School Attendance Toolkit:

A toolkit of information to support professionals working with students and families to increase student attendance

November 2021



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Purpose and Use of School Attendance Toolkit

Research demonstrates that chronic absenteeism—students missing 10 percent or more of school days due to absences of any reason—is a risk factor associated with a variety of negative academic and social outcomes. Students who are chronically absent are more likely to have difficulty learning to read by third grade, show lower academic performance in middle school, and are more likely to drop out of high school (Attendance Works, 2018). Statistics shared by the U.S. Department of Education and the U.S. Department of Justice indicate that students who are truant have an increased risk for poor outcomes as adults including substance use disorder, involvement with the criminal justice system, poor health and mental health, lower paying jobs, living in poverty, and having children who exhibit behavioral needs as compared to youth who were not truant. While the reason for truancy varies widely, prevention and intervention activities aimed at reducing chronic absenteeism improve attendance rates and support student achievement.

Promoting the value and necessity of education for our youth is important for all of us. The most effective way to reduce non-attendance is by encouraging parents/guardians and adult caretakers, schools, public agencies, the legal system, non-profit organizations, businesses, and all members of the greater community to work together to create a safe, supportive learning environment.

The Pennsylvania Department of Education (PDE) Office for Safe Schools has created a variety of resources including school climate surveys and the Pennsylvania Career Ready Skills (PA CRS) to support student social emotional learning and mental health and trauma-informed resources that local education agencies (LEAs) can use to support school attendance.

PDE provides targeted supports and programs for those students who may be homeless, pregnant or young parents, migrants, or refugees. PDE is also working closely with LEAs to increase parent/guardian involvement in schools.

Included in this toolkit is a sample School Attendance Improvement Plan (SAIP) which provides schools a comprehensive and holistic approach to address attendance improvement through the use of school attendance improvement conferences. These conferences bring all vested individuals together, including the student, to remedy the truancy issue. The hope is that this resource will spur in-depth discussion regarding the ways in which these collaborative efforts can improve student attendance.

However, focusing on school attendance alone is not enough. The National Center for School Engagement has identified three essential elements as necessary to ensure success for all students:

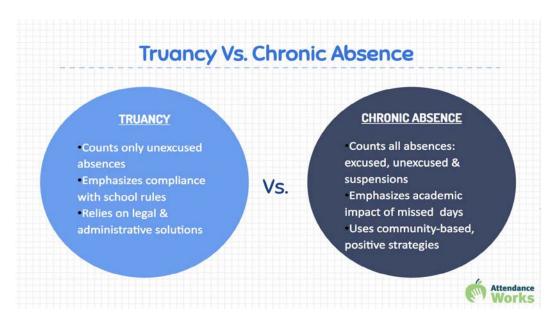
- 1. **Attendance:** Promoting attendance involves the design and implementation of evidence-based strategies to reduce excused and unexcused absences.
- 2. **Attachment:** Promoting attachment involves establishing meaningful connections with youth and their families through caring relationships, support, and mutually-defined expectations.
- 3. **Achievement:** Promoting achievement involves ensuring that students have the skills and resources needed to graduate from high school.

This toolkit is designed to provide guidance to schools and parents/guardians on their responsibilities for school attendance and to provide strategies to promote regular attendance patterns in schools.

The Impact of Missing School

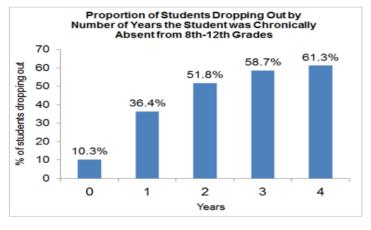
Students miss school for many different reasons. Data from the <u>U.S. Department of Education</u> indicate that while chronic absenteeism exists at high rates for all students, disparities do exist based on demographic characteristics. Research shows that factors contributing to chronic absences stem from three areas: school, family and community, and student characteristics. When children and youth are not in school, the likelihood of long-term adverse effects increase exponentially.

To understand how to address the problem of students missing school, it is important to understand the difference between truancy and chronic absenteeism. When schools and policies are focused on truancy, the focus is on addressing attendance from a lens of compliance with state and local regulations. The focus for truancy is most often on unexcused absences which can often lead to punitive responses from the school or legal system. A focus on chronic absenteeism is a shift from a view of compliance and regulations to a focus on the academic and social outcomes of not attending school. Through the lens of chronic absenteeism, the system is focused on any type of absence (e.g., excused, unexcused, suspensions) with a goal of providing prevention and intervention activities to improve student outcomes through increased attendance. The visual below from <u>Attendance Works</u> provides a quick snapshot of the key differences between truancy and chronic absenteeism.



This graph depicts the increase in the dropout rate as chronic absence increases.

