

HISD Guide to Attendance Procedures & Policies Attendance Improvement and Truancy Reduction



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Department of Student Engagement
Federal & State Compliance

Houston Independent School District

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HISD Guide to Attendance Procedures & Policies

Attendance Improvement and Truancy Reduction

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Attendance Improvement and Truancy Reduction

I. Definitions

Truancy in Texas, is the offence of unexcused absence from school of a student old 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.

Excessive Absenteeism is the condition of missing so much instructional time, that the lost time becomes a serious detriment to the student's academic progress. Such absences may be excused or unexcused

Issues

Poor attendance diminishes the effectiveness of instruction, the ability to engage students, and the possibility of building strong connections and systems of support with students and families.

Out of a total of twenty-five at-risk factors, the National Dropout Prevention Network identifies poor attendance as one of the four risk factors for dropping out which manifests at all levels of schooling: elementary, middle, and high school. It is one of the earliest indicators of disengagement, and often the most severe indicator immediately before a student drops out. A recent study indicates that course attendance is eight times more predictive of freshman year course failure than eighth grade test results.

At the elementary level, it is the behavioral indicator most related to grade level retention. The loss of instructional time, and course credits increases grade level retention which leads to a higher probability of not graduating from high school. Last year over 8,600 HISD high school students lost credit for a course due to excessive absences. The costs in time and resources to recover lost credit or to repeat a school year is immense.

The *National Center for Children in Poverty* reports the following consequences of absenteeism at the elementary level:

Figure 2: Chronic absentees in kindergarten have the lowest academic performance in first grade

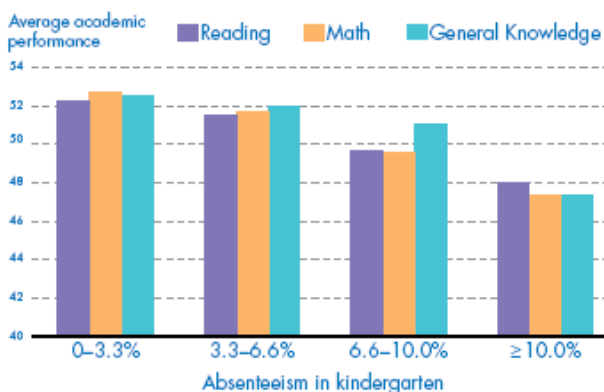
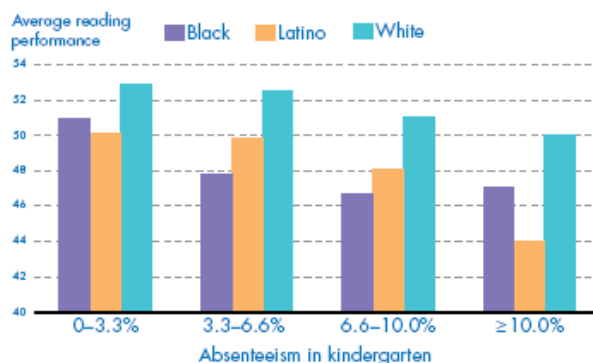
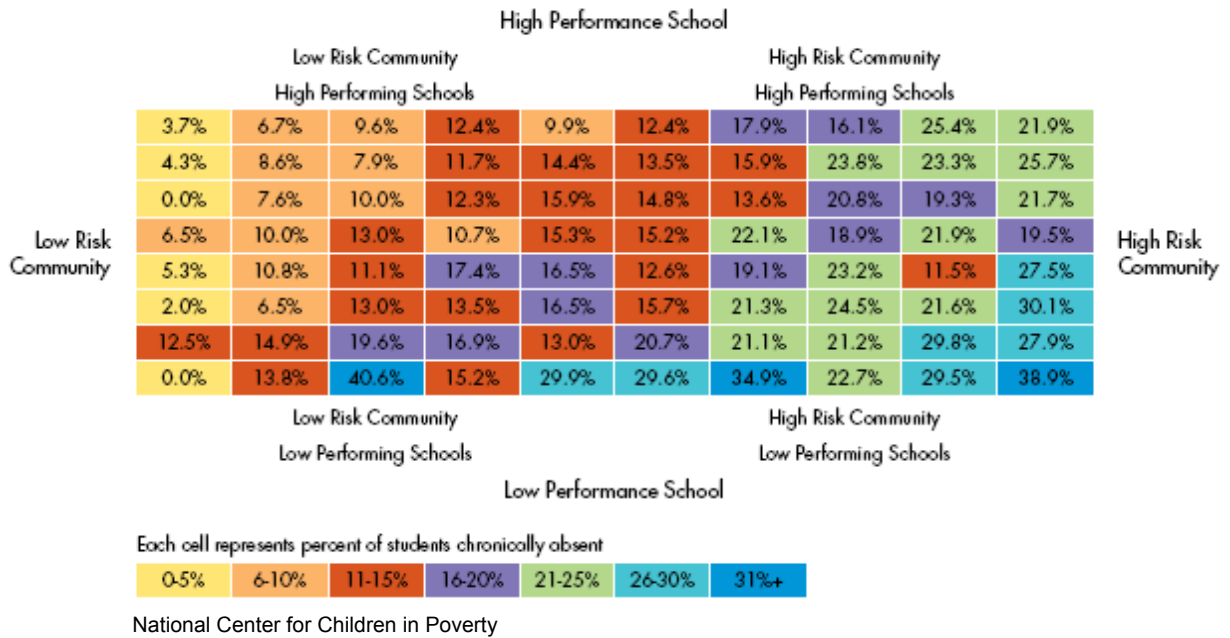


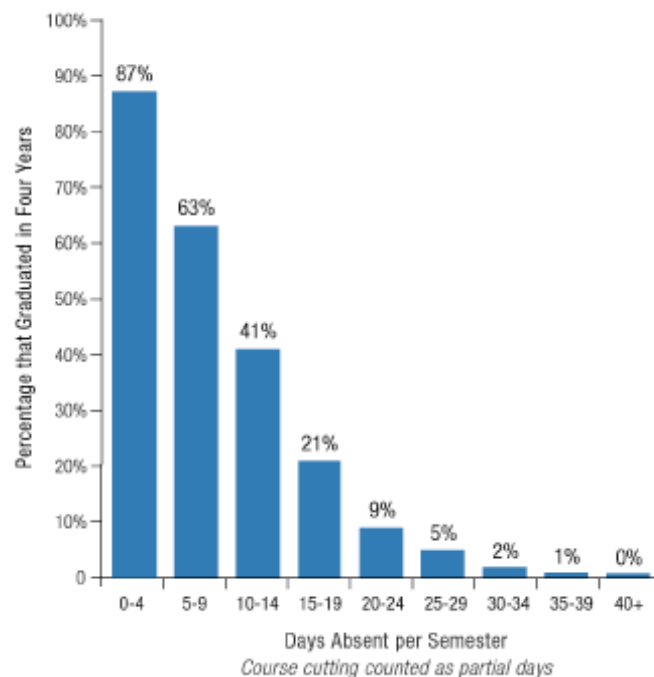
Figure 3: Chronic absence in kindergarten was especially detrimental to the reading performance of Latino children in first grade





A University of Chicago study reports the correlation of freshman attendance against the four year graduation rate. There is a clear relationship between attendance, course failure, credit accrual, and the ability to complete graduation requirements in a four year period.

Four-Year Graduation Rates by Freshman Absence Rates



II. Policies

Compulsory Attendance

Unless specifically exempted by the [TEC, §25.086](#), 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 or her eighteenth birthday must attend school.

Pre-kindergarten and kindergarten students are subject to compulsory school attendance rules while they are enrolled in school. On enrollment in pre-kindergarten or kindergarten, a child must attend school. However, if a child has not reached mandatory compulsory attendance age (6 years old as of September 1 of the current school year) the child's parent or guardian may withdraw the student from school, and the child will not be in violation of compulsory attendance rules.

A person who is age 18 or older and is enrolled in public school is required to attend school each day. A school district's board of trustees may adopt a policy requiring a student who voluntarily enrolls in school or voluntarily attends school after his or her eighteenth birthday to attend school until the end of the school year if the student is under age 21. However the offense of failure to attend does not apply to a student who is subject to the district policy. Adult students are beyond compulsory attendance and may not be charged with truancy.

Houston ISD has adopted such a Board Policy requiring the attendance of students who are age 18 or older. **The policy may be used for purposes of behavior and discipline, but not for court cases on the charge of failure to attend.** [FEA \(Local\)](#); TEC 25.093, TEC 25.094, [GA0946](#)

Types of Attendance

- Average Daily Attendance (ADA),
- Instructional (Period) Attendance
- Optional Flexible School Day Program (OFSDP)

ADA and OFSDP include attendance accounting protocols for the purpose of determining state funding for student attendance.

ADA is a snapshot of campus attendance which must be taken during the second instructional hour of the day at a time specified and posted by the campus. Certain adjustments to that time are allowable for specialized scheduling, however The established period in which absences are recorded may not be changed during the school year [TAC 19. §129.21](#).

Questions related to ADA procedures and records should be directed to Federal & State Compliance.

For official attendance accounting (ADA) purposes, "excused" and "unexcused" absences do not exist. Students present at the time the attendance snapshot is taken are counted present for funding purposes. Note that having students sign in is not an acceptable method of taking attendance. With the exception of any exemption listed in the following paragraphs, students who are absent at the time the attendance snapshot is taken are counted absent for funding purposes.

Students who are on campus at the time attendance is taken but who are not in their assigned classroom are considered in attendance for ADA purposes provided they were with a responsible campus official (e.g., nurse, counselor, principal, etc.). Class admit-slips or other documentation supporting that a student was with a responsible official must be retained for audit purposes.

ADA Exemptions

[AAH 3.6.3](#)

A student not actually on campus at the time attendance is taken may be considered in attendance for ADA purposes if the student —

- is enrolled in and attending an off-campus dual credit program course.
- is participating in an activity that is approved by your local school board and is under the direction of a professional staff member of your school district or an adjunct staff member. The adjunct staff member must have a minimum of a bachelor's degree **and** be eligible for participation in the Teacher Retirement System of Texas.

Students participating in any activity that is not approved by your local school board or without certified district personnel supervision must be counted absent. For attendance to qualify for funding purposes, the certified district staff member or adjunct staff member must be accompanying the students as an official of your school district for the specific purpose of supervising the students and must be approved by your school board to supervise the activity.

- is participating in a mentorship approved by district personnel to serve as one or more of the advanced measures needed to complete the Distinguished Achievement Program outlined in [19 TAC §74.13\(a\)\(3\)](#).
- is a Medicaid-eligible child participating in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) programs implemented by

the Texas Health and Human Services Commission. Such students may be excused for up to 1 day at a time without loss of ADA.

- misses school for the purpose of observing religious holy days, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than 1 day for travel to and 1 day for travel from the site where the student will observe the holy days. The campus may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.
- is in Grades 6 through 12 and misses school for the purpose of sounding “Taps” at a military honors funeral held in Texas for a deceased veteran.
- misses school for the purpose of attending a required court appearance, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than 1 day for travel to and 1 day for travel from the site where the student is required to appear in court. Your school campus may elect to excuse additional travel days; however, the student would be considered absent, not exempt, for the additional travel days for attendance accounting purposes.

A court appearance is considered to be required if the law (federal or state) or the court mandates an appearance by the student in a criminal, civil or traffic matter. Examples of required court appearances would be a jury summons in the name of the student, a subpoena in the name of the student, a traffic ticket marked “You Must Appear” or “Court Appearance Required,” the student appears in court as a plaintiff or defendant, or the student is the subject of a court proceeding, such as an adoption or custody proceeding. Acceptable forms of documentation may be a copy of a pleading or other document filed with the court, a notice from the court clerk regarding a hearing or trial date, a jury summons, a subpoena, etc.

Important: Absences to meet with probation officers do not qualify for funding but must be excused if they meet the criteria in the [TEC, §25.087\(b\)\(1\)\(B\)](#).

Important: If a student is required to appear in court for truancy charges the absence would qualify under this provision. However, if only the student’s parent is required to appear in court but the parent takes the student then the absence does not qualify for an ADA exemption, although the campus may decide to excuse the absence.

- misses school for the purpose of serving as an election clerk, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than 1 day for travel to and 1

day for travel from the site where the student is serving as an electing clerk. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.

- To serve as an election clerk, a student must —
be eligible to serve as an election clerk under the [Texas Election Code, §32.051\(c\)](#), or
be at least 16 years of age, have the consent of the principal of the school the student attends, be a United States citizen, and have completed any training course required by the entity holding the election.
- misses school for the purpose of appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than 1 day for travel to and 1 day for travel from the site of the governmental office. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.
- misses school for the purpose of taking part in a United States naturalization oath ceremony, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than 1 day for travel to and 1 day for travel from the site of the ceremony. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.
- is temporarily absent because of a documented appointment with a health care professional. A documented appointment with a health care professional includes an appointment of a student diagnosed with autism spectrum disorder with a health care practitioner to receive a generally recognized service for persons with that disorder. To be considered temporarily absent, the student must begin classes or return to school on the same day of the appointment. The appointment should be supported by a document, such as a note from the health care professional.
 - Note that this provision only valid for face-to-face consultations and not for telephone or internet based consultations.

