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*Note:* For additional resources regarding truancy, review the following:

The Texas Office of Court Administration has published a [flowchart](#)<sup>1</sup> showing school district responsibilities regarding truancy. A [commentary](#)<sup>2</sup> explaining the steps in the flowchart is available.

See FED(LEGAL) for minimum standards and best practices for truancy prevention measures.

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## Truancy Prevention Measures Checklist

*[This checklist will assist District administrators in complying with legal requirements and necessary documentation to make a truancy referral. The District must establish 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 modifications to the student's individualized education program or Section 504 plan, as appropriate.]*

*Counties with two or more courts hearing truancy cases and two or more school districts are required to develop uniform truancy policies addressing procedures for truancy cases. If your District is located within one of these counties, coordinate the information below with the uniform procedures in your county.]*

### Truancy Prevention Facilitator

For questions about completing the checklist or implementing truancy prevention measures, please contact the District's truancy prevention facilitator listed below:

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

### Student Information

Name: \_\_\_\_\_

Student's age: \_\_\_\_\_ (See provision below for students age 19 or older.)

Student's grade level: \_\_\_\_\_

Student has one of the following:

Individualized education plan (IEP)

Section 504 Plan

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School attended: \_\_\_\_\_

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#### Truancy Prevention Measures Prior to Third Absence

*[If the District has implemented any truancy prevention measures for the student prior to the third absence (days or parts of days) without excuse within a four-week period, describe them here along with any effect on attendance.]*

On \_\_\_\_\_ (date) after the student's \_\_\_\_\_  
(e.g., first or second) absence within a four-week period, the District implemented the following truancy prevention measure: \_\_\_\_\_

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Following application of this truancy prevention measure, the student:

Had continued absences on \_\_\_\_\_ (dates).

#### Required Actions after Third Absence

The following required actions were taken after the above-named student failed to attend school without excuse on three or more days or parts of days within a four-week period:

The student has failed to attend school without an excuse on three or more days or parts of days within a four-week period.

*[Attach attendance report.]*

The four-week period during which the three absences occurred was:  
\_\_\_\_\_ (starting date) to \_\_\_\_\_ (ending date).

The dates of the three absences within the four-week period were:

Absence 1: \_\_\_\_\_

Absence 2: \_\_\_\_\_

Absence 3: \_\_\_\_\_

The student's parent or guardian was informed in writing of the student's absences and of the parent's or guardian's duty to monitor school attendance and require the student to attend school.

• Date the notice was sent: \_\_\_\_\_

• Name of the parent or guardian to whom the notice was sent:  
\_\_\_\_\_

• Address to which the notice was sent:  
\_\_\_\_\_

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- A meeting was scheduled with school officials and the parent or guardian to discuss the causes of the absences and actions to be taken to improve attendance, and to share information on community services and programs that the parent and student may access to address the student's barriers to attendance. *[The District is required to identify the root cause of the absences and actions to address each cause, and maintain ongoing communication with students and parents on the actions to be taken to improve attendance.]*

- Date of the meeting: \_\_\_\_\_
- Individuals in attendance:


- Notification was sent to the admission, review, and dismissal (ARD) committee or the Section 504 committee. *[Required by law if attendance issues relate to a student with a disability.]*

- The committee met to consider whether the student's attendance issues warrant an evaluation, reevaluation, and/or modifications to the student's IEP or Section 504 plan, as appropriate.

- Date of the meeting: \_\_\_\_\_
- Individuals in attendance:


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Special Provisions for Students Age 19 or Older

If a student who is voluntarily attending school at age 19 or older has failed to attend school without excuse for three or more days or parts of days within a four-week period, the District must send a warning letter stating that the student's enrollment may be revoked if the student has more than five unexcused absences in one semester. The District cannot revoke the enrollment of a student age 19 or older on a day that the student is physically present in school.

