standards for the truancy prevention measures that must be adopted by school districts and must establish a set of best practices for truancy prevention measures.

Can parents still be charged?

Yes. Parents can still be charged with the criminal offense of Parent Contributing to Nonattendance (PCN) but will be fined differently—\$100 for a first offense, \$200 for a second, \$300 for a third, \$400 for a fourth, and \$500 for a fifth or later offense.

Can courts still fine students?

No. Students may not be fined for truancy. Courts may charge a \$50 court fee, but only for families who are financially able to pay.

Can students still be sent to jail for contempt of a truancy court order?

“Contempt” means not following an order made by a court. Truancy courts cannot jail students for contempt, but they can issue fines of up to \$100 or suspend students’ driver’s licenses or permits. Students younger than 17 years old who are found in contempt of a truancy court order two or more times may additionally be referred to the juvenile probation department and, possibly, to juvenile court. Following a detention hearing, juvenile courts may detain children younger than 17 years old for violating a truancy court order.

When will these new changes happen?

The new truancy law goes into effect on September 1, 2015.

What happens to old criminal records?

All records related to FTAS convictions or complaints made before September 1, 2015 must be expunged automatically. Having records expunged means that:

- (1) the records are destroyed,
- (2) they can never be released or used by anyone, including a school or employer, for any purpose, and
- (3) if a student is asked, he or she can deny that there was ever a charge, in most situations. These records include court records, convictions, dismissals, school records, and law enforcement records. Automatic expungement means that the court should expunge the records on its own—students should not have to fill out an application for expungement. After September 1, 2015 families may contact the court where a student’s case was heard to ensure the records are being expunged.

What happens to old fines?

Starting September 1st, truancy courts may not collect fines or fees or enforce other orders against students that were made before September 1, 2015.

Judson

Truancy Flowchart

HB 2398- The Texas Education Agency (TEA) must create minimum standards for the truancy prevention measures that must be adopted by school districts and must establish a set of best practices for truancy prevention measures.

If a student has three unexcused absences in a four-week period...



The school must inform parents of the child's absences, warn them of potential truancy measures and request a face-to-face meeting.



The school must implement truancy prevention measures.



If a student has 4-6 unexcused absences campus staff will make home visits.
Truancy prevention measures continue.



The District Truancy Officers will be assigned to make a visit for any student who failed to respond to visits from campus administration and continue to accrue unexcused absences. Truancy Officers may be asked to make home visits prior to this time if school personnel have encountered unsafe conditions when attempting their home visits.



If a student has 10 unexcused absences in a six-month period...



The school must evaluate whether the student's absences are the result of a pregnancy, homelessness, foster care or because he or she is the primary earner for the family. Evaluating why absences are occurring takes place throughout this process.



If they are, the school may not refer the student to truancy court. Instead, the school will offer additional counseling and support.



If they are not, the school may file a criminal complaint against the parent in court. Schools must prove the absences were unexcused and result of the parents' negligence



If the school finds its truancy plan is not working, the student can be referred to a truancy court.

If the school determines its truancy prevention plan is working, then a referral to court will not be made.



The student can be fined \$100, have his or her driving privileges revoked, or be referred to the juvenile court system.

Attendance for Credit

Section 25.092- Student's required attendance for credit is 90 percent of the days a class is offered. This flexible requirement allows a district to establish ways to make up work or regain credit that are workable in consideration of the circumstances.

90% Rule



Students must attend school 90% of days offered to be eligible for promotion. This has nothing to do with excused or unexcused absences.



Campus Attendance Committee should run a list of any students who have fallen below 90% attendance for example if school has been in session for 30 days any student with more than 3 absences (regardless of excused or unexcused) is already failing to meet the attendance requirement.



When students first fall below 90% attendance, they should be monitored by the Attendance Committee and Counseled by their teacher. Student and Parent must be notified in writing.



The Campus Attendance Committee must decide when to require options for recovering credit based on individual student attendance this must occur prior to the end to the grading period, before credit is denied. .
(High School/Middle School must consider half year courses separately.)



Each campus must establish acceptable ways for student to regain credit if they fall below 90%. Options include Saturday school, after school sessions, completions of assignments as identified in a plan (for students with at least 75% attendance and or other options.)



Extenuating circumstances may be considered in the awarding of credit as specified in Board Policy and State Law.