The [Texas Health and Safety Code, §105.003](#), requires the statewide health coordinating council to collect information on the following professionals, any of which would be considered examples of health care professionals:

- audiologists
 - chiropractors
 - licensed professional counselors
 - licensed chemical dependency counselors
 - dentists
 - dental hygienists
 - emergency medical services personnel
 - marriage and family therapists
 - medical radiologic technologists
 - licensed vocational nurses
 - registered nurses
 - certified nurse aides
 - occupational therapists
 - optometrists
 - pharmacists
 - physical therapists
 - physicians
 - physician assistants
 - psychologists
 - social workers
 - speech-language pathologists
- is in his or her junior or senior year of high school and misses school for the purpose of visiting an institution of higher education accredited by a generally recognized accrediting organization to determine the student's interest in attending the institution. Your district 1) may not excuse for this purpose more than two days during a student's junior year and two days during a student's senior year and 2) must adopt a) a policy stating when an absence will be excused for this purpose and b) a procedure for verifying students' visits to institutions of higher education. [BP FEA \(Local\)](#)

A student whose absence is excused for any of the previously listed reasons will be allowed a reasonable amount of time to make up school work missed on these days, and if the student satisfactorily completes the school work, the day of absence is counted as a day of compulsory attendance. Certain special attendance codes related to ADA exemptions should be used to record the student's attendance status.

The above listed exemptions from ADA do NOT count as absences for the purpose of determining perfect attendance or other campus or district recognitions, rewards or incentives related to attendance.

[Atty. Gen. Op. JC-0099 \(1999\)](#)

Instructional (Period) Attendance

Apart from ADA, student attendance is gathered for individual instructional periods at the secondary level. Schools are encouraged to have strong procedures and full faculty participation to avoid conflicting attendance reports. The law permits filing on students for missing “parts of days” which can be defined as individual periods. Incomplete or questionable records often result in the dismissal of truancy cases since it creates reasonable doubt. Instructional (period) attendance is also used in determining credit eligibility for individual courses.

Optional Flexible School Day Program (OFSDP)

[AAH: 11.5; TAC §129.1027](#)

Students under the age of 18 who are scheduled under Optional Flexible School Day Program should have attendance expectations included in the parental agreement to participate in the OFSDP. Violation of those expectations should be used for referrals in consultation with the court.

The OFSDP is a program that the TEA allows districts to offer to provide flexible hours and days of attendance for students in grades 9–12 who are at risk of not graduating, are participating in an approved early college high school plan, or are attending a campus implementing an innovative redesign under a plan approved by the commissioner of education. The goal of the program is to target those students who are unable to attend school in a traditional setting, for example, because the students must seek employment to support their families, must provide child care during traditional school hours, or are involved in an Early College High School that is designed to complement a traditional college schedule. Under these circumstances, the students might only be able to attend school during evening hours or for a couple of hours during the day.

The OFSDP is an *alternative* to the regular attendance accounting program. It is designed to serve at-risk students who are unable to attend school during regular school hours and students who are at risk of being denied credit for classes because of failure to meet attendance requirements. A student may not be simultaneously enrolled in the OFSDP and the traditional attendance program, in terms of how the student's attendance is reported in the attendance accounting system (although a student may attend a combination of classes held during the regular school day and classes specifically designed for the OFSDP).

Students participating in an OFSDP may attend a fixed or flexible schedule that does not meet the traditional 180-day, 5-days-per-week requirement. Typical OFSDP instructional arrangements include the following:

- Weekend or night classes
- Extended day classes
- Classes offered throughout the year
- Flexible schedules

Eligibility

A student is eligible to participate in an OFSDP authorized under the [TEC, §29.0822](#), if —

- the student is enrolled in grades 9–12 at the beginning of the school year or semester;

and the student meets one of the following conditions:

- the student is at risk of dropping out of school,
- the student is attending a school implementing an approved innovative campus plan, or
- the student is attending a school with an approved early college high school program designation; **and**
- the student, if less than 18 years of age and not emancipated by marriage or court order, and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation.

OFSDP Absences

Truancy warning letters may be sent for OFSDP students who do not adhere to an agreed fixed or flexible schedule. Attendance expectations should be formalized in a contract. Interventions may be necessary to assist some students in complying with expectations. A referral to the Student Caseworker is necessary before a court case can be filed. The 10-day rule still applied for truancy charges. Upon the 10 unexcused absence in a 6 month period, truancy charges must be filed on students younger than 18 and may be filed on adult students.

Students Who Are Not in Membership (eligibility = 0)

AAH 3.6.7

A campus is not required to take attendance for students who are not in membership (are not receiving the minimum 2 hours of instruction per day).

Code 0 applies to students who do not meet the requirements for funding eligibility (do not meet the 2-through-4-hour rule and are not eligible for and participating in an alternative attendance accounting program) but whom your campus provides instruction for fewer than 2 hours per day. Study Halls are not

eligible as instructional hours for funding, nor does instruction provided outside of the regular school day. Code 0 applies to a

- child who is scheduled to attend for fewer than 2 hours of instruction each school day; including a high school student who has met all graduation requirements other than passing required state assessments and who continues to attend school to participate in a study program for those tests if the student is scheduled for and attending few than 2 hours of study program instruction each day.
- child who attends a nonpublic school but receives some services from your campus (e.g., speech therapy services only);
- student who is provided instruction totally in a federal Head Start program;
- student who has graduated but returned to school (for fewer than 2 hours of instruction per day) to further his or her education;
- student who receives all his or her service through a special education nonpublic contract;
- parentally placed private school student, age 5 through 25, with disabilities who receives special education and related services through a services plan

Although a student who is Not In Membership may be scheduled for a class, and an instructional attendance record is taken, there is no attendance reported to the state. Students under this attendance eligibility usually fall outside of the Compulsory Attendance Law by age, either being younger than 6 or older than 17. In general, such students do not qualify for truancy charges. Students enrolled as Not In Membership MUST have a completed Enrollment Form for the current school year. Such students must enroll in person at the campus. An instruction service plan should be kept on file and monitored. Such plans may include TAKS tutorials or other instructional activities which can be documented.

Types of Absences

Compulsory Attendance and Instructional (Period) Attendance take into consideration whether or not a particular absence is “excused” or “unexcused”

“Excusable” vs. “Excused”

While certain types of absences may be excusable, the procedures defined by the state, district and campus must be followed in order for excusable absences to be “excused”. For example, a campus may require excuse notes to be submitted within three days of the last day of absence in order for the day(s) of absence to be considered for excuse. Despite the excusability of the absence, if district or campus guidelines are not met, the absence may be deemed unexcused. Parental notes do not excuse absences; they provide a reason for campus consideration of excuse. [BP FEB \(Local\)](#)

Excused Absences

[TEC Section 25.087](#) relates to excused absences. Subsection (a) provides that a person required to attend school under [§25.085](#) “may be excused for temporary absence resulting from any cause acceptable to the teacher, principal, or superintendent of the school in which the person is enrolled.”

The District defined excusable absences are:

- Personal illness;
- Illness or death in the family;
- Weather or road conditions making travel dangerous;
- Participation in school activities with permission of the principal; or
- Emergencies or any unusual circumstances recognized by the principal or person designated;
- Any cause acceptable to the teacher, principal, or superintendent of the school in which the person is enrolled.

An absence is also excused under the Texas Family Code when:

- a student who has been referred to a juvenile court for delinquent conduct or conduct in need of supervision (CINS) is absent from class because of the referral, as long as
 - (1) the probation officer provides a written explanation for the absence to the school district, and
 - (2) the student successfully completes all missed assignments.
- Likewise, an absence is excused when a student who has been referred to the Texas Department of Human Services or other welfare unit on the basis of abuse or neglect is absent from class because of the referral, as long as
 - (1) the caseworker communicates the reason for the absence to district personnel, and
 - (2) the student successfully completes all missed assignments.

Campuses are advised to carefully consider for excuse absences in the following cases involving other federally and state recognized barriers to regular attendance:

- Disabilities
- Homelessness
- Harassment / Bullying
- Victim of Violent Crime
- Public Health Emergencies
- Federal or State Disaster Areas or Evacuation Zones

Excuse Notes

The reason for an excused absence must be stated orally or in writing and be signed by the parent/guardian of the student or a school official. The written, electronic or oral excuse must be received by the school within three days after the absence or tardy. School personnel should document phone calls, email messages, or oral statements of parents excusing student absences. These notes should be kept by the classroom teacher or the attendance clerk and secured for storage at the close of the school year. Campuses must have clear policies for the handling of excuse notes. Teachers and principals may accommodate special circumstances for late notes or absence verification. The special circumstance for accepting the late note should be explained along with the administrative signature of approval for the note. The late acceptance of an excuse should be communicated to the district Student Caseworker so that any pending court referrals can be amended or withdrawn. Campus personnel may investigate any excuse note. A student found guilty of misrepresenting the validity of an excuse or permit is subject to campus disciplinary action.

Excuse notes are explanations of the reason behind an absence, the campus determines if the absence is excused according to policy or decides to excuse the absence according to circumstance. Pre-notification of an absence does not automatically excuse an absence, nor does the successful completion of make up work, either before or after the absence.

Campus policies on parental notes

Any campus developed policy on parental notes such as limitations or methods of submission should be clearly explained and publicized, and appear in a student/parent guidebook and on the campus website or other campus publications (calendar, letters, parent bulletins, etc.) Unclear or obscure campus rules may not hold up during court proceedings. Campus developed policies must not inhibit compliance with state law, HISD Board Policy, or HISD Elementary and Secondary Guidelines.

Extracurricular Activities

Absences for extracurricular activities do **not** count as absences as they apply to the HISD attendance policy unless a student accumulates more than five for one semester. If a student accumulates more than five absences for extracurricular activities for one semester in one class or subject, each absence over five becomes an **unexcused** absence, and these unexcused absences apply to the HISD attendance policy.

Teachers must record each time a student misses a class or subject to participate in an extracurricular activity. Extracurricular activities are those

school-sponsored or school-sanctioned activities that are not directly related to instruction of the Texas Essential Knowledge and Skills, but might have an indirect relation to some areas of the curriculum. They offer worthwhile and significant contributions to a student's personal, physical, and social development. Participation in extracurricular activities is a privilege and not a right, and students must meet specific requirements in order to participate. Activities may include, but are not limited to performances, contests, demonstrations, displays, and club activities.

Co-curricular Activities

Certain activities, although carried out in locations outside the regular classroom, are directed specifically toward the Texas Essential Knowledge and Skills (TEKS) in one or more subjects. The district places special emphasis on these activities, designated co-curricular, because they enhance learning. Administrators and teachers should encourage student participation in such approved co-curricular activities.

Participation in an approved co-curricular activity directed specifically toward the Texas Essential Knowledge and Skills (TEKS) in one or more subjects does NOT count as an absence against the five days allowed for extracurricular activities in the subject(s).

Tardiness / Early Departure

[Atty Gen Op: DM-200 \(1993\); TEA 11/13/2001 BP FEA \(LEGAL\)](#)

Student tardiness **TO CLASS** is a behavioral issue and generally may not be used for truancy charges. However, egregious cases of tardiness **TO SCHOOL** due to parental or student behaviors may classify as “parts of days” absences, such as the case of students whose parents bring them everyday at 9:30 a.m. instead of 7:30 a.m.. Once a student is at school, however, his or her lack of arriving to scheduled classes on time is a behavioral issue and should be treated through disciplinary methods.

Houston ISD Guidelines establish that a student must be in attendance at least 35 minutes during a regular class period or 60 minutes in a 90-minute class period in order to be counted present. A student who arrives in class at the significant period (ADA period) after the tardy bell but before official attendance is taken is to be counted “Tardy”, this is not an absence. During the significant period, a student not present at the time ADA attendance is taken is to be counted “Absent.”

The same criteria in determining whether an absence is excused or unexcused apply to tardies. Parents must provide a written or oral reason no later than three

school days after the date of the tardy. Oral statements must be documented by campus personnel.

Students may leave early only under certain conditions and with the knowledge of the school. No student under 18 years of age is permitted to leave school during school hours without a justifiable excuse, in writing or by telephone, from his/her parent/guardian. This applies to lunch, extracurricular activities, field trips, and any other activity supervised by campus or district personnel. The principal or designee must approve such excuses.

When a student becomes ill at school, the student may be excused to go home after the parent/guardian has been notified. Only the principal or designee grants such excuses. The school office or nurse should report the early release to the attendance office and teachers in accordance with campus procedures.

The Houston ISD Code of Student Conduct lists Tardiness to Class as a Level I Act of Misconduct, with the following disciplinary options:

- Oral correction
- Teacher-student conference
- Parent contact: note or telephone call to parent
- Student-counselor conference
- Detention (maintained by teacher) before or after school
- Other appropriate in-class disciplinary actions
- Restriction of school-bus privileges by the bus operator

Repeated Level I Acts of Misconduct may constitute a Level II Act of Misconduct with the following disciplinary options:

- Parental contact by phone and written or oral notification to parent or guardian
- Required administrator/student/parental conference
- Detention or placement in in-school suspension
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- Removal of school transportation privileges
- "Behavior," "behavioral," and/or "conduct" contracts
- Teacher removal of the student from the classroom (following procedures as outlined)
- Suspension of transportation privileges
- Any other appropriate disciplinary actions determined by the administration

Suspension

[TEA 11/13/2001](#)

Absences accrued due to suspension are neither voluntary, nor unexcused and may not be used in the calculation of absences for truancy nor course credit. Campuses should carefully code absences due to suspension according to district guidelines.

Temporary Absences and Withdrawal

[AAH: 3.4.2](#)

A campus may **not** withdraw a student who is temporarily absent (e.g., as a result of illness or suspension) but still a member of your district.

