

CHESTER COUNTY
ATTENDANCE GUIDE

SCHOOL SUBCOMMITTEE OF
CHESTER COUNTY TRUANCY TASK FORCE

September 2006

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Introduction

According to Ron Paige, the United States Secretary of Education, in a presentation at the National Truancy Prevention Conference in December 2004, on any given school day, 2.7 million enrolled children and youth are not in school in the United States. As adults, youth who had excessive school absences are more likely to have poor health, need mental health services, have lower paying jobs, and participate in criminal activity.¹ According to the National Truancy Prevention Association, over 90% of the inmate population in our nation's correctional facilities were truant or dropped out of school. While school districts in Chester County may have low numbers of children missing school in comparison to urban areas, the impact to our community for excessive absences could be significant.

The reason(s) behind excessive absences vary greatly among children. Early identification of excessive absences in a student provides us with an opportunity to address whatever issues may be causing a child to miss school.

It is our belief that children in Chester County will be more successful in their educational endeavors as a result of having consistent school attendance guidelines. There is a documented relationship between poor academic performance and absenteeism.² Students who do not perceive themselves as having academic skills are at increased risk for dropping out of school. Students who must repeat a grade are much more likely to leave school before attaining their high school diploma. Nationally, dropout rates are on the rise with one-third of those entering high school not graduating. The United States has now slipped to 10th place in the world for high school completion rates.³

The financial costs for the United States taxpayers associated with school dropouts is staggering. While the lifetime earning of high school dropouts will be significantly below those who graduate from high school, there are additional costs. Nearly half of those in prison and half of the heads of household on welfare were dropouts.⁴ Early intervention is more effective in preventing dropout behavior than remediation after the student has established a pattern of non-attendance.

School Districts may be held responsible in court for a student's leaving school. In August 2005, a Kansas jury awarded a Tonganoxie teenager \$250,000 in a lawsuit against his school due to the school district failing to stop the bullying that led him to drop out of school.

There are many things that can be done at the school level, within the District Court system, and within each community in Chester County to support our children to improve their school attendance. According to the Pennsylvania Department of Education's Basic Education Circular

¹ Bell, A.J., Rosen, L.A., and Dynlacht, D. (1994) *Truancy Intervention*, The Journal of Research and Development in education 57 (3) 203-211

² Truancy Prevention section of the Office of Juvenile Justice and Delinquency Prevention website, www.ojjdp.ncjrs.org/truancy/overview

³ Educational Testing Service Policy Information Report *One-Third of a Nation: Rising Dropout Rates and Declining Opportunities*.

⁴ Focus Adolescent Services website www.focusas.com/Dropouts

24 P.S. 13-1327 on Compulsory Attendance and Truancy Elimination Plan issued on August 8th, 2006, “the initial responsibility to address truancy rests with teachers, principals and guidance counselors. Every effort should be made to keep youth in school and reduce the school district’s referrals to the courts, child welfare or juvenile justice systems in order to effectively intervene and eliminate truant behavior.” This Attendance Guide will provide information on the attendance laws governing Pennsylvania schools and enrolled students, ways a school district can address excessive absenteeism, and the referral process to the Chester County Department of Children, Youth and Families.

As Robert Flores, Administrator of the Office of Juvenile Justice and Delinquency Prevention for the United States Department of Justice stated at the first National Truancy Conference in December 2004, “Truancy costs students more than just an education, it costs them their future.” We must all work together if we are to be successful in increasing the attendance of students in Chester County.

Overview of Legal Requirements

The mandatory school enrollment age in Pennsylvania is age 6 (only Washington state has as late a legal age for required school enrollment). However, once a child enters school as a beginner (a beginner is a child who enters a school district’s lowest elementary school grade), the child is subject to compulsory school attendance. The age at which a youth can legally drop out of school in Pennsylvania is 18 (Pennsylvania School Code Title 22: section 11.13). Legal exceptions to the compulsory attendance laws are enumerated at the end of this document, in Appendix A, section 1330, 1 through 5.

Section 1354 of the Pennsylvania Public School Code of 1949 (full section available in Appendix A) identifies the responsibility of each school to provide the parent or guardian written notice once a child is absent three (3) days, or their equivalent, without lawful excuse. If after three (3) days of the written notice the parent or guardian has not complied with the compulsory school attendance requirements, the school shall proceed against the parent or guardian as laid out in the act upon the next violation.

