

SOM-22 ATTENDANCE POLICY

Regular attendance at school is important to student growth, development, social and academic progress, and readiness to learn. Schools are expected to provide a school environment that adheres to the Pennsylvania Compulsory Attendance Law through proactive cooperation among students, parents, administrators, teachers, magisterial district judges, and county children and youth agencies. Compulsory attendance is a matter of state law and regulations.

A parent/guardian must call the school office to report a child absent on each day of the absence. When a call is not received from a parent/guardian, the school must contact the parent/guardian to verify the absence.

Compulsory attendance is supported by implementation of a clear, consistent attendance policy that must be shared with parents/guardians. Students and/or their parents 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 School Attendance Improvement Plan (SAIP). (Appendix SOM – 22-A)

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
- Following up with the principal
- 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., BLeST / SAP.

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 superintendent for discussion.

The following definitions are helpful in clearly understanding the Attendance Policy:

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 and 900 hours of instruction per year at the elementary level (K-6) or 990 hours of instruction per year at the secondary level (7-12).

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.

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.

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 five (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 agencies that deal with the welfare of children.

Unlawful absences: absences for which the school has not received a written excuse from the parent/guardian.

Truant: a student is considered truant when absent for at least three unlawful absences during a school year.

Habitually Truant: a student is considered habitually truant if s/he has at least six unlawful absences during a school year.

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 within three calendar days of the absence. The parent/guardian must be informed that if they do not provide the written excuse within three days of the absence, the absence will be permanently counted as unlawful.

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 more than three 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

If the parent/guardian is neglectful in providing written excuses or does not meet such requirements in a timely fashion, reasonable allowances should be made to help them comply with the law. Schools should document and maintain a record of all communications, including telephone calls, written correspondence, and any other documents.

1. First unlawful absence: Parent/guardian receives notice of unlawful absence from the school. The name and telephone number of a school contact person are included with the notice. Legal penalties established by law for violation of compulsory attendance requirements are attached to the notice. (Appendix SOM – 22-B)
2. Second unlawful absence: Parent/guardian receives second notice of unlawful absence from the school. Name and telephone number of a school contact person are included. An offer of assistance is made to the parent. Legal penalties established by law for violation of compulsory attendance requirements are attached to the notice. (Appendix SOM – 22-B)

3. Third unlawful absence: Within 10 days of the third unlawful absence the Parent/guardian receives a 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. Additionally, the parent/guardian should receive a phone call from the school indicating the student’s third unlawful absence and an invitation to attend a school attendance improvement conference. Three days after such notice, the student and/or parent/guardian who violates these requirements shall be liable without further notice.

At this time, the school is required to convene an attendance improvement conference for the purpose of developing a School Attendance Improvement Plan. A written invitation will be sent to the parent/guardian and the student to participate in the conference. All parties should sign the SAIP. Specific directions for developing and writing a School Attendance Improvement Plan are attached as an appendix. (Appendix SOM-22-A). The school must hold the attendance improvement conference even if the parent/child refuse to attend. The school must document the outcome of the conference in a written School Attendance Improvement Plan (SAIP). Representatives from the student’s school district of residence should be invited to attend the conference and, once completed, should be given a copy of the SAIP.

4. Subsequent unlawful absence: After agreeing to an SAIP, or if there is no agreement, and three (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. Additionally, the student’s school district of residence will be notified of the unlawful absences and that the student is at risk of becoming classified as “habitually truant.”
5. Continued truancy: Once a student has six unlawful absences during a school year, they are classified as “habitually truant.” The school must report to the superintendent cases when a child is habitually truant. The student’s case will be referred to his/her school district of residence where decisions will be made on the following:
 - a. Refer student to school based or community-based attendance improvement program
 - b. Refer student to county child and youth agency for possible disposition as a dependent child
 - c. File truancy citation with the appropriate judge
6. When referring a habitually truant student to the district of residence, the school will collaborate to provide documentation for the district to comply with the PA School Code truancy requirements. Upon request, the school shall provide the student’s school district of residence with the following documentation:
 - a. the student’s attendance record
 - b. notices provided to the parent/guardian
 - c. actions taken by the school to address truant behavior
 - d. copy of the School Attendance Improvement Plan
 - e. *optional* - copy of the student’s academic performance
7. Upon request, the school shall participate in court proceedings related to juvenile dependency referrals or citations for truant behavior. Participation in such proceedings may be in person, by phone conferencing, by video conferencing or by any other electronic means.