The Effects of Chronic Absence on Dropout Rates Are Cumulative



With every year of chronic absenteeism, a higher percentage of students dropped out of school.

http://www.utahdataalliance.org/downloads/ChronicAbsenteeismResearchBrief.pdf



Used with permission from Attendance Works, 2018

Addressing Attendance Through Educational Approaches

Research suggests that the first time many schools become aware of attendance concerns is when students begin to fall behind academically. As detailed in legislation provided in this toolkit, LEAs have a legal obligation to develop attendance policies and take actions to address truancy. Truancy may result from a variety of factors including individual, family, and community factors. Addressing attendance through a tiered system of support for students based on a continuum of prevention to intervention promotes positive attendance, increases communication, and promotes partnerships between schools and families.

The following are some ways schools can assist in identifying underlying factors associated with chronic absences and provide other avenues to support student attendance and achievement. Fiscal resources may be available to support schools' efforts, including Safe and Drug Free Schools and Communities grants, Accountability Block Grants, Safe Schools grants, federal ESEA Title I funding and other funding sources.

A Multi-Tiered System of Support (MTSS) is a standards-aligned, comprehensive school improvement framework for enhancing academic, behavioral, and social-emotional outcomes for all students. As part of the MTSS framework, cross-disciplinary teams represented at the LEA, school, grade, and individual levels use a problem-solving process to integrate evidence-based academic, behavioral, and social-emotional programs and practices matched to student needs. A continuum of supports for staff and student services exist across three tiers and is undergirded by high-quality professional learning, cultural responsivity, partnership, and meaningful involvement with families, and dynamic decision-making that rests on the use of reliable and valid data sources:

- Tier 1 (Universal): Provide preventive, proactive, and universal practices and support to enhance academic, social-emotional, and behavioral outcomes with all students (e.g., school climate, comprehensive mental health, social-emotional learning).
- Tier 2 (Secondary): Provide targeted interventions to support students who require more intervention and support than is typically provided at Tier 1 (Universal). Interventions and supports should be aimed at the causal roots of factors adversely impacting learning.

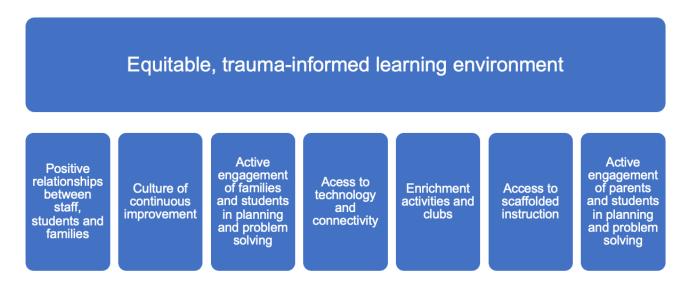
• Tier 3 (Tertiary): Requires the most intensive level of individualized intervention for students with the most significant, high intensity support needs (assessment based). Interventions and supports should be aimed at the causal roots of factors adversely impacting learning.

Strategies to reduce chronic absenteeism and truancy are easily integrated into the MTSS. Using the MTSS framework, Universal Supports (Tier 1) represents common strategies to encourage good attendance for all students; Targeted Supports (Tier 2) provides early intervention for students who need more support to avoid chronic absence; and Intensive Supports (Tier 3) offers intensive support for students facing the greatest challenges to getting to school.

Tier 1: Universal or Foundational Supports

There are many reasons students are absent from school, such as barriers, negative school experiences, lack of engagement, and misconceptions. Additionally, supports—such as access to computer equipment, internet connectivity, access to learning support for students, and support for families to help them facilitate learning at home—are even more fundamental when instruction is remote. When resources are not in place, schools and communities should problem solve to address these needs. Community collaboration is an important consideration in all tiers and is described in greater detail in the Cross Agency Collaboration and Intervention portion of this toolkit.

Foundational supports identified by Attendance Works that can be integrated into a universal level to support school attendance include the following:



Creating equitable, trauma-informed learning environments supports student growth. Embedding a focus on attendance within a framework supporting values of a trauma-informed system including safety; trustworthiness; collaboration and mutuality; empowerment, choice, and voice; and cultural sensitivity promotes environments where families and students can develop reciprocal relationships with school staff, increasing the likelihood of positive outcomes into adulthood. At a universal level, it is important to think about attendance as a whole-school focus. Building positive relationships, encouraging student attendance with positive conversations and a focus on connectedness, and monitoring data for early signs of concern are all factors that promote school attendance.

Tier 2: Targeted Supports

Early identification of students' absenteeism trends and factors that contribute to their absences provide schools with data to develop prevention activities and inform interventions to address attendance concerns. In order for school personnel to remain vigilant in addressing these issues in the early stages, the following student risk factors, characteristics, or behaviors have been shown to

be correlated with truant behavior and a propensity toward future school failure—including school dropout:

- Frequent school transitions/highly mobile students (students who frequently move from one school or district to another);
- Lack of guidance or parental supervision;
- Lack of proficiency in English;
- Low academic achievement;
- Negative attitude toward school; low bonding; low school attachment or commitment to school;
- Students for whom school is not a priority (e.g., students who enroll late in the year);
- Students who are employed:
- Students who are pregnant or parenting;
- Students with no school-engaged friends;
- Students with physical and mental health issues;
- A pattern of absences on Mondays and Fridays;
- Calls from the school nurse with non-specific complaints (e.g., headaches or stomach aches with no fever);
- Complaints about fellow students and teachers;
- Constant negative self-talk about school performance;
- Difficulty getting out of bed or dawdling to and from school/class;
- · Disinterest in what is being worn to school and personal grooming;
- Eating disorders;
- · Problem with sleeping, nightmares, and/or regression to bed-wetting; and
- Waiting until the last minute to do school-related tasks.

