

A wooden chair with a light-colored seat and a darker backrest. The words "SCHOOL TRUANCY" are cut out of the seat in a bold, white, serif font. The chair is set against a background of a wooden floor with vertical planks.

SCHOOL TRUANCY

Truancy and House Bill 2398
School Administration Presentation

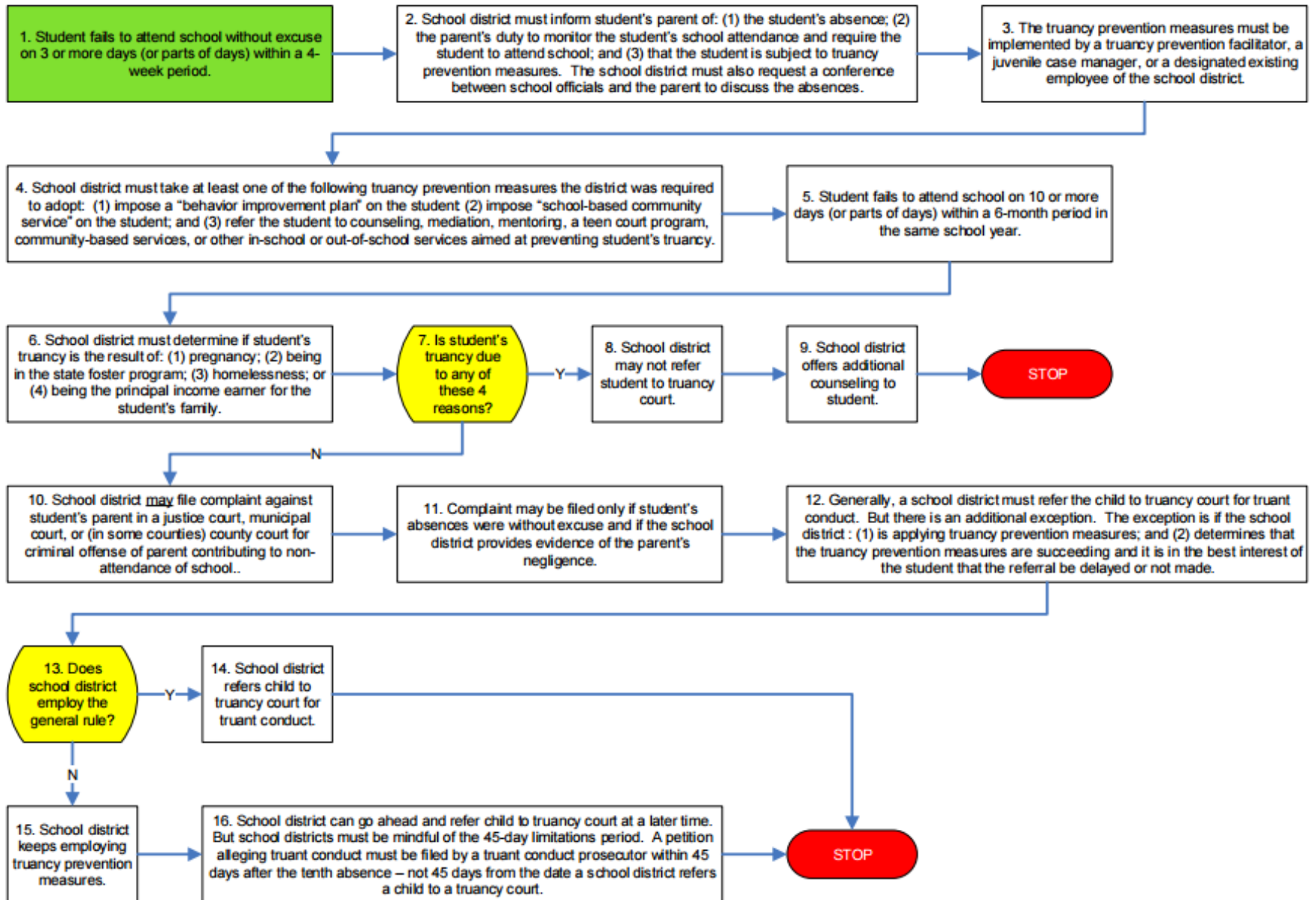
Presented By:
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Truancy Update



- During the 84th Legislative Session, House Bill 2398 was passed making sweeping changes to the truancy laws in the state of Texas.
- The new truancy laws go into effect September 1, 2015 and addresses a school district's responsibility to address student truant conduct, including additional requirements for implementation of truancy prevention measures, and referral of a student to truancy court.

School Responsibilities Regarding Truancy



Compulsory Attendance

- Children ages **6-18** are required to attend school. Upon enrollment in PK or KG, students must attend and are subject to compulsory attendance. *(a student under age 6 may be withdrawn by the parent without penalty of compulsory attendance)*
- A referral to truancy court is prohibited for students attending school after their **19th birthday**. *(school district may revoke enrollment for the student if the person has 5 unexcused absences in one semester or impose a behavior improvement plan. A district's authority to revoke enrollment cannot override the district's obligation to provide FAPE for SPED students.)*

Truant Conduct Defined

“A child engages in truant conduct if the child is required to attend school under Sec. 25.085, Education Code, and fails to attend on 10 or more days or parts of days within a six-month period in the same school year.”