*[Complete the following information if the student is age 19 or older.]*

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Date the warning letter was sent to the student: \_\_\_\_\_

Address to which the notice was sent: \_\_\_\_\_

As an alternative to revoking enrollment after five unexcused absences, the District may create a behavior improvement plan for the student. See below for behavior improvement plan elements.

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*Note:* As required by law, following the third absence (days or parts of days) without excuse within a four-week period, the District must impose a behavior improvement plan, impose school-based community service, or make a written referral for services. The District must establish reasonable timelines for completion of the truancy prevention measures. The following truancy prevention measures were implemented.

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#### Truancy Prevention Measures: Behavioral Improvement Plan

The District created a behavior improvement plan for the student signed:

- By the parent or guardian on \_\_\_\_\_ (date).
- By the student on \_\_\_\_\_ (date).
- By \_\_\_\_\_ (name and position title)  
on \_\_\_\_\_ (date).

The plan included:

*[Check all that apply.]*

- A specific description of the behavior with which the student is required to comply or which is prohibited.
- The effective dates of the plan, which began on \_\_\_\_\_ (date) and ended on \_\_\_\_\_ (date, no later than 45 days after the beginning date).
- A description of the penalties for additional absences, including additional disciplinary action or referral to truancy court.

*[Texas Education Code section 25.0915 requires that at least one of the above elements be included in a behavior improvement plan. Ideally a behavior improvement plan would include all three elements.]*

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The plan also included the following truancy prevention measures to improve attendance:

*[Check all that apply.]*

- Measurable goals to improve attendance as appropriate, based on the student's age and factors contributing to nonattendance (e.g., using an alarm clock, going to bed earlier, arriving at the bus stop on time).
- A requirement for regular check-ins with a District employee.
- A description of any restrictions until the student meets specific attendance goals (e.g., restriction of off-campus lunch privileges).
- Other: \_\_\_\_\_

Following application of the behavior improvement plan, the student:

*[Check one of the following.]*

- Had continued absences on \_\_\_\_\_ (dates).
- Did not have additional absences for \_\_\_\_\_ (days/weeks).
- Had improved attendance as evidenced by \_\_\_\_\_.

*[Attach a written behavior improvement plan.]*

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Truancy Prevention Measures: School-Based Community Service

The District implemented a school-based community service plan for the student.

Description of service required:

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Date on which the student was scheduled to complete the school-based community service:

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*[Check one of the following.]*

- The student completed the school-based community service on \_\_\_\_\_ (date).
- The student did not complete the school-based community service.

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Following application of the school-based community service plan, the student:

*[Check one of the following.]*

- Had continued absences on \_\_\_\_\_ (dates).
- Did not have additional absences for \_\_\_\_\_ (days/weeks).
- Had improved attendance as evidenced by \_\_\_\_\_.

*[Attach a school-based community service plan.]*

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Truancy Prevention Measures: Written Referral

The District provided a written referral requiring the student to participate in:

*[Check the box next to the appropriate referral type.]*

- Counseling consisting of \_\_\_\_\_. Date of written referral: \_\_\_\_\_
- Mediation consisting of \_\_\_\_\_. Date of written referral: \_\_\_\_\_
- Mentoring consisting of \_\_\_\_\_. Date of written referral: \_\_\_\_\_
- Teen court consisting of \_\_\_\_\_. Date of written referral: \_\_\_\_\_
- Community-based service(s) consisting of \_\_\_\_\_.  
Date of written referral: \_\_\_\_\_
- Other in-school or out-of-school services consisting of \_\_\_\_\_.  
Date of written referral: \_\_\_\_\_

The student's parent or guardian \_\_\_\_\_ (was/was not) invited to participate in the program to which the student was referred.

Following the application of the above referral measure, the student:

*[Check one of the following.]*

- Had continued absences on \_\_\_\_\_ (dates).
- Did not have additional absences for \_\_\_\_\_ (days/weeks).
- Had improved attendance as evidenced by \_\_\_\_\_.