Should parents or staff observe these behaviors within a child or youth, the situation should be reviewed carefully to ascertain the reasons for the behavior, and an appropriate plan of action should be pursued.

Increasing or improving the following protective factors (to increase the resiliency of our students) tends to decrease the likelihood of truant behavior:

- Integrated social and emotional learning;
- Equitable student opportunities and discipline;
- Presence and involvement of caring and supportive adults; and
- Engaging all students.

The need for early intervention is crucial to truancy issues. Research demonstrates that a comprehensive approach that brings together the family, child, and other interested parties to create specific intervention strategies and plans is typically most effective. Regardless, understanding the position of the individual LEA, knowing who and what is available to assist is critical. School personnel have a responsibility to ensure that all families are aware of the school's attendance policies and to follow up with any student that begins to demonstrate a pattern of absenteeism. Subsequently, every LEA has personnel that are assigned to assist parents/guardians and other professionals with navigating through the LEA's procedures and resources.

There is an array of research-based preventative measures available to all LEAs to support students with truancy concerns. Schools that would like support with truancy and attendance can contact their regional intermediate unit or PaTTAN system for support. Additional attendance support strategies and resources are located later in the toolkit.

Tier 3: Intensive Supports

School Attendance Improvement Conference (SAIC)

(a sample School Attendance Improve Plan for the SAIC can be found below)

A SAIC is a conference held by the school with the student and the student's parent(s), guardian(s), or caregiver with educational decision-making rights, in which reasons for the absences are examined in order to improve attendance. The following individuals must be invited to the conference:

- 1. Student
- 2. Student's parent or person in parental relation
- 3. Individuals identified by the person in parental relation who may be a resource
- 4. Appropriate school personnel
- 5. Recommended service providers

The purpose of the SAIC is to discuss the root cause(s) of non-attendance and to develop a mutually agreed upon plan to facilitate regular school attendance. The SAIC provides all parties with the opportunity to identify, understand, and explore all issues contributing to the student's non-attending behavior. Participation by the student and parent or person in parental relation is an integral component of this conference. In addition, representatives from relevant and/or involved community-based agencies, community and school services should attend the conference.

There is no legal requirement for either the student or person in parental relation to attend a SAIC. However, schools should make every attempt to conduct the SAIC with the person in parental relation present. The school must hold the SAIC conference even if the person in parental relation declines to participate or fails to attend after the school provides advance written notice and makes attempts to communicate with the individual via telephone. Additionally, the school must invite recommended service providers to the SAIC, however the SAIC shall not be delayed pending a response from the service provider(s). The school must document the outcome of any SAIC in a written School Attendance Improvement Plan (SAIP).

IMPORTANT: All Family Educational Rights and Privacy Act (FERPA) related measures must be followed when including an individual other than the parent/guardian or a school employee in the SAIP. In the event that a FERPA release is not signed by the parent/guardian, no individuals other than school employees may participate in the meeting. Such instance will likely have a detrimental impact on the success of the plan developed to address the student's attendance issues, so a signed FERPA release is strongly recommended. [This provision related to FERPA is applicable only to schools that receive funding under any program administered by the United States Department of Education.]

Issues to be addressed at the SAIC should include, but are not limited to the following:

- 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 SAIC 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 SAIC also provides an opportunity to ensure that both the student and the family clearly understand the legal ramifications of not adhering to compulsory

attendance requirements. This approach promotes full understanding and appreciation of the root causes of truancy as well as the resultant personal and societal impacts when truant behavior is not adequately addressed.

The primary goal of the SAIC is the development of a comprehensive School Attendance Improvement Plan (SAIP) that is understood by, agreed upon, and supported by the student, parent or person in parental relation, school representatives, and all other conference participants.

LEAs may not expel or suspend (out-of-school) a student or reassign or transfer a student to an alternative education for disruptive youth (AEDY) program for truant behavior, and these actions may not be included in the SAIP. An in-school suspension is not considered a disciplinary reassignment. Additionally, schools may not initiate truancy proceedings (e.g., the filing of a truancy citation) until after a SAIC is held.

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;
- Discussion of the benefits for successfully implementing the SAIP; and
- Follow up and reporting the outcome of the SAIP.

The SAIP substantiates efforts made by the school, the family, and other vested 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 sixth unexcused absence).

A sample SAIP can be found in Appendix A and can be used as a guide for schools when developing their own plan format.

Sample Reasons for Non-Attendance

Listed below are possible reasons a student may not be attending school. This list should be reviewed prior to the SAIP for consideration of possible root causes for non-attendance.

School factors can include:

- Inconsistent and ineffective school attendance policies;
- Poor record keeping;
- Not notifying parents/guardians of absences;
- Unsafe school environment;
- Poor school climate; and/or
- Inadequate identification of special education needs.

