

TEXAS COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS

Texas Education Code Statutes

Section 25.085

COMPULSORY SCHOOL ATTENDANCE

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.

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 reached the child's 19th birthday shall attend school.

Section 25.0915

TRUANCY PREVENTION MEASURES

A school district shall adopt truancy prevention measures designed to:

- (1) address student conduct related to truancy in the school setting before the student engages in conduct described by **Section 65.003(a), Family Code**; and
- (2) minimize the need for referrals to truancy court for conduct described by **Section 65.003(a), Family Code**.

Section 25.092

MINIMUM ATTENDANCE FOR CLASS CREDIT

Except as provided by this section, a student in any grade level from Kindergarten through 12th grade may not be given credit or a final for a class unless the student is in attendance for at least 90 percent of the days the class is offered.

Section 25.093

PARENT CONTRIBUTING TO NONATTENDANCE

If a warning is issued as required by **Section 25.095(a)**, and 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 65.003(a) Family Code**, the parent commits an offense.

The attendance officer or other appropriate school official shall file a complaint against the parent in a justice court of any precinct in the county in which the parent resides or in which the school is located.

Section 25.095

WARNING NOTICES

A school district shall notify a student's parent if the student has been absent from school, without excuse under **Section 25.087**, on three days or parts of days within a four-week period. The notice must 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 student is subject to truancy prevention measures under **Section 25.0195**; and
- C. request a conference between school officials and the parent to discuss the absences.

The fact that a parent did not receive a notice under Subsection (a) or (b) does not create a defense to prosecution under **Section 25.093 or Section 65.003 Family Code**.

In this section, "parent" includes a person standing in parental relation.

Section 25.0951

SCHOOL DISTRICT COMPLAINT OR REFERRAL FOR FAILURE TO ATTEND SCHOOL

- a. If a student fails to attend school without excuse on 10 or more days or parts of days within a six-month period in the same school year, a school district shall within 10 school days of the student's 10th absence refer the student to a truancy court for truant conduct under **Section 65.003(a), Family Code**.
- b. If a student fails to attend school without excuse as specified by Subsection (a), a school district may file a complaint against the student's parent in a county, justice, or municipal court for an offense under **Section 25.093** if the school district provides evidence of the parent's criminal negligence.

In this subsection, "parent" includes a person standing in parental relation.

A court shall dismiss a complaint or referral made by a school district under this section that is not made in compliance with this section.