Credit Denial Information 90% Rule

Fall Semester		
Term	Total Number of Days	Absences Per Class
Quarter 1 9 Week Courses	41	4
Quarter 2 9 Week Courses	38	4
Fall Term 18 Week Courses	79	8
Spring Semester		
Term	Total Number of Days	Absences Per Class
Quarter 3 9 Week Courses	43	4
Quarter 4 9 Week Courses	50	5
Spring Term 18 Week Courses	93	9

Announce Award of Credit Dates for Last School Year

August 16th – September 1st

- Notify students who are on denial of credit list
- Provide options for award of credit
- Submit plan for recovery to include allowable events of award of credit activities being offered to include any Saturdays. Submit plan to Monica Garcia by September 15, 2023.

First 9 Weeks Credit Denial Notification

October 2nd - 6th

- Students are notified that do not meet 90% rule
- Names of students are submitted to data manager for coding (*) by October 12th
- Attendance Committee meetings should take place during this week.
- Students are provided resources to regain credit if needed.
- Student's names who regain credit should be submitted to data manager to process award of credit.

Second 9 Weeks Credit Denial Notification

December 11th-15th

- Students are notified that do not meet 90% rule
- Students Names of students are submitted to data manager for coding (*) by January 4th
- Attendance Committee meetings should take place during this week.
- Students are provided resources to regain credit if needed.
- Student's names who regain credit should be submitted to data manager to process award of credit.



Credit Denial Information

90% Rule

Third 9 Weeks Credit Denial Notification **February 26th - March 1st**

- Students are notified that do not meet 90% rule
- Students Names of students are submitted to data manager for coding (*) by March 8th
- Attendance Committee meetings should take place during this week.
- Students are provided resources to regain credit if needed.
- Student's names who regain credit should be submitted to data manager to process award of credit

Fourth 9 Week Credit Denial Notification **May 13th- 17th**

- Students are notified that do not meet 90% rule
- Students Names of students are submitted to data manager for coding (*) by May 24th
- Attendance Committee meetings should take place during this week.
- Students are provided resources to regain credit if needed.
- Student's names who regain credit should be submitted to data manager to process award of credit

ATTENDANCE
ATTENDANCE FOR CREDIT

FEC
(LEGAL)

**Absences
Considered**

In order to receive credit or a final grade for a class, a student is required to attend class 90 percent of the days class is offered regardless of whether the student's absences are excused [see FEA] or unexcused. *Atty. Gen. Op. JC-0398 (2001)*

90 Percent Rule

Except as provided below, a student in any grade level from kindergarten through grade 12 shall not be given credit or a final grade for a class unless the student is in attendance 90 percent of the days the class is offered. This restriction does not affect a student's right to excused absences to observe religious holy days [see FEA] and does not apply to a student who receives credit by examination for a class as provided by Education Code 28.023. [See EHDC]

Serious or Life-
Threatening Illness
Exception

A student's excused absence resulting from a serious or life-threatening illness or related treatment [see FEA] may not be considered in determining whether the student has satisfied the attendance requirement under the 90 percent rule.

Local Remote
Learning Program
Exception

A district may adopt a policy to exempt students from the requirements of the 90 percent rule for one or more courses identified in the policy that are offered under a local remote learning program [see EHDF].

Principal's Plan

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 or a final grade 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. However, a student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit or a final grade without the consent of the judge presiding over the student's case.

**Extenuating
Circumstances**

An attendance committee may give class credit or a final grade to a student because of extenuating circumstances. A board shall establish guidelines for determining what constitutes extenuating circumstances.

A board shall adopt policies that establish alternative ways for students to make up work or regain credit or a final grade lost because of absences. The alternative ways must include at least one option that does not require a student to pay a fee. The availability of such option must be substantially the same as the availability of the educational program for which a district may charge a fee. [See FP]

**Attendance
Committee**

A board shall appoint one or more attendance committees to hear petitions for class credit or a final grade by students who have not met the 90 percent rule and have not earned class credit or a final

grade by completing a principal's plan. Classroom teachers shall comprise a majority of the attendance committee.

Appeal

If the committee denies a student credit or a final grade, the student may appeal the decision to the board. A board's decision may be appealed to the district court of the county in which the district's central administrative office is located.