Absence/Withdrawal due to Lack of Required Immunizations

[PEIMS Data Standards, Appendix D](#)

Subject to the exceptions in [Texas Education Code \(TEC\) §38.001\(c\)](#), a student is required to be fully immunized against disease as required by the Texas Department of State Health Services ([TEC §38.001\(a\)](#)). However, a student may be provisionally admitted if the student has begun the required immunizations and continues to receive the necessary immunizations as rapidly as medically feasible ([TEC §38.001\(e\)](#)). Except as provided by [TEC §38.001\(c\)](#), a student who is not fully immunized and has not begun the required immunizations may not attend school. In such documented cases, the student may be withdrawn under Leaver Code 83 until such time that the student satisfies the immunization requirements for enrollment eligibility. A truancy case may be filed on the student, parent or both if the student remains un-enrolled for a period in violation of compulsory attendance. An Attendance Warning Letter may be issued at the time of withdrawal.

Married Students

Although marriage is one of several alternative conditions that creates an emancipated minor status, the list of statutory exemptions to compulsory attendance does not mention emancipation as a basis for exemption. Thus, a married student is subject to the compulsory attendance laws.

Absences while awaiting and after approval of homebound education

While awaiting and after approval of eligibility for homebound educational services, a student is absent if:

1. Homebound educational services are not provided, or
2. the student does not come to school.

Students awaiting a determination of eligibility or the commencement of homebound services may not be temporarily withdrawn.

Absences due to pregnancy

[AAH: 9.2.1](#)

During the prenatal and postpartum periods of pregnancy, a student is absent and subject to compulsory attendance laws if:

1. CEHI is not provided, or
2. the student does not come to school.

A student may be recorded absent on the effective date of a program change. However, as with all other students, PRS students cannot earn eligible days present on days they are absent.

Students awaiting a determination of eligibility or the commencement of Pregnancy Related Services may not be temporarily withdrawn.

Withdrawal due to non-attendance

18 years of age and over

[Board Policy FEA \(Legal\)](#)

[AAH 3.4.1](#)

A person who voluntarily enrolls in school or voluntarily attends school after the person's eighteenth birthday shall attend school each school day for the entire period the program of instruction is offered. The District may revoke for the remainder of the school year the enrollment of a person who has more than five unexcused absences in a semester. A person whose enrollment is revoked for exceeding this limit may be considered an unauthorized person on school grounds for the purposes of Education Code 37.107 regarding trespassing.

Students withdrawn under such conditions are coded with Leaver Reason 98. Such withdrawals may not be coded as an 83.

They may be denied re-enrollment during the same school year.

See next section regarding adult Special Education students.

Special Education

AAH 3.4.1

Similar to the decision to file truancy charges against students receiving Special Education services, the determination to withdraw an adult Special Education student for non-attendance should take into consideration if the non-attendance is related to the student's disability as determined by the ARD/IEP committee and if such a withdrawal will prohibit the full implementation of the student's IEP. This type of withdrawal is a change in educational setting and constitutes a campus decision to cease providing a Free Appropriate Public Education (FAPE). Although an accumulated five unexcused absences may not necessarily meet the definitions of truancy (3 unexcused absences in 4 weeks; or 10 in 6 months), a referral should be made to the ARD/IEP committee before administrative action is taken.

Students under the age of 18

Board Policy FEA (Local)

Students withdrawn under this policy may **not** be denied re-enrollment as long as they meet the regular eligibility requirements.

The District may initiate withdrawal of a student under the age of 18 for nonattendance under the following conditions:

1. The student has been absent ten **consecutive** school days;

and
2. Repeated efforts by the attendance officer and/or principal to locate the student have been unsuccessful.

Students withdrawn under such conditions are coded with Leaver Reason 98. Such withdrawals may not be coded as an 83.

They remain eligible for re-enrollment. Truancy charges should be filed against the student and parents. Parents of a student reported as a run-away should be encouraged to file a report with the appropriate law enforcement agency. Charges must still be filed against the student for failure to attend school and the charge of parent contributing to non-attendance may still be filed on the parent.

Communication to Parents Regarding Absences

Excused and unexcused absences are reported to parents through report cards, including an asterisk when unexcused absences exceed 10% of class time scheduled for the semester.

Campuses should have a daily reporting system which may involve use of School Messenger®, GradeSpeed®, Parent Student Connect or personal calls. Parents of students who have a history of unexcused absences should be targeted for direct personal calls.

Attendance Requirement for Award of Credit and Promotion Standard

The Texas Education Code (25.092) sets a minimum attendance requirement of 90 percent of class meetings for the award of course credit. In addition to a 90% attendance requirement for course credit, district promotion standards for grades 1-8 require a minimum 90% attendance.

Students who have lost credit due to course attendance from 75% to 90% of class meetings may appeal for restoration of credit directly to the campus principal. Upon successful completion of a plan approved by the principal, credit may be restored. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

Note: A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit under this subsection without the consent of the judge presiding over the student's case. Successful completion of the plan to restore credit does not excuse the absences, the attendance record remains unchanged, an over-ride is used to restore credit.

A principal's approval to award credit does not remove or excuse the absences. The attendance record remains unchanged. An over-ride is used to restore the credit or grant promotion.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit by submitting a written petition to the appropriate attendance committee. Petitions for credit may be filed at any time the student receives notice, but in any event, no later than 30 days after the last day of classes or the date the parent or adult student receives notification. The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit.

The committee may also, whether a petition is filed or not, review the records of all students whose attendance drops below 90 percent of the days the class is offered. Students who have lost credit because of excessive absences may

regain credit by fulfilling the requirements established by the attendance committee.

The attendance committee shall adhere to the following guidelines to determine attendance for credit:

1. All absences shall be considered in determining whether a student has attended the required percentage of days. Students not in attendance because of TEA-approved absence exemptions, such as religious holy days, required court appearances, and health-care appointments, are counted present for ADA accounting purposes. However, to determine attendance for credit, work must be made up.
2. A transfer or migrant student incurs absences only after his or her enrollment in the District.
3. In reaching consensus regarding a student's absences, the committee shall attempt to ensure that its decision is in the best interest of the student.
4. The Superintendent or designee shall develop administrative regulations addressing the committee's documentation of the decision.
5. The committee shall consider the acceptability and authenticity of documented reasons for the student's absences.
6. The committee shall consider whether the absences were for reasons out of the student's or parent's control.
7. The committee shall consider whether or not the student has completed assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
8. The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit. The committee may impose any of the following conditions for receiving credit lost because of excessive absences:
 - a) Completing additional assignments, as specified by the committee or teacher.
 - b) Satisfying time-on-task requirements before and/or after school.
 - a. Saturday or before/after school programs required to make up for absences may not be counted as attendance, and do not nullify previously recorded attendance. (AAH 3.6.4)
 - c) Attending tutorial sessions as scheduled.
 - d) Maintaining the attendance standards for the rest of the semester.
 - e) Taking an examination to earn credit.

A committee approval to award credit does not remove or excuse the absences. The attendance record remains unchanged. An over-ride is used to restore the credit or grant promotion.

In all cases, the student must also earn a passing grade in order to receive credit.

The Attendance Committee's decision is then documented in the SIS. If the Committee denies promotion, the student can appeal that decision through the current appeal process: School Attendance Committee, to Principal, to School Improvement Officer, to HISD Student Record Appeals Committee. If promotion is denied at each level, the student can then appeal to the HISD Board of Education.

Attendance Records Management

Attendance records should be kept in accordance to the HISD Records Retention Schedule and the Data Quality Manual. Physical records must be stored to district standards and be available for audit during the entire length of required retention. For detailed information campuses should contact the Department of Federal & State Compliance.

Original student attendance documentation must be created at the time of the attendance it is intended to support. Such documentation will be audited by TEA Division of Financial Audits and can result in loss of Foundation School Program allotment if auditors determine that the documentation was not made at the time of the attendance.

All public schools in Texas must maintain records to reflect the Average Daily Attendance (ADA) for the allocation of Foundation School Program (FSP) funds and other funds allocated by the Texas Education Agency. Superintendents, principals, and teachers are responsible to their school boards and to the state to maintain accurate, current attendance records. TAC 19 §129.21., [BP FEB\(LEGAL\)](#)

Paraprofessional and clerical staff are not ultimately responsible for attendance records. State statute rests that responsibility on superintendents, principals, and teachers. Special care must be taken by all of those positions to maintain appropriate and accurate attendance records.

Attendance records are a type of "educational record" and are subject to privacy and limited disclosure as defined under FERPA, the Texas Public Information Act and the Texas Family Code §58.0051 *Interagency Sharing of Educational Records*.

III. Roles & Responsibilities Related to Attendance Accounting and Excessive Absences/Truancy

Students

[Code of Student Conduct](#)

- Attending all classes each day and being on time in conformity with the compulsory attendance laws of the State of Texas.
- Knowing and obeying all school rules in the *Code of Student Conduct* and the School-Based Discipline Management System.
- Regular attendance and punctuality shall be required of every student.
- Students have the responsibility to take advantage of their educational opportunity by attending all classes daily and on time unless circumstances prevent them from doing so.

Parents

[HISD Parent Rights & Responsibilities](#)

- To participate in decisions related to the education of their children;
- To adhere to school rules and procedures;
- To ensure that their children attend school everyday;
- To send students to school on time and prepared to learn;
- To read, acknowledge, and understand the rules applicable to their children's conduct while they are at school;
- To emphasize the value of education;
- To remain involved with their children from preschool through high school.
- To read all communications from the school;
- To supply accurate, updated information (including current address and when available, current telephone numbers) to the school promptly;
- To monitor children's progress and communicate with the school;
- To become informed about the school's policies and programs; and
- To confer with their child's teacher.

Classroom Teacher

Each teacher or other school employee who records student attendance must certify, in writing, that all such records are true and correct to the best of his or her knowledge and that the records have been prepared in accordance with laws and regulations pertaining to student attendance accounting by signing and dating the record of attendance within one calendar week of the attendance recorded. Electronic signatures are acceptable. SAAH 3.6

Accuracy of attendance records begins with the classroom teacher and directly relates to *HISD Professional Expectations PR-7: Communicates with parents throughout the year*, *HISD Instructional Practices I-9 Sets and implements discipline management procedures* and *PR-1: Complies with policies and procedures at school*.

The Level 3 Indicators related to attendance under those two sections are listed below:

HISD Professional Expectations PR-7: Communicates with parents throughout the year; Level 3 Indicator

- Teacher consistently and effectively communicates with parent or guardian regarding student performance and behavior.
- Teacher responds to routine parent contacts within 24-48 business hours of receiving the initial concern or correspondence or refers the matter to her/his supervisor.

HISD Instructional Practice I-9 Sets and implements discipline management procedures; Level 3 Indicators:

- Teacher effectively implements district and campus discipline management procedures.
- Teacher consistently communicates high behavioral expectations with students, addresses non-compliance, and reinforces appropriate behavior as needed.
- Teacher maintains lesson momentum because there is no inappropriate or off-task behavior, or because the teacher redirects it in a subtle and preventive manner.
- Teacher consistently follows through on consequences that are logical, appropriate to the level of student behavior, and effective at changing student behavior, when necessary.
- Students demonstrate a clear understanding of behavioral expectations and rules through their actions.

HISD Professional Expectations PR-1: Complies with Policies and Procedures at School; Level 3 Indicators:

- Teacher complies with federal and state laws and policies.

- Federal and state laws may include, but are not limited to: IDEA, 504, Title III, the Texas Education Code, and the Texas Administrative Code.
- Teacher follows district and local school policies.
 - District and local school policies include policies governing: deadlines for lesson plans, progress reports and report cards, maintaining accurate and clear attendance, homework and gradebook records on the student information system, and Student Code of Conduct.

The Elementary School classroom teacher is assigned responsibility for student attendance and serves as the ADA teacher. The ADA teacher initiates parent contact when a student has three or more absences. The ADA teacher completes a campus report form, a discipline reporting form, or requests a computer attendance referral form from the ADA clerk, and submits it to the administrator in charge of attendance. The ADA teacher is required to monitor absenteeism and to submit additional referrals when students fail to attend school regularly. Attendance should be taken in compliance with campus policy. Any corrections should be made promptly and in accordance with campus policy.

Secondary school classroom teachers are responsible for reporting instructional (period) attendance including ADA attendance during the second instructional hour of each school day. Secondary teachers should document all communications with students and parents regarding attendance and make referrals to appropriate school personnel regarding unexcused absences and tardiness.

At all levels, classroom attendance data should be accurate and prompt. Excuse notes should be handled in a timely manner according to campus policies.

Original documentation of attendance must be created at the time the attendance is taken. Attendance for an ADA time may not be created at a different time. For example, if a school has an ADA time of 9:45 a.m., the teacher must create an attendance record at that time, not earlier or later. The original documentation can be reported through GradeSpeed or an ADA slip with a dated signature, or other district-approved method of attendance accounting such as an accurate student roster or other comprehensive list of students for attendance tracking.

This original documentation is auditable by the TEA Division of Financial Audits and may result in forfeiture of funding if determined that the attendance documentation was not created at the time of the attendance.

Teachers should have effective systems to supply make-up work to students who were absent, and to document the completion for audit purposes. The

completion of make up work is a requirement for campuses to be able to code certain absences as ADA exemptions. Teacher gradebooks / grading records may be audited for compliance.

The **teacher** who initially records an absence is responsible for the accuracy of the report and attests to the validity of the data with his or her signature – or, in the case of a paperless attendance accounting system, with his or her entry of those data using the teacher’s logon with a district secret password.