Family and community factors can include:

Negative peer influences, such as other truant youth;

- Financial, social, medical, or other problems that pressure students to stay home to help the family:
- Child abuse and neglect;
- Family disorganization;
- Teen pregnancy or parenthood;
- Lack of family support for educational and other goals; and/or
- Violence in or near the home or school.

Student characteristics can include:

- A lack of personal and educational ambition;
- Poor academic performance;
- Alcohol and illegal substance use and abuse;
- Lack of self-esteem; and/or
- Unmet mental health needs.

Truancy and Individuals with Disabilities Education Act (IDEA) Students

For students eligible for special education under IDEA, the student's school must satisfy the state requirements of the SAIC and SAIP that pertain to all students. Additionally, the IEP team should discuss and resolve all attendance issues using the IEP process. For attendance issues that are determined to be a manifestation of the student's disability, the IEP team should develop attendance improvement-related solutions to incorporate into the student's IEP and/or review and revise any attendance improvement-related solutions already set forth in the student's IEP. The student's SAIP may aid the IEP team's discussion in this context.

Cross-Agency Collaboration and Intervention

No school or agency can eradicate truancy working alone. Cross-agency collaboration and integration in a system-wide effort that combines all forces is imperative to truly make a difference in reducing truancy. The following section includes an overview of specific agencies and organizations, including specific recommendations which must be included to facilitate a successful truancy reduction effort. All entities must work in concert, through ongoing communication and collaboration, to effectively address the issue of truancy.

Community-Based Organizations

The successful education of our youth is a community responsibility. All members of the community have a vested interest in ensuring well-educated young people contribute positively to society. Schools should maximize the resources that are available within their community by creating partnerships and offering needed services to students and families that are available through community-based organizations. Truancy prevention programs must encourage and facilitate collaboration with community-based organizations. Examples of community-based agencies to support truancy prevention may include:

- Faith-based organizations
- YMCA
- Boys and girls clubs
- County services

Student Assistance Programs (SAP)

Established under <u>Section 1547 of PA Public School Code</u>, the Pennsylvania Student Assistance Program (SAP) is designed to assist school personnel in identifying issues including alcohol, tobacco,

other drugs, and mental health issues which pose a barrier to a student's success. Pennsylvania requires all school entities (school districts, charter schools, and cyber charter schools) to have SAP programs for all grades (elementary and secondary). The PA Network for Student Assistance Services (PNSAS) Regional Coordinators are available to provide technical assistance to support schools in meeting required criteria.

SAP is a systematic team process used to mobilize school resources to remove barriers to learning. There are four phases to the SAP process:

- Referral Students can be referred by anyone who has concerns about a factor that is
 impacting their education. This can include any school staff, a student's friend, a family member
 or community member. Students can also self-refer for assistance. Once a student is referred,
 the SAP team must gain active consent from the parent/guardian to proceed.
- Team Planning The SAP team gathers objective information about the student's performance in school from the parent/guardian and school personnel who have contact with the student. The team meets with the parent/guardian to discuss the data collected and meets with the student. Together, a plan is developed that includes strategies for removing the learning barriers and promoting the student's academic and personal success to include in-school and/or community-based services and activities.
- Intervention and Recommendations The plan is put into action. The team assists in linking
 the student to in-school and/or community-based services and activities. Through mental health
 and drug/alcohol liaisons, follow-up supports and intervention recommendations are provided to
 the student and family.
- Follow-Up The SAP team continues to work with and support the student and their family.
 Follow-up includes monitoring, mentoring, and motivating for academic success.

Children and Youth Services

Pennsylvania's child welfare system is state-supervised and comprised of 67 county-administered children and youth agencies whose operation and funding are guided by requirements set by federal statutes as well as state statutes passed by the Pennsylvania General Assembly. Pennsylvania's child welfare system is further guided by regulations promulgated by the PA Department of Human Services (DHS), Office of Children, Youth and Families (OCYF) and regulations promulgated by the federal Department of Health and Human Services, Administration for Children, Youth, and Families. OCYF is the program office within DHS that develops child welfare regulation, policy, funding guidelines and provides supervision and licensing to public and private children and youth social services agencies.

The responsibility to assess habitual truant referrals is most often performed by the county children and youth agency. In rare situations, it may be performed by the juvenile probation office, but this is decided within each county.

The Juvenile Act, 42 Pa C.S. § 6302, defines "dependent child," in part, as a child who while subject to compulsory school attendance is habitually and without justification truant from school. The Child Protective Services Law, 23 Pa.C.S. § 6373, relating to general protective services responsibilities of a county agency, requires that each county agency be responsible for administering a program of general protective services to children and youth consistent with the agency's objectives to prevent or overcome problems that result in dependency. Habitual truancy is one such problem.