Additional Duties

A certified employee may not be assigned additional instructional duties as a result of the above provision outside of the regular workday unless the employee is compensated for the duties at a reasonable rate of pay.

Education Code 25.092

	<p>This policy shall apply to a student who has not been in attendance for 90 percent of the days the class is offered.</p>
Absences Considered	<p>Except as otherwise provided by law, all absences incurred while enrolled in the District shall be considered in determining whether a student has attended the required percentage of days under this policy.</p>
Attendance Committees	<p>The Board shall establish an attendance committee or as many committees as necessary for efficient implementation of Education Code 25.092.</p> <p>The Superintendent shall make the specific appointments in accordance with legal requirements.</p>
Parental Notice of Excessive Absences	<p>A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.</p>
Methods for Regaining Credit or Awarding a Final Grade	<p>When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.</p> <p>If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit or a final grade by submitting a written petition to the appropriate attendance committee.</p> <p>Petitions for credit or a final grade may be filed at any time the student receives notice but, in any event, no later than 30 days after the last day of classes.</p> <p>The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. The attendance committee may also, whether a petition is filed or not, review the records of all students whose attendance drops below 90 percent of the days the class is offered.</p> <p>A student who has lost credit or has not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance committee.</p>

Personal Illness

The principal or attendance committee may require verification from a health-care provider in accordance with administrative regulations as a condition of classifying an absence for personal illness as one for which there are extenuating circumstances.

Best Interest Standard

In reaching consensus regarding a student's absences and how the student can be awarded credit or a final grade, the attendance committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent shall develop administrative regulations to document the attendance committee's decision.

Guidelines on Extenuating Circumstances

The attendance committee shall consider whether a student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.

When makeup work is completed satisfactorily, the attendance committee shall consider extracurricular absences and other excused absences as days of attendance for award of credit or a final grade. [See FEA]

The attendance committee shall consider whether the reasons for the absences were out of the parent's or student's control and whether documentation for the absence is acceptable.

The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.

Imposing Conditions for Awarding Credit or a Final Grade

The attendance committee shall consider the student's unique circumstances and, if necessary, shall impose conditions for awarding credit or a final grade that permit the student to meet the instructional requirements of the class rather than assigning a student to attend a specified program for an amount of time equivalent to the student's absences. Conditions may include:

1. Maintaining attendance standards for the rest of the semester.
2. Completing additional assignments, as specified by the committee or teacher.
3. Attending tutorial sessions as scheduled.
4. Completing other instructional programs, as specified by the committee.
5. Taking an examination to earn credit. [See EHDB]

In all cases, the student must earn a passing grade in order to receive credit.

Appeal Process

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL).

Truancy Officer Information

District truancy officers are a line of support after campus personnel have attempted home visits, conferences, interventions, and other support for attendance improvement and truancy reduction.

- Train and advise school staff, parents and community on issues and policies related to attendance and dropouts.
- Advise campus staff on policies, resources and best practices related to truancy prevention.
- Advise campus committees in the analysis of attendance data.
- Process attendance referrals after campus interventions have been attempted.
- Conduct home visits and student or parent conferences to investigate cases of non-attendance.
- Provide direct services or referrals to students and families to resolve issues affecting attendance.
- File truancy cases as warranted.
- Serve as a district witness to the State in cases of non-attendance.
- Assist schools in investigating and locating potential dropouts, documenting leaver status, and advise on leaver coding.
- Document and report the results of referrals, court cases, consultations with parents and students, meetings with school staff members, and referrals to agencies.

Truancy Officer Campuses Served	Phone Number	Extension
<u>Kevin Murphy</u> Judson HS/Spring Meadows ES/JCARE	210-945-1100	19032
<u>Joseph Ramon</u> Veterans Memorial HS/Olympia ES/ Rolling Meadows ES/Wortham Oaks ES	210-619-0220	18034
<u>Joaquin Matias</u> Wagner HS/Candlewood ES/JECA	210-662-5000	
<u>Tiffany Clack</u> Judson MS/Converse ES/Millers Point ES/Park Village ES	210-357-0801	21610
<u>Frances Galan</u> Kirby MS/JLA/Hopkins ES/Copperfield ES	210-661-1140	
<u>Catrina Wright</u> Kitty Hawk MS/Crestview ES/Coronado ES/Salinas ES/Ed Franz ES	210-945-1220	24412
<u>Dr. LeRoy Fontenette, Jr</u> Metzger MS/Masters ES/Woodlake ES/Paschall ES	210-662-2210	24430
<u>Henry Pecina</u> Woodlake Hills MS/Elolf ES/Hartman ES/Escondido ES	210-661-1110	
<u>Vacant</u> Juvenile Court Case Manager		