Principal

- Establish an attendance management system including truancy prevention measures.
- Design and implement a process for identifying and counseling students with attendance problems.
- Communicate with parents about student attendance problems.
- Chair the statutorily required School Attendance Committee and facilitate the collection of documentation.
- Develop and implement a system to ensure that parents are notified when a student returns from an absence without an excuse or has been absent for three or more days.
- Develop an attendance referral system for appropriate students, in accordance with district guidelines, which may include a process for teachers to notify parents about absences.
- Review the campus reports for accuracy and completeness. Compare the PEIMS data to locally produced reports for reasonableness and accuracy.
- Approve a plan by which students with absences in excess of 10% but less than 25% of class meetings can regain credit.
 - Note: A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit under this subsection without the consent of the judge presiding over the student's case.
 - Successful completion of a credit restoration plan does not excuse the absences, the attendance record remains unchanged. An override is used to restore the credit.
- Ensure proper coverage of attendance office duties

Campus Administration

- The most important action the campus administration can take in combating truancy is to have a securely monitored campus. The movement of students between and during classes should be carefully supervised by campus personnel and all building entrances, exits, restrooms, and public areas such as the auditorium, library, commons,

cafeteria, court yard, and parking lot should be observed on a regular basis. Faculty and staff should be fully trained on the campus plan for permits, and should question all students found outside of a classroom during class time.

- The second most important action for campus administration is that of observing teachers for HISD Professional Expectations PR-7 *Communicates with parents throughout the year* and HISD Instructional Practice I-9 *Sets and implements discipline management procedures* as well as the development of appropriate professional development to support teachers in those areas; and PR-1 *Complies with Policies and Procedures at School*.
- Informs parents regularly about campus attendance policies and procedures.
- Monitoring for *HISD Instructional Practice* includes observing for student engagement in the classroom, the lack of which is an important factor in truancy.
- Receives and processes attendance referrals
- Conducts or arranges home visits by campus personnel.
- Ensures the publication and issuance of the Compulsory Attendance Law to all students at the beginning of the school year, and to all new enrollees thereafter
- Collaborates on attendance issues with key personnel
- Arranges conference opportunities for parents and students
- Documents results of contact with parents
- Documents any information received from parental contact
 - May include other school personnel involved in investigation
 - Verifies contact information during conference
- Conducts student conference
- Refers students with unresolved unexcused absences to campus attendance clerk or attendance committee
- If determined that there has been a violation of the student code of conduct, a discipline record should be made
- Develops interventions and/or service referrals
- Supervises the attendance office and campus attendance procedures for timeliness, efficiency, and compliance
- Supervises the issuance/publication of the annual notification of compulsory attendance to all students and families
- Coordinates with the campus Attendance Clerk on possible cases of withdrawal due to non-attendance
- Determines the PEIMS discipline coding of returned court case results
- Supervises the monitoring of court orders related to student attendance
- Approves ADA and Instructional Attendance correction forms
- Reviews the GradeSpeed® Teacher Progress Report for unsubmitted ADA attendance and the Chancery Unsubmitted Attendance report for period attendance for corrective action

- Communicates with the Special Education Department Chair concerning the attendance of students receiving special education services
- Monitors for compliance with the *Computer Related Security Policy Memorandum*, the *Student Records Security Policy Acknowledgement* form, and the *Confidentiality and Use Agreement* form.
- Assures that non-authorized persons such as students and volunteers are not recording official attendance. Attendance must be recorded by the authorized certified person in charge of the students at the ADA period. Names of clerks and other non-certified personnel should not be used for scheduling students nor for official attendance accounting.

Campus Attendance Clerk

- Manages campus attendance data, including the prompt posting of absence codes, and the processing and storage of attendance documents such as ADA slips, excuse notes, exemption documents and attendance correction sheets
- The attendance personnel generating absence summaries and/or transcribing the absences or coding information into the computer are responsible for adhering to all laws and regulations pertaining to student attendance accounting.
- The campus attendance clerk is responsible for following the weekly procedures listed in the Procedures section of this manual.
- When a completed attendance referral is returned, the Attendance Clerk makes copies available for teachers, and maintains a record of the referral.
- The campus attendance clerk sends follow-up referrals in order to resolve problems, monitor sanctions, or if necessary to develop a valid court case.
- Coordinates with the administrator on cases of possible withdrawal due to non-attendance.
- Communicates with campus administration regarding concerns about classroom attendance accounting, non-compliant attendance accounting, and any special situations.

Campus Attendance Committee

[FEC \(Legal\)](#)

The School Attendance Committee has responsibility for reviewing absences of students who have absences in excess of 25% of class meetings according to the HISD Attendance Policy. After consulting with the teacher, the committee may grant credit if the absences are due to extenuating circumstances, and upon completion of any stipulations made by the committee. The School Attendance Committee shall be appointed by the principal and a majority of the members must be faculty members. Students with unexcused absences between 10%-25% of class meetings may have credit restored upon successful completion of a plan approved by the principal.

The Campus Attendance Committee **does not excuse absences nor change the attendance record.** A committee determination to grant credit or promotion due to extenuating circumstances does not change the attendance record of the student. An over-ride is initiated to grant the credit or promotion, while the attendance record remains unchanged. Likewise, the determination of a campus attendance committee does not affect any court cases filed against a student or the parent for unexcused absences.

ARD Committee

Before charges are filed against a student who receives special education services, or against his or her parents, a determination must have been made that the student's attendance is unrelated to his or her disability. This statement can be made during any ARD/IEP committee meeting as part of the deliberation record. If the student's attendance has been determined to be related to the student's disability, the case should be referred to the campus Special Education Department Chair for consideration. There are cases in which Texas hearing officers have ruled against school districts because the district failed to present the issues to the ARD committee.

For example, in *David A. v. El Paso I.S.D.*, the hearing officer concluded that the district failed to provide the student with an appropriate education and ordered the school to reimburse the parent for private school tuition. The school argued that David's lack of progress was due to his nonattendance. The hearing officer ruled that the district should have held an ARD meeting to determine if the absences were related to the student's disability.

Districts that go through the ARD process in dealing with excessive absences have fared better in due process hearings. For example, in *Korey D. W. v. Beaumont I.S.D.*, a student was retained in the 9th grade due to excessive absences. Prior to making the retention decision, the district conducted an ARD meeting to consider whether any possible link between the student's disability and his absences. The ARD committee found no link, and the school imposed its customary policy. The hearing officer found for the school district.

Prior to initiating compulsory attendance complaints, or revoking course credit due to excessive absences, it is advisable to hold an ARD to address these issues. If there is a connection between the disability and the absences, the district should address the problem through behavior strategies and supports for the student. When there is no connection, the district is in a better position to follow through with its proposed action.

Student Caseworker

District Student Caseworkers are a **SECOND** line of support after campus personnel have attempted home visits, conferences, interventions, and other support for attendance improvement and truancy reduction.

- Trains and advises school staff, parents and community on issues and policies related to attendance and dropouts.
- Advises campus staff on policies, resources and best practices related to truancy prevention.
- Advises campus committees in the analysis of attendance data.
- Processes attendance referrals after campus interventions have been attempted.
- Conducts home visits, and student or parent conferences to investigate cases of non-attendance. (They do **not** conduct address verifications).
- Provides direct services or referrals to students and families to resolve issues affecting attendance.
- Files truancy cases as warranted.
- Serves as a district witness to the State in cases of non-attendance.
- Collaborates with campus committees and administration to identify students in need of interventions and support services or referrals for dropout prevention.
- Provides direct services when campus services have been exhausted.
- Assists campuses in developing strategic community and agency partnerships, relationships and connections to improve graduation rates and lower dropout rates.
- Assists schools in investigating and locating potential dropouts, documenting leaver status, and advises on leaver coding.
- Conducts home visits and conferences with potential dropouts and family members to resolve barriers, explore options and alternatives, and facilitate re-enrollment of recovered students.
- Documents and reports results of referrals, court cases, consultations with parents and students, meetings with school staff members, and referrals to agencies.
- Compiles and tabulates dropout/prevention investigation results for monthly reporting.

Campus Check-list

The campus principal and administrative team should develop a school wide attendance system which includes the following elements:

- Efficient and accurate reporting of ADA and Instructional (period) attendance
- Clear publication of ADA time and campus policies regarding excuse notes
- A regular system of communication to parents regarding absences
- A clear referral system for teachers and attendance personnel
- A system to monitor the prompt processing of excuse notes
- A system to monitor the issuance of warning letters
- A system to monitor the referrals for court filings to the district Student Caseworker
- Methods to minimize changes to the attendance record
- Notification to the district Student Caseworker of changes made to the attendance record
- Effective method of communicating attendance of students who are out of the classroom of record during the attendance time:
 - Suspension
 - In-school
 - Out-of-school
 - Office
 - Clinic
 - Library
 - Field trip
 - Testing
 - Late Bus
 - Extracurricular Activities
 - Co-curricular Activities
 - Other approved locations
- Effective method of communicating schedule changes, withdrawals, and other program changes
- Monitoring of attendance taken by associate (substitute) teachers
- Procedures for attendance during emergencies and drills
- Clear procedures and policy on permits during class time.
- Faculty/Staff duty assignments covering passing periods, before and after school, hallways, and other areas.

IV. Campus Procedures for Unexcused Absences

Step 1 Parent Notification

- Requirement: Start of school year, notification of Compulsory Attendance by campus and supplied thereafter to all new enrollees.
- Recommendation: Send a warning letter after the first unexcused absence for students with a previous year court referral for truancy.

Note: When a warning letter comes back with a 'bad address'

- *Campus personnel must call in student to get a correct address.*
 - *If student is not available, campus personnel must call the parent.*
 - *Document all attempts to contact student and/or parent for correct information. Continue to attempt contacts until resolved.*
 - *Submit new address information to SIMS for correction in Chancery.*
 - *When new address is provided, inform the Student Caseworker if there is a submitted truancy case so that a new summons can be delivered.*
- Parent should be notified promptly of all absences for which an excuse note is not received.

Step 2 Weekly Procedures in Attendance Office

- Beginning the 2nd week of the school year, run the Chancery Truancy Warning Letter (found under Reports - Truancy) at least once a week.
- Use dates to include 5 prior school days. This will find all students who have 3 or more unexcused absences within a one week period.
- Print and send all Warning Letters, Chancery will keep a record of issued letters (*Truancy Letter Issued* report). During the year, more than one Warning Letter may be sent.
- Run the Student Attendance Exception Report or Secondary Truancy Absences Report.
- Use a date range from the first day of school to the current date
- Select 3 absences
- Refer students with excessive absences to teacher or campus administration.

Step 3 Truancy Prevention Measures and Referrals for students with excessive unexcused absences

- The teacher should conference with the parent / student regarding attendance and keep a record of the conference and any interventions.
 - See sample Student/Parent Conference Record in appendix.
- A referral can be made by a teacher, attendance personnel or other staff to campus administration, a campus committee or student-support personnel.
 - See sample Houston ISD Campus Attendance Referral Form in appendix.
- A campus administrator or student-support personnel should promptly conference with the referred student and/or parent to determine root cause of absences and develop intervention plan. A record should be kept of the conference, any interventions, or attendance contract.
- After the campus administration has conferenced with the parent/student and attempted interventions, a referral can be made to the Student Caseworker.

REMINDERS:

By state law, “Failure to file within ten school days of the tenth unexcused absence leads to the mandatory dismissal of the complaint or referral by a court.” Therefore, a campus must be sure to follow all of the above procedures to ensure timely compliance.

Secondary Schools:

- The different courts have particular determinations of “parts of days”. Consistency in the attendance record is paramount. Therefore, it is imperative that teachers accurately record attendance **EVERY PERIOD**.
- A student may **NOT** be filed on for tardies

Elementary Schools:

- Any voluntarily enrolled student falls under compulsory attendance, including pre-kindergarten, and kindergarten students.
- The youngest age at which a case may be filed on a student is 10 years old, although charges may be filed against the parent.
- A student may **NOT** be filed on for tardies

V. Truancy Prevention Measures

Note: *The Texas Education Code (25.0915) requires truancy prevention measures to be conducted at the school before a referral to a court can be made, at which time a statement from the school must accompany the referral documenting the interventions and stating that the interventions did not improve the student's attendance. The truancy prevention measures must address the student's conduct related to truancy in the school setting, minimize absences and the need for referrals to juvenile court, and minimize filing complaints for failure to attend school.*

Campus structures

Apart from the roles and responsibilities of the teacher, administration and attendance personnel, many schools also include campus committees when developing a comprehensive approach to truancy prevention.

Elementary

The campus Attendance Committee, which hears promotion appeals cases for absences in excess of 25% or class meetings, or the Intervention Assistance Team (IAT) can be used to develop and advise on individual cases of truancy.

A regular meeting between the campus administration and attendance office personnel should include on the agenda a review of:

- Faculty attendance reporting
- Attendance records and data management
- Students with excessive absences
- Recording of parental/student contact, communications, and conferences
- Monitoring of interventions and contracts
- Issuance of warning letters
- Communications with District Attendance/Truancy Caseworker
- Court cases, probations and dispositions
- Other campus/district support: Attendance Committee, Counseling, CIS,
- Communications with special populations chair regarding truancy

The elementary campus meeting should include members such as the counselor, nurse, social worker, CIS, Special Education Department Chair, etc.

Secondary

The campus Attendance Committee, which hears credit appeals for absences greater than 25% of class meetings, or the IAT or Dropout Recovery, Intervention, and Prevention (DRIP) Committee can be used to review attendance and advise on actions and interventions.

