

Texas Education Code - Section 25.086. Exemptions

[Legal Research Home](#) > [Texas Laws](#) > [Education Code](#) > Texas Education Code - Section 25.086.
Exemptions

§ 25.086. EXEMPTIONS. (a) A child is exempt from the requirements of compulsory school attendance if the child:

(1) attends a private or parochial school that includes in its course a study of good citizenship;

(2) is eligible to participate in a school district's special education program under Section 29.003 and cannot be appropriately served by the resident district;

(3) has a physical or mental condition of a temporary and remediable nature that makes the child's attendance infeasible and holds a certificate from a qualified physician specifying the temporary condition, indicating the treatment prescribed to remedy the temporary condition, and covering the anticipated period of the child's absence from school for the purpose of receiving and recuperating from that remedial treatment;

(4) is expelled in accordance with the requirements of law in a school district that does not participate in a mandatory juvenile justice alternative education program under Section 37.011;

(5) is at least 17 years of age and:

(A) is attending a course of instruction to prepare for the high school equivalency examination, and:

(i) has the permission of the child's parent or guardian to attend the course;

(ii) is required by court order to attend the course;

(iii) has established a residence separate and apart from the child's parent, guardian, or other person having lawful control of the child; or

(iv) is homeless as defined by 42 U.S.C. Section 11302; or

(B) has received a high school diploma or high school equivalency certificate;

(6) is at least 16 years of age and is attending a course of instruction to prepare for the high school equivalency examination, if:

(A) the child is recommended to take the course of instruction by a public agency that has supervision or custody of the child under a court order; or

Text of subsec. (6) (B) as amended by Acts 2005, 79th Leg., ch. 377,
§ 3

(B) the child is enrolled in a Job Corps training program under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.);

Text of subsec. (6) (B) as amended by Acts 2005, 79th Leg., ch. 887, § 2 and Acts 2005, 79th Leg., ch. 1339, § 6

(B) the child is enrolled in a Job Corps training

program under 29 U.S.C. Section 2881 et seq.;

(7) is at least 16 years of age and is enrolled in a high school diploma program under Chapter 18;

(8) is enrolled in the Texas Academy of Mathematics and Science under Subchapter G, Chapter 105;

(9) is enrolled in the Texas Academy of Leadership in the Humanities;

(10) is enrolled in the Texas Academy of Mathematics and Science at The University of Texas at Brownsville;

(11) is enrolled in the Texas Academy of International Studies; or

(12) is specifically exempted under another law.

(b) This section does not relieve a school district in which a child eligible to participate in the district's special education program resides of its fiscal and administrative responsibilities under Subchapter A, Chapter 29, or of its responsibility to provide a free appropriate public education to a child with a disability.

Added by Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995.

Amended by Acts 1997, 75th Leg., ch. 1015, § 1, eff. June 19,

1997; Acts 1997, 75th Leg., ch. 1019, § 3, eff. Sept. 1, 1997;

Acts 1999, 76th Leg., ch. 1282, § 2, eff. June 18, 1999; Acts

2005, 79th Leg., ch. 377, § 3, eff. June 17, 2005; Acts 2005,
79th Leg., ch. 887, § 2, eff. June 17, 2005; Acts 2005, 79th
Leg., ch. 1339, § 6, eff. June 18, 2005.

Section: [Previous](#) [25.042](#) [25.081](#) [25.0811](#) [25.082](#) [25.083](#) [25.084](#) [25.085](#)
[25.086](#) [25.087](#) [25.088](#) [25.089](#) [25.090](#) [25.091](#) [25.092](#) [25.093](#) [Next](#)

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