Truancy is an issue of great importance to all child and family serving systems because truant behavior is often one of the first visible indicators that a family is in need of assistance. Schools are

the entity likely to have the most direct and positive impact on student attendance. Providing positive interventions that can address the underlying issues that cause a child to be truant is of paramount importance and may prevent children from being victimized or engaging in delinquent behavior. The initial responsibility to address truancy rests with teachers, principals, and guidance counselors. LEAs have been advised to develop creative and innovative approaches to ensure children are active participants in their education. Every effort should be made to keep youth in school and reduce the school's referrals to the courts or child welfare and juvenile justice systems. Children are truant for many reasons and schools must seek to understand and address those issues. LEAs, as part of their responsibility to assist the family, are required to offer a school/family conference for a truant child that continues to incur unexcused absences to discuss the causes of the child's truancy and to develop a mutually agreed upon SAIP to resolve the truant behavior.

Referral to the county children and youth agency may be considered when a school's exhaustive efforts to engage a habitually truant child and family have failed. This is especially appropriate when a parent's actions or inactions directly impact their child's attendance. Each county children and youth agency is responsible for assessing the family dynamics of a referred habitually truant child pursuant to the Juvenile Act and Title 55, Pa. Code, Chapter 3490 Regulations, Subchapter C (relating to general protective services). The county children and youth agency may accept the habitually truant child's family for possible in-home services or may request disposition of the child as a dependent child.

The Department of Human Services (DHS), through the Office of Children, Youth, and Families (OCYF), supports several truancy prevention programs throughout the commonwealth. Additionally, with the assistance of OCYF funding and technical assistance, many counties support family centers that have integrated community services to help families become stronger, healthier, better educated, and more self-sufficient. Family centers provide services including tutoring programs, parent education, parent support groups, child health screenings, child development activities, as well as access to education, training, and employment information.

The Administrative Office of Pennsylvania Court (AOPC) through the Office of Children & Families in the Courts convened the Education Success and Truancy Prevention Workgroup (ESPT) in 2009. In their May 2010 report, "Truancy: A Call to Action", approved in its entirety by the Pennsylvania State Roundtable, they cited five core principals to successfully address truancy:

- Collaboration, especially between the school, children and youth agency, and the courts;
- Positive educational culture and climate in the school;
- Early identification and intervention efforts with measurable outcomes;
- Tracking truancy data; and
- Sustainability.

Furthermore, the ESPT Workgroup offered draft recommendations that placed an emphasis on the use of community-based intervention and services for youth in need of attendance improvement. As a result of the ESPT Workgroup and the Joint State Government Commission Truancy Advisory Committee's efforts, compulsory attendance requirements and truancy laws were amended through Act 138 of 2016. The Act is intended to simultaneously preserve the unity of the family, whenever possible, avoid the loss of housing, possible entry of a child into foster care or other disruptions of a family unit, and minimize confinement of a parent to a habitually truant child or youth.

Regardless of the imposition of summary criminal penalties against the parent or child before a magisterial district judge, DHS encourages LEAs, county children and youth agencies, and juvenile probation offices to work collaboratively toward the elimination of truant behavior. Cases of habitually truant children should be examined closely to determine what services can be provided to effectively address the existing needs of the child and family.

Habitually truant students may be referred to the county children and youth agency by contacting ChildLine. ChildLine is part of a mandated statewide child protective services program designed to accept child abuse referrals and general child well-being concerns (to include habitual truancy) and transmit the information quickly to the appropriate agency for assessment or investigation. ChildLine is responsible for receiving verbal and electronic referrals 24 hours a day, seven days a week. School staff who are mandated reporters are encouraged to report to ChildLine electronically using the self-service portal on the Keep Kids Safe website. The ChildLine Hotline can be reached at 1-800-932-0313.

Magisterial District Judges

There are more than 500 magisterial district judges in Pennsylvania who are responsible for the disposition of most cases charging an individual with truancy. Many magisterial district judges are involved with LEAs in coordinated efforts to assist, as set forth in this toolkit, solutions to the problems which create truancy. It is beneficial to all parties invested in the outcome of truancy matters that actions relative to truancy be taken promptly by school districts and, where it is clear that there are social issues, that Children and Youth be involved. The truancy statute calls for the first form of action to be against the parents since they are responsible for the child's attendance at school.

In cases where it is shown that the parents have taken every reasonable step to ensure attendance of the child at school, the statute allows the judge to dispose of charges brought against the parent.

It is incumbent upon magisterial district judges and school districts to work together to accomplish the goals set forth in this toolkit. The only meaningful remedy, when it involves a child, is the opportunity for them to obviate the criminality by agreeing to and attending school. Magisterial district judges and special courts throughout Pennsylvania are encouraged to work cooperatively with LEAs since the judges find that truancy in many cases is a social problem as opposed to a criminal problem. The absences when not dealt with will result in more serious consequences.

Local Law Enforcement Agencies

Local law enforcement agencies can serve a critical role in coordinating truancy response and prevention efforts. LEAs, as part of their Memorandum of Understanding (MOU) with local law enforcement, may include provisions outlining the role of local law enforcement in truancy prevention. LEAs may also want to be in contact with local security agencies, such as those serving shopping malls, eating establishments, sports facilities, and other public places where students may congregate during school hours.

