**TEXAS TRUANCY LAWS**

**Frequently Asked Questions**

**What are the truancy laws in the state of Texas?**

A~ *Compulsory School Attendance (Texas Education Code Sec. 25.085)* A student between the ages of 6 and 18 MUST attend school and all District – required tutorial sessions unless the student is otherwise legally exempted or excused. Upon enrollment in prekindergarten or kindergarten, a child shall attend school.

B~ *Failure To Attend (Texas Education Code Sec. 25.085)* An individual, required to attend school, who is absent without excuse on ten or more days; or *parts of days* within a six month period. An individual, required to attend school, who is absent without excuse on three or more days; or *parts of days* within a four week period.

C~ *Parent Contributing to Non Attendance (Texas Education Code Sec. 25.093)* If a warning letter is issued, the parent with criminal negligence fails to require the child to attend school as required by law, and the child has ten or more days or parts of days within a six month period, or three or more days or parts of days within a four week period; the parent shall be charged.

**Why did the campus mark my child’s absence as unexcused even though I sent a note or called to say that he/she would be out?**

A~ The parent/student did not turn in the note. If the student received an early dismissal or came to school late from an appointment they did not turn in the documentation to excuse the absence.

B~  The absence in question was due to personal business such as; shopping, car trouble, non medical appointments, non-subpoena court appearances, missed bus, illness other than the immediate family, work, or detained by train.

C~ The proper guidelines were not followed to excuse a family vacation or trip**.**

**There is an error in my son/daughter’s attendance; how do I get the absence corrected?**

If you have any concerns regarding the accuracy of your student's attendance you will need to contact the student’s teacher or your student’s campus administrator.

**Why did I receive a summons to appear in court?**

Truancy charges are filed by your son/daughter’s school after a warning letter has been issued and the student continues to miss school without a valid excuse.

**When is my court date?**

Once truancy charges have been filed you will receive a notice in the mail that will tell you the date and time that you are to appear in court. For any questions concerning court, please contact the court. KCISD currently files all truancy cases with Justice Of The Peace, Precinct #3, which is located at 201 E. Lavielle, Kirbyville, Texas, 75956. The telephone number is 409-423-2281.

**I missed or cannot attend my court date, what should I do?**

You should contact the Justice Of The Peace Precinct # 3 Court immediately at 409-423-2281. Once truancy charges are filed by the Kirbyville Consolidated Independent School District, truancy charges will not be dismissed.

**How much is the fine?**

*Article 45.054 Failure to Attend School Proceedings of the Texas Code of Criminal Procedures* states, on a finding by a court that an individual has committed an offense under Section 25.094, Education Code, the court may require that the individual; attend school without unexcused absences;  if the individual is sixteen, attend a preparatory class for the high school equivalency exam; attend a special programming not limited to; an alcohol/drug abuse program; rehabilitation program; counseling program, including self-improvement counseling; training in self esteem and leadership, job skills training; parenting and parental responsibility training; training in manners; violence avoidance; sensitivity training; and training in advocacy and mentoring.

The individual and the individual’s parents may also be required to attend a class designed for both the individual and their parents who are at risk of dropping out of school; complete reasonable community service requirements; or attend a tutorial program covering academic subjects in which the student is enrolled provided by the school the individual attends.

In addition to any other order authorized by this article, the court may order the Department of Public Safety to suspend the driver’s license or permit of the individual who is the subject of the hearing or, if the individual does not have a license or permit, to deny the issuance of a license or permit to the individual for a period specified by the court not to exceed 365 days.

The court may also fine the individual up to **$500.00** per offense.

**I have notes that will excuse my son/daughter’s absences; do I still need to appear in court?**

Once truancy charges are filed against either a student or parent, the case will not be dismissed by the District. It is up to the court to decide if the case should be heard or dismissed. It will be necessary to provide all documentation as part of your defense. It is necessary that the individual who was filed on to appear before the court on the date that is stated on the summons received in the mail. If the student is under the age of seventeen, they will need a parent or guardian present as well.

**If my child refuses to go to school can the school come get him/her?**

Administrators cannot force a child to come to school. However, an administrator may be able to conduct a home visit to stress the importance of regular attendance to both the student and parent. Please contact your child's assistant principal to request a scheduled home visit.

**I have been required to submit medical documentation for the remainder of the semester/year for my child’s illness, why?**

KCISD can require: I f a student has established a questionable pattern of absences, the principal or attendance committee may require that a student present 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.

**How do I request a parent conference?**

Parent conferences, home visits and telephone calls will be made by appointment on a case by case basis. Please contact your child's campus administrator to set up an appointment.

**Can my student drop out / stop attending school at the age of seventeen?**

The Compulsory Attendance laws of the State of Texas require that all children between the ages of six and eighteen are to attend school unless they are exempted from attending by Sec. 25.086 of the Texas Education Code. Students who turn eighteen during the academic year are further required to complete that academic year and attend school each and every day school is in session.