

Book	Policy Manual
Section	200 Pupils
Title	Truancy/Mandatory Attendance Enforcement
Code	204.1
Status	Active
Adopted	August 27, 2019
Last Revised	May 25, 2021

## **Purpose**

The Board intends for the processes and procedures used to combat truancy and comply with applicable mandatory attendance laws to be as supportive of the families as possible, utilizing referrals to the magistrate only as a last resort when other more collaborative, non-punitive options have not been successful.

## **Definitions**

**Habitually truant** shall mean six (6) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.[\[1\]](#)

**Truant** shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.[\[1\]](#)

**Person in parental relation** shall mean a:[\[1\]](#)

1. Custodial biological or adoptive parent.
2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a child.
4. Person with whom a child lives and who is acting in a parental role of a child.

This definition shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.[\[2\]](#)

**School-based or community-based attendance improvement program** shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a child's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.[\[1\]](#)

## **Delegation of Responsibility**

The Superintendent or designee shall develop administrative regulations that set forth specific truancy procedures that are consistent with the law and with this policy.

Each building principal shall be responsible for addressing truancy issues in his/her building through consistent implementation of this policy and the administrative regulations promulgated pursuant to it.

## **Guidelines**

## Applicability

This policy applies to all students of compulsory school age, which is the period of a child's life from the time the child's parents/guardians elect to have the child enter school until the child reaches eighteen (18) years of age. This policy does not apply to individuals who hold a certificate of graduation from a regularly accredited, licensed, registered or approved high school.

## Unexcused/Unlawful Absence

For purposes of this policy, absences which do not meet the criteria indicated above shall be considered an unexcused/unlawful absence.

An out-of-school suspension may not be considered an unexcused absence.[\[1\]](#)

### *Parental Notification -*

District staff shall provide notice to the person in parental relation upon each incident of unexcused absence.

## Enforcement of Compulsory Attendance Requirements

### *Student is Truant -*

When a student has been absent for three (3) days during the current school year without a lawful excuse, district staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.[\[3\]](#)

The notice shall:[\[3\]](#)

1. Be in the mode and language of communication preferred by the person in parental relation;
2. Include a description of the consequences if the student becomes habitually truant; and
3. When transmitted to a person who is not the biological or adoptive parent, also be provided to the child's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.

The notice may include the offer of a School Attendance Improvement Conference.[\[3\]](#)

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference.[\[3\]](#)

### *School Attendance Improvement Conference -*

District staff shall notify the person in parental relation in writing and by telephone of the date and time of the School Attendance Improvement Conference.[\[3\]](#)

The purpose of the School Attendance Improvement Conference is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.[\[1\]](#)

The following individuals shall be invited to the School Attendance Improvement Conference:[\[1\]](#)

1. The student.
2. The student's person in parental relation.
3. Other individuals identified by the person in parental relation who may be a resource.
4. Appropriate school personnel.

## 5. Recommended service providers.

Neither the student nor the person in parental relation shall be required to participate, and the School Attendance Improvement Conference shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.[\[3\]](#)

The outcome of the School Attendance Improvement Conference shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate district staff.[\[3\]](#)

The district may not take further legal action to address unexcused absences until after the date of the scheduled School Attendance Improvement Conference has passed.[\[3\]](#)

### *Student is Habitually Truant -*

When a student under fifteen (15) years of age is habitually truant, district staff:[\[4\]](#)

1. Shall refer the student to:
  - a. A school-based or community-based attendance improvement program; or
  - b. The local children and youth agency.
2. May file a citation in the office of the appropriate judge against the person in parental relation who resides in the same household as the student.[\[4\]](#)

When a student fifteen (15) years of age or older is habitually truant, district staff shall:[\[4\]](#)

1. Refer the student to a school-based or community-based attendance improvement program; or
2. File a citation in the office of the appropriate judge against the student or the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.[\[4\]](#)

Regardless of age, when district staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate judge, district staff shall provide verification that the school held a School Attendance Improvement Conference.[\[4\]](#)

### *Filing a Citation -*

A citation shall be filed in the office of the appropriate judge whose jurisdiction includes the school in which the student is or should be enrolled.[\[5\]](#)

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.[\[5\]](#)

### Special Needs and Accommodations

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.

[6][7][9]

### Discipline

The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[\[3\]](#)

#### Legal

1. 24 P.S. 1326
2. 42 Pa. C.S.A. 6302
3. 24 P.S. 1333
4. 24 P.S. 1333.1
5. 24 P.S. 1333.2
6. Pol. 103.1
7. Pol. 113
8. Pol. 113.3
9. Pol. 114