Legal Responsibilities

This toolkit is designed to help schools develop an effective approach to truancy reduction. By becoming aware of and understanding the legal requirements concerning attendance and enforcement of compulsory attendance, school staff will be able to develop policies that are responsive to local concerns. Procedures should be established to ensure that the judicial and social service systems are used in the most effective, efficient, and cooperative manner so that all students in Pennsylvania attend school regularly and become inspired and productive citizens.

General Attendance Requirements

- Children ages six to 18 with a legal residence in Pennsylvania must 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, with limited exceptions.
- Each LEA must adopt a written attendance policy that must comply with compulsory attendance laws and Chapter 11 regulations and must allow the school to determine when a student who is enrolled has an unexcused absence. The policy must also comply with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and the Americans with Disabilities Act (ADA).
- Copies of the attendance policy should be provided to parents at the beginning of each year and
 to all new enrollees upon enrollment in the LEA. The attendance policy should also be posted on
 the LEA's publicly accessible website. The attendance policy should be written in a way that is
 easily understood by all parents and translated when there are large populations of non-English
 speaking parents/families.
- Each LEA's attendance policy must address the maximum number of lawful absences verified by parental notification that will be accepted in one school term. For all absences beyond the maximum amount, each LEA should state whether it will require an excuse from a physician for an absence to be considered lawful.
- A student who is truant or chronically absent for health-related reasons may be eligible for protections under IDEA or Section 504. If a student with a disability is truant or chronically absent, the school should convene the student's IEP team to determine whether revisions to the student's IEP are necessary or appropriate. A students' federal and state rights, such as those provided under IDEA, Section 504, or the Americans with Disabilities Act (ADA), may require the school to otherwise diverge from its general attendance policy to ensure that all students with a disability are provided a free and appropriate public education (FAPE).

View the Attendance and Truancy Basic Education Circular (BEC) on the PDE Website.

Students with Disabilities

Individuals with Disabilities in Education Act (IDEA)

Under the Individuals with Disabilities in Education Act (IDEA), 20 U.S.C. 1400, et seq., LEAs have an obligation to identify and program for students with disabilities and are in need of specially-designed instruction as defined by IDEA. Where a student eligible under IDEA is chronically or habitually truant, or where truancy is impacting a student's academic or functional performance, the IEP team should reconvene to discuss the truancy issues to determine whether revisions to the IEP are necessary and/or appropriate. It is recommended that the administrator responsible for handling truancy within the school building be a participating member of this IEP team process and discussion. Schools must recognize that students' disabilities may present unique circumstances that might require consideration of other statutory or regulatory provisions or attendance policies. That is, students' federal and state rights, such as those provided under IDEA, Section 504, or the ADA, may require the school to otherwise diverge from its general attendance policy to ensure that all students with a disability are provided a free and appropriate public education (FAPE).

It should also be noted that the standard disenrollment procedures for a student who has not been in attendance for ten (10) days is different for special education students. Schools should contact their legal counsel for guidance as to the proper procedures for disenrolling a special education student for non-attendance.

Section 504 of the Rehabilitation Act of 1973

Section 504 states:

No otherwise qualified individual with a disability . . . Shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.29 U.S.C.A. § 794.

This statute, applicable to all institutions that receive federal funding, is intended to effectively ensure that all students with disabilities are able to access the public school curriculum and all public school programs and activities offered by the public school. Section 504 protections are available to a broader class of students than those who may be eligible for services under the IDEA.

Students who are chronically truant for health-related reasons may be eligible for Section 504 protections. It is imperative that schools determine, early in the truancy process, whether there is a possibility that a student may be truant due to a medical illness or potential disability.

It is important to note that a student does not need to have a documented or diagnosed medical disability to fall within the protections of Section 504.

Resources

General Resources for LEAs

Attendance Playbook: Smart Strategies for Reducing Chronic Absenteeism in the COVID Era FutureEd and Attendance Works have expanded their 2019 Attendance Playbook to reflect schools' realities during and after the pandemic. It offers ideas for how to encourage and track attendance during distance learning in a section of the report. It also includes more than two dozen effective and readily scalable approaches to reducing chronic student absenteeism in the wake of the Covid-19 outbreak.

Attendance Works Toolkits

This non-profit organization provides resources to address student chronic absenteeism and truancy.

FutureEd

FutureEd is an independent, solution-oriented think tank at Georgetown University's McCourt School of Public Policy.

Pennsylvania Evidence Resource Center- (35 Student Attendance Strategies) https://www.evidenceforpa.org/strategies

Check and Connect- http://www.checkandconnect.umn.edu/

Student Engagement and Attendance TA Center: https://oese.ed.gov/student-engagement-and-attendance-technical-assistance-sea-center/

Pattan Publications/Resources: https://www.pattan.net/Publications/Enhancing-School-Engagement-and-Attendance-for-Stu

Parent/Guardian Resources

<u>Parents' Guide to Truancy</u> - published by the National Criminal Justice Reference Service This pocket guide is designed to reduce incidences of truancy by providing parents and guardians with prevention and intervention strategies. <u>HUNE</u> is a not-for-profit organization that provides free bilingual English and Spanish training, technical assistance and individual assistance to both professionals and families of infants, toddlers, children and youth with disabilities.