A weekly DRIP meeting should include on the agenda:

- Faculty attendance reporting
- Attendance records and data management
- Students with excessive absences
- Recording of parental/student contact, communications, and conferences
- Issuance of warning letters
- Communications with District Student Caseworker
- Monitoring of interventions and contracts
- Court cases, probations and dispositions
- Other campus/district support: Attendance Committee, Counseling, CIS,
- Communications with special populations chair regarding truancy

The secondary committee should include members such as the counselor, nurse, social worker, CIS, Special Education Department Chair, Student Caseworker, Campus HISD Police Officer, etc.

Student and Parent Conferences

As teachers, administrators, committees or attendance personnel meet with students and parents to discuss attendance, certain topics should be addressed:

- Does the school have accurate contact information?
- Are the attendance rules clear?
- Is the procedure for excusing an absence clear?
- Are the consequences of excessive absenteeism understood?
- Are there particular everyday barriers to attendance?
 - Transportation / Traffic?
 - Waking up / alarm clock?
 - Safe routes to school?
 - Parental supervision / family support?
 - Chronic illness?
- Are there other frequent barriers?
 - Family emergencies?
 - Illness/Pregnancy?
 - Allergies/Asthma/Lice?
 - School issues?
 - Not prepared
 - Assignments
 - Tests
 - Supplies
 - Uniforms
 - Problems with other students

- Problems with teacher/staff/administrator
- What can the school do to help?
 - Mediate issue with peer/faculty/staff
 - Service referral
 - Socio-emotional
 - Health
 - Social
 - Psychological
 - Legal
 - Mentoring
 - Scheduling options
 - Academic support
 - Alternatives for excusing absences
 - Improve communications
 - Involve teacher(s)
 - Other needs based response
- Discussion of consequences and remedies
- Design method of monitoring
- Clarify Expectations and create attendance contract and tracking system.

The conference and contract should be documented, and may be used to develop recommendations to the court if the case results in the filing of charges.

Preparation for a Parent Conference

The faculty or staff member contacting or meeting parents to discuss attendance should be prepared with:

- The student's attendance records
- The district and campus policies on attendance
- The contact information and schedules for referral services
- The contact information for other staff involved in monitoring
- Possible language assistance

The conference is an ideal time to hear from parents regarding their concerns and questions about attendance and support. It is also an ideal time to review with parents the many reports which include attendance information such as progress reports, report cards, and alerts such as School Messenger and GradeSpeed. New teachers may be invited to attend a conference with a mentor or other experienced teacher to learn how to respond effectively to parental concerns and questions.

During the conference the staff member should review the importance of the relationship between the campus and family in supporting and advocating for the student. The staff member should also gather information about siblings which

may be helpful in developing family interventions along with the parents. By the end of the conference there should be a common language of values and expectations which the family and campus will reinforce to the student.

In the case of unwelcoming parents or defensive parents, it is important to maintain professionalism and open communication. It may be the case that the parents are under the same stressors as the student or that they have had difficult interactions with school personnel on previous occasions. It may be necessary to engage a staff member who has a positive relationship with the family or to mediate other issues before a productive dialog can occur.

Categories of Excessive Absences

When developing interventions for students with excessive absences the teacher, counselor, committee or administrator should determine if the absences were:

- I. Excused, but excessive (more than five excused absences per semester)
- II. Unexcused, the absence was excusable, but the student or parent did not follow timely procedures to excuse the absence,
- III. Unexcused, but was unintentional or involuntary and not a case of defiance or delinquency (e.g. missed bus, stuck out of town, “family emergency”, overslept, etc)
- IV. Unexcused and intentional (skipping, cutting class)

Interventions for Category I (Non-truancy)

Excused, but excessive (more than five excused absences per semester)

Of the categories of excused absences, those related to illness are the most common at all grade levels. Reducing excused absences due to illness can greatly improve a school’s attendance rate. The school nurse should be included in developing interventions. Some broad interventions include:

- Communicating with parents about what to do when their child is not feeling well in the morning
- Informing parents about the school clinic, the nurse, and the importance of daily attendance

- Providing general information on allergy and asthma management to parents and students and how the school nurse can help monitor and assist student while on campus
- Providing general information on lice prevention to and treatment to parents and students
- Providing rules and information to parents concerning prescription medicines and how to communicate with the nurse about dispensing them during the school day
- Counseling and advising parents on family practices such as
 - keeping all of the children home when just one doesn't feel well,
 - keeping children at home to take care of other children or adults
 - keeping children home an extra day after the illness

In cases of frequent illness, a referral should be made to the nurse to assess the issues and advise the family on possible prevention or treatment methods which could reduce the occurrence of absences.

Weather related absences may be common especially on days with poor weather during the morning commute. Some interventions include:

- Communicating with parents on "rainy day" procedures such as where students can be dropped off and wait in the morning. This communication should happen early in the year so that parents will be fully aware of rainy day beforehand.
- Rehearsing the procedures with students so they know they will be dry and warm on rainy or cold mornings, and the monitoring adults can develop a plan for supervision of the students.

For students who take the school bus to school, an alternative plan should be developed ahead of time with the parents on how the child will get to school when he or she misses the bus.

Interventions for Category II

Excusable, but the student or parent did not follow timely procedures to excuse the absence

- Review campus procedures with parents and students for excusing absences
- Provide a language translation of the procedures when needed
- Show examples of acceptable notes, and visit any offices or personnel involved
- Provide a note template for parental use (see appendix)

- Check and correct parent contact information
- If language or writing is an issue, provide a means for the parent to give a timely oral statement to campus personnel

Interventions for Category III

Unexcused, but was unintentional or involuntary and not a case of defiance or delinquency (e.g. missed bus, stuck out of town, “family emergency”, overslept, etc).

Based on the conference, identify the chronic or periodic reasons behind the absences and how the student, family, school or other service can assist in improving the situation.

- Everyday barriers to attendance:
 - Transportation / Traffic
 - Waking up / alarm clock (time management)
 - Safe routes to school
 - Parental supervision / family support
 - Chronic illness
 - Mental Health
- Other frequent barriers
 - Family emergencies
 - Illness/Pregnancy
 - Child-care (including younger siblings)
 - Caring for older or ill adults
 - Allergies/Asthma/Lice
 - School issues
 - Not prepared
 - Assignments
 - Tests
 - Supplies
 - Uniforms
 - Problems with other students
 - Problems with teacher/staff/administrator

Identify what changes could be made at home and at school which will help to remedy or lessen the barriers.

- What the school can do to help:
 - Advising parents on solutions
 - Mediate issue with peer/faculty/staff
 - Service/counseling referral for family or student
 - Socio-emotional

- Health
- Social
- Psychological
- Legal
- Mentoring
- Scheduling options
- Homeless services
- Academic support / tutoring
- Other support
- Child-care / day-care
- Reduced cost or free uniform BP [FNCA \(LOCAL\)](#)
- Free/Reduced Lunch application
- School / public bus service

Interventions for Category IV

Unexcused and intentional (skipping, cutting class)

During the conference, the campus should attempt to gather as much information as possible related to the student's intentional decision to be absent. Skipping / cutting class is a behavioral issue which usually involves a combination of factors.

Disengagement
 Low expectations
 Low supervision
 Defiance
 Avoidance
 Other factors

Category IV factors are more common among older students including adult students who may have less parental supervision. Some students may be unaccompanied youth, runaways, or in other living arrangements away from their parents. When the parents are available, an attempt should be made to include them as effectively as possible in the development of interventions.

One strategy to gather information concerning the student's disengagement is asking "why?" five times. For example:

- Q: Why are you skipping fourth period?
 A: I hate that class.
- Q: Why do you hate that class?
 A: It's boring!

- Q: Why is it boring?
A: We don't do anything in there!
- Q: Why are you in there?
A: I need the credit to graduate.
- Q: Why are you losing credit in a class you need to graduate?
Etc....

At this point the interviewer knows that there is a lack of course relevance to the student, but at the same time has re-established a sense of perspective.

COMMON SCENARIOS

➤ The “Poor Student”

A common response while interviewing students about truancy revolves around academic disengagement.

The class is too hard!
I don't understand what we're doing in there!
I'm too far behind!
I keep failing everything!
Etc.

Effective planning for tutorials, credit recovery, and monitoring, as well as arrangements with the teacher regarding possible ways to improve the student's grade may encourage improved attendance and performance. Incentives can be worked into the plan based on milestones and behaviors. The parents can be involved in monitoring homework and sleep time, in improving communication with staff members, and in regularly reviewing student performance reports from the school among other activities.

Many students in this category have good attendance in some of their classes and poor attendance in others. The campus may recruit the assistance of teachers or coaches whose classes the student rarely misses to engage the student in positive reinforcement.

In some extreme cases, where a change in program or campus may be the effective solution, the school should consider options. For example, upon learning that a truant student has a strong interest in a certain career, and there is a program for that career at that campus or another, the school could assist in connecting the student to that program. A student with a particularly strong learning style may be better engaged in a class with a teacher who more effectively reaches that type of learner.

As in the case of students with good attendance but who have consistently poor academic performance, after interventions have been attempted with little or no improvement, it may be necessary to refer the student for specialized services. A record of the interventions and results should be included in the referral.

➤ **The “Victim”**

Sometimes disengaged students express that they feel that the school structures are not there to support them, but rather they feel victimized by it.

*All my friends are in the B Cluster, and they put me in the C Cluster!
That teacher failed me last year and they put me back in his class!*

Through conferencing, if it is determined that the student is intentionally missing courses due to actual victimization, it will be necessary to address the issues which may include involving law enforcement and referring the student to an appropriate therapy or counseling plan. In other cases where a student feels like the victim of a situation, often counseling the student through the rationale of the situation while recognizing his or her concern will help establish a better perspective.

I know that you failed his class last year, but he is the only Chemistry teacher at the school. He wants you to do well, that's why he has high expectations, so let's see what we can do together to make sure you pass this time.

We just can't guarantee that all students will always be with their best friends all day. Let's see about meeting some new friends in your cluster.

Often students make an intentional decision to cut classes based on other perceived circumstances.

*The teacher hates me!
The kids make fun of me!
He picks on me!
Etc.*

Any report of bullying should be investigated immediately. In many cases of perceived human relations issues counseling the student through the feelings and circumstances may alleviate the stress and improve attendance.

*Getting a bad grade doesn't mean the teacher “hates” you.
When he asked you why you were late, he wasn't “picking” on you.*

If it is determined that there is an actual human relations issue between a student and a teacher or a peer, some mediation may be necessary to improve the situation. The school may also consider scheduling options if the situation is serious. If a student has indeed been the victim of a violent crime, a transfer of the student perpetrator or of the student victim may be possible under a special transfer provision. The campus should contact the HISD Department of Student Transfers for guidance.

➤ **The “Problem Child”**

This is a wide category of students who share the characteristic of being difficult to reach. Some of them have strong connections to social groups which may actively or latently encourage truancy among other subcultural behaviors. It may include students with:

- very poor attitudes
- poor social skills
- a history of discipline issues
- students returning from expulsion/incarceration
- strong distracters such as gangs or substance abuse
- poor family supervision/support
- highly mobile children, and
- certain alternative lifestyles (punk, Goth, “thug”, “stoner”, etc)

Strong adolescent identity issues typically affect students in this category. Targeted counseling and mentorships can be of great assistance in many cases. Strategic referrals should be made for cases such as psycho-emotional issues, gang involvement, substance abuse and other high risk behaviors. Sometimes conferencing with these students and developing interventions can be a challenge since oftentimes they have unclear commitments to school and certain invasive interventions may further complicate their issues. You may hear:

I’m just coming until I turn 18, then I’m dropping out!
I don’t care about this school!
I’m just here ‘cause I have to be here!
The teachers don’t care about kids like me!

In some cases they may be insulting, non-responsive or patronizing depending on their level of disengagement. Many of these students have had a series of bad experiences with schooling and school personnel usually related to their own behaviors. A communication strategy could include some validation and recognition early in the conversation:

I can tell you don’t love coming to school every morning. That must be hard to do.
I know you’re feeling like everybody is coming down on you. I don’t like it

*when I feel that way either.
I hear you saying that you don't like school. How can we make that
better?*

An intervention strategy is to try to encourage more positive connections to school through responsive scheduling based on the student's interests (fine arts, athletics, JROTC, yearbook, etc.) and connecting the student to clubs and organizations which are more positively integrated into campus culture (service clubs, leaderships teams, peer tutors, Student Council, Freedom Writers, student advisory committees, Academic UIL, step dance teams, art-car team, etc.)

For those students who do have some level of positive involvement with campus personnel, it may be helpful to enlist that person to assist the student in either mentoring or monitoring. This may be a teacher, a coach, a clerk, a librarian, the nurse, etc. A mentor may also be a community volunteer or a member of the alumni.

Alternatively, at campuses with large groupings of such students, a certain level of recognition and structured support may engage multiple students. For example, small group sessions for students recently back from CEP, targeted detentions for students with anger-management issues which address coping techniques, and integrating diverse student voices into the collective campus identity such as positive and inclusive school newspaper stories on student "cliques".

➤ **The "Grown-Up"**

Most truancy at the high school level occurs among students over the age of 18. Although the district MAY file truancy charges on adult students, it is a dilemma since the disengaged student may simply respond by withdrawing as a dropout.

This may be a serious student who wants to graduate but is having poor attendance related to control issues or distractions. *Senioritis? New found freedom?* Conversely it may be a student at any grade level who really is living a very adult life, taking care of family, married, parenting, working, paying rent, etc.