In accordance with section 1341 of the Pa Educational Code, the board of school directors of every school district shall employ attendance officers or home and school visitors, whose duties shall be the enforcement of above sections of attendance laws. These attendance officers and home and school visitors have full police powers, without warrant arrest, to apprehend any child who fails to comply with the compulsory attendance laws. When an attendance officer or home and school visitor takes a child into custody, they must promptly notify the parent, guardian or person acting in a parental capacity about the arrest. They shall then transport the child to the educational setting in which the child is enrolled. Efforts should be made to take a truant into custody commencing upon the fourth illegal absence and any illegal absences thereafter.

Title 24 P.S. § 13-1333 (full text in Appendix A) explains the penalties for violation of the compulsory school attendance requirements. Once a child has accumulated a fourth unlawful absence, the school shall file a citation with the local District Court. School Districts shall file the Truancy Citation under Title 24 P.S. §13-1327. The child and

every parent or guardian must appear at the truancy hearing established by the Magisterial District Judge. Failure to appear could result in warrants of arrest directing that the parent or guardian be brought before the Courts.

The parent, guardian, or person in parental relation, if found guilty of violating the compulsory attendance provisions can be fined \$25 to \$300 for each unlawful absence as well as paying court costs. The fines, upon collection, shall be disbursed to the school district where the student resides by the District Court. The parent or guardian can also be ordered to complete a parenting education program. For failing to complete the parenting education program or payment of fines, a parent or guardian may be sentenced to the county jail for a period not to exceed five (5) days. Parents or guardians may also be ordered to perform community service within the school district for a period not to exceed six (6) months. The Magisterial District Judge may also suspend, in whole or in part, a sentence in which a parent, guardian or person in parental relation is summoned to pay truancy fines, provided that the child no longer is habitually truant from school.

If the parent, guardian or person in parental relation charged with a summary offense shows that he or she took every reasonable step to insure attendance of the child at school, he or she shall not be convicted of the summary offense. In this situation, a child of compulsory school age who has attained the age of thirteen (13) years and fails to comply with the provisions of this act regarding compulsory attendance can be found guilty of committing a summary offense. This youth can be sentenced to pay a fine not exceeding three hundred dollars (\$300) for each offense for the benefit of the school district or shall be assigned to an adjudication alternative program. The Magisterial District Judge may also suspend, in whole or in part, the youth's sentence provided that the child no longer is habitually truant from school. Upon notification to the Department of Transportation by the Magisterial District Judge, youth shall have their driving privileges suspended for 90 days for the first violation of compulsory attendance laws and a six-month suspension of operating privileges for each subsequent violation. For those who have not yet received a driver's license, they will be ineligible to apply for a driver's license for the time frames noted above, commencing with their 16th birthday.

If a truant fails to appear or is found guilty of a summary offense in absentia, then a warrant of arrest should be issued consistent with Pa.R.CrimP. 430(A)(1) and 2. Once a child is before the Courts, the Magisterial District Judge shall impose a sentence consistent with the penalties identified in Title 24 P.S. §13-1333. Consistent with the above paragraph, fines may be mitigated with the remediation of the attendance problem.

The Magisterial District Judge shall expect the school district to submit to the District Court at the truancy hearing all attendance records, discipline records, the most recent report card, and any additional information the school district deems relevant. If a child is returning to District Court for a second or subsequent filing of truancy citations, the school district should contact, if they have not previously done so, the Holcomb Truancy Program to make a referral for truancy services. The school district should also provide the Magisterial District Judge accurate family demographic information on the child who is habitually truant to allow the District Judge to make a referral to the Holcomb Truancy

Program if the school district has not done so previously. If additional services are required, Holcomb staff will send complete referral information for the child to the Department of Children, Youth and Families alleging dependency. Complete referral information includes a Truancy Elimination Plan (TEP), referral form to DCYF and that citations have been filed with District Court. Please note that the TEP should be dated within the last six months. If a truant student fails to pay their fines or comply with the adjudication alternative program, the Magisterial District Judge may refer the truant student (age 16 or younger) to the Department of Children, Youth and Families as an alleged dependent child.

