

# Unlawful Absence Reporting Guide

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## Overview

Section 1339 of the School Code (24 P.S. § 13-1339) requires educational entities to report to the Secretary of Education information related to student attendance.

The purpose of the Unlawful Absence Data Set is to report the total number of school days of unlawful absence for each student having any unlawful absences.

The number of school days of unlawful absence will be reported in the Student Fact template in the C6 Unlawful Absence data set. Refer to the template definitions in the Student Fact Template for Unlawful Absences located in the [PIMS Manual, Volume 1](#) on the Pennsylvania Department of Education website.

## Definitions

Excused absence: an absence from school which is permitted under section 1329 of the School Code (24 P.S. § 13-1329).

Governing body: the board of school directors of a school district or any other governing body of a school entity.

Unexcused absence: an absence from school which is not permitted by the provisions of section 1329 of the School Code (24 P.S. § 13-1329) and for which an approved explanation has not been submitted within the time period and in the manner prescribed by the governing body. An out-of-school suspension may not be considered an unexcused absence.

Compulsory age: the period of a child's life from the time the child's parents elect to have the child enter school and which shall be no later than six (6) years of age until the child reaches eighteen (18) years of age. The term does not include a child who holds a certificate of graduation from a regularly accredited, licensed, registered, or approved high school.

Unlawful absence: any unexcused absence for a student of compulsory age.

School day: the length of time that a student is expected to receive instruction during a calendar day, as determined by the governing body.

## PIMS Reporting of Unlawful Absences

### Who Must Report

Unlawful absences are to be reported by the following local education agencies (LEAs):

- school districts,
- charter, regional charter, and cyber charter schools,
- intermediate units (IUs), and
- career and technical centers (CTCs).

## Students to Be Reported

- Students reported as enrolled in the reporting LEA. The LEA in which the student is enrolled reports unlawful absences.
- Students outplaced to a PIMS-reporting LEA other than an Approved Private School (APS).
  - The LEA to which the student is outplaced reports unlawful absences. This applies to students outplaced to school districts, charter schools, intermediate units, and CTCs.
  - Unlawful absences of students outplaced to school entities other than a school district, charter school, intermediate unit, or CTC are not reported.

## Reports to Run

In PIMSReportsV2, the following reports are found in the Safe Schools > Unlawful Absence folder:

- **Student Fact Unlawful Absence Template Details** – This report displays details for each student reported as having any unlawful absence in the Student Fact template.
- **Safe Schools LEA Profile and ACS, Safe Schools School Profile and ACS**
  - These reports display a summary of data reported at the LEA or School level on the Unlawful Absence tab of the report. The reports can be accessed via the PIMSReportsV2 application.
  - The Safe Schools LEA Profile and ACS is signed via the Future Ready Comprehensive Planning Portal (FRCPP).
  - The Safe Schools School Profile and ACS is signed physically or electronically and uploaded via the FRCPP.

## Frequently Asked Questions

1. **How do I report unlawful absences for students who enroll but do not attend?**  
Only report unlawful absences that occur until such time as the student is withdrawn or dropped from the LEA's roll. If the student is later found to be enrolled elsewhere, do not count the time during which the student is enrolled in the other entity.
2. **A kindergarten student under the age of six is enrolled but stopped attending. The absences are determined to be unlawful. How do I report the absences?**  
Report the unlawful absences up to the date the student is dropped from the roll or the student is formally withdrawn by the parents of guardian.
3. **A student is unlawfully absent on a school day that is a scheduled half day. How do I report the absence?**  
Report the unlawful absence in accordance with your LEA's attendance policy. Best reporting practice is to consider the unlawful absence to be equal to half a school day.

4. **A student is scheduled to attend the district high school in the morning and a CTC in the afternoon. The student is unlawfully absent from the district school in the morning but is present at the CTC in the afternoon. How is this reported?**

The school district will report the unlawful absence in accordance with its attendance policy. Best reporting practice is to consider the unlawful absence to be equal to half a school day. The CTC will report nothing because the student was not absent from the CTC.

5. **A student is scheduled to attend a district high school in the morning and a CTC in the afternoon. The student is unlawfully absent from the district school in the morning and the CTC in the afternoon. How is this reported?**

Each school entity – the school district and the CTC – will report the student’s unlawful absence in accordance with each entity’s attendance policy. Best reporting practice is to consider the unlawful absence to be equal to half a school day.

## References

### [PIMS Manuals & Calendar](#)

- PIMS Manual, Volume 1, Student Fact Template or Unlawful Absences
- The Elementary/Secondary Data Collection Calendar

### Data Quality Office PIMS How-To Guides > PIMS Data Set Guides:

- [Resources and Trainings](#)