

ATTACHMENT I

Statutory Citations Relating to Proposed Amendment to 19 TAC Chapter 129, Student Attendance, Subchapter B, Student Attendance Accounting, §129.21, Requirements for Student Attendance Accounting for State Funding Purposes

Texas Education Code, Chapter 42, Foundation School Program, §42.004, Administration of the Program.

The commissioner, in accordance with the rules of the State Board of Education, shall take such action and require such reports consistent with this chapter as may be necessary to implement and administer the Foundation School Program.

Texas Education Code, Chapter 25, Admission, Transfer, and Attendance, §25.087, Excused Absences.

- (a) A person required to attend school, including a person required to attend school under Section 25.085(e), may be excused for temporary absence resulting from any cause acceptable to the teacher, principal, or superintendent of the school in which the person is enrolled.
- (b) A school district shall excuse a student from attending school for:
 - (1) the following purposes, including travel for those purposes:
 - (A) observing religious holy days;
 - (B) attending a required court appearance;
 - (C) appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship;
 - (D) taking part in a United States naturalization oath ceremony; or
 - (E) serving as an election clerk; or
 - (2) a temporary absence resulting from health care professionals if that student commences classes or returns to school on the same day of the appointment.
- (b-2) A school district may excuse a student from attending school to visit an institution of higher education accredited by a generally recognized accrediting organization during the student's junior and senior years of high school for the purpose of determining the student's interest in attending the institution of higher education, provided that:
 - (1) the district may not excuse for this purpose more than two days during the student's junior year and two days during the student's senior year; and
 - (2) the district adopts:
 - (A) a policy to determine when an absence will be excused for this purpose; and

(B) a procedure to verify the student's visit at the institution of higher education.

- (b-3) A temporary absence for purposes of Subsection (b)(2) includes the temporary absence of a student diagnosed with autism spectrum disorder on the day of the student's appointment with a health care practitioner, as described by Section 1355.015(b), Insurance Code, to receive a generally recognized service for persons with autism spectrum disorder, including applied behavioral analysis, speech therapy, and occupational therapy.
- (c) A school district may excuse a student in grades 6 through 12 for the purpose of sounding "Taps" at a military honors funeral held in this state for a deceased veteran.
- (d) A student whose absence is excused under Subsection (b), (b-2), or (c) may not be penalized for that absence and shall be counted as if the student attended school for purposes of calculating the average daily attendance of students in the school district. A student whose absence is excused under Subsection (b), (b-2), or (c) shall be allowed a reasonable time to make up school work missed on those days. If the student satisfactorily completes the school work, the day of absence shall be counted as a day of compulsory attendance.