*[Attach a written referral.]*

If the student is pregnant, in the state foster program, homeless, or the principal income earner for the student's family, the District must offer counseling to the student.

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The District has determined that the student's truancy is the result of \_\_\_\_\_  
\_\_\_\_\_ (list circum-  
stances).

A referral for counseling was made on \_\_\_\_\_ (date) and consisted  
of \_\_\_\_\_.

[Attach a written referral to counseling.]

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Other Truancy Prevention Measures

In addition to the truancy prevention measures required by law, the following truancy preven-  
tion measures were implemented (describe truancy prevention measures):

\_\_\_\_\_

Following application of the above truancy prevention measures, the student:

- Had continued absences on \_\_\_\_\_ (dates).
- Did not have additional absences for \_\_\_\_\_ (days/weeks).
- Had improved attendance as evidenced by \_\_\_\_\_.

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[Consider a referral to truancy court after a student has failed to attend school without excuse  
for ten or more days or parts of days within a six-month period.]

Referral to Truancy Court

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*Note:* The District may not make a referral to truancy court if 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 must offer addi-  
tional counseling to the student and must consider other services as described in  
19 Administrative Code 129.1045(b). Please check with the truancy court for addi-  
tional local procedures, if any.

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In accordance with law, the District may make a referral to truancy court if a student has  
failed to attend school without excuse for ten or more days or parts of days within a six-  
month period in the same school year.

A referral to truancy court must be made within ten days of the student's tenth absence.

[Attach attendance report.]

The six-month period during which the absences occurred was:

\_\_\_\_\_ (starting date) to \_\_\_\_\_ (ending date).

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Dates of the ten absences within the six-month period:

Absence 1:	Absence 6:
Absence 2:	Absence 7:
Absence 3:	Absence 8:
Absence 4:	Absence 9:
Absence 5:	Absence 10:

- The student is age 12 –18. *[A referral to truancy court for excessive absences may not be filed on a student voluntarily attending school after his or her 19th birthday.]*
- The District has prepared and submitted a statement certifying:
  - That the school applied truancy prevention measures *(provide specific information about the truancy prevention measures used)*;
  - That the truancy prevention measures failed to meaningfully address the student's school attendance *(provide a timeline showing continued absences after implementation of truancy prevention measures)*; and
  - That the student is not eligible for or receiving special education services.
- Truancy documentation reviewed by the District's truancy prevention facilitator:
  - Name *(print)*: \_\_\_\_\_
  - Position title: \_\_\_\_\_
  - Signature: \_\_\_\_\_
  - Date: \_\_\_\_\_

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A truancy referral was submitted to the court \_\_\_\_\_ *(date)*.

Or

- The District has determined that:
  - a. The truancy prevention measures are succeeding, and
  - b. It is in the best interests of the student not to make, or to delay making, a referral to truancy court.\*
    - The student's absences will be reevaluated on \_\_\_\_\_ *(date; suggest reevaluation within ten days from student's tenth absence)*.

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- During this period, the District will continue to apply the following truancy prevention measures:

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*[Attach a copy of truancy prevention measures.]*

\*In this circumstance, the District can decide to refer the student to truancy court at a later time. However, a prosecutor must file a truancy petition with the truancy court within 45 days of the student's tenth absence, regardless of whether the District makes a later referral. Any period that the District delays the referral is subtracted from the prosecutor's 45-day timeline, thus shortening the time available for the prosecutor to file a petition.

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<sup>1</sup> Flowchart of school responsibilities regarding truancy:

<https://www.tmcec.com/files/3914/3759/0429/01 - Truancy Court Procedures.pdf>

<sup>2</sup> Commentary accompanying flowchart: <https://www.tmcec.com/files/8914/3759/0431/04 - Commentary Accompanying School Responsibilities Regarding Truancy Flowchart.pdf>