Parent Education Advisory Leadership (PEAL) Center

The mission of the PEAL Center is to educate and empower families to ensure that children, youth, and young adults with disabilities and special health care needs lead rich, active lives as full members of their schools and communities.

Frequently Asked Enrollment Questions and Answers

View Answers to <u>Frequently Asked Questions About Absenteeism and Truancy</u> on the PA Roadmap for Instructional Leaders.

Additional answers regarding <u>Student Enrollment and Attendance During the COVID Pandemic</u> are available here.

GLOSSARY OF TERMS

Below is a list of terms with corresponding definitions for use when using this document and when developing, implementing, and evaluating attendance improvement programs.

Each school board must adopt written policies concerning district child accounting, attendance, admission, excusal, and program procedures, as necessary. Term definitions align to definitions provided in the <u>PA School Code of 1949</u> unless otherwise noted.

Aggregate days attendance: the sum of days present for all students for the days school was in session during the reporting period.

Aggregate days membership: total days enrolled for all students for the days school was in session during the reporting period.

Average daily membership (ADM): the average number of students in membership during the reporting period (aggregate days membership divided by days in session).

Basic education circular (BEC): a document that provides guidance from the Pennsylvania Department of Education relating to the Pennsylvania Public School Code of 1949, State Board of Education regulations and standards and federal law and regulations.

Charter school: an independent public school designed by local citizens, established and operated under a charter from the local board of school directors. A charter school must be organized as a public nonprofit corporation.

Child: any individual who has not reached their birthday, unless they are on active duty for a branch of the armed services or is married.

Child abuse: in Pennsylvania, the child protective services law (CPSL) (23 PA.C.S. Chapter 63 establishes the definition of child abuse. The full definition can be found at <u>23 pa. C.s. § 6303 (b.1)</u>.

Child protective services: services and activities provided by the department of human services and each county children and youth agency for child abuse cases.

Children and youth agency education liaison: the staff person or persons within each county children and youth agency, trained in educational issues. Best practice roles and responsibilities for county children and youth agency education liaisons can be found on the Children and Youth website.

Chronic absenteeism: percent of students enrolled for at least 90 days who have missed more than 10 percent of enrolled school days across the academic year. Absences include excused, unexcused, and suspensions.

Community resources: agencies and services for children and youth provided by the juvenile court, the county, the department of education, the department of health, the department of public welfare and other public or private institutions.

Compulsory school age: the period of a child's life from the time the child's parents elects 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.

Days in session – the total number of instructional days completed.

Dependent child: in Pennsylvania, the Juvenile Act (42 Pa.C.S. Chapter 63) establishes the definition of dependent child. The full definition can be found at 42 Pa. C.S. § 6302

Dropout: a student who, for any reason other than death, leaves school before graduation without enrolling in either another school or an adult education program.

Emancipated minor: a person below the age of 21 who has chosen to establish a domicile apart from the continued control and support of his/her parents or guardians. A minor living with a spouse is deemed emancipated.

Excused absences: excused absences are defined by school policy and require written notification by a parent/guardian to the school for reasons such as mental or physical illnesses, death of a family member, doctor's appointments, observing a religious holiday, court appearance, college visitation or pre-approved family trips.

Expulsion: when a student is not permitted to attend school due to his/her behavior as punishment after an official board hearing.

General protective services: Those services and activities provided by each county children and youth agency for cases requiring protective services. See also child protective services.

Habitually truant: six or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.

Home education program: an education program designed to permit parents, guardians, and legal custodians ("supervisors") to conduct home education programs for their children (See 24 P.S. §13-1327.1).

Home language survey: a questionnaire provided to identify limited English proficient students. The purpose of the survey is to determine the student's primary or home language.

Homeless student: student who lacks a fixed, regular, adequate nighttime residence or has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters and transitional housing for mentally ill), an institution providing temporary residence for individuals intended to be institutionalized or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for

human beings. (42 U.S.C. § 11302(a)).

Individuals with Disabilities Education Act (IDEA): federal law that ensures "free and appropriate education" for children with disabilities.

Instructional time: Time in the school day devoted to instruction and instructional activities provided as an integral part of the school program under the direction of certified school employees. Instructional time includes opening exercises, homeroom, assemblies, core content classroom instruction, instructional activities, guidance and counseling services, speech pathology, audiology services, student health services, supervised study halls, clubs and student councils conducted during school hours, educational class trips, civil defense, fire, bus evacuation and similar drills, kindergarten orientation, up to three days of graduation preparation, and an early dismissal or delayed opening due to inclement weather. For a more complete list of instructional time, see BEC 24 P.S. § 15-1504.

Migratory child: any child domiciled temporarily in any school district for the purpose of seasonal employment, or accompanying his/her parent/guardian, but not acquiring residence in that district.

Nonresident students: students classified as nonresident (custodial parent or guardian resides in school district other than the school district the student is attending). The full definition of nonresident students can be accessed here: enrollment of students.

