

BILL ANALYSIS

S.B. 1161
By: Jackson, Mike
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a school district must report a student who fails to attend school on 10 or more days without an excuse to a county, justice, or municipal court within seven days of the last absence. The Office of the Attorney General issued a ruling that the case must be dismissed if the complaint against the student is not filed within the seven days. This time limit has proven to be very difficult for school districts to comply with. By changing the time limit to 10 days, fewer of these cases will have to be dismissed.

This bill increases the time frame required for a school district to report to certain authorities, from seven to 10 days, if a student has not attended school on 10 or more days without an excuse.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This bill relates to the filing of a complaint or referral to juvenile court by a school district against a student for failing to attend school.

The bill amends Subsection (a), Section 25.0951, Education Code, to provide that if a student fails to attend school without excuse on 10 or more days or parts of days within a six-month period in the same school year, a school district shall within 10 school days of the student's last absence: file a complaint against the student or the student's parent or both in a county, justice, or municipal court for an offense under Section 25.093 or 25.094, as appropriate, or refer the student to a juvenile court in a county with a population of less than 100,000 for conduct that violates Section 25.094; or refer the student to a juvenile court for conduct indicating a need for supervision under Section 51.03(b)(2), Family Code.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.