

DATE: July 30, 2009

TO: Principals and Attendance Clerks

FROM: Lane Ladewig, Division Director for Campus Operations PK-12

SUBJECT: Procedures to Follow for a Compulsory Attendance Filing

The primary duty of the Compulsory Attendance Office is to assist the campuses to increase school attendance by enforcing the Compulsory Attendance Laws of the State of Texas. According to the Compulsory Attendance Laws, as revised, 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 each day for the entire period of the program of instruction is offered unless he/she has excusable reasons for the absence. If the child and/or parent do not comply with the laws, a court case can be filed against the parent and/or student. In order for the Compulsory Attendance Office to function adequately, the following procedures should be followed:

Sec. 25.095. WARNING NOTICES (page 18 of the Student Code of Conduct, page 4 attached)

(a) A school district or open-enrollment charter school shall notify a student's parent 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 is subject to prosecution under Section 25.093; and

(2) the student is subject to prosecution under Section 25.094 or to referral to a juvenile court in a county with a population of less than 100,000 for conduct that violates that section.

(b) A school district shall notify a student's parent if the student has been absent from school, without excuse under Section 25.087, on three days or parts of days within a four-week period. The notice must:

(1) inform the parent that:

(A) it is the parent's duty to monitor the student's school attendance and require the student to attend school; and

(B) the parent is subject to prosecution under Section 25.093; and

(2) request a conference between school officials and the parent to discuss the absences.

(c) The fact that a parent did not receive a notice under Subsection (a) or (b) does not create a defense to prosecution under Section 25.093 or 25.094.

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

PROCEDURES THE SCHOOL ATTENDANCE OFFICE SHOULD FOLLOW:

1. If a child is absent from school and no contact is made by the parent/guardian, the attendance office should:
 - Contact the parents/guardian of the child determines the reason for the absence.
 - Exhaust efforts to contact the parent. If a parent cannot be contacted after several attempts the attendance clerk should contact the teacher, administrator or counselor. You may call or refer the student to the Compulsory attendance office, (972) 600-4800, for assistance locating the student. A Compulsory Attendance Officer can make a home visit.
2. When a child has **3 documented, verified, confirmed unexcused absences**, refer them to Compulsory Attendance on the *Compulsory Attendance Referral form* via fax or by school mail.
3. After you have referred a child for **excessive unexcused absences**, the Compulsory Attendance Office contacts the parent/guardian to “read” and explain the law, and issue a notice of violation of said law.
 - If the child continues to be absent (**unexcused**), the school’s attendance office needs to inform the Compulsory Attendance Office immediately. (The Compulsory Attendance office does not monitor a student’s daily attendance).
Important: this process requires the second referral by the campus attendance clerk.
 - The CA office will fax a disposition of each case to each school within 10 days. If you do not receive this information you may call the CA office for information.
 - If a previously referred child starts attending school regularly, our office does not need to be notified. **Notify our office only when the child has more unexcused absences.**
 - If a child’s parent has appeared in court and the child continues to have **documented unexcused absences**, the attendance clerk shall contact Mr. Ray Vargas (ext. 4813) or the Director of Campus Operations (ext. 5023) immediately.

Communication and Cooperation will make the Compulsory Attendance process work. We have an ever-growing job ahead of us, but if we work together we can increase the attendance in all of our schools.

The Compulsory Attendance fax number is (972) 313-4810, and the Ratteree phone number is (972) 600-4800.