

SUBJECT: Excused absences from public school for student parents

COMMITTEE: Public Education — favorable, without amendment

VOTE: 10 ayes — Aycock, Allen, J. Davis, Deshotel, Dutton, Farney, K. King, Ratliff, J. Rodriguez, Villarreal

0 nays

1 absent — Huberty

WITNESSES: For — Karin Hopkins, Any Baby Can; Marilyn Doyle; Ana Ortiz; Steve Swanson; Julie Weeks; (*Registered, but did not testify*: Yannis Banks, Texas NAACP; Portia Bosse, Texas State Teachers Association; Miryam Bujanda, Methodist Healthcare Ministries); Jesus Chavez, Texas School Alliance; Monty Exter, Association of Texas Professional Educators; Eileen Garcia, Texans Care for Children; Dwight Harris and Ted Melina Raab, Texas AFT; Marshall Kenderdine, Texas Pediatric Society; Ken McCraw, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Don Rogers, Texas Rural Education Association; Julie Shields, Texas Association of School Boards)

Against — None

On — David Anderson, Texas Education Agency; (*Registered, but did not testify*: Lisa Dawn-Fisher, Texas Education Agency)

BACKGROUND: Under Education Code, sec. 25.087(b), a school district must excuse a student from attending school for a variety of reasons, including a temporary absence resulting from a health-care-related appointment if the student commences classes or returns to school on the same day of the appointment.

A student who misses school for a medical appointment may not be penalized for that absence and must be counted as if the student attended school for purposes of calculating average daily attendance. The student must be allowed a reasonable time to make up missed school work, and

the day of absence must be counted as a day of compulsory attendance if the student satisfactorily completes the school work.

DIGEST: HB 455 would require school districts to excuse students for a temporary absence when they took their children to a health-care appointment.

The bill would take immediate effect if passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013, and would apply beginning with the 2013-14 school year.

**SUPPORTERS
SAY:**

HB 455 would help teen parents accomplish their educational goals by excusing school absences that result when they take their children to medical appointments. It is important to encourage students to continue their education after becoming parents. Texas ranks fourth among states in the rate of teen births, with a total of about 48,000 in 2010. Only about 51 percent of teen moms have a high school diploma, according to the National Campaign to Prevent Teen Parenting. This bill would remove one obstacle to student parents graduating from high school.

The bill would allow student parents time away from school to promote the health of their young children at a critical point in their lives. Up to age one, babies require well-care checks at two, four, six, nine, and 12 months. It is important for parents to attend these appointments because they receive important safety and developmental information about their children. A pediatrician testified that a child under the age of 3 averages about eight respiratory tract infections a year, which also may require visits to a health care professional.

HB 455 would help student parents take the necessary time to care for their children without paying a penalty for missing class. Students may be denied credit for a class if they are not in attendance for at least 90 percent of the days the class is offered, and those who miss too many days risk being referred to court for truancy. The court can require them to pay a fine and perform community service.

School districts may have discretion to excuse such absences, but many are not doing so. Under HB 455, a uniform policy would apply to this type of absence. Schools now are discouraged from allowing these absences to be excused because the school does not receive funding unless the absence is outlined in statute as one that must be excused.

If these absences were excused by law, districts would be required to give students the opportunity to make up the work missed. Current law requiring a student to attend school the day of a health care appointment to receive the excused absence also would apply to students taking their children to the doctor. This would ensure that student parents missed the minimum amount of class time.

OPPONENTS
SAY:

HB 455 could result in loss of instructional time for a population of students who need it most. Texas law already allows school districts discretion to excuse student absences for any reason acceptable to the district. Local school officials are in the best position to determine if student absences related to their children's medical appointments should be excused.

OTHER
OPPONENTS
SAY:

Students who need to take other family members to medical appointments also should qualify for excused absences. High school students occasionally need to help their families by accompanying siblings or driving parents to medical appointments. These absences should be excused in the same manner as absences for students taking their children to medical appointments under HB 455.