

By: Davis, Rodriguez, Van de Putte

S.B. No. 260

A BILL TO BE ENTITLED

AN ACT

relating to the absence of a student from school to visit with a parent or guardian who will be or has been deployed on military duty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.087, Education Code, is amended by adding Subsection (b-4) and amending Subsection (d) to read as follows:

(b-4) A school district shall excuse a student whose parent or legal guardian is an active duty member of the uniformed services as defined by Section 162.002 and has been called to duty for, is on leave from, or immediately returned from continuous deployment of at least four months outside the locality where the parent or guardian regularly resides, to visit with the student's parent or guardian. A school district may not excuse a student under this subsection more than five days in a school year. An excused absence under this subsection must be taken:

(1) not earlier than the 60th day before the date of deployment; or

(2) not later than the 30th day after the date of return from deployment.

(d) A student whose absence is excused under Subsection (b), (b-2), (b-4), or (c) may not be penalized for that absence and shall be counted as if the student attended school for purposes of

1 calculating the average daily attendance of students in the school  
2 district. A student whose absence is excused under Subsection (b),  
3 (b-2), (b-4), or (c) shall be allowed a reasonable time to make up  
4 school work missed on those days. If the student satisfactorily  
5 completes the school work, the day of absence shall be counted as a  
6 day of compulsory attendance.

7 SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2013.