

# Frisko ISD Truancy Warning Notice

**Notice: Laws and Frisko ISD Rules Governing Compulsory Attendance in Texas Schools OFFICIAL NOTICE PURSUANT TO EDUCATION CODE 25.095, TO THE CHILD AND PERSON(S) STANDING IN PARENTAL RELATION TO THE CHILD. Failure to comply with the laws and rules governing compulsory attendance may result in legal action or other consequences.**

Texas requires a child who is at **least 6 years of age**, or who is younger than 6 years of age and has previously been enrolled in first grade, and who has **not yet reached his/her 18th birthday** to attend school unless exempt by Sec. 25.086. Students enrolled in pre-kindergarten or kindergarten shall attend school. **Education Code 25.085**

Except as provided by Texas Education Code 25.092, a student may not be given credit **for a class** unless the student is in attendance for at least 90 percent of the days class is offered. **Education Code 25.092**

If a student is absent from school on 10 or more days or parts of days within a 6-month period in the same school year or 3 or more days or parts of days within a 4-week period (**tardies are considered parts of days**), the student's parent is subject to prosecution under Texas Education Code Section 5.093, and the student is subject to prosecution under Texas Education Code Section 25.094. An offense under either section is a Class C misdemeanor punishable by a fine not to exceed \$500 for each offense. Each day may be a separate offense. **The burden of showing that an absence should be excused is on the student or parent. Education Code 25.093; Education Code 25.094; Education Code 25.095**

It is an affirmative defense to prosecution under Education Code 25.093 that one or more of the absences required to be proven was excused by a school official or should be excused by the court. The burden is on the defendant to show by a preponderance of the evidence that the absence has been or should be excused. A decision by the court to excuse an absence for this purpose does not affect the ability of the District to determine whether to excuse the absence for another purpose. It is an affirmative defense to prosecution under Education Code 25.094 that one or more of the absences required to be proven were excused by a school official or by the court or that one or more of the absences were involuntary, but only if there is an insufficient number of unexcused or voluntary absences remaining to constitute an offense under 25.094. The burden is on the defendant to show by a preponderance of the evidence that the absence has been excused or that the absence was involuntary. A decision by the court to excuse an absence for purposes of this section does not affect the ability of the school district to determine whether to excuse the absence for another purpose. **Education Code 25.093; Education Code 25.094**

If a student is found to have violated Section 25.094, a court may order : 1) the child to attend school without unexcused absences; 2) the child to attend GED preparatory classes or take a GED examination; 3) the child to attend a special program that the court determines to be in the best interest of the child, including an alcohol/drug abuse program; 4) the child and the parent/guardian to attend classes for students at risk of dropping out of school; 5) the child to complete reasonable community service; 6) the child to attend tutorials; and, 7) the child's driver's license be suspended or not issued. **Code of Criminal Procedure Art. 45.054**

A parent/guardian of a school age child has the responsibility to require that their child attend school regularly. When sickness or other obligation necessitates an absence, **a note signed by the parent/guardian** explaining the reason for the absence **is required** the day the student returns to school. If a student fails to submit a note, the absence will be considered unexcused and the student will be allowed **three (3) days to submit a written note** (emails acceptable) excusing the absence. **The absence will be unexcused if a parent/guardian fails to provide a note within the specified time.** A student shall be excused from attending school for the purpose of observation of religious holy days, including travel for that purpose, and such days shall be limited to not more than one day for travel to and one day for travel from the site where the student will observe the religious holy days. Additionally, a student may be excused for temporary absence resulting from an appointment with a health care

professional if that student commences classes or returns to school on the same day of the appointment. **Education Code 25.087; 19 TAC 129.21.**

A person required to attend school may be **excused for temporary absence** resulting from any unusual cause acceptable to the Superintendent, the principal or the teacher of the school in which the student is enrolled. Such causes may include, but are not limited to: 1) personal sickness; 2) family emergency; 3) documented juvenile court proceeding; 4) Board-approved extracurricular activity; or 5) approved college visitation. **Education Code 25.087**

When a student's absence for **personal illness exceeds four (4) successive days**, the student shall provide a statement from a physician or health clinic verifying the illness or other condition requiring the student's extended absence from school (the school nurse is available to verify an illness on the day of the absence). The attendance committee may, if the student has established a questionable pattern of absences, also require a physician's or clinic's statement of illness after a single day's absence as a condition of classifying the absence as one for which there are extenuating circumstances. Absences such as non-school related **vacations and trips**, babysitting, working (including modeling) and non school-sponsored athletic events and programs shall be considered unexcused.

Unless specifically exempt, an enrolled student who is eligible **must attend** an extended-year program or **required tutorial classes** that are provided by the district for students identified as likely not to be promoted to the next grade level; an accelerated reading instruction program to which the student is assigned; an accelerated instruction program to which the student is assigned; a basic skills program to which the student is assigned; or a summer program provided as a disciplinary program. (Saturday School, –Thursday/Friday-Night Live|| Tutorials and/or any after-hours school are considered to be extended-year programs.) **Education Code 25.085**

A person who voluntarily enrolls in school or voluntarily attends school after the person's 18<sup>th</sup> birthday shall attend school each school day for the entire period the program of instruction is offered. A school district may revoke for the remainder of the school year the enrollment of a person who has more than five absences in a semester that are not excused under Section 25.087. A person whose enrollment is revoked under this subsection may be considered an unauthorized person on school district grounds for purposes of Section 37.107.

## **Curtsinger Reminders**

**For your convenience, Curtsinger's doors open each morning at 7:15 and supervision is provided for all grade levels. Any student that arrives at 7:50 and NOT through the security doors will be marked TARDY.**

**If your child is going to be out for the day, please notify our Receptionist, Cindy Gangi at 469.633.2100. Upon your child returning to school, please send one of the following, so that your child's absence may be marked as excused:**

- **A note and/or an email to your child's teacher explaining the absence**
- **Doctor's note to excuse the absence and/or early release**
- **A note and/or an email to our Data Clerk, Cindy Reames at [reamesc@friscoisd.org](mailto:reamesc@friscoisd.org)**