(Family Code Sec. 65.003(a))

NOTE:

No longer includes a child's failure to attend school on three or more days or parts of days within a four-week period.

Only students ages 12-18 may be referred to civil court for truancy.

Parents of students subject to compulsory attendance may be referred for parent contributing to non-attendance with evidence of criminal negligence.

H.B. 2398 Mandates

- From Criminal court to Civil Court
From Complaints to Referrals
- Must assign a District Truancy Prevention Facilitator
- Must implement approved Truancy Prevention Measures (TPMs) – upon 3 unexcused absences
- Referral of student ages 12-18 to truancy court upon 10 absences in a 6 month period, *(delay referral if TPM's are succeeding or referral is not in best interest of student)*
- Exemptions to court referral; must provide counseling/support services *(pregnant, foster care, homeless, or students who are primary wage earners for their family)*
- District may still file criminal complaint against a parent for parent contributing to non-attendance. *(fines in increments of \$100 up to \$500)*

How else will BISSD respond?

- Attendance Campaign: *Attendance Works*
- PTA/Parent Involvement
- Communities in Schools
- Business Partnerships
- Media Promotion
- Ongoing training & communication

BISD Truancy Procedures

1. Upon any student absence, an **automated phone call** will go to the parent/guardian the same day.
2. Upon the student's return, he/she will have **five school days to provide a note of excuse for any absence** to the school's attendance office for approval by the Campus Principal or principal's designee.
3. Upon the **third unexcused absence in a four week period**, a **Truancy Warning and Request for Conference Letter** will be mailed to the parent at the home address on record with the school, and **Truancy Prevention Measures will be implemented** by the Campus Principal, Campus Behavior Coordinator, or principal's designee.

BISD Truancy Procedures

4. An attendance conference will be held with the Campus Principal/principal's designee, student and/or parent to determine attendance barriers and remedies. One or more TPM's may be implemented at this time. *(not to exceed 45 school days from date of implementation)*
Note: If student's truancy is for reasons related to pregnancy, being in foster care, homelessness or being the primary wage earner for the family, the student will be referred to the campus counselor, CIS, or McKinney-Vento Liaison.
5. If a student (ages 12-18) fails to attend school without excuse on 10 or more days or parts of days, **as verified by the campus**, within a six month period and TPMS's are not succeeding, the student shall be referred to truancy court by the District Truancy Facilitator within 45 days after the student's tenth absence. *(this affords the time for TPMs to be implemented and have a chance to succeed)*

BISD Truancy Procedures

6. The District Truancy Facilitator may file a complaint against the student's parent for criminal offense of parent contributing to non-attendance when there is evidence of "***criminal negligence***", including but not limited to:
 - Failure to adhere to warning notices
 - Failure to schedule/attend an attendance conference
 - Failure to fulfill terms of signed behavior improvement contract.
 - Any other information contained by the school district demonstrating an attempt to work with the student's parents has failed.

Truancy Prevention Measures

Districts are required to adopt prevention measures that are designed to address conduct related to truancy before students engage in truant conduct and that minimize the need for truancy referrals.

Districts must employ one or more of the following truancy measures:

1. **Require** behavior intervention plans
2. **Require** school-based community service
3. **Refer** the student to counseling, mediation, mentoring, a teen court program, community-based services or other in-school or out-of-school service aimed at addressing the student's truancy.

BISD Truancy Prevention Measures

- **Behavior Improvement Plan:** *(not to exceed 45 school days)*
 - Automated Phone Call-Out/Warning Letter
 - Administrator Conference with student/parent
(to review state laws, policies & procedures, identify barriers and remedies)
 - Parent Self-Serve/Student Self-Serve registration & monitoring
 - Attend Parent Involvement Training Session(s)
 - Attendance Contract
 - Disciplinary Action (Detention/ISS/Loss of Privileges)
 - Small Incentives, Rewards, & Recognition
 - Home Visit
- **Referral for Counseling/Support/Resources**
 - Campus Counselor/Communities in Schools
 - McKinney-Vento Liaison
 - Transportation/Child Nutrition
 - 504 Coordinator/SPED Dept.

District Truancy Prevention Facilitator(s)

- David L. Robinson – Student Services
- Kela N. Prudhomme – Student Services

Campus Truancy Prevention Facilitator(s)

- Campus Principal
- Campus Behavior Coordinator
- Principal's Designee

Next Steps

- Superintendent/School Administration approval of TPMs and truancy procedures. (*regulations*)
- Communicate expectations, roles, responsibilities with all staff (*District Administrators, Principals, Asst. Principals, counselors, attendance clerks, CIS, etc.,*)
- Collaborate with Public Relations and Parent Involvement to publicize laws and processes
- Meet with court officials to discuss processes and procedures
- Partner with businesses for promotion and incentives/rewards for attendance

**Thank You For Your Support of
Our Efforts!**