Recommended Practices for Addressing Excessive Absences

- Clearly convey the vision of consistent school attendance to the community before school begins in the fall and throughout the entire year (letter to parents, newspaper articles, community awareness campaigns through local businesses).
- School Districts should develop comprehensive policies regarding attendance, absenteeism and truancy reduction with their truancy reduction partners (e.g. parents, magisterial district judges, juvenile probation department, and county children and youth agency). (8/8/06 BEC)
- Inform parents that planned absences over 5 days must be requested in writing and approved by the building administrator prior to the absences; planned absences under 5 days must be approved by the building principal with input from teachers. Create a school district policy regarding the number of non-educational leave days a child can miss during a school year prior to considering these “vacation” days illegal. Provide families with this information at the start of each school year. A brochure or letter regarding attendance issues may be easier for parents to read in addition to information available in the discipline handbook distributed annually. Ensure the document is available in both English and the predominant language spoken in the homes of students.
- Utilize a reliable system for tracking daily attendance and identifying possible concerns (computer software designed for attendance). Require teachers in all grades to report attendance problems.
- A maximum of ten days of cumulative lawful absences, verified by parental notification may be permitted during a school year. All absences beyond ten cumulative days should require an excuse from a physician. (8/8/06 BEC)
- Have one designated person per school building track attendance, send letters to parents and file district court citations. Publish name and phone number of person so faculty and parents have access to this information. See Appendix C for a sample letter. Have the letter available in both English and the predominant languages spoken in the homes of students. Letters should be followed by a telephone conversation with the parent, or custodian to insure they are in receipt of the document and understand the content. Potential consequences to the continuation of the truancy should also be discussed. The

Pennsylvania Department of Education is recommending that a notice be sent to the parent/guardian after the first through third unlawful absence. For the 4th unlawful absence, the Pennsylvania Department of Education recommends that the official notice of unlawful absence be sent through certified mail. All subsequent incidents of unlawful absence should be referred directly to District Court though it is recommended that the school continue to call the parent/guardian to inform them of additional truant behavior.

- File citations to district court as soon as the 4th unlawful absence occurs as stated in the School Code. Since the illegal absences are cumulative, continue counting illegal absences from one school year to the next rather than starting “fresh” each school year. See Appendix D for a flow chart related to filing a truancy citation.
- Contact parents directly, at home or work, every day their child is absent, utilizing volunteers to help, if needed. This may be a way to use senior citizens requesting to work for the school district in lieu of school taxes.
- Have an announcement made over the school public address system twice a week reminding students to turn in absence excuse notes/forms.
- Send a letter to parents after 10 instances of incomplete attendance (absences, lateness, early dismissal). Ensure the letter is both in English and any other predominant language spoken in the homes of students. This letter should be followed by a telephone conversation with the parent or custodian to insure there is an understanding of the content.
- After the third unlawful absence, School Districts shall conduct an in-person conference with parent(s) and child to address attendance concerns and develop a mutually agreed upon Truancy Elimination Plan (TEP) which is signed by all parties. See Appendix E for a sample Truancy Elimination Plan and directions on completing it from the 8/8/06 Basic Education Circular. Utilize a directory of community services or the county social service referral database (www.referweb.net/chesco/) to refer families for assistance as issues impacting attendance are identified. Diligent efforts should be made in the scheduling of this conference to accommodate parent or caretaker’s schedule.
- Consider adding programs or organizational structures known to impact school attachment and attendance. Truancy Programming has been successful in addressing the root causes of truancy with the majority of involved families in the Chester County school districts. For more information, contact the Holcomb Truancy Program at 610-363-1488. The Olweus Bullying Prevention Program, or similar program should be implemented to address bullying behaviors which do impact school attendance. Family Services of Chester County has provided a research-based program entitled Families and Schools Together (FAST) in a number of school districts. For more information, call Family Services at 610-696-4900. Other methods found effective include: looping (keeping the same teacher for more than one year); block scheduling (staying with the same teacher/class for 2 period blocks of time); advisor/advisee program (having the same home room teacher and/or guidance counselor throughout the time at the middle or

high school); pushing back the starting time of the school day to a later time; and mentoring programs

- Develop alternatives to out-of-school suspension for truant students (community service projects, mentoring programs) as punishing non-school attendance by required non-school attendance is counter-productive. The local Chamber of Commerce or local businesses may be a resource for community service projects or mentors.
- Document attendance concerns in student files for future reference. Begin this process at the elementary school level. The “Attendance Armadillo” is an elementary level educational presentation about the importance of school attendance that can be used with young students. Materials may be purchased by contacting 1-800-448-2197.
- Once a student has been identified as being “at risk” as per the educational definition, that child should immediately be referred to the Student Assistance Program (or its equivalent). Once identified, a team should be convened to identify additional actions that may be needed to help these students. Potential outcomes of these meetings may be a referral to the Home, School, Community Council, referral for educational testing or an alteration of the student’s school day or educational placement.
- Keep track of the physicians/medical practices issuing medical excuse notes. If a family has doctors’ notes for excessive absences of a questionable nature, contact the doctor/medical practice directly to discuss how to help the child resume regular school attendance. This assistance needs to focus upon remediation of the attendance problem as opposed to a child’s medical history.
- Schedule yearly in-service training on the School Code, Child Protective Services Law, and the Juvenile Act for all faculty. The Chester County Department of Children, Youth and Families has staff available to provide this training. Call 610-344-5800 and ask for the school liaison.
- For the purposes of a Department of Children, Youth, and Families investigation, historical patterns of attendance are a consideration, however, the Dependency Court requires testimony regarding behaviors which have occurred in the preceding six months. Any information regarding how a child functions within the household and the community should be included in the referral. For practical purposes, referrals should be made on students who have accumulated six or more illegal absences within the current academic year and are currently exhibiting truant behaviors. Referrals need to be made when these students are identified and not at the end of the school year. All children who are exhibiting truant behaviors or attendance concerns in Chester County should first be referred to the Holcomb Truancy Program in an effort to resolve those concerns.
- According to the Pennsylvania Department of Education’s 8/8/06 BEC, children shall not be referred to the county children and youth agency for assessment until after the school district has made a formal effort to involve the family and child in resolving the cause of the truant behavior. A complete copy of the 8/8/06 Basic Education Circular can be

