



TEXAS MILITARY DEPARTMENT
DOMESTIC OPERATIONS TASK FORCE
POST OFFICE BOX 5218
AUSTIN, TX 78763-5218
(512) 782-5001

September 4, 2017

Office of the Commander

Dear Education Institution:

This letter is an official notification to you that your student was called to active military service in support of the 2017 Hurricane Harvey Weather Response. Our governor has ordered the Texas Military Department to assist our governmental partners in response to the needs of the citizens of Texas. The current duty began on or about August 24, 2017 and at this time is projected to end on or about September 30. Please understand this is a continually changing situation and that his/her duty may be extended. These service members are being called to duty under Texas Government Code, Chapter 437, to assist Defense Support of Civil Authorities relating to the State of Texas.

We ask for your continued support by permitting your student to either take a leave of absence for military duty in accordance with Section 51.9111 of the Texas Education Code or withdraw from your institution in accordance with Section 54.006 of the Texas Education Code. If the student opts to return to school, we will allow the student to call you and keep you informed as to when he/she is able to return to school once his/her duty is complete. A copy of his/her official orders will be provided to your student at the completion of State Active Duty.

Relevant portions of the Texas Education Code are quoted below for your reference.

Sec. 51.9111. EXCUSED ABSENCE FOR ACTIVE MILITARY SERVICE. (a) *In this section:*

(1) *"Institution of higher education" has the meaning assigned by Section 61.003.*

(2) *"Active military service" includes active military service performed by a member of the Texas National Guard or the Texas State Guard.*

(b) *This section applies only if:*

(1) *a student enrolled in an institution of higher education fails to attend classes or engage in other required activities because the student is called to active military service that is of a reasonably brief duration, as determined by rule adopted under Subsection (d); and*

(2) *the student chooses not to withdraw as authorized by Section 54.006(f).*

(c) *An institution of higher education shall excuse a student from attending classes or engaging in other required activities, including examinations, in order for the student to participate in active military service to which the student is called, including travel associated with the service. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to complete an assignment or take an examination from which the student is excused within a reasonable time after the absence. An instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.*

(d) *The Texas Higher Education Coordinating Board, in consultation with institutions of higher education, shall adopt rules as necessary to administer this section. The rules must establish a maximum period for which a student may be excused under this section. In establishing that period, the board shall consider the maximum period a student may be absent*

without significantly interfering with the student's ability to learn the course material, complete course assignments, and succeed academically during the applicable semester or other academic period.

(Note: Title 19 of the Texas Administrative Code, Section 4.9 defines the maximum period for which a student may be excused to be no more than 25% of the total number of class meetings or the contact hour equivalent [not including the final examination period] for the specific course or courses in which the student is currently enrolled at the beginning of the period of active military service.)

Sec. 54.006. REFUND OR ADJUSTMENT OF TUITION AND MANDATORY FEES FOR DROPPED COURSES AND STUDENT WITHDRAWALS. (f) *Beginning with the summer semester of 1990, if a student withdraws from an institution of higher education because the student is called to active military service, the institution, at the student's option, shall:*

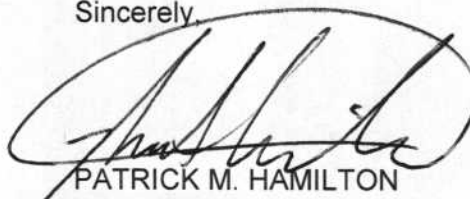
(1) refund the tuition and fees paid by the student for the semester in which the student withdraws;

(2) grant a student, who is eligible under the institution's guidelines, an incomplete grade in all courses by designating "withdrawn-military" on the student's transcript; or

(3) as determined by the instructor, assign an appropriate final grade or credit to a student who has satisfactorily completed a substantial amount of coursework and who has demonstrated sufficient mastery of the course material.

If you have any questions or concerns about this notification, please do not hesitate to contact our Personnel Office at (512) 782-1958 or (512) 782-6685 or email: ng.tx.txarng.list.txmf-domops-joc-j1@mail.com.

Sincerely,



PATRICK M. HAMILTON
Brigadier General, TXARNG
Commanding