*I'm over the age of 18, you can't tell me what to do!
I'm not a kid anymore!
I'm a full grown man!
I've already been accepted into college!
Fine, I'm old enough to drop out on my own!*

This type of adult student needs to be counseled on the immediate consequences of truancy, and on the adult responsibilities he or she now has to attend school regularly. Such a student should be reminded of the possibility of

losing course credit, and the ability of the campus to withdraw an adult student after just five accumulated unexcused absences in a semester and that the school may deny re-enrollment for the remainder of the school year. It may help to engage the student in his or her new found “adulthood”.

What “adult” decisions do you think could improve your attendance and help accomplish your goal of graduating?

All of the adults in this school have responsibilities, do you understand yours?

The decision to file court charges on an adult student needs to be strategic. While involvement with the justice system may be a strong deterrent for some students, for others it may further disengage the student and lead to dropping out. Over 80% of dropouts in HISD are adult students. Truancy is THE leading indicator that an adult student, especially an over-age adult student, is on the path to dropping out within one year. The campus DRIP should pay special attention to the attendance of adult students at any grade level.

Factors Contributing to Truancy

National Center for School Engagement

School Factors

- Lack of effective and consistently applied attendance policies.
- Poor record-keeping, making truancy difficult to spot.
- Parents/guardians not notified of absences.
- Teacher characteristics, such as lack of respect for students and neglect of diverse student needs.
- Unwelcoming atmosphere, for example, an unattractive facility or one with chronic maintenance problems.
- Unsafe environment, for example a school with ineffective discipline policies where bullying is tolerated.
- Negative role models, such as peers who are truant or delinquent.
- Parents/guardians who do not value education and are complicit in student’s absences.

Personal Factors

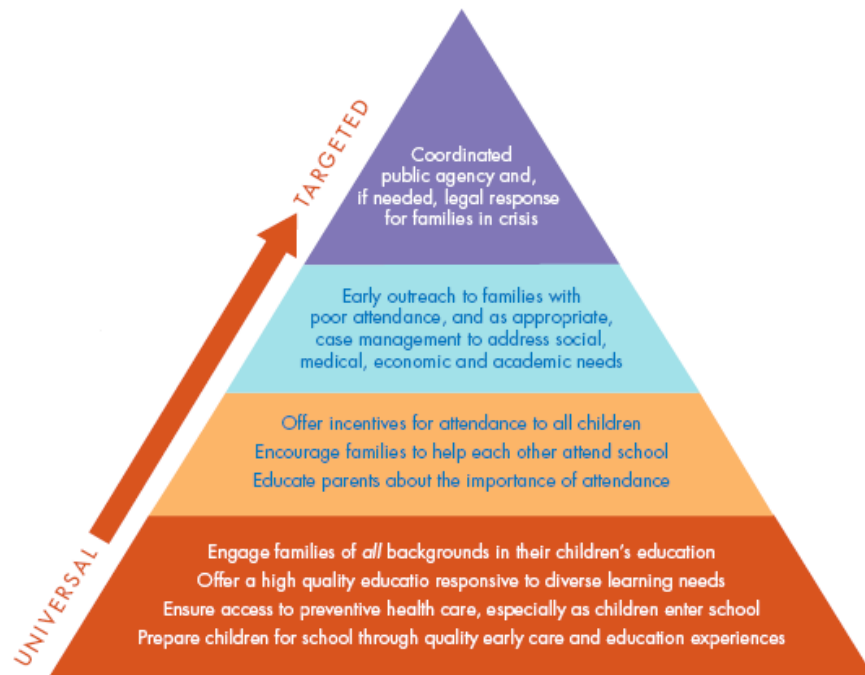
- Alcohol and drug use and abuse.
- Lack of vision of education as a means to achieve goals.

Common Reasons for Truancy among High School Students

Wagstaff, Combs, & Jarvis, 2000

- Viewed classes as boring, irrelevant, and a waste of time
- Did not have positive relationships with teachers
- Did not have positive relationships with other students
- Did not feel safe at school
- Could not keep up with schoolwork or was failing (and there were no timely interventions)
- Found classes not challenging enough (worksheets and reading with lectures were the predominant activities), and students can miss class days and still receive credit
- Couldn't work and go to school at the same time

Pyramid of Interventions



National Center for Children in Poverty, *Present, Engaged, and Accounted For*, 2008

Components of Effective Truancy Reduction Programs

National Center for Student Engagement

- Parent/guardian involvement, or whole family involvement.
- A continuum of supports, including meaningful incentives for good attendance and consequences for poor attendance.
- Collaboration among community actors such as law enforcement, mental health workers, mentors, and social service providers, in addition to educators.
- Concrete and measurable goals for program performance and student performance. Good record keeping and on-going evaluation of progress toward those goals.

10 Things a School Can Do to Improve Attendance

National Center for School Engagement

1. Make students and parents feel welcome.
2. Create a positive environment which celebrates success
3. Make same-day person to person contact when a student is absent.
4. Upon returning from absence, have a policy that some adult discusses the absence with the student, and follows up on an excuse note or a consequence for an unexcused absence.
5. Have a relationship with community areas where truant youth may congregate
6. Have a relationship with the local law enforcement agency which patrols the area.
7. Secure and supervise campus entry and exit points,
8. Frequently discuss the importance of attendance with faculty, and their responsibility to address it with students and parents,
9. Reward and recognize good and improved attendance, not just perfect attendance,
10. Make your school a place where students feel safe and respected

Incentives and Interventions

Interventions for intentional skipping should focus on changing the behavior, which is the reason behind attempting to determine the cause of the behavior. Personnel involved in student support will probably need to be involved such as counselors, caseworkers, advocates or mentors. The basic elements will be:

Consequence (see Code of Student Conduct)
Contract
Intervention (see Category II)
Monitoring
Referral to court

Truancy and poor attendance may present a difficult disciplinary case. Punishments which compel a student to miss more class (in-school suspension, out-of-school suspension, etc.) send a conflicting message to an already disengaged student. The primary purpose of a consequence is to change the behavior, which is not always accomplished by removing the student from school. When developing the terms of an Attendance Contract, the campus should include:

- **Measurable expectations:** e.g. *No unexcused absences;*
- **Behavioral expectations;** e.g.: *Student will meet weekly with administrator to review attendance; Student will attend a truancy workshop*
- **Engagement expectations:** e.g. *Student will attend after school club/activity/event of his/her choice; Student will attend tutorials; Student will visit Go-Center and report on college or career goals, etc.*
- **Methods of improvement:** e.g. *Going to bed earlier, not missing the bus, etc.*

A specialized after-school or Saturday detention may be developed for students on attendance contracts which includes group and individual discussion on expectations as well as monitoring.

In cases referred to a court, a campus may request the court to include such elements within the court orders establishing terms of probation.

Campuses may develop or use a variety of incentives to encourage a change in behavior based on the outcome of the parent/student conference and the age of the student. Some possibilities include:

- Special events
- Attendance awards/recognition
- Token rewards
- Participation in no-uniform days
- Gift certificates
- Etc.

Consequences

Apart from the state law of Compulsory Attendance, The Houston ISD Code of Student Conduct indicates under Student Rights and Responsibilities:

- Regular attendance and punctuality shall be required of every student.
- Students have the responsibility to take advantage of their educational opportunity by attending all classes daily and on time unless circumstances prevent them from doing so.

Administrators are required to take into consideration the following factors in determining disciplinary actions:

- seriousness of the offense
- student's age and intent or lack of intent at the time the student engaged in the conduct
- student's disciplinary history
- student's attitude
- potential effect of the misconduct on the school environment
- state law requirements for certain disciplinary consequences
- whether the facts of the case warrant consideration of self-defense as a mitigating factor in the assessment of any punishment
- whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct

In the cases of unexcused absences which were excusable, unintentional or involuntary, a consequence may include a student/parent conference to discuss procedures or barriers and a plan to reduce or resolve the barriers and improve attendance.

Level II Acts of Misconduct

In the case of unexcused intentional absences (skipping, cutting class), the Code of Student Conduct lists such behavior as a Level II Act of Misconduct, along with the act of leaving the classroom or school grounds without the permission of school personnel. Level II Acts of Misconduct warrant the following disciplinary options:

- Parental contact by phone and written or oral notification to parent or guardian
- Required administrator/student/parental conference
- Detention or placement in in-school suspension
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- Removal of school transportation privileges
- "Behavior," "behavioral," and/or "conduct" contracts
- Teacher removal of the student from the classroom (following procedures as outlined)
- Suspension of transportation privileges
- Any other appropriate disciplinary actions determined by the administration

Level III Acts of Misconduct

Level III Acts of Misconduct related to truancy may include:

- Chronic or repeated disciplinary infractions of Level I and/or Level II offenses
- Chronic cutting class or skipping school. Students who are determined to be truant shall be promptly referred to the attendance officer (Student Caseworker) for referral to the courts for enforcement of the compulsory attendance laws.
- Changing school records or documents or signing a parent's name on school documents
- Failure to adhere to terms of behavior contracts

Level III Acts of Misconduct warrant the following disciplinary options:

- Required administrator/student/parent conference
- Restitution or restoration, as applicable, for vandalism to property
- Exclusion from extracurricular activities, such as field trips, and commencement exercises/award ceremonies
- Placement of the student into in-school suspension
- Suspension for up to three school days per occurrence
- Removal of transportation services for up to one year
- Restriction or removal of computer-use privileges for up to one year
- Teacher removal of the student from the classroom (following procedures as outlined)
- Referral to a district Disciplinary Alternative Education Program
- Any other appropriate disciplinary actions determined by the administration

District guidelines for the discipline of students with disabilities apply in the case of misconduct related to truancy.

Note: Detentions and other actions required by an Attendance Committee for a credit-appeal are not an administrative disciplinary action and are not coded as such.

VI Court Cases

A court case MAY be filed against a student/parents after the student has accrued at least 3 unexcused absences in a 4 week period in the same school year. The court requires that a Warning Letter be sent prior to this discretionary case filing or citation.

A court case MUST be filed against a student/parents after the student has accrued at least 10 unexcused absences in a 6 month period in the same school year. If among the 10 absences there are 3 within a 4 week period, a Warning Letter must have been sent prior to this mandatory case filing or citation.

Students under the age of 12 can not be filed on, although their parents can. Likewise, adult students and the parent(s) of adult students can not be filed on.

Along with the referral to the Student Caseworker who will file the case or to the ticketing officer, the school must include the record of the previous campus interventions and statement that the interventions failed to improve the students attendance along with any recommendations or other comments to the court. The court referral must indicate if the student receives Special Education services.

TEC 25.915

Court Cases / Complaints

[Atty Gen Op GA-0574 \(2007\)](#)

After the required Warning Letter has been sent, and referrals and interventions have not improved the student's attendance:

- A court case *may* be filed on students who are absent 3 or more days without excuse within a four week period of time in the same school year.
- A court case ***must*** be filed on students who are absent 10 days in a six month period.
- The complaint must be filed with the court within 10 school days of the 10th absence.
- The complaint or citation must include a statement from the campus that the adopted interventions were attempted but failed to improve the student's attendance.
- In order for the Student Caseworker to have sufficient time to prepare and deliver the complaint, the campus must complete the referral within 6 days after the 10th absence.
- Cases may be filed in a justice court of any precinct in the county in which the individual resides or in which the school is located or in a precinct court adjacent to the precinct in which the offense was committed; or a

municipal court in the municipality in which the individual resides or in which the school is located.

- On filing the complaint, the court will require the appearance of the student, and notify the Student Caseworker of case settings as appropriate.
- The Student Caseworker or other designated personnel will serve as a witness to the state in court and return the results to the campus. Certain results in court disposition require campus personnel to create a PEIMS discipline record.
- Court determinations regarding absences do not change the attendance record of the student, i.e., a court decision to not hold the student or parent accountable for any charged absence does not “excuse” the absence on the student’s attendance record.

Ticketing / Citations

[TEC§25.091](#)

- In lieu of a complaint, a citation for *Failure to Attend School* may be issued by HISD law enforcement officers or municipal or county law enforcement officers who have probable cause to believe that a student has been absent for the requisite number of days..
- A citation may be issued to the parent of a student who has been absent for the requisite number of days charging the parent with the offense of *Parent Contributing to Nonattendance*.
- Either a complaint or a citation may be issued for a particular absence, but not both.
- The citation must include the dates of the charged absences.
- Citations may only be written in collaboration with attendance personnel including the Student Caseworker.
- The law requires that a Warning Notice be given to the parent if the student has been absent from school, without excuse, on 3 days or parts of days within a four-week period in the same school year. That notice should precede the filing of a complaint or the issuance of a citation for *Failure to Attend School*.
- The complaint or citation must be filed with the court within 10 school days of the student’s 10th absence or the court is required to dismiss the case.
- The complainant must be the ticketing officer or school administrator unless a previous agreement has been made with other district personnel.
- The complainant is responsible for gathering from the campus attendance clerk the necessary documents needed to testify as a witness for the State. If the case goes to trial, a custodian of records of the district, who may be the Student Caseworker, must be available, or the records must be presented by Business Records Affidavit.
- Court dispositions and case results must be submitted to the campus, with a copy to the Student Caseworker.