found at: www.pde.state.pa.us/k12/cwp/view.asp?A=11&Q=121159&pp=12&n=1, including a copy of sample letters to be sent after unlawful absences.

Chester County Department of Children, Youth and Families Policy on Truancy

It is expected that school personnel will have made every effort to conduct a conference with the parent(s) and child in which a Truancy Elimination Plan was created, as well as having filed truancy citations with their respective District Court prior to making the referral to the Department of Children, Youth and Families. These requirements will remain, but the school district may make a referral to the Holcomb Truancy Program without formally preparing this information. If additional services are needed after utilizing the Holcomb Truancy Program, the staff at Holcomb will ensure a referral to the Department of Children, Youth and Families. The Magisterial District Court Protocols for Truancy Violations now provide for the District Court to make referrals of appropriate youth to the Department of Children, Youth and Families right after a second truancy hearing, incorporating the school district materials in the referral packet. However, children should first be referred to the Holcomb Truancy Program. Once a School District has followed the above recommended policy, the Department of Children, Youth & Families will accept referrals from the Holcomb Truancy Program that involve any children age 16 and younger, who are illegally absent from school a minimum of six days in the course of one school year.

Children and families who are not successfully engaged by the Holcomb Truancy Program will be referred to the Department of Children, Youth and Families if the child remains illegally absent from school while school is in session. The Holcomb staff will assist referring sources with gathering the information necessary to make a formal referral to the Department of Children, Youth and Families. Appendix B provides a form outlining the information Chester County Department of Children, Youth and Families will need to accept a formal referral. The expectation is that referrals will be made to the department for action in a timely manner.

Once Chester County Department of Children, Youth and Families receives a truancy-related referral via Holcomb staff, the Department will begin assessing the child for alleged dependency.

APPENDICES

SECTIONS OF PENNSYLVANIA SCHOOL CODE

Compulsory school attendance law: Pennsylvania School Code Title 24: §13-1327.

- a. Except as hereinafter provided, every child of compulsory school age having a legal residence in this Commonwealth, as provided in this article, and every migratory child of compulsory school age, is required to attend a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. In lieu of such school attendance, any child fifteen years of age with the approval of the district superintendent and the approval of the Secretary of Education, and any child sixteen years of age with the approval of the district superintendent of schools, may enroll as a day student in a private trade school or in a private business school licensed by the Department of Education, or in a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board for Vocational Education. Except as hereinafter provided, every parent, guardian, or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. Such parent, guardian, or other person having control or charge of any child or children, fifteen or sixteen years of age, in accordance with the provisions of this act, may send such child or children to a private trade school or private business school licensed by the Department of Education, or to a trade or business school, or department operated by a local school district or districts.

(This section goes on to cover how private tutors, religious schools, accredited private day/boarding schools, and home education programs can meet the provisions of this section.)

Exceptions to the compulsory attendance laws: Pennsylvania School Code Title 24: § 13-1330. The provisions of this act requiring regular attendance shall not apply to any child who-

1. Has attained the age of sixteen (16) years, and who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to law;
2. Has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner; and has been found to be unable to profit from further public school attendance, and who has been reported to the board of school directors and excused, in accordance with regulations prescribed by the State Board of Education;
3. Has attained the age of fifteen (15) years and is engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's

residence, in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe;

4. Has attained the age of fourteen (14) years and is engaged in farm work or domestic service in a private home on a permit issued as provided in clause (3) of this section, and who has satisfactorily completed, either in public or private schools, the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides, if the issuance of such a permit has first been recommended by the district superintendent of schools having supervision of the schools of the district where such child resides, or by the principal of the private school where such child is enrolled, and the reason therefore has been approved by the Superintendent of Public Instruction;
5. Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township, or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile, resides two miles or more by the nearest public highways from any public school in session and no proper free transportation is furnished to such child to and from school.

