



by the court under Article 45.054; or

(2) before the individual's 21st birthday, the individual presents to the court proof that the individual has obtained a high school diploma or a high school equivalency certificate after taking a high school equivalency examination administered under Section 7.111, Education Code.

SECTION 3. Subsection (a), Article 45.056, Code of Criminal Procedure, is amended to read as follows:

(a) On approval of the commissioners court, city council, ~~[school district board of trustees,]~~ juvenile board, or other appropriate authority, a county court, justice court, municipal court, ~~[school district,]~~ juvenile probation department, or other appropriate governmental entity may[+

~~[(1)]~~ employ a case manager or agree, in accordance with Chapter 791, Government Code, with any appropriate governmental entity to jointly employ a case manager or to jointly contribute to the costs of a case manager employed by one governmental entity to provide services in cases involving juvenile offenders before a court consistent with the court's statutory powers[+or

~~[(2) agree in accordance with Chapter 791, Government Code, to jointly employ a case manager].~~

SECTION 4. Section 25.085, Education Code, is amended by amending Subsection (e) and adding Subsections (g) and (h) to read as follows:

(e) A person who voluntarily enrolls in school or voluntarily attends school after the person's 18th birthday shall

1 attend school each school day for the entire period the program of  
2 instruction is offered. A school district may revoke for the  
3 remainder of the school year the enrollment of a person who has more  
4 than five absences in a semester that are not excused under Section  
5 25.087, except that a school district may not revoke the enrollment  
6 of a person under this subsection on a day on which the person is  
7 physically present at school. A person whose enrollment is revoked  
8 under this subsection may be considered an unauthorized person on  
9 school district grounds for purposes of Section 37.107.

10 (g) After the third unexcused absence of a person described  
11 by Subsection (e), a school district shall issue a warning letter to  
12 the person that states the person's enrollment may be revoked for  
13 the remainder of the school year if the person has more than five  
14 unexcused absences in a semester.

15 (h) As an alternative to revoking a person's enrollment  
16 under Subsection (e), a school district may impose a behavior  
17 improvement plan described by Section 25.0915(b)(1).

18 SECTION 5. Section 25.0915, Education Code, is amended to  
19 read as follows:

20 Sec. 25.0915. TRUANCY PREVENTION MEASURES; REFERRAL AND  
21 FILING REQUIREMENT. (a) A school district shall adopt truancy  
22 prevention measures designed to:

23 (1) address student conduct related to truancy in the  
24 school setting before the student violates Section 25.094;

25 (2) minimize the need for referrals to juvenile court  
26 for conduct described by Section 51.03(b)(2), Family Code; and

27 (3) minimize the filing of complaints in county,

justice, and municipal courts alleging a violation of Section 25.094.

(b) As a truancy prevention measure under Subsection (a), a school district may take one or more of the following actions:

(1) impose:

(A) a behavior improvement plan on the student that must be signed by an employee of the school, that the school district has made a good faith effort to have signed by the student and the student's parent or guardian, and that includes:

(i) a specific description of the behavior that is required or prohibited for the student;

(ii) the period for which the plan will be effective, not to exceed 45 school days after the date the contract becomes effective; or

(iii) the penalties for additional absences, including additional disciplinary action or the referral of the student to a juvenile court; or

(B) school-based community service; or

(2) refer the student to counseling, community-based services, or other in-school or out-of-school services aimed at addressing the student's truancy.

(c) A referral made under Subsection (b)(2) may include participation by the child's parent or guardian if necessary.

(d) Each referral to juvenile court for conduct described by Section 51.03(b)(2), Family Code, or complaint filed in county, justice, or municipal court alleging a violation by a student of Section 25.094 must:

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1           (1) be accompanied by a statement from the student's  
2 school certifying that:

3                   (A) the school applied the truancy prevention  
4 measures adopted under Subsection (a) to the student; and

5                   (B) the truancy prevention measures failed to  
6 meaningfully address the student's school attendance; and

7           (2) specify whether the student is eligible for or  
8 receives special education services under Subchapter A, Chapter 29.

9           (e) Except as provided by Subsection (f), a school district  
10 shall employ a truancy prevention facilitator to implement the  
11 truancy prevention measures required by this section and any other  
12 effective truancy prevention measures as determined by the school  
13 district or campus. At least annually, the truancy prevention  
14 facilitator shall meet to discuss effective truancy prevention  
15 measures with a case manager or other individual designated by a  
16 juvenile or criminal court to provide services to students of the  
17 school district in truancy cases.

18           (f) Instead of employing a truancy prevention facilitator,  
19 a school district may designate an existing district employee to  
20 implement the truancy prevention measures required by this section  
21 and any other effective truancy prevention measures as determined  
22 by the school district or campus.

23           SECTION 6. Subchapter C, Chapter 25, Education Code, is  
24 amended by adding Section 25.0916 to read as follows:

25           Sec. 25.0916. UNIFORM TRUANCY POLICIES IN CERTAIN COUNTIES.

26           (a) This section applies only to a county:

27                   (1) with a population greater than 1.5 million; and

1           (2) that includes at least:

2                   (A) 15 school districts with the majority of  
3 district territory in the county; and

4                   (B) one school district with a student enrollment  
5 of 50,000 or more and an annual dropout rate spanning grades 9-12 of  
6 at least five percent, computed in accordance with standards and  
7 definitions adopted by the National Center for Education Statistics  
8 of the United States Department of Education.

9           (b) A committee shall be established to recommend a uniform  
10 truancy policy for each school district located in the county.