Court Hearings

- The Student Caseworker or other district personnel may testify as a witness for the State, including the presentation of attendance documentation, any other court requested documentation, and any campus recommendations.
- The court may consider the attendance records of the district in sentencing the defendant who is found guilty of Failure to Attend School.
- A case manager employed by the court may assist the court in administering the court's juvenile docket and in supervising any orders in the student's case.
- The burden is on the defendant to show by a preponderance of evidence that any individual absence listed in the complaint has been or should be excused or that the absence was involuntary. A decision by the court to excuse an absence for purposes of the prosecution of the offense does not affect the ability of the school district to determine whether to excuse the absence for another purpose. In short, a court determination of an individual absence does not change the school record of the absence.
- The Court must dismiss a case which is filed outside of the required timelines. Any case filed after 10 school days after the 10th absence must be dismissed. Upon dismissal, and upon the next unexcused absence, the district may re-file including some or all of the previously dismissed absences provided they fall within the six month window.

[Atty Gen Op: GA-0574](#)

Allowable Orders

TEC [25.094](#) allows the court to enter an order that includes one or more of the requirements listed in the [Texas Criminal Procedures Code 45.054](#)

- That the individual attend school without unexcused absences
- That the individual attend a GED preparatory class
- That a student at least 16 years of age take the GED exam
- That the individual attend a special program in the best interest of the individual
- That the individual complete a reasonable community service;
- That the individual participate in a tutorial program; and
- That the individual and the individual's parent attend a class for students at risk of dropping out of school.

An order may NOT require a student to attend JJAEP. The court MAY order the Department of Public Safety to suspend the individual's driver's license permit, or

to deny the issuance of a license or permit for a specified period, not to exceed one year.

A parent who fails to attend a hearing after receiving a summons commits an offense, punishable as a Class C misdemeanor.

The judge must take the plea of a defendant younger than 17 years old in open court, with the defendant's parent present. [TCPC 45.0215](#)

Dispositions

1. Deferred Prosecution or Pre-trial Intervention. The prosecutor may defer prosecution under an agreement with the defendant. Under this procedure, the court will reset the case to allow the defendant an opportunity to accomplish the terms of the agreement. The prosecutor may choose to dismiss the proceeding upon compliance.
2. Suspension of Sentence and Deferral of Final Disposition: Under this procedure, on a plea of guilty or no contest, or on a finding of guilt, the court will defer further proceedings for up to 180 days or to the end of the school year and place the defendant on probation. The judge may impose any reasonable condition of probation. [TCPC 45.051](#); FC54.0402
3. If the individual successfully complies with the conditions of the probation, the complaint is dismissed. Upon failure to comply with the conditions of probation, the court must notify the defendant in writing of the failure and require the defendant to appear and show cause why the order should not be revoked. On showing good cause, the judge may allow an additional period of time to comply with the conditions of probation. If the defendant does not appear at the show cause hearing, or does not show good cause for an extension, the court will impose a fine, constituting a conviction.
4. If the defendant complies and presents a diploma, the judge must dismiss the case. TCPC 45.054

Violation of an order suspending sentence and deferring disposition [TCPC 45.051, 45.054](#)

Violation of an order suspending sentence and deferring disposition results in adjudication. Following adjudication, the court may impose additional orders.

Conditions of Probation

[TCPC 45.051](#)

Conditions of probation may include:

- Post a bond in the amount of the fine assessed to secure payment of the fine;
- Submit to professional counseling;
- Submit to diagnostic testing for alcohol or a controlled substance or drug;
- Submit to a psychological assessment;
- Participate in an alcohol or drug abuse treatment or education program;
- Pay the costs of any diagnostic testing, psychosocial assessment, or participation in a treatment or education program;
- Require the individual to attend school without unexcused absences;
- Require the individual to attend a preparatory class for the high school equivalency examination;
- Require the individual to take the high school equivalency examination if the individual is at least 16 years old;
- Require the individual to attend a special program that the court determines to be in the best interest of child, including:
 - Alcohol and drug abuse program;
 - Rehabilitation program;
 - Self-improvement counseling;
 - Training in self-esteem and leadership;
 - Work and job skills training program;
 - Training in parenting, including parental responsibility;
 - Training in manners;
 - Training in violence avoidance;
 - Sensitivity training;
 - Training in advocacy and mentoring;
- Require the individual to complete reasonable community service requirements;
- Require the individual to participate in a tutorial program.

Judgment

[TCPC 45.041, 45.054](#)

On a plea of guilty or no contest, or on finding guilt, the judge will assess a fine and direct the satisfaction of the judgment. The court may enter additional orders that include one or more of the following provisions:

- Requiring the individual to attend school without unexcused absences;
- Requiring the individual to attend a preparatory class for the high school equivalency examination;

- Requiring the individual to take the high school equivalency examination if the individual is at least 16 years old;
- Requiring the individual to attend a special program in the best interest of the individual, including:
 - An alcohol and drug abuse program;
 - A rehabilitation program;
 - A counseling program, including self-improvement counseling;
 - A program that provides training in self-esteem and leadership;
 - A work and job skills training program;
 - A program that provides training in parenting, including parental responsibility;
 - A program that provides training in manners;
 - A program that provides training in violence avoidance;
 - A program that provides sensitivity training;
 - A program that provides training in advocacy and mentoring;
- Requiring that the individual complete reasonable community service work;
- Requiring that the individual participate in a tutorial program if same is offered by the individual's school;
- Enter an order requiring the individual and the individual's parent to attend a class for students at risk of dropping out of school designed for both the individual and the individual's parent;

Motion for a New Trial

The defendant has 5 days to file motion for a new trial. The defendant may post an appeal bond of not less than twice the amount of the fine and costs.

Violation of Court Judgment and Orders

[TCPC 45.050](#)

If the individual fails to obey an order of the court, after notice and an opportunity to be heard, the court may:

1. Refer the individual to the juvenile court for delinquent conduct (for students under 17 years old)
2. Retain jurisdiction, hold the child in contempt, and order either or both of the following:
 - a. Payment of a fine not to exceed \$500; or

- b. That the Department of Public Safety suspend the individual's driver's license or permit, or deny the issuance of a license or permit until the individual fully complies with the orders of the court.

Failure to pay fine, and Failure to comply with Court Orders

[TCPC 45.054, 45.050](#)

If a defendant who is a child fails to satisfy the fine and costs as directed by the court, either by payment or by performance of community service, or if the court believes that the convicted individual has violated a court order, the court may:

1. Hold the child in contempt; or
2. Refer the child to juvenile court for delinquent conduct.

Failure to appear

If a court has used all available procedures to secure the defendant's appearance to answer to the charge of "failure to attend school," but the defendant has failed to appear, then on or after the defendant's 17th birthday, the court may issue a notice of continuing obligation to appear. Failure to appear as ordered by a Notice of Continuing Obligation is a Class C Misdemeanor.

Arrest of individuals 17 years of age or older for offences alleged to have occurred before the individual's 17th birthday. (Students who failed to appear for cases of non-attendance while student was 17 years old or older).

The defendant's failure to appear as required by the Notice of Continuing Obligation may result in the filing of an offense, "violate notice of continuing obligation to appear," and the issuance of a warrant ordering the arrest of the defendant on that charge. Since the failure to appear in response to a Notice of Continuing Obligation is an offense committed by the defendant, now an adult, the defendant may be taken into secured custody on arrest.

Expunction

An expunction occurs if the defendant is 18 years of age or older and has only one conviction or regardless of prior conviction, the defendant complies with orders, presents a diploma or GED before the defendant's 21st birthday.

Reporting of case results

The Student Caseworker or other witness to the court is responsible for reporting the results of the case back to the campus.

Results may include:

- Failure to appear (FTA)
 - Warrant issued
- Deferred disposition (probation)
 - Allowable orders (sanctions)
- Fine assessed (PEIMS coding)
- Incorrect address
- Dismissed (no fine) (PEIMS coding)
 - Complied with conditions
 - Untimely filing
 - Incorrect address
 - Unable to Locate (UTL) /not served
 - Filing discrepancy
 - Change in attendance record
 - Incorrect filing against parent/guardian/responsible adult
 - Student under 12 years of age or is an adult
 - Incomplete complaint
- Referred to Juvenile Probation
- Not guilty
- Ordered to alternative educational setting
- Ordered to GED
- Reset
- Arrest of parent
- other

At times, a student or parent may appear in court on a day other than the date of the original docket for the case. An updated Court Referral Result form will be submitted by the Student Caseworker when there has been a change in the status of the case.

The school should keep the top copy in the discipline folder, and one copy in the attendance folder. The person representing the district in court maintains the third copy.

PEIMS Coding

[C164](#), [C165](#)

Court dispositions for truancy (failure to attend school) are described in Chapters 25 and 37 of the Texas Education Code.

Action Reason Code	Descriptor	TEC
42	Truancy (failure to attend school) Parent contributing to truancy	§25.093 (a) If a warning is issued as required by Section 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.
43	Truancy (failure to attend school) Student with at least 3 unexcused absences	§25.094 (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 three or more days or parts of days within a four-week period.
44	Truancy (failure to attend school) – Student with 10 unexcused absences	§ 25.094 (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...
45	Truancy (failure to attend school) – Student failure to enroll in school	§25.085 (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 reached the child's 18th birthday shall attend school.
Disciplinary Action Code	Descriptor	Note
16	Truancy (failure to attend school) charges filed in Juvenile, Municipal, or Justice of the Peace Court and a fine was assessed.	Use the Chancery Disposition code: <i>TRFA</i> . Court Referral Result form will list the dollar amount of the fine.
17	Truancy (failure to attend school) charges filed in Juvenile, Municipal, or Justice of the Peace Court and no fine was assessed.	Use the Chancery Disposition code: <i>TRNF</i> .

APPENDIX

FORMS

1. Notification of Compulsory Attendance
2. Sample Attendance Referral
3. Court Referral Response
4. Sample Attendance Contract
5. Sample Parent / Student Conference Record
6. Sample Excuse note template
7. Full indicators for PR-1 Complies with policies and procedures at school.

LETTER

TEA: To the Administrator Addressed October 17, 2012

Re: Limited-Scope Review (Audit of ADA documentation and records)

COMPULSORY SCHOOL ATTENDANCE LAWS

TO PARENTS OR TO PERSONS STANDING IN PARENTAL RELATION TO CHILDREN

The Texas Education Code §25.095 requires the school district to notify a student's parents in writing at the beginning of the school year that if the student is absent from 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:

- 1) the student's parent (or legal guardian) is subject to prosecution under TEC §25.093; and
- 2) the student is subject to prosecution under TEC §25.094.

It is the parent's duty to monitor the student's school attendance and require the student to attend school and request a conference with a school official to discuss the absences. The parent is subject to prosecution under § 25.093 (b) for failure to require your child to attend school.

LEYES SOBRE LA ASISTENCIA OBLIGATORIA A LA ESCUELA

A LOS PADRES O TUTORES LEGALES DE LOS ESTUDIANTES

Sección 25.095 del Código de Educación del Estado de Texas require que el distrito notifique al padre del alumno por palabra escrita al principio del año escolar del hecho que si el alumno está ausente de la escuela por 10 días o más, inclusive ausencias de parte del día, dentro de un período de seis meses dentro de un año escolar, o si está ausente por 3 días dentro de un período de 4 semanas:

- 1) el padre (o tutor legal) del estudiante puede ser enjuiciado según lo establecido en el código de educación de Texas, TEC §25.093
- 2) el estudiante puede ser enjuiciado según lo establecido en el código de educación de Texas, TEC §25.094

El padre tiene la obligación de estar al tanto de la asistencia escolar de su niño, exigirle que asista a la escuela y solicitar una conferencia con las autoridades de la escuela para discutir las ausencias. El padre puede ser enjuiciado según lo establecido en la sección del código de educación de Texas, TEC §25.093(b) si no le exige a su hijo que asista a la escuela.



Houston ISD Campus Attendance Referral for Truancy Prevention Measures

School & Student Information

School _____

Student Name _____ DOB _____ HISD ID _____

Date(s) of absence _____

REFERRAL

Prior Truancy Prevention Measures

(check all that apply)

- ☐ Phone contact with parent
- ☐ Teacher/administrator conference with student
- ☐ Teacher/administrator conference with parent
- ☐ Rules, policies, and procedures reviewed
- ☐ Barriers and remedies reviewed
- ☐ Attendance contract developed
- ☐ Unable to contact parent(s)
- ☐ Warning Letter sent
- ☐ Home visit
- ☐ Referral to campus support personnel
(counselor, nurse, CIS, social worker, etc)

Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____

Comments

Referred by: _____

Position: _____

Date: _____

RESPONSE

Truancy Prevention Measures in Response to this Referral

- ☐ Phone contact with parent
- ☐ Conference with student
- ☐ Conference with parent
- ☐ Rules, policies, and procedures reviewed
- ☐ Barriers and remedies reviewed
- ☐ Attendance contract developed
- ☐ Unable to contact parent(s)
- ☐ Warning Letter sent
- ☐ Home visit
- ☐ Referral to campus or other support personnel
(counselor, nurse, CIS, social worker, etc)

Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____
Date: _____

Comments

Report extenuating circumstances to Attendance Committee

Processed by: _____

Position: _____

Date: _____

Mandatory for cases referred to court (TEC §25.0915)

This statement certifies that the school applied the truancy prevention measures listed above to the student; and the truancy prevention measures failed to meaningfully address the student's school attendance.

