

**SAN ANTONIO/BEXAR COUNTY  
JOINT COMMISSION ON TRUANCY  
MEETING MINUTES**

**MONDAY, NOVEMBER 18, 2013**

**11:30 A.M.**

**MEDIA BRIEFING ROOM**

**Members Present:** Councilmember Rey A. Saldaña, Chair, *District 1*  
John W. Bull, *Presiding Judge, Municipal Court*  
Lisa Jarrett, *Judge, Bexar County 436<sup>th</sup> District Court*  
Rogelio Lopez, *Justice of the Peace, Bexar County, Precinct 4*  
Jill Mata, *Chief Assistant Criminal District Attorney, Bexar  
County*; Laura Parker, *Judge, Bexar County 386<sup>th</sup> District Court*  
Jeanne Russell, *Member of the General Public*; Mike Villarreal,  
*State Representative, Texas Legislature*; Brian T. Woods,  
*Superintendent, Northside ISD*

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**Members Absent:** Leticia Van de Putte, *Senator, Texas Legislature*

**Staff Present:** Rebecca Flores, *Education Policy and Services Administrator,  
City Manager's Office*; Clarissa Chavarria, *Judge, Municipal  
Court*; Norma Morales-Arias, *Court Administrator, Municipal  
Court*

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**Also Present:** Bob Christy, *Past President, Texas Police Association*  
Terra Tucker, *Policy Analyst, Senator Whitmire*; Gary Pollock,  
*Director of Attendance Accountability, SAISD*; Robert  
Rockwood, *Visiting Teacher, Southwest ISD*; Brenda Quintero,  
*Visiting Teacher, Southwest ISD*; Seth Mitchell, *Assistant to the  
County Manager, Bexar County*

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**Call to order**

Chairman Saldaña called the meeting to order.

**1. Welcoming Remarks by Councilman Rey A. Saldaña, Chair of the San Antonio/Bexar County Joint Committee on Truancy**

Chairman Saldaña commented that after researching the issue of Truancy, he found that there was not a uniform process to address Truancy. He stated that the charge of this Committee was to create a Uniform Truancy Policy for Bexar County.

**2. Briefing Item [Rey Saldaña, District 4 Councilmember, City of San Antonio**  
**a. Overview of Current Truancy Issues in Bexar County**  
**i. Definitions and Responsibilities in State Statute**

Chairman Saldaña stated that Truancy was defined as absence from school or class without prior knowledge and approval of the parents, guardians, or school officials. He noted that Chronic

Absenteeism is defined as a student that misses 10% (18 days) or more of school for any reason, excused or unexcused, in a given school year. He reported that Truancy and Chronic Absenteeism limit educational opportunities; increase the likelihood of other delinquent behavior; and reduce School District Funding from the State. He stated that a 1% increase in student attendance in the 15 School Districts in Bexar County would generate approximately \$26.1 million in additional revenue. He noted that a Dropout is defined as a student who is enrolled in public school in Grades 7-12 who does not return to the public school the following Fall, is not expelled, and does not: 1) Graduate; 2) Receive a General Educational Development (GED) Certificate; 3) Continue school outside the public school system; 4) Begin college; or 5) Die. He stated that Completion Rates are based on: 1) Students who began ninth grade in 2010-2011 and graduate by August 31, 2014, or continue high school in the Fall of 2014; or 2) Students who began ninth grade in 2010-2011 and graduate by August 31, 2014, continue high school in the fall of 2014, or receive a GED Certificate by August 31, 2014. He added that Average Daily Attendance is defined as the average number of students that were at school on a normal school day. This was calculated by adding the number of students who were in attendance each day of the school year for the entire school year and dividing that number by the number of instructional days in the school year.