11           (c) Not later than September 1, 2013, the county judge and  
12 the mayor of the municipality in the county with the greatest  
13 population shall each appoint one member to serve on the committee  
14 as a representative of each of the following:

15                   (1) a juvenile district court;

16                   (2) a municipal court;

17                   (3) the office of a justice of the peace;

18                   (4) the superintendent or designee of an independent  
19 school district;

20                   (5) an open-enrollment charter school;

21                   (6) the office of the district attorney; and

22                   (7) the general public.

23           (d) Not later than September 1, 2013, the county judge shall  
24 appoint to serve on the committee one member from the house of  
25 representatives and one member from the senate who are members of  
26 the respective standing legislative committees with primary  
27 jurisdiction over public education.

1       (e) The county judge and mayor of the municipality in the  
2 county with the greatest population shall:

3               (1) both serve on the committee or appoint  
4 representatives to serve on their behalf; and

5               (2) jointly appoint a member of the committee to serve  
6 as the presiding officer.

7       (f) Not later than September 1, 2014, the committee shall  
8 recommend:

9               (1) a uniform process for filing truancy cases with  
10 the judicial system;

11               (2) uniform administrative procedures;

12               (3) uniform deadlines for processing truancy cases;

13               (4) effective prevention, intervention, and diversion  
14 methods to reduce truancy and referrals to a county, justice, or  
15 municipal court;

16               (5) a system for tracking truancy information and  
17 sharing truancy information among school districts and  
18 open-enrollment charter schools in the county; and

19               (6) any changes to statutes or state agency rules the  
20 committee determines are necessary to address truancy.

21       (g) Compliance with the committee recommendations is  
22 voluntary.

23       (h) The committee's presiding officer shall issue a report  
24 not later than December 1, 2015, on the implementation of the  
25 recommendations and compliance with state truancy laws by a school  
26 district located in the county.

27       (i) This section expires January 1, 2016.

SECTION 7. Subsection (e), Section 25.094, Education Code, is amended to read as follows:

(e) An offense under this section is a ~~[Class C]~~ misdemeanor punishable by a fine not to exceed:

(1) \$100 for a first offense;

(2) \$200 for a second offense;

(3) \$300 for a third offense;

(4) \$400 for a fourth offense; or

(5) \$500 for a fifth or subsequent offense.

SECTION 8. Subsections (a) and (b), Section 25.0951, Education Code, are amended to read as follows:

(a) If a student fails to attend school without excuse on 10 or more days or parts of days within a six-month period in the same school year, a school district shall within 10 school days of the student's 10th absence:

(1) file a complaint against the student or the student's parent or, if the district provides evidence that both the student and the student's parent contributed to the student's failure to attend school, both the student and the parent in a county, justice, or municipal court for an offense under Section 25.093 or 25.094, as appropriate, or refer the student to a juvenile court in a county with a population of less than 100,000 for conduct that violates Section 25.094; or

(2) refer the student to a juvenile court for conduct indicating a need for supervision under Section 51.03(b)(2), Family Code.

(b) If a student fails to attend school without excuse on



1 three or more days or parts of days within a four-week period but  
2 does not fail to attend school for the time described by Subsection  
3 (a), the school district may:

4 (1) file a complaint against the student or the  
5 student's parent or, if the district provides evidence that both  
6 the student and the student's parent contributed to the student's  
7 failure to attend school, both the student and the parent in a  
8 county, justice, or municipal court for an offense under Section  
9 25.093 or 25.094, as appropriate, or refer the student to a juvenile  
10 court in a county with a population of less than 100,000 for conduct  
11 that violates Section 25.094; or

12 (2) refer the student to a juvenile court for conduct  
13 indicating a need for supervision under Section 51.03(b)(2), Family  
14 Code.

15 SECTION 9. The changes in law made by this Act apply only to  
16 conduct violating Section 25.094, Education Code, on or after the  
17 effective date of this Act. A violation that occurs before the  
18 effective date of this Act is covered by the law in effect when the  
19 violation occurred, and the former law is continued in effect for  
20 that purpose. For purposes of this section, a violation occurs  
21 before the effective date of this Act if any element of the  
22 violation occurs before that date.

23 SECTION 10. This Act takes effect September 1, 2013.

S.B. No. 1234.

David Newkirk

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 1234 passed the Senate on April 25, 2013, by the following vote: Yeas 27, Nays 3; and that the Senate concurred in House amendments on May 24, 2013, by the following vote: Yeas 28, Nays 3.

Lately Spaw

Secretary of the Senate

I hereby certify that S.B. No. 1234 passed the House, with amendments, on May 22, 2013, by the following vote: Yeas 145, Nays 3, one present not voting.

Robert Hancey

Chief Clerk of the House

Approved:

Date

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

10pm O'CLOCK

JUN 14 2013

[Signature]  
Secretary of State

**PROCLAMATION**  
BY THE  
**Governor of the State of Texas**

41-3352

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Rick Perry, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 1234 as passed by the Eighty-Third Texas Legislature, Regular Session, because of the following objections:

Senate Bill 1234 attempts to change how truancy is handled by placing progressive sanctions on students based on recommendations established in a behavioral improvement plan. While these plans are meant to hold students accountable for attendance and behavior management, they do not track the child from district to district and are lost as a student transfers from one school to another, which is common for chronically truant students.

Senate Bill 1234 will hurt established local programs and prevent schools from identifying and helping address the issues students are facing. Additionally, SB 1234 conflicts with other legislation, such as SB 393, concerning which trancies are considered a ticketable offense.

Since the Eighty-Third Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.



IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 14th day of June, 2013.

*Rick Perry*

RICK PERRY  
Governor of Texas

ATTESTED BY:

*John Steen*

JOHN STEEN  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

10pm O'CLOCK

JUN 14 2013

*John Steen*  
Secretary of State