School District Responsibilities Related to Attendance: Section 1354 of the Pennsylvania Public School Code of 1949 states:

It shall be the duty of every principal or teacher of a public school to report immediately to the attendance officer, district superintendent, or secretary of the board of school directors, the names of all children in the list furnished to him who have not appeared for enrollment, and he shall also properly report, from time to time, to the attendance officer, district superintendent, or secretary of the board of school directors, the names of all children who having enrolled have subsequently withdrawn from school, or who have been absent three (3) days, or their equivalent, without lawful excuse. Such person shall thereupon serve upon the parent, guardian, or other person in parental relation to such children unlawfully absent from school, the written notice hereinbefore provided, and if it shall appear that, within three (3) days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, the superintendent, attendance officer, or secretary of the board of school directors, in the name of the school district, shall proceed against the person so offending, in accordance with the provisions of this act, and subject to sanctions as defined in 1355 of the Pa Education Code.

Penalties for Violation of Compulsory Attendance Requirements: Pennsylvania Public Code Title 24 section 13-1333 explains:

(a)

1. Every parent, guardian, or person in parental relation, having control or charge of any child or children of compulsory school age, who shall fail to comply with the provisions of this act regarding compulsory attendance, shall on summary conviction thereof, be sentenced to pay a fine, for the benefit of the school district in which such offending person resides, not

exceeding three hundred dollars (\$300) and to pay court costs or be sentenced to complete a parenting education program offered and operated by a local school district, medical institution or other community resources, and, in default of the payment of such fine and costs or completion of the parenting program by the person so offending, shall be sentenced to the county jail for a period not exceeding five (5) days. Any person sentenced to pay any such fine may appeal to the court of common pleas of the proper county, upon entering into a recognizance, with one or more proper sureties, in double the amount of penalty and costs. Before any proceedings are instituted against any parent, guardian, or person in parental relation, for failure to comply with the provisions of this act, the district superintendent, attendance officer, or secretary of the board of school directors shall give the offending person three (3) days' written notice of such violation. If, after such notice has been given, the provisions of this act regarding compulsory attendance are again violated by the persons so notified, at any time during the term of compulsory attendance, such person, so again offending, shall be liable under the provisions of this section without further notice.

2. The child and every parent, guardian or person in parental relation must appear at a hearing established by the district justice. If the parent, guardian or person in parental relation charged with a summary offense under this subsection shows that he or she took every reasonable step to insure attendance of the child at school, he or she shall not be convicted of the summary offense.
3. Upon a summary conviction, the district justice may suspend, in whole or in part, a sentence in which a parent, guardian or person in parental relation is summoned to pay as required under this section: Provided, that the child no longer is habitually truant from school without jurisdiction.
4. In lieu of or in addition to any other sentence imposed under this section, the district justice may order the parent, guardian or person in parental relation to perform community service in the school district in which the offending child resides for a period not to exceed six (6) months.
5. The district justice may refer the child to the local child welfare agency.

(b)

1. If the parent, guardian or person in parental relation is not convicted of a summary offense because he or she took every reasonable step to insure attendance of the child at school, a child of compulsory school age who has attained the age of thirteen (13) years and fails to comply with the provisions of this act regarding compulsory attendance or who is habitually truant from school without justification commits a summary offense and except as provided in clause (4) shall, upon conviction, be sentenced to pay a fine not exceeding three hundred dollars (\$300) for each offense for the benefit of the school district in which such offending child resides or shall be assigned to an adjudication alternative program

pursuant to [42 Pa.C.S. § 1520 \(relating to adjudicative alternative program\)](#).

2. For any child who has attained the age of thirteen (13) years who fails to pay the fine under clause (1) or to comply with the adjudication alternative program, the district justice may allege the child to be dependent under [42 Pa.C.S. § 6303\(a\)\(1\) \(relating to scope of chapter\)](#). The failure by the child to pay a fine or comply with the adjudication alternative program shall not constitute a delinquent act under [42 Pa.C.S. Ch.63 \(relating to juvenile matters\)](#).
3. Upon a summary conviction or assignment to an adjudication alternative program, the district justice may suspend, in whole or in part, a sentence or an adjudication alternative program in which a child who has attained the age of thirteen (13) years must pay or comply with the adjudication alternative program: Provided, that the child no longer is habitually truant from school without justification.
4. Any child who has not attained the age of thirteen (13) years who fails to comply with the compulsory attendance provisions of this act and is habitually truant shall be referred by the school district for services to the Holcomb Truancy Program or possible disposition as a dependent child as defined under [42 Pa.C.S. § 6302 \(relating to definitions\)](#). Any child who has attained the age of thirteen (13) years who fails to comply with the compulsory attendance provisions of this act and is habitually truant may, in lieu of a prosecution under clause (1), be referred by the school district for services or possible disposition as a dependent child as defined under [42 Pa.C.S. § 6302 \(relating to definitions\)](#).
5. The following words, when used in this subsection, shall have the following meaning, except where the context clearly indicates or requires a different meaning:

"Community resources"

shall mean those agencies and services for children and youth provided by the juvenile court, the county, the Department of Health, the Department of Public Welfare and other public or private institutions.