Truancy Process

Initiative	Designated Staff Member	Process
Step 1	Teacher Contact	TEACHERS ARE THE FIRST POINT OF CONTACT WHEN A STUDENT IS ABSENT. When a student is absent for two days the teacher should call and email the parent CC (Truancy Officer). Teachers will continue to contact parents as absences continue to accrue.
Step 2	Truancy Officer	Truancy measures are initiated by sending a warning letter to parents when three or more unexcused absences, days or parts of days occur within a four-week period.
Step 3	Assistant Principal over Attendance or Counselor/At-Risk Counselor/Social Worker	If a student has five or more unexcused absences the campus will call & email parent (CC Truancy Officer). If there are five or more consecutive absences with no parent contact the Truancy Officer will conduct a home visit.
Step 4	Truancy Officer	Initiate student/parent conferences, attendance forums, Individual Attendance Plans (IAP), home visits as necessary, and provider resources or referrals.
Step 5	Truancy Officer	For a student with 10 unexcused absences in a six-month period within the same school year, the student/parent is eligible to begin court proceedings for mediation or parent contributing.



Municipal Court Juvenile Case Manger Procedures

Step 1	Contact Juvenile Case Manager once all above steps have been done and IAP has been initiative.
Step 2	JCM will contact Parent via phone, email, or home visit.
Step 3	Court Mediation Process (Letters sent out by City of San Antonio Case Manager)
Step 4	Parent Contributing Process handled by Prosecutor Joanne Flores

**2023-2024 Attendance Appeal Form**

Student Name: _____ ID # _____ Grade: _____ Date: _____

Name of Parent or Guardian _____ Parent Phone _____

Parents/Guardians and Students shall submit an Attendance Appeal Form to the Campus Attendance Committee, when extenuating circumstances exist that warrant consideration when a student's attendance drops below 90% (percent) of the days the class is offered. Extenuating circumstances such as, but not limited to: when a student experiences a personal illness that require extensive and/or ongoing medical treatments, or the death of an immediate family member.

Completed Appeal Forms with supporting documentation will be reviewed by Campus Attendance Committee. Supporting documentation must be submitted with all Appeal Forms. The Campus Attendance Committee may grant approval to include conditions, or may grant a denial. All Campus Attendance Committee Appeal decisions will be communicated to the Parent/Guardian, Student, Counselor, Registrar, and the Assistant Principal. Please complete and submit the following: Details of the extenuating circumstance in legible form and use the back of this form if needed:

I, _____, am applying to have absences waived. I am requesting the Attendance Committee consider waiving my absences due to extenuating circumstances.

Please check the type of extenuating circumstances:

☐ Medical/Hospital☐ Unforeseen Emergency☐ Other

Please provide an explanation of the situation and extenuating circumstances and attach all appropriate documentation.

_____.

I am requesting that _____ days be waived due to the documentation (example, medical notes) attached to this request.

Please list the specific dates: _____

Appeals are not complete without attaching supporting documentation

Not all appeals are approved; therefore, a student applying for a waiver should also plan on attending >CAMPUS NAME < Reinstatement of Credit opportunities.

Student Signature_____
Parent Signature

-----For Office Use Only-----

Date Received: _____

Action Taken: _____ Approved (or) _____ Denied Date of Committee Action: _____

Additional Committee Comments: _____

No Credit (NC) Received

A student who exceeds the number of allowable absences will **NOT** receive credit for the course.

A student who receives an NC in a course may regain credit status by attending Saturday School or successfully completing the plan set by the administrator. This plan may include making up attendance hours by attending tutoring and logging it on the appropriate form.

Students who receive an NC are not eligible to receive a VOE form that is required in order to receive a Texas Driver's License until all credit is recovered.

Excused Absences

Acceptable reasons for an excused absence with approved documentation to verify the absence include the following:

- Personal or family illness verified by a note from parent/guardian NOT TO EXCEED 5 TOTAL DAYS per semester.
- Natural disasters, weather or road conditions as declared by Judson ISD making travel dangerous.
- Death outside the family.
- Family Emergency recognized and approved by administration.

