

Richard Milburn Academy

Parental or Persons Standing in Parental Relation to the Child

Notice of Compulsory School Attendance, Warning Notices, and

Minimum Attendance for Class Credit

State law requires that a student between the ages of six and 18 attend school, as well as any applicable accelerated instruction program, extended year program, or tutorial session, unless the student is otherwise excused from attendance or legally exempt. The students at Richard Milburn Academy (RMA) are expected to attend school every day and attend all scheduled classes per session so they may advance in their educational program. Regular attendance in school is important for many reasons. Your child receives the maximum benefit of education by being in school every day, and numerous studies show a strong link between academic performance and consistent attendance. Because attendance is so critical for the quality of your child's education, Texas has a Compulsory Attendance Law.

TEC, Section §25.085 Compulsory School Attendance

“a) A child who is required to attend school under this section shall attend school each school day for the entire period the program of instruction is provided.”

“e) A person who voluntarily enrolls in school or voluntarily attends school after the person's 18th birthday shall attend school each school day for the entire period the program of instruction is offered. A school district may revoke for the remainder of the school year the enrollment of a person who has more than five absences in a semester that are not excused under Section §25.087. A person whose enrollment is revoked under this subsection may be considered an unauthorized person on school district grounds for purposes of Section §37.107.”

TEC, Section §25.086 Exemptions to Compulsory School Attendance

State law allows exemptions to the compulsory attendance requirements for several types of absences if the student makes up all work. See the RMA School Board Policy Manual and the RMA Student Handbook for more information on exemptions to the compulsory attendance requirements, for leaving campus during school hours, for absences, for documentation after an absence, for doctor's note after an absence for illness, and for driver's license attendance verification.

TEC, Section §25.095 Warning Notice

This document satisfies RMA's requirement to provide warning notice to parents/guardians of students enrolled at RMA that they and the student are subject to prosecution for violation of attendance laws under Texas Education Code and a court of law may impose penalties against both the student and his or her parents if a school-aged student is deliberately not attending school. If a student age 12 through age 17 violates the compulsory attendance law, both the parent and student could be charged with an offense:

- a) 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: 1) the student's parent is subject to prosecution under TEC, Section §25.093; and 2) the student is subject to prosecution under TEC, 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) RMA will notify the parent if the student is absent from school without excuse under TEC, Section §25.087, on three days or parts of days within a four-week period. However under TEC, Section §25.087 it is the parent's duty to monitor the student's school attendance and require the student to attend school and the parent is subject to prosecution under TEC, Section §25.093. At the time of notification, RMA will 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.

TEC, Section §25.092 Minimum Attendance for Class Credit or Final Grade

a) To receive credit or a final grade in a class, a student in kindergarten through grade 12 must attend at least 90 percent of the days the class is offered. A student who attends at least 75 percent but fewer than 90 percent of the days the class is offered may receive credit or a final grade for the class if he or she completes a plan approved by the principal that allows the student to fulfill the instructional requirements for the class. If a student is involved in a criminal or juvenile court proceeding, the approval of the judge presiding over the case will also be required before the student receives credit or a final grade for the class.

If a student attends less than 75 percent of the days a class is offered or has not completed the plan approved by the principal, then the student will be referred to the attendance review committee to determine whether there are extenuating circumstances for the absences and how the student can regain credit or a final grade lost because of absences.

- b) The attendance committee will hear petitions for class credit by students who are in attendance fewer than the number of days required. Classroom teachers will comprise a majority of the membership of the committee. A committee may give class credit to a student because of extenuating circumstances. The Board of Directors has established what constitutes extenuating circumstances for the attendance committee to use as a guideline as follows:
- All absences, whether excused or unexcused, must be considered in determining whether a student has attended the required percentage of days. If makeup work is completed, absences for the reasons listed under Exemptions to Compulsory Attendance will be considered days of attendance for this purpose.
 - A transfer or migrant student begins to accumulate absences only after he or she has enrolled in the district.
 - In reaching a decision about a student’s absences, the committee will attempt to ensure that it is in the best interest of the student.
 - The committee will consider the acceptability and authenticity of documented reasons for the student’s absences.
 - The committee will consider whether the absences were for reasons over which the student or the student’s parent could exercise any control.
 - The committee will consider the extent to which the student has completed all assignments, mastered the essential knowledge and skills, and maintained passing grades in the course or subject.
 - The student or parent will be given an opportunity to present any information to the committee about the absences and to talk about ways to earn or regain credit or a final grade.
- c) A member of an attendance committee is not personally liable for any act or omission arising out of duties as a member of an attendance committee.
- d) If a student is denied credit for a class by an attendance committee, the student may appeal the decision to the Board of Directors by filing a written request with the superintendent in accordance with RMA School Board Policy. The actual number of days a student must be in attendance in order to receive credit or a final grade, will depend on whether the class is for a full semester or for a full year.
- e) This section does not affect the provision of TEC, Section §25.087(b) regarding a student's excused absence from school to observe religious holy days.

I acknowledge that I have received, read, and understand this Notice of Compulsory School Attendance, Warning Notices, and Minimum Attendance for Class Credit.

RMA Location:	_____	Student Grade:	_____
	PRINT	SIGN	DATE
Student:	_____	_____	_____
Mother/Guardian:	_____	_____	_____
Father/Guardian:	_____	_____	_____