"District justice"

shall mean such court as the court of common pleas shall direct in counties not having district justices. (**Please note:** The correct terminology for 2005 forward is Magisterial District Judge.)

"Habitually truant"

shall mean absence for more than three (3) school days or their equivalent following the first notice of truancy given under section 1354. A person may be habitually truant after such notice.

"Offense"

shall mean each citation which goes before a district justice or court of common pleas.

"Person in parental relation"

shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child defined under [42 Pa.C.S. § 6302 \(relating to definitions\)](#).

(c) If a child is convicted for a violation of this section, the court, including a court not of record, shall send to the Department of Transportation a certified record of the conviction or other disposition on a form prescribed by the department.

(d) Nothing in this section shall be construed to apply to a parent, guardian or person in parental relation whose child or children are in a home education program under section 1327.1.

FORM FOR REPORTING TRUANCY TO CHESTER COUNTY CYF

601 Westtown Road, Suite 310
P.O. Box 2747
West Chester, PA 19380-0990
Phone # 610-344-5800

It is recommended that cases of truancy be referred to CYF after the student has accumulated 6 illegal absences, a school meeting has been held with student and parent(s) in which a Truancy Elimination Plan was created (or attempts made), and a citation has been filed at district court. Please have the following information available **prior** to making the referral. Thank you.

- Name of school _____ School district _____
- Name of reporting source _____ Phone number _____
- Name of student _____ Date of birth _____ Grade _____
- Parent/guardian(s) _____
- Address of family _____
- Phone number of parent/guardian: Home _____ Work _____
- Name of guidance counselor _____ Phone number _____
- Attendance information (have the record with you when making the call)
Days in session _____ Excused absences _____ Illegal absences _____ Tardies _____
- Attendance history (be specific as to when attendance problem started) _____

- Other school problems (behavior, academic) _____

- Direct interventions done with student _____

- Direct interventions done in the home _____

- Has school psychologist tested student? _____ Results: (Regular Ed., Special Ed., 504 Plan, any diagnoses) _____
- If special educational services are being offered, what do they include? _____

- School conference held with parent/guardian? _____ Results _____
- Referrals made to community organizations? (Who, where, when, how) _____

- Truancy citations filed with district court? _____ Date filed? _____
Date of hearing? _____ Outcome? _____

SAMPLE LETTER AT START OF SCHOOL YEAR

Dear Parent or Guardian,

All children deserve a solid education to prepare them for the challenges of today's world. Repeated unexcused absences hurt children's ability to learn and can lead to many consequences for children as well as parents. Pennsylvania law requires that all children once enrolled in school must continue to attend school until graduation from high school unless they disenroll. Parents are also legally responsible for making sure their children attend school unless they are lawfully excused. Absences and tardiness become part of a student's permanent record, and as such, are reported to colleges and on applications for scholarships and employment.

Schools are required under the law to send written notice to parents when a child has missed three days from school without a lawful excuse. Schools may request a meeting with parents to discuss the reasons behind poor school attendance and to find a solution to the problem. The schools and school staff are willing and able to help parents find ways to get their children to school.

Truancy means missing school without a lawful excuse. Examples of lawful excuses, accompanied by a written excuse within three days of the child's return to school, are:

- * Illness or medical appointment
- * Family emergency
- * Funeral
- * Religious holidays

Schools may require a written note from a doctor if a child misses a significant number of days due to illness.

Examples of unlawful excuses are:

- * Parent forgot to wake the child
- * Parent did not know school schedule
- * Child missed the bus
- * Child overslept or was sleepy
- * Child didn't feel like going to school

The School Code states that a citation to District Court **MUST** be filed if a student accumulates more than three unlawful absences throughout the student's school years. At the hearing, the parent or student (over age 13) can be fined up to \$300.00 per citation along with other penalties.

Our school administration and faculty are committed to providing your child with a quality education. If there are issues that are interfering with your child's school attendance, we would like to help. Together we can make sure your child is reaching his or her full potential by attending school on a regular basis.