8. If at any time throughout this process the student withdraws or is expelled from the school, the school is responsible for notifying the student's district of residence.

LEGAL RAMIFICATIONS OF TRUANCY

At any hearing before a magisterial district judge, the burden would be on the school to prove beyond a reasonable doubt that the child was habitually and without justification truant from school.

There are serious legal ramifications of truancy. Possible sentences for parents found to be in violation of compulsory attendance law:

- Paying a fine up to \$750 for each offense and court costs, or in lieu of or in addition to any other sentence 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 months.
- Completing a parenting education program, and
- Completing in lieu of, or in addition to the previous penalties, community service within the school district for a period of no more than six months.
- If there is a failure or refusal to comply with the original penalties imposed, incarceration may be an option.
- 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.

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

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

SCHOOL ATTENDANCE IMPROVEMENT CONFERENCE AND SCHOOL ATTENDANCE IMPROVEMENT PLAN

The SAIP is developed cooperatively with involved stakeholders through a School Attendance Improvement Conference, which is required after the school's notice to the student's parent/guardian upon the third unlawful absence. The School Attendance Improvement Conference engages all participants involved in the student's life to explore possible solutions to increase the student's school attendance. Maintaining open communication between the student and adults will facilitate positive outcomes.

The purpose of the school attendance improvement 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 Attendance Improvement 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. A School Attendance Improvement Plan (SAIP) shall be developed cooperatively with the student and other meeting participants.

Issues to be addressed at the School Attendance Improvement 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 Attendance Improvement 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 Attendance Improvement 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 Attendance Improvement Conference is the development of a comprehensive SAIP that is understood by, agreed upon and supported by the student, the parent/guardian, the school representatives and all other conference participants. The SAIP 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 support 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 SAIP;
- Explanation of the family's strengths and responsibilities related to the SAIP;
- Clarification of method(s) used for monitoring the effectiveness of the SAIP;
- Explanation of the consequences for each stakeholder if the SAIP is not fully implemented;
- Explanation of the consequences for each stakeholder if the SAIP is not fully implemented;
- Discussion of the benefits for successfully implementing the SAIP and
- Follow up and report the outcome of the SAIP.

The SAIP 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.

Directions to complete the School Attendance Improvement Plan (SAIP)

The SAIP should be completed at the School Attendance Improvement Conference. The principal should complete the SAIP in collaboration with other conference participants. A fillable SAIP is located at Administrator's Resources on the Catholic Schools Office website.

Note to School Administrators Regarding Medical Information: In this form, there are several places that request medical information from the parent(s) and/or student. While this information is helpful in fully understanding any potential medical causes for attendance issues, schools do not have the authority to require such information. Both the parent(s) and the student should be informed, prior to the meeting, that possible medical reasons for the attendance issues will be discussed and that they are not required to provide such information. The parent(s) and student should also be informed, however, that this information may be essential to developing attendance improvement solutions. If a parent and/or student does not wish to share this information, simply note on the form that the parent and/or student did not wish to share the information now. This documents that the school requested the information but that the parent and/or student was not inclined to provide it. If the parent and/or student *does* provide information regarding a medical reason for the attendance issues, that should be thoroughly discussed.

IMPORTANT: At the time of the School Attendance Improvement conference, it is recommended that the parents sign a FERPA release so that the SAIP can be shared with those outside of the school staff.