



## **Catholic Schools Office Diocese of Erie**

### **Attendance Policy**

#### **Statement of Purpose:**

The Catholic Schools Office of the Diocese of Erie, Pennsylvania, recognizes that regular attendance at school is important to student growth, development, social and academic progress, and readiness to learn. The Catholic Schools Office is committed to providing a school environment that enforces the compulsory attendance law through proactive cooperation among students, parents, administrators, teachers, district judges, juvenile probation, and the Office of Children and Youth.

#### **Introduction:**

Compulsory attendance is supported by implementation of a clear, consistent attendance policy. This policy is provided annually to the parents/guardians of Catholic school students and is posted on the diocesan website so as to be available to the public and to community organizations.

Compulsory attendance is a matter of state law and regulations. Students who do not comply with compulsory attendance regulations will be subject to the consequences outlined in the attendance policy, and will be assisted in improving attendance through the development of an individualized Truancy Elimination Plan.

There are limited exceptions to compulsory attendance regulations for students. Unusual circumstances which may merit exception to compulsory attendance regulations should be brought to the attention of the Catholic Schools Office for discussion and final decision on a case-by-case basis.

## **Definitions:**

Compulsory school age: the period of a child's life from the time he/she enters school as a beginner, which may be no later than eight years of age, until the age of seventeen or graduation from high school, whichever comes first.

Compulsory attendance (for Catholic Schools): attendance at a school operated by a bona fide church or other religious body which provides a minimum of 180 days of instruction or 900 hours of instruction per year at the elementary level or 990 hours of instruction per year at the secondary level.

Lawful absence: absences for which the school has received a written excuse from the parent/guardian. This excuse should be received within three days of the absence. Absences may be excused when a student is prevented from attendance for mental, physical, or other urgent reasons, which include but are not limited to illness, family emergency, death of a family member, medical or dental appointments, authorized school activities, and educational travel of 5 or fewer days with prior approval. In addition, lawful absences include student attendance at court hearings related to the student's involvement with the Office of Children and Youth or juvenile probation.

Cumulative lawful absences: a maximum of ten days of cumulative lawful absences verified by parental notification are permitted during a school year. Absences beyond ten cumulative days require an excuse from a physician.

Unlawful absences: absences for which the school has not received a written excuse from the parent/guardian. If an excuse is not received within three days of the absence, the absence is permanently counted as unlawful.

Truancy: a student is considered truant when absent for three or more days without a valid excuse.

## **Responsible parties:**

The parent/guardian or person in a parental relationship, such as a foster parent, is responsible for ensuring that a child attends school regularly and for providing a written excuse in the event of absence.

Principals, teachers, and tutors are required to report to the Catholic Schools Office cases when a child of compulsory school age has been absent three days without a lawful excuse.

### **Procedures for lawful absences:**

A student who is absent due to mental, physical, or family reasons of an urgent nature, is considered lawfully absent if the absence is less than three days consecutively and if the parent/guardian provides a written excuse within three days of the absence.

A student who is absent for three or more consecutive days is considered lawfully absent if a written excuse is provided by a physician.

A student who has been absent for 10 days during the school year is considered lawfully absent if a written excuse is provided by a physician.

### **Procedures for unlawful absences:**

1. First unlawful absence: parent/guardian receives notice of unlawful absence from the school. Legal penalties established by law for violation of compulsory attendance requirements are attached to the notice. The name and telephone number of a school contact person are included with the notice.

2. Second unlawful absence: parent/guardian receives second notice of unlawful absence from the school. Legal penalties established by law for violation of compulsory attendance requirements are attached to the notice. Name and telephone number of a school contact person are included. An offer of assistance is made to the parent.

3. Third unlawful absence: parent/guardian receives third notice of unlawful absence by certified mail, noted as "official notice of child's third illegal absence." Legal penalties established by law for violation of compulsory attendance requirements are attached to the notice. Three days after such notice, the student and/or parent/guardian who violates these requirements shall be liable without further notice. A family-school conference is coordinated by the school, to include the development of a Truancy Elimination Plan. Specific directions for developing and writing a Truancy Elimination Plan are attached as an appendix to this document.

4. Subsequent unlawful absence: after agreeing to a TEP, or if there is no agreement and 3 days have passed, if the child is unlawfully absent at any point within the school year, a notice of unlawful absence is sent home via certified mail. This includes advising the parent/guardian that a citation is being sent to the magisterial district judge. After this notification, the school is no longer

obligated to send additional notices but should refer all future incidents of truancy directly to the magisterial district judge. It is recommended that the school continue to call the parent/guardian to inform them of additional truancy.

In addition to or in lieu of notifying the magisterial district judge, the school refers the child to the Office of Children and Youth for services. The Office of Children and Youth may be provided with a copy of the TEP if the parent/guardian gives written consent.

5. Continued truancy: if the child continues to be truant after the above process, the school should file citations with the magisterial district judge citing the continued truancy on a weekly basis. If the child is habitually and without justification truant from school, additional measures may include assessment of the child to determine if protective services are needed.

# **APPENDICES**

## **Appendix A**

### **School-Family Conference and Truancy Elimination Plan (TEP)**

The Truancy Elimination Plan (TEP), as described in Section IV (A)(3) BEC 24 P.S. 13-1327, is designed to serve as guidance. The TEP is developed cooperatively through a school-family conference, which is required upon the school's notice to the student's parent/guardian upon the third unlawful absence.