School Administrator

SAMPLE LETTER NOTIFYING PARENTS OF THIRD ILLEGAL ABSENCE

Date _____

NOTICE – To Parent, Guardian, or Person in Parental Relation Having Control Or Charge
of Child of Compulsory School Age, of Unlawful Absence from School

Name _____

Address _____

In accordance with the provisions of Act of Assembly of the Commonwealth of Pennsylvania known as the Public School Code of 1949, together with subsequent amendments, notice is hereby given that _____ CHILD’S NAME _____

Born _____, attending _____ SCHOOL NAME _____ in Grade _____

1. Was absent from school on the following dates:

2. That said absences were unexcused absences.

3. That said unexcused absences constitute a violation of the compulsory attendance provision of the Public School Code of 1949.

4. That the law requires that the parent, guardian or person in parental relation of or to the pupil be given three (3) days written notice of such violation.

5. That an unexcused absence constitutes a summary offense under the Public School Code of 1949 for which penalties may be imposed against the parent, guardian, or person in parental relation, having control or charge of the pupil of compulsory school age including up to a \$300 fine per unexcused absence.

6. That if the pupil is illegally absent again, you as parent, guardian or person in parental relation, having control or charge of the above named pupil, will be charged before a Magisterial District Judge with violation of Section 1327 of the Public School Code of 1949, without any further notice from the school authorities.

ISSUED, this _____ Day of _____ 20 _____

Name of School Administrator

This notice served by _____

Manner of serving: In person _____ Certified Mail _____ Date _____

Received by: _____ Date _____

How to file a truancy citation

Student accumulates unlawful absence since enrolling in school TM School official files citation with District Court office TM Summons is sent to parent/guardian and child TM Truancy Hearing (SUMT) is scheduled if parent pleads innocence fourth

TM District Judge makes decision based on evidence TM Sentence is imposed on parent and/or child

Possible outcomes of Truancy Hearing:

- Hearing is continued until a later date
- Suspended sentence is issued
- Parent and/or child is fined up to \$300.00 per citation
- Parent and/or child is ordered to complete community service
- Parent and/or child is given some other alternative disposition
- Drivers license of child is suspended or eligibility is postponed
- Incarceration of parent

Directions to complete the Truancy Elimination Plan (TEP)

The TEP should be completed at the school-family conference. The school administrator should complete the TEP in collaboration with other conference participants. Participants should include, but are not limited to: student, parent/guardian, other relevant family members, school staff, partner organizations, community-based organizations and other agencies involved with family (e.g. Children and Youth, Juvenile Probation.). To identify and resolve root causes of truancy, all members should contribute their unique knowledge about the student and his/her environment to group discussion. Only then can meaningful results be achieved.

Directions

- 1. Goal: Increase** (insert student's name) **school attendance.**
- 2. Date:** Enter the date when TEP is being completed
- 3. Student Information (enter the following):**
 - a. Name of the student (First M. Last)
 - b. Birth date (mm/dd/yyyy)
 - c. Gender (male/female)
 - d. Grade Level (K-12)
 - e. Home Address
 - f. Home Phone Number
 - g. Special Needs (include any special needs identified through an IEP, and/or other accommodations not mandated by IEP, etc.)
 - h. Health Concerns (these can be identified by student, parent/guardian, school staff, and others)
- 4. School Information (enter the following):**
 - a. Name of School
 - b. School Address
 - c. Phone Number(s)
 - d. Principal's Name
 - e. Referring Teacher's Name
 - f. Email address/es (can be provided to ensure ongoing communication)
- 5. Parent/Guardian Information (enter the following):**
 - a. Name
 - b. Home Address
 - c. Home Phone Number

- d. Work Address
- e. Work Phone Number
- f. Email address(es) (can be provided to ensure ongoing better communication)

6. Absence (enter the following):

- a. Dates of each absence
- b. Whether or not an excuse was provided
- c. Reason(s) for each absence
- d. Action taken by the school on each incident of absence
- e. Provide meaningful information for future reference, including the name of the person taking the action, the date action was taken and any other relevant information.

7. Assessment (enter the following):

- a. Identify root cause/s of the truancy. It is crucial (yet sometimes overlooked) to build rapport with the student. This dialogue benefits all involved parties.
 - i. Student: academic, social, physical, mental, behavioral health issues
 - ii. Parent/Guardian: home environment, work schedules, unsupervised time for student, special circumstances, etc.
 - iii. School: school environment, student's interaction with other adults and with other students, school schedule, etc.
- b. Consider possible solutions:
 - i. These may include maximizing programs and services available in the school or community to involve the student.
 - ii. They could include pairing the student with a mentor (family member, teacher, school staff, community businesses, etc.)
 - iii. They may involve coordination of services to student and/or family to address health, social or financial issues.
 - iv. They may include activities intended to build self-esteem or confidence (e.g. the student may be asked to tutor elementary school students for some type of credit).
- c. Responsible party (enter the following):
 - i. Name of the person/agency that will take ownership for each stated solution (will ensure that the action step is completed).
 - ii. Contact information for each person/agency listed (to assist in monitoring/follow up).

