

## **BILL ANALYSIS**

H.B. 2872  
By: Villarreal  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that truancy in Texas limits students' educational opportunities, increases the likelihood of students engaging in harmful behavior, and reduces the amount of funding that local school districts receive through the state school finance system. School districts are currently required to take certain actions against a student, a student's parent, or both within 10 days after a student's 10th unexcused absence in a school year. The parties assert that the complexities of tracking individual student absences and maintaining individual action deadlines for each student complicate efforts to timely and effectively address truancy and contribute to backlogs of actions and overdue actions being taken in batches. The parties contend that these problems contribute to delayed and ineffective prevention and intervention methods at all levels of contact with the student and the student's parents. H.B. 2872 seeks to streamline the process for tracking absences and taking truancy actions.

### **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**

H.B. 2872 amends the Education Code to change the number of school days on which a student must be absent, beginning with the 2013-2014 school year, for such absences to constitute one of the conditions of the offense of failure to attend school. The bill adds the qualification that only a student who attends a school operating on a year-round system is prohibited from being absent from school for 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 to five or more days or parts of days within a semester. The bill establishes that, except as provided by the provision applying to a student who attends year-round schools, a student is prohibited from being absent from school on five or more days or parts of days within a semester.

H.B. 2872 changes the deadline by which a school district must take certain action against a student, other than a student who attends a school that operates on a year-round system, the student's parent, or both if the student is absent from school without excuse for the applicable amount of time from within 10 days of the student's 10th absence to not later than January 15 if the absences occur in the fall semester or not later than June 15 if the absences occur in the spring semester. The bill requires a school district, for a student attending a school that operates on a year-round system who is absent from school without excuse for the applicable amount of time, to take such required actions within 10 school days of the student's 10th absence.

H.B. 2872 reenacts and amends Section 51.03(b), Family Code, as amended by Chapters 1150 (H.B. 2015) and 1322 (S.B. 407), Acts of the 82nd Legislature, Regular Session, 2011, to make a conforming change.

H.B. 2872 repeals a provision of the Education Code relating to the authorization for a school

district to take certain actions against a student, the student's parent, or both if the student fails to attend school without excuse on three or more days or parts of days within a four-week period but does not fail to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year.

H.B. 2872 repeals Section 25.0951(b), Education Code.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.