Teachers are the first line of defense for compulsory attendance, as they are the first to recognize students with possible attendance issues. Therefore, teachers working with the building principals should implement a plan of action including (but not limited to):

- Sharing and reviewing school policy on attendance and student responsibilities with students and families;
- Contacting the student's parent/guardian upon his/her absence;
- Meeting individually with students to discuss reason(s) for absence;
- Making referrals to school counselor or appropriate outside agencies;
- Collaborating with the appropriate team within the school, e.g., the principal, involved educators, counselor.

Pursuant to the BEC 24 P.S. 13-1327, schools are required to notify the parent/guardian regarding the need for a joint conference upon the third unlawful student absence. The school-family conference engages all participants involved in the student's life to explore possible solutions to increase the student's school attendance.

The purpose of the school-family conference is to discuss the cause(s) of the truancy and to develop a mutually agreed-upon plan to assure regular school attendance. The school-family conference provides both parties with the opportunity to identify, understand and explore all issues contributing to the student's truant behavior. Participation by the student and family is an integral component for this conference. In addition, representatives from relevant and/or involved community-based agencies, community and school services, and school personnel should be invited to participate. During the school-family conference, a Truancy Elimination Plan (TEP) shall be developed cooperatively with the student and other meeting participants as described in Section IV (A)(3) BEC 24 P.S. 13-1327. An outline for the TEP is located at the end of this document and can be used as a guide for schools. Issues to be addressed at the school-family conference should include but not be limited to:

- Appropriateness of the student's educational environment;
- Possible elements of the school environment that inhibit student success;
- Student's current academic level and needs;
- Social, emotional, physical, mental and behavioral health issues;
- Issues concerning family and home environment and;
- Any other issues affecting the student's attendance.

The participants in the school-family conference should work collaboratively to conduct a holistic assessment to determine the reason(s) the student is exhibiting truant behavior. Every member should have a vested interest in and responsibility for determining an appropriate plan to assist the student to succeed both socially and academically. This school-family conference also provides an opportunity to ensure that both the student and the family clearly understand the legal ramifications of not adhering to the state's compulsory attendance requirements.

The primary goal of the school-family conference is the development of a comprehensive TEP which is understood by, agreed upon and supported by the student, the parent/guardian, the school representatives and all other conference participants. The TEP should include but not be limited to the following components as appropriate:

- Identification and provision of appropriate academic supports by the school and/or community organization(s);
- Identification and provision of appropriate social, emotional, physical, mental and behavioral health supports from the school and/or community organization(s);
- Identification of the school environment issues that affect the student's success and solutions to address these issues;
- Explanation of the student's strengths and responsibilities related to the TEP;
- Explanation of the family's strengths and responsibilities related to the TEP;
- Clarification of method(s) used for monitoring the effectiveness of the TEP;
- Explanation of the consequences for each stakeholder if the TEP is not fully implemented;
- Discussion of the benefits for successfully implementing the TEP;
- Following up and reporting the outcome of the TEP.

The TEP substantiates efforts made by the school, the family and other vested third parties to assist the student in addressing and resolving school attendance issues. This comprehensive system of supports and services provides documentation of the "good faith" effort between the school and the student's family should future action be required (e.g. citation to the magisterial district judge and referral to the county children and youth agency upon the fourth unexcused absence).

## Appendix B

### **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. 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.

The TEP should include the following:

**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
- b. Birth date
- c. Gender
- d. Grade Level
- e. Home Address
- f. Home Phone Number
- g. Special Needs
- h. Health Concerns

**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

**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)

**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. 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
  - 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: (Examples include the following):
  - i. programs and services available in the school or community to involve the student.
  - ii. pairing the student with a mentor
  - iii. services to student and/or family to address health, social or financial issues.
  - iv. activities intended to build self-esteem or confidence
- c. Responsible party for each solution (enter the following):
  - i. Name of the person/agency that will take ownership
  - ii. Contact information for each person/agency listed

**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.

**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.

**Note:**

- **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**

## **Appendix C**

### **Legal Ramifications of Truancy**

Pennsylvania law may impose a fine on parents for truancy at up to \$300 and requires parents to pay court costs or be sentenced to complete a parenting education program.

If the parents show that they took reasonable steps to ensure the attendance of the child, they will not be convicted of a summary offense.

If the parents are not convicted and the child continues to be truant, the child may be fined up to \$300 or be assigned to an adjudication alternative program.

A district justice is permitted to suspend a sentence given to a parent or child if the child is no longer habitually truant.

District justices may also order the parents to perform community service for up to six months.

Truant juveniles may have their Pennsylvania motor vehicle operating privileges removed for 90 days for a first offense and 6 months for a second offense.

Juveniles who are unlicensed are prohibited from applying for a learner's permit for 90 days for a first offense and 6 months for a second offense, commencing on their 16th birthday.

After a first notice of illegal absence has been sent to the parent and child, no further notice shall be required in order for a school district to prosecute future absences. Each illegal absence after the initial notice can be treated as a separate offense.

Pennsylvania law also makes it a crime to aid and abet truancy. People found to have enticed or encouraged minors to be truant will have committed a summary offense. A subsequent violation within one year is a third degree misdemeanor.