



STATEMENT

For Immediate Release: May 30, 2015

Victory for Texas Families: Legislature Decriminalizes Truancy

Today, the Texas legislature passed groundbreaking legislation, HB 2398, that will end the criminalization of truancy, protecting hundreds of thousands of Texas children from receiving hefty fines and criminal convictions for being absent from school.

"We celebrate this monumental victory for Texas children and families across our state," said Texas Appleseed Executive Director Deborah Fowler. "This bill makes great strides towards keeping students who are struggling with school attendance in school and on track to graduate. We are so pleased that the legislature has acted to stop funneling thousands upon thousands of children into the school-to-prison pipeline and to instead follow best practices to encourage school attendance."

The bill requires schools to take common-sense steps to address students' truancy problems before referring students to court. With research showing that life circumstances — like homelessness, chronic illness or unidentified special education needs — contribute to truancy, this bill is designed to address those underlying issues. When a student continues to struggle with attendance despite the school's efforts, the school can still refer that student to court, but the court process will be civil rather than criminal. The same courts — justice and municipal courts — will continue to hear the truancy cases and can still order students to counseling or tutoring, but cannot fine them, nor will students leave court with a criminal record.

We praise the passionate leadership of Sen. John Whitmire (D-Houston), Rep. James White (R-Woodville), Rep. Dan Huberty (R-Houston), among others, as well as the thoughtful direction provided by Texas Supreme Court Chief Justice Nathan Hecht and the Texas Judicial Council.

Texas Appleseed has been advocating for reform of the truancy laws in Texas for many years now. As this legislative session began, we issued a report *Class, Not Court* that analyzed statewide data showing that 115,000 truancy cases were sent to adult criminal court in 2013 — more than twice the number of cases filed in all other states' courts combined. Texas Appleseed, along with Disability Rights Texas and the National Center for Youth Law, filed a complaint in 2013 with the U.S. Department of Justice alleging constitutional violations occurring in the Dallas County Truancy Courts. The DOJ officially launched an investigation on March 31.

HB 2398 generated broad, bipartisan support from a diverse range of stakeholders including the Texas Association of School Boards, the Texas Association of Business, the Juvenile Justice Association of Texas, the Texas PTA, and the Texas Justices of the Peace & Constables Association. The bill will become law if Texas Governor Greg Abbott signs the legislation prior to the June 21 deadline.

Deborah Fowler
Executive Director
Texas Appleseed