The student is eligible for Special Education services
The student receives Special Education services

☐ Yes ☐ No
☐ Yes ☐ No

Campus Administrator

Signature

Date



Houston ISD Court Case Results



School Information

School _____

Charge(s)

- ☐ Failure to Attend
☐ Parent Contributing
☐ Failure to Enroll

Method

- ☐ Complaint
☐ Ticket/Citation
☐ Reset / Re-file

Student & Parent Information

Student Name _____ Case No. _____ HISD ID _____

Student DOB ____ / ____ / ____

Parent(s) Charged _____ Case No(s). _____

Court Information

Docket Date: _____

J.P. ☐ Prec 1-1 ☐ Prec 5-1 ☐ Prec 6-1 ☐ Prec 6-2 ☐ Prec 7-1 ☐ Prec 7-2 ☐ Prec 2-2

Mun. ☐ Court 12 ☐ Other: _____

Court Orders or Conditions of Probation

- ☐ Attend school without unexcused absences
☐ Attend a GED preparatory class / Take GED exam
☐ Suspension of license
☐ Attend a special program
☐ Community service
☐ Tutorial program
☐ Student and parent class for at-risk / dropout
☐ Assigned to Juvenile Case Manager

Conditions of Probation

- ☐ Bond
☐ Professional counseling
☐ Drug/alcohol testing
☐ Psychological assessment
☐ Drug/alcohol treatment
☐ Cost of test/treatment

Other Result

- ☐ Failure to Appear
☐ Reset
☐ Not Guilty
☐ Arrest of Parent
☐ Dismissal:
☐ Unable to locate / Bad address
☐ Provided diploma
☐ Complied with sanctions
☐ Untimely filing
☐ Change in attendance record
☐ Incorrect filing against adult
☐ Student under 12 years old
☐ Incomplete complaint/citation, lack of required identification
☐ Referred to Juvenile Probation
☐ Case or part of case will be re-filed
☐ Lack of required prior intervention

Follow Up

Date

Other court order, condition or result: _____

Notes/Comments/Updates:

Judgment (PEIMS Discipline Coding)

Action Reason

Disposition

	Student	Parent	Parent	
42		<input type="checkbox"/>	<input type="checkbox"/>	Truancy – Parent Contributing
43	<input type="checkbox"/>			Truancy – at least 3 unex. absences
44	<input type="checkbox"/>			Truancy – 10 unexcused absences
45	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Truancy – failure to enroll

Disciplinary Action

16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Truancy – Fine(s) Assessed (TRFA) amount(s): \$ _____
17	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Truancy – No fine assessed (TRNF)

☐ **At-Risk Coding:** Code in At-Risk panel under criterion/code 08
 Student is currently on parole, probation, deferred prosecution, or other conditional release.

Discipline coding must be determined by an HISD administrator and entered into the student PEIMS discipline record.

Submitted by _____
 District Witness

Date: _____

Received by _____
 Campus Personnel

Date: _____

 HISD Administrator for PEIMS Coding

Date: _____



Houston Independent School District

Student Attendance Contract

Compliance

☐ Student complied with terms

Student did not comply with terms:

- ☐ Court case filed / citation issued
- ☐ Disciplinary action taken
- ☐ Adult student withdrawn
- ☐ Restrictions imposed
- ☐ Transfer non-renewed

School: _____

Student: _____ HISD ID _____

It is hereby agreed that the student named above will follow the attendance conditions below to the satisfaction of the campus administration. Effective immediately (check all that apply):

- ☐ The student must not have an unexcused absence or tardy from any class.
- ☐ The student must complete all make-up work and attend any tutorial required by a teacher.
- ☐ The student must comply with any additional terms or activities described below:

- Failure to comply with the terms of this contract may result in the filing of a court case against the student for the charge of Failure to Attend School, and/or a case against the parent for the charge of Parent Contributing to Non-attendance.
- Failure to comply with the terms of this contract may result in the restriction or removal of participation in certain class or school activities or programs, or non-renewal of a transfer.
- Failure to comply with the terms of this contract may result in disciplinary action.
- Any adult student (age 18 or above) with more than five unexcused absences in a semester may be withdrawn for the remainder of the school year.
- Campus personnel will monitor the terms of this contract for compliance.
- Compliance with the terms of this contract does not change the student's attendance record nor restore credit for courses with excessive absences.

Effective Date of Contract: _____

End Date of Contract: _____

Student Date

Parent/Guardian Date

Campus Administrator Date

Counselor, ATS or student support staff Date

Monitoring Teacher 1 Date

Monitoring Teacher 2 Date

Monitoring Teacher 3 Date

Monitoring Teacher 4 Date

Monitoring Teacher 5 Date

Monitoring Teacher 6 Date

Monitoring Teacher 7 Date

Monitoring Teacher 8 Date



Student / Parent Conference Record For Attendance Referrals

Student _____

School _____

Parent _____

Campus Personnel _____

Date of conference _____

☐ Telephone

☐ Office

- Discuss dates of absence Dates: _____
- Inquire into the reason(s) Reason(s): _____
- Review campus rules and procedures
- Are the attendance rules clear? ☐ Y ☐ N
- Is the procedure for excusing an absence clear? ☐ Y ☐ N
- Are the consequences of excessive absenteeism understood? ☐ Y ☐ N
- Discuss everyday barriers to attendance?
 - Transportation / Traffic?
 - Waking up / alarm clock?
 - Safe routes to school?
 - Parental supervision / family support?
 - Chronic illness / Pregnancy?
- Are there other frequent barriers?
 - Family emergencies
 - Illness
 - Allergies
 - School issues
 - Not prepared
 - Assignments
 - Tests
 - Supplies
 - Uniforms
 - Problems with other students
 - Problems with teacher/staff/administrator
- What can the school do to help?
 - Mediate issue with peer/faculty/staff
 - Service referral
 - Counselor
 - Health
 - Social Worker
 - Psychological
 - Legal
 - Mentoring
 - Scheduling options
 - Academic support
 - Alternatives for excusing absences
 - Improved communications
- How can the school best involve teacher(s)?
- Discussion of consequences and remedies
- Design method of monitoring
- Clarify expectations and create an attendance contract and tracking system.

NOTES:

Results

- ☐ Attendance Contract
- ☐ Referral to Student Caseworker
- ☐ Filing of court case / issuance of citation
- ☐ Referral to counselor
- ☐ Other support service: _____

Report any extenuating circumstances to campus attendance committee.

campus/district personnel

date

Attendance Note from Parent/Guardian

Student's Name (Print Clearly)

Grade

Please check:

____ late arrival absence ____ early departure absence ____ full day absence

My child was/will be absent from classes on _____ for the following reason:
date(s)

____ Personal Illness

____ Family Emergency

____ Death of a family member

____ Car trouble / traffic

____ Student's Health Service
(Doctor/Dentist/Counselor visit)

____ Overslept

____ Religious Holy Day(s)/Major Activity

____ Required Court Appearance (documentation required)

____ Other: _____
explanation

late arrival time: _____

early departure time: _____

Parent/Guardian Signature

Date

telephone # (mandatory)

Notes must be submitted within three (3) school days after the absence. Forgery of parent notes (or of any school documents) is a very serious offence, and, if discovered, will be punished to the fullest extent permitted under the HISD Code of Student Conduct. This parental note provides a reason for the absence. The determination to excuse an absence is made by school personnel.

Attendance Note from Parent/Guardian

Student's Name (Print Clearly)

Grade

Please check:

____ late arrival absence ____ early departure absence ____ full day absence

My child was/will be absent from classes on _____ for the following reason:
date(s)

____ Personal Illness

____ Family Emergency

____ Death of a family member

____ Car trouble / traffic

____ Student's Health Service
(Doctor/Dentist/Counselor visit)

____ Overslept

____ Religious Holy Day(s)/Major Activity

____ Required Court Appearance (documentation required)

____ Other: _____
explanation

late arrival time: _____

early departure time: _____

Parent/Guardian Signature

Date

telephone # (mandatory)

Notes must be submitted within three (3) school days after the absence. Forgery of parent notes (or of any school documents) is a very serious offence, and, if discovered, will be punished to the fullest extent permitted under the HISD Code of Student Conduct. This parental note provides a reason for the absence. The determination to excuse an absence is made by school personnel.

PR-1 Complies with policies and procedures at school			
<p>Level 1: The following indicators best describe a teacher who falls “Far Below Expectations” for this criterion:</p> <ul style="list-style-type: none"> Teacher does not comply with federal and state laws and policies. Teacher does not follow district and local school policies on multiple occasions. 	<p>Level 2: The following indicators best describe a teacher who falls “Slightly Below Expectations” for this criterion:</p> <ul style="list-style-type: none"> Teacher complies with federal and state laws and policies. Teacher follows district and local school policies although may need frequent reminders or monitoring to do so. 	<p>Level 3: The following indicators best describe a teacher who “Meets Expectations” for this criterion:</p> <ul style="list-style-type: none"> Teacher complies with federal and state laws and policies. Teacher follows district and local school policies. 	<p>Level 4: The following indicators best describe a teacher who “Exceeds Expectations” for this criterion:</p> <ul style="list-style-type: none"> Teacher complies with federal and state laws and policies. Teacher follows district and local school policies and finds innovative ways and/or invests effort to help policies succeed.

Possible sources of evidence for this criterion include, but are not limited to: teacher’s discipline file, tutoring logs, student grade book, review of annual/unit/lesson planning materials.

Notes:
 “Federal and state laws and policies” may include, but are not limited to, IDEA, 504, Title III, the Texas Education Code, and the Texas Administrative Code.
 “District and local school policies” include policies governing: deadlines for lesson plans; progress reports and report cards; maintaining accurate and clear attendance, homework and grade book records on the school’s student information system; Student Code of Conduct.
 “Finding innovative ways and/or invests effort” may include, but is not limited to, actions where the teacher takes leadership roles in developing school or district policy or provides support to colleagues to help policies succeed.

October 17, 2012

TO THE ADMINISTRATOR ADDRESSED:

SUBJECT: Changes to the 2012–2013 Student Attendance Accounting Handbook (SAAH)

This letter serves to inform local educational agencies (independent school districts and open-enrollment charter schools) of changes to the 2012–2013 [Student Attendance Accounting Handbook \(SAAH\)](#). These changes include **new consequences for local educational agencies (LEAs) if they do not respond to inquiries from the Texas Education Agency (TEA) in a timely manner and if they do not properly maintain student attendance records.** These changes, given in Sections 2.1 and 1.2 of the 2012–2013 SAAH, will be particularly relevant for LEAs that are selected for a limited-scope review of student attendance records by the TEA Division of Financial Audits.

Limited-Scope Review

Each fiscal year, the Division of Financial Audits selects certain LEAs for a limited-scope review and notifies them of their selection in writing. **The limited-scope review focuses on the LEA's reporting of students who are eligible to earn attendance credit in various categories.** Division auditors analyze the LEA's Public Education Information Management System (PEIMS) data and identify specific student records for review. The LEA is required to submit these records to TEA.

The authority for the limited-scope review is given in the SAAH and in [Title 19 of the Texas Administrative Code \(TAC\), §129.21\(d\)](#), which **requires LEAs to maintain all original documentation to support student attendance and to provide this documentation to TEA upon request.**

Once the limited-scope review is complete, each LEA will receive a report that may include findings and an estimate of any monetary adjustments to state funding that may be required.

Responding to Requests from TEA

If your LEA is selected for a limited-scope review, Section 2.1 of the 2012–2013 SAAH **requires your LEA to make available and provide to TEA copies of all requested attendance records within 20 working days of a written request. If all requested records are not received by the Division of Financial Audits within the stated time, per Section 2.1 of the 2012–2013 SAAH, TEA will retain 100 percent of your LEA's Foundation School Program (FSP) allotment for the undocumented attendance for the school year(s) for which records have been requested.**

Maintaining Student Attendance Records

If TEA auditors determine that your LEA's original student attendance documentation was not created at the time of the attendance it is intended to support, per Section 1.2 of the 2012–2013 SAAH, TEA will retain 100 percent of your LEA's FSP allotment for the inappropriately documented attendance for the school year(s) for which records have been requested.

Thank you for your attention to this important matter. If you have questions about the new SAAH rules, please contact the Division of Financial Audits at (512) 463-9095.

Sincerely,

Nora Ibáñez Hancock, EdD
Associate Commissioner
Office for Grants and Fiscal Compliance

CREDITS AND SOURCES:

National Center for School Engagement

- [Alternatives to Juvenile Detention](#)
- [The Story Behind the Numbers: A Qualitative Evaluation of the Houston TX Truancy Reduction Demonstration Program](#)
- [Using a Typology for Truancy Prevention](#)
- [What is Truancy?](#)
- [Truancy, Dropouts and Delinquency](#)

Colorado Foundation for Families and Children

- [10 Things a School Can do to Improve Attendance](#)
- [FINAL EVALUATION REPORT: GULFTON TRUANCY REDUCTION DEMONSTRATION PROJECT, HOUSTON, TX](#)

Harris County

- [Failure to Attend School](#)
- Failure to Attend School, Parent Contributing to Nonattendance and Other Offenses Committed by Juveniles; from Filing to Disposition and Beyond
 - Janet Marton, Senior Assistant County Attorney (2007)

Texas Education Agency

- [To the Administrator Addressed \(2013 Attendance, Admission, Enrollment Records and Tuition\)](#)

Attorney General of Texas

- [Juvenile Justice Handbook](#)

Texas Education Code

Texas Administrative Code

HISD Elementary Guidelines

HISD Secondary Guidelines

HISD Board Policy

HISD Code of Student Conduct

HISD Parent Rights and Responsibilities



HOUSTON INDEPENDENT SCHOOL DISTRICT
4400 WEST 18TH ST
HOUSTON, TEXAS 77092

STUDENT ENGAGEMENT
FEDERAL & STATE COMPLIANCE
October 2012