Chairman Saldaña reviewed the Texas Education Code, Section 25.094 which states, "An individual commits an offense if the individual: 1) Is required to attend school under Section 25.085; and 2) Fails to attend school on 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period." He indicated that Texas Education Code, Section 25.093 states that if a warning is issued as required by Section 25.095(a), the parent with criminal negligence fails to require the child to attend school as required by law, and the child has absences for the amount of time specified under Section 25.094, the parent commits an offense. He mentioned that Article 45.054 of the Texas Code of Criminal Procedures outlines the orders that a County, Justice, or Municipal Court can require once a student is found guilty of Failure to Attend School. He noted that said Statute allows for the respective court to dismiss the complaint upon successful compliance of the conditions imposed by the court.

Bob Christy stated that a survey demonstrated that attendance issues begin in Elementary School and should be addressed at that time.

Judge Bull indicated that there was a lack of a Comprehensive Plan applied equally to address Truancy. He noted that the use of a Comprehensive Plan would assist in identifying trends.

Laura Parker reported that Intervention Measures vary by School District, Judge, and Justice of the Peace.

State Representative Mike Villarreal mentioned that cases are sometimes heard in multiple courts at the same time. He stated that Intervention Measures should be research-based and require parental involvement.

**ii. Justice of the Peace and Municipal Courts Truancy Resources and Caseloads**

Judge Bull indicated that the issues presented in Municipal Court go beyond Truancy Issues with Judges serving as Social Workers in a sense. He noted that funding existed for Case Management. Laura Parker stated that in the past and currently, school districts did not verify the validity of charges filed.

**iii. School District's Processes to Comply with Compulsory School Attendance Mandate**

Chairman Saldaña stated that School Districts would be responsible for verifying the validity of each case and the development of a centralized intake procedure. Chairman Saldaña stated that under Section 25.0915 of the Texas Education Code (a) A School District shall adopt truancy prevention measures designed to: 1) Address student conduct related to truancy in the school setting; 2) Minimize the need for referrals to Juvenile Court for conduct described by Section 51.03(b)(20), Family Code; and 3) Minimize the filing of complaints in County, Justice, and Municipal Courts alleging a violation of Section 25.094. He noted that under Section 25.0915, of the Texas Education Code, (b) Each complaint filed in County, Justice, or Municipal Court alleging a violation by a student of Section 25.094 must: 1) Be accompanied by a statement from the student's school certifying that: a) The school applied the Truancy Prevention Measures adopted under Subsection (a) to the student; and b) The Truancy Prevention Measures failed to meaningfully address the student's school attendance; The school would be required to specify whether or not the student was eligible for or received Special Education Services. He added that Section 25.0951 of the Texas Education Code, (a) States that 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 file a complaint against the student or the student's parent both in a County, Justice or Municipal Court for an offense under Section 25.093 or 25.094 within 10 school days of the student's 10<sup>th</sup> Absence. He added that a School District may file a complaint for an offense under Section 25.093 or 25.094 if a student fails to attend school without excuse on three or more days or parts of days within a four-week period but does not fail to attend school for the time described by Subsection (a).

**3. Action Items [Rey Saldaña, District 4 Councilmember, City of San Antonio]**

**a. Discussion of Community Reports Mandated by H.B. 1479**

Item 3a was not addressed.

**b. Discussion of Meeting Dates and Times of Committee**

Chairman Saldaña stated that the next Committee meeting would be held on January 27, 2014.

**c. Establishment of Committee Working Groups**

Chairman Saldaña noted that Committee Members would serve on one of three Subcommittees. He stated that the members of the three Subcommittees created would be responsible for one of the following: 1) Development of Intervention Measures; 2) Development of a process for Court Proceedings; and 3) Development of a process for data collection and recording at the school level. He indicated that Brian Woods would chair the Subcommittee responsible for the Development of Intervention Measures, Rogelio Lopez would chair the Subcommittee responsible for the Development of a process for Court Proceedings, and Laura Parker would chair the Subcommittee responsible for the Development of a process for Data Collection and Recording at the school level. He requested that said Subcommittees meet before the next Truancy Committee Meeting.

#### 4. Adjourn

There being no further discussion, the meeting was adjourned at 12:49 p.m.

  
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*Rey Saldaña, Chair*

*Respectfully Submitted,*

  
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*Denice F. Trevino*  
*Office of the City Clerk*