

# TEXAS EDUCATION CODE (TEC)

## **Sec. 25.085. COMPULSORY SCHOOL ATTENDANCE.**

- (a) A child who is required to attend school under this section shall attend school each school 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 who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reach the child's 18<sup>th</sup> birthday shall attend school.
- (c) On enrollment in pre-kindergarten or kindergarten, a child shall attend school.

## **Sec. 25.086. EXEMPTIONS.**

- (a) A child is exempt from the requirements of compulsory school attendance if the child...
  - (3) Has a physical or mental condition of a temporary and remediable 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 the remedial treatment...

## **Sec. 25.087. EXCUSED ABSENCES.**

- (a) A child required to attend school may be excused for temporary absence resulting from any cause acceptable to the teacher, principal, or superintendent of the school in which the child is enrolled.

## **Sec. 25.093. PARENT CONTRIBUTING TO NON-ATTENDANCE.**

- (a) If a warning is issued as required by Sec. 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 Section 25.094, 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 ...
- (c) An offense under Subsection (a) is a class C misdemeanor (up to \$500.00 per offense)...

## **Sec. 25.094. FAILURE TO ATTEND SCHOOL.**

- (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 or on three or more days or parts of days within a four-week period.
- (b) An offense under this section may be prosecuted in a justice court...
- (d) Pursuant to an order of the justice or municipal court based on an affidavit showing probable cause to believe that an individual has committed an offense under this section, a peace officer may take the individual into custody...
- (e) An offense under this section is a Class C misdemeanor...(up to \$500 fine per offense)

## **Sec. 25.095 WARNING NOTICES**

(b) A school district shall notify a student's parent if the student has been absent from school, without excuse under Sec. 25.087, on three days or parts of days within a four-week period. The notice must: 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: and
- (B) The parent is subject to prosecution under Section 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 a notice...does not create a defense to prosecution...

# A t t e n d a n c e

Parents are required by Texas Compulsory Attendance Law to ensure their child(ren) are in school the full day of instruction (7:45 a.m.-2:45 p.m.) every day of the school year. Absenteeism unavoidably affects the quality of a student's work, interferes with normal instructional procedures in the classroom, and places additional demands on the teacher to provide remedial assistance. It negatively impacts the child who is absent as well as other students in the class.

When a child is absent or tardy from school, the parent or guardian should send a note to the school explaining the reason for the absence upon the child's return to school. All notes must include:

- The date of the note
- The name of the child
- The date of the absence or tardy
- The specific reason for the absence or tardy
- The parent's signature

An absence may be excused when there is acceptable cause such as personal illness, death in the family, or family emergency. **Vacations are not an acceptable cause for an excused absence from school.** When a student's absence for personal illness exceeds three consecutive days, a statement from a physician or health clinic verifying the illness or other condition should be provided. Failure to provide any note within 5 days will result in an unexcused absence.

An Attendance Committee made up of teachers, the counselor, the attendance secretary, and an administrator has been established to review attendance concerns. It is our desire to work with families to address any attendance concerns at the campus level. Ongoing attendance issues will be referred by the committee to an attendance officer who will determine if judicial action is appropriate. Judicial action for a Class C misdemeanor offense is considered appropriate if there has been violation of the Compulsory Attendance Law. A violation has occurred if a student has the following unexcused absences:

- **3** full or partial (tardies/early pick-ups) day absences in a four-week period,  
or
- **10** full or partial (tardies/early pick-ups) day absences in a six-month period

**In previous years, the classroom teacher has been responsible for issuing tardy slips to students arriving between 7:45-8:00 a.m. and the office staff issued tardy slips to those arriving after 8:00 a.m. This year, any student arriving to class after the 7:45 tardy bell must obtain a tardy slip from the office to present to the teacher when entering the room. The best way to avoid tardies is to ensure your child arrives on campus no later than 7:40. Students dropped off at 7:45 will not have sufficient time to make it to the classroom before class begins and will need to obtain a tardy slip.**

You may review your child's attendance record at any time by logging onto the Northside website at [www.nisd.net](http://www.nisd.net) and utilizing Parent Connection. Please note that all absences are initially entered as Unexcused (UE). If the classroom teacher receives a note providing an acceptable reason for the absence to be excused within 5 days of the child's absence, the teacher will change it to Excused (E). Any changes made by the teacher should occur no later than the first Monday following the 5 day window parents have to submit a note.

Please see reverse side for a summary of state law regarding attendance. For further information, please reference NISD Student-Parent Handbook, page A-1 and Section D. If you have any questions, please feel free to contact your child's teacher or the school office. We thank you for making every effort to ensure your child gets the most from his/her education by being in school all day every day.

# SUGGESTIONS TO PARENTS OF CHILDREN

## WITH ATTENDANCE PROBLEMS

All school patterns develop during the primary grades--attendance, study habits, behavior, and attitudes; therefore, it is very important for parents to provide positive guidance in these four areas.

A child with **good attendance** is successful in many different ways. He feels better about himself, makes better grades, learns to interact with other children and adults, and becomes more independent and able to solve problems on his own. Success becomes a habit.

On the other hand, the child with **poor attendance** tends to experience problems in school. He may not like himself and may not be able to get along with his classmates. He will not be able to keep up with his schoolwork that will lead to poor grades and possible failure. He may have trouble following rules at school and at home. He does not develop a sense of responsibility for his own actions. The parent and the school share a common goal—for your child to be successful in school and in life.