8. Strengths (enter the following):

- a. Identify the strengths of the student, family and the school to support the goal of increasing attendance for the student.
- b. Relate each strength to the plan's overall goal.
 - i. For example: If the student reads well, a solution could be the student tutoring elementary students. This engages the older student in a meaningful activity, increases confidence, and supports his/her sense of responsibility by tutoring a younger student, thereby regular school attendance and academic success of both the older and younger student.
 - ii. If the student has plans for employment or further schooling after high school graduation, then appropriate activities could include:
 1. Discussing the ramifications of any future absences and how they could negatively impact those future plans.
 2. Pairing the student with a business member in the field that interests the student. This may help the student to understand the relevance of what he/she is learning in school and future endeavors.
 - iii. If the student has a single parent who works in the evening, leaving the student unsupervised, an appropriate action step could be to have a neighbor, extended family member or other adult either stay with the student or be in contact with the student during the parent's absence.
 - iv. If the student values school and the absences occurred three days in a row, then perhaps this was an isolated incident. However, it should be made clear that consequences for the fourth absence will result in a citation to the magisterial district judge and referral to the county children and youth agency.

9. Consequences for Non-compliance: Outline consequences for the student, parent/guardian, school, and other participants if they do not follow-through with the recommendations of the TEP and the BEC.

10. Benefits for Compliance: Benefits could include better grades for the student, graduation, higher graduation rates for the school, more involved community members, improved self-esteem, better relationship with parent/s and other adults, etc.

11. Signatures: The student, parent, and school official will sign and date the TEP as verification that all parties understand and agree to all components of the TEP.

12. Outcome Meeting: With school-family participants present, a follow up meeting will be scheduled. At that time each responsible party listed in the Solutions section will report on the progress of their area of responsibility.

13. **Outcome:** The group members will list the outcome(s) of the TEP and outline Next Steps, if any.

14. **Signatures:** The student, parent/guardian, and school official will again sign and date the TEP.

- **A copy of the TEP will be retained in the student's file.**
- **A copy of the TEP must be provided to the:**
 - **student**
 - **parent/guardian**
 - **appropriate school personnel**

Truancy Elimination Plan (TEP)

Date: _____

Goal: Increase *(Insert Student's Name)* school attendance.

<u>Name of Student</u> <u>Date of Birth</u> <u>Gender</u> <u>Grade Level</u>	Address Phone Number	<u>Special Needs</u> Health Concerns
<u>Name of School</u>	Address Phone Number	<u>Principal's Name</u> <u>Referring Teacher's Name</u>
<u>Name of Parent/Guardian</u>	Home Address Home Phone Number	Work Address Work Phone Number

<i>Date of Absence</i>	Written Excuse Provided? (Y/N)	Reason(s) for Absence	Action Taken <small>(e.g. Parent Letter 1 sent out on 04/01/2006, John Doe called parent, Mrs. Smith to discuss)</small>
1.			
2.			
3.			
4.			

Assessment

Description	Solution(s)	Responsible Party
1.		
2.		
3.		

Strengths

Description	Relevance to the Plan
1.	
2.	
3.	

Solutions

<i>Description</i>	Responsible Party(ies)	Completion Date
1.		
2.		
3.		

Consequences for non-compliance
1.
2.
3.

Benefits for compliance
1.
2.
3.

This TEP was created collaboratively to assist the student in improving attendance, to enlist the support of parent/guardian and to document the school's attempts to provide resources to promote student success.

Student: _____

Date: _____

Parent or Guardian: _____ **Date:** _____

School Official: _____ **Date:** _____

cc: student ___ (initial upon receipt)
parent/guardian ___ (initial upon receipt)
school personnel ___ (initial upon receipt)
other ___ (initial upon receipt)

Date for Follow-up Outcomes Meeting:

Outcomes:

- 1.
- 2.
- 3.

Next Steps:

- 1.
- 2.
- 3.

Student: _____

Date: _____

Parent or Guardian: _____

Date: _____

School Official: _____

Date: _____

In order for agencies outside of the school district to assist with this plan, your permission is needed to release the plan to the following:

Please sign below:

Parent or Guardian: _____

Date: _____