Unexcused Absences

Unacceptable reasons for attendance will be documented as unexcused absences:

- Truancy
- Vacations/Pleasure Trips
- Parent/Guardian Notes for Personal or Family Illness in excess of 5 days per semester
- Youth programs not associated with the school
- Car problems
- Oversleeping
- Birthday
- Jobs

Acceptable Reasons for an Absence

These absences must be accompanied by appropriate documentation to verify absences.

- Required Court Appearance (with subpoena and does not include traffic violations)
- Religious Holy Days
- Military TAPS
- Doctor/Dentist Appointment with a signed doctor note
- Activities relating to obtaining a US Citizenship
- District approved school business activities
- Learner's Permit (1 day)

Except with the permission of the principal of the school, students shall not be released from school at times other than regular dismissal hours. The teacher shall determine that such permission has been granted before allowing a student to leave.

Private Lessons

The District permits released time for students for private lessons in music, art, dance, or other fields not available in the regular school curriculum for one hour per week.



Attendance Notification

Date:

Dear <School Name >Parent/Guardian,

This notice is to inform you that your student has accrued < ***number of absences*** > ***in one classes***. Excessive absences can cause students to miss important information and class curriculum. Students must be present at least 90% of the days the class is offered in order to receive credit for the course. Excessive absences, excused and /or unexcused, can result in elementary and middle school students not being promoted to the next grade level, and loss of credit for high school students. Judson ISD does not want to penalize our students or families or add to the stress we are already facing during these difficult times. We would much rather work together to ensure we are making the best academic decisions for our children.

At <enter school name>, we want to make this transition into this new academic journey as easy as possible for you and your student(s). We would like to offer our assistance and guidance with whatever it is that your child needs to be academically successful. We understand there may be discrepancies and/or errors in attendance. Communicating with our parents is one way we can decrease the number of inaccuracies in our attendance; but also make sure that we are all aware of other issues, such as students not completing daily assignments or communicating with teachers. Please ensure your child is attending school in order to meet attendance requirements.

Please feel to contact me with any questions or concerns you have regarding attendance, and I will do my best to guide you in the right direction.

Thank You,

Principal or Asst. Principal Signature



Notificación de asistencia

Fecha:

Estimado padre / tutor de <Nombre de la escuela>:

Este aviso es para informarle que su estudiante ha acumulado <número de ausencias> en una o más clases. Las ausencias excesivas pueden hacer que los estudiantes pierdan información importante y el plan de estudios de la clase. Los estudiantes deben estar presentes al menos el 90% de los días en que se ofrece la clase para recibir crédito por el curso. Las ausencias excesivas, justificadas y / o injustificadas, pueden resultar en que los estudiantes de la escuela primaria y secundaria no sean promovidos al siguiente nivel de grado y la pérdida de crédito para los estudiantes de la escuela secundaria. Judson ISD no quiere penalizar a nuestros estudiantes o familias, o aumentar el estrés que ya estamos enfrentando durante estos tiempos difíciles. Preferiríamos trabajar juntos para asegurarnos de que estamos tomando las mejores decisiones académicas para nuestros hijos.

En <ingrese el nombre de la escuela>, queremos que esta transición a este nuevo viaje académico sea lo más fácil posible para usted y su (s) estudiante (s). Nos gustaría ofrecer nuestra ayuda y orientación con lo que sea que su hijo(a) necesite para tener éxito académico. Entendemos que puede haber discrepancias y / o errores en la asistencia mientras maniobramos a través de nuevos procesos de asistencia. Comunicarnos con nuestros padres es una forma en que podemos reducir la cantidad de imprecisiones en nuestra asistencia; pero también asegúrese de que todos estemos al tanto de otros problemas, como que los estudiantes no completen las tareas diarias o no se comuniquen con los maestros. Asegúrese de que su hijo(a) asista a la escuela virtualmente o en persona para cumplir con los requisitos de asistencia.

No dude en ponerse en contacto conmigo con cualquier pregunta o inquietud que tenga con respecto a la asistencia y haré todo lo posible para guiarlo en la dirección correcta.

Atentamente ,

Director o Asistente Firma principal