***IT IS THE PARENTS' LEGAL RESPONSIBILITY TO ENSURE THAT THEIR CHILD ATTENDS SCHOOL REGULARLY AND IS ON TIME.***

The State Compulsory School Attendance Law requires that:

- Children between the ages of six(6) and eighteen (18) must attend school;
- Children enrolled in pre-kindergarten or kindergarten are required to follow the same state attendance law;
- Children enrolled in school must attend all day, every day, for the entire school year.

If you receive an Attendance Warning Notice, please remember that only medical notes or the approval by an administrator will excuse an absence.

*The following suggestions are being provided to you by the Northside Attendance Officers to assist in resolving your child's attendance problem.*

### ***I. ATTENDING SCHOOL THE ENTIRE DAY***

Value the entire school day. Schedule **appointments after school** or on **weekends**. If you must keep an appointment during the school day, return the child to school unless the doctor recommends immediate home rest. Be sure to provide a doctor's note to the school when your child returns.

### ***II. TARDINESS/EARLY REMOVAL***

1. Being **on time** and attending all day are **important habits** to develop.
2. **Arriving late** or **leaving early disrupts** the class and reduces valuable learning time for everyone.
3. **Being late** to school or **leaving early** from school is counted as a **partial-day absence**, which is a violation of the **Compulsory Attendance Law**.

### ***III. PROBLEMS WITH HEAD LICE***

Head lice are **highly contagious** and can become a serious problem if not treated quickly and effectively. Head lice treatments can be bought over the counter at most drugstores. If the school **nurse contacts you** regarding a head lice problem in your family, please be aware of the following guidelines:

1. You should **begin treatment immediately** as directed by the nurse, pharmacist, or doctor.
2. Your child should return to school **THE FOLLOWING DAY** because the first treatment, when applied properly, will kill all live lice and may even destroy the nits (eggs). **ABSENCES WHICH RESULT FROM DELAYED TREATMENT WILL BE UNEXCUSED.**
3. **THE CHILD SHOULD REMAIN IN SCHOOL EVERY DAY WHILE EFFORTS TO REMOVE ALL REMAINING NITS CONTINUE AT HOME AFTER SCHOOL HOURS.**

## IV. ILLNESSES

1. If your child **complains** of being ill, **screen** him/her for **symptoms**. Look for **obvious signs** of illness such as fever, vomiting, or diarrhea. Parents can treat minor complaints with over-the-counter medication. Children should be encouraged to attend school unless they show visible signs of illness. **Healthy children should not stay home just because another family member is ill.** Parents should be watchful for the development of a regular absence pattern. It is a good idea to mark a calendar on the days your child is absent.
2. If your child's symptoms **continue for more than two days**, contact a **medical professional**. For further guidance, you may call the school nurse, "Ask A Nurse" (615-0771), your family doctor, or one of the health clinics listed below.

## V. MINOR SYMPTOMS

When your child has minor symptoms or complains of being ill **without** apparent **symptoms, make staying at home boring**, not fun. Be tough and set rules such as no TV, no friends over after school, and no playing. Restrict the child to his bedroom with quiet activities such as reading or studying.

## VI. IMPORTANT PARENT RESPONSIBILITIES

1. When your child is absent, call the school attendance office. This should be followed up with a **written excuse** when your child returns to school.
2. **Be prepared** for the opening of school so that your child is ready to start on the first day. Plan ahead to purchase necessary school supplies, clothing, and other items. Check with your child's school to find out what items you need to supply for school.
3. Your child's immunizations should be kept current for his/her own well-being and the well-being of others. When you are notified that an immunization is needed, promptly make arrangements with your doctor or one of the clinics listed. **Provide** the school with the **receipt** showing **proof** of the immunization. If you have any further questions, please contact the school nurse. Parents should be aware that state law requires immunizations; **failure to immunize** your child promptly **could result in court action** due to unexcused absences.
4. Parents need to **keep informed** of the school calendar, programs, and PTA meetings. You are encouraged to visit your child's school regularly and meet with your child's teacher as requested.
5. **Parents** should **take the responsibility** of setting times for play, homework, household chores, TV viewing, and bedtime. These times should be the same every day with few exceptions. Children should be **praised or rewarded** for cooperative behavior.
6. Avoid a **repetitive absence pattern**, such as Friday-Monday, day before or after school holiday, or every Wednesday. Plan family outings and vacations during weekends or school holidays.
7. **Children should not be kept home to baby-sit** other children in the family. It is the parents' responsibility to make arrangements for childcare services.
8. **Encourage your child to be the best he/she can be.**

## LIST OF HEALTH CLINICS

*Comprehensive Health Care Ctr.*  
1102 Barclay Medical 434-2368 Dental 434-2647

*Nurse Link - 358-3000*

*Public Health Clinic Services*  
322 W. Commerce - 207-8780

*Old Highway 90 Clinic*  
911 Old Hwy. 90 - 433-3279

*University Family Health Center-Southwest*  
2121 S.W. 36<sup>th</sup> Street - 358-5100

*University Health Center-Downtown (Brady Green Community Health)*  
527 N. Leona 358-3460 (Pediatric) 358-03441 (Adult)