Out-of-school programs: programs conducted off school grounds under the general supervision of professional school staff, such as cooperative education, job shadowing, internships, community exploration, registered apprenticeships, and community service-learning.

School Attendance Improvement Conference (SAIC): school attendance improvement conference shall mean a conference where the child's absences and reasons for the absences are examined in an effort to improve attendance, with or without additional services.

School Attendance Improvement Plan (SAIP): a plan developed through the school attendance improvement conference to improve a student's attendance.

School attendance officer: an employee designated by the school board to address matters relating to school attendance and truancy.

School day: the length of time that a child subject to compulsory school attendance is expected to be receiving instruction during a calendar day, as determined by the governing body.

Secondary: an instructional level that includes grades seven through 12.

Student Assistance Program: Established under <u>section 1547 of PA Public School Code</u>, SAP is designed to assist school personnel in identifying issues including alcohol, tobacco, other drugs, and mental health issues which pose a barrier to a student's success. Pennsylvania requires all school entities (school districts, charter schools, and cyber charter schools) to have SAP programs for all grades (elementary and secondary).

Students with disabilities: A child of school age who meets the criteria in 34 CFR 300.8.

Suspension: when a student is temporarily not permitted to attend school or school affiliated activities as punishment for behavior. Suspensions can be in-school or out-of-school and last from one day to 10 days.

Truant: a child is "truant" if the child is subject to compulsory school laws and has incurred three or more school days of unexcused absences during the current school year.

Unexcused absence: an absence from school that is not permitted under the provisions of Section 1329 of the school code 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.

View the Glossary of Child Accounting Terms on the PDE Website.

Contact Us

For additional information or technical assistance, please contact:

Child Accounting Section
Division of Subsidy Administration
(717) 787-5423, option 1
ra-CAD@pa.gov

PIMS Application Support PDE Data Quality Office (800) 661-2423 ra-DDQDataCollection@pa.gov

Division of Assessment and Accountability
Office of Elementary and Secondary Education
(717) 787-4234
ra-pas@pa.gov

Office for Safe Schools
Office of Elementary and Secondary Education
(717) 783-6621
ra-edsafeschoolsrep@pa.gov

Appendix A. Implementation Tools

School Attendance Improvement Plan (SAIP)

Basic Student Inform	nation			
Name of Student: Home Address: Special Needs/IEP:	s			
Parent Information				
Name of Parent/Guardian: Home Address: Work Address: Home Phone: Cell Phone: Name of Parent/Guardian: Home Address: Work Address: Home Phone: Cell Phone:	Work Phone: Email Address: Work Phone: Email Address:			
Goals				
Goal: Projected Date of Attendance Improvement: Click or tap to enter a date. Student's Name: Date of SAIP Meeting: Click or tap to enter a date.				
List of those who attended the SAIP and Role/Relationship to student				

Attach the Attendance Summary to the End of this Document for Reference

Description	Relevance	to the Plan
Seneral Intormation	on Regarding Family Habits	/Routines
ousehold?	ent live during the week? nt wake up on a school day? on does the student use to get to school	
Assessment/Are	eas of Need Secondary	v
1 1 mar y	Secondar)
Additional Information/C	omments:	
Solutions		
Description	Responsible Party(ies)	Projected Completion Date
	al Benefits to Student fo	or Improved Attendance
vith Plan	al Benefits to Student fo	•
with Plan		•
Specific Potentia with Plan Short Term Benefit		-

This SAIP was created collaboratively to

- Assist the student in improving attendance;
- Enlist my/your support as the parent(s)/guardian(s); and
- Document the school's attempts to provide resources to promote the educational success of the student.

we agree with this pian, including an requirements and cons	, ,
comply with the terms set forth in the Plan. Parties in agreen	nent with this plan will sign below:
Student:	Date:
Parent or Guardian:	Date:
Parent or Guardian:	Date:
If those persons listed above disagree and refuse the terms se	et forth in the plan, please sign below:
Student:	Date:
Parent or Guardian:	Date:
Parent or Guardian:	Date:
Should we the Parent/Guardian have difficulty in implementing	
party, we can contact the following school personnel with questi	ons or concerns prior to the scheduled progress
meeting.	
School personnel contact information:	
Date for Follow-up Meeting (if applicable): Click or tap to ent	
If no date is listed above, please disregard.	

The student, parents, and school should be provided a copy of this form regardless of attendance

Sample Forms/Letters

The following section provides sample letters that can be used by LEAs to address the legal steps that should be taken for unlawful absences. All letters should conform to individual LEA policies and procedures. An enclosure, to be used with the letters are also provided for convenience purposes.

Letters to Parent of Absent/Truant Student

(all letters should be on LEA letterhead and dated)

First Unlawful Absence

Parent/Guardian Name Address City, PA Zip Code

Dear < PARENT'S (OR GUARDIAN'S) NAME>,

<STUDENT NAME> was absent unlawfully on <DATE>. This letter is sent to make you aware of this absence. Regular attendance at school is an important part of every student's success and is necessary in order to gain the greatest benefit from the educational experience. Students who are frequently absent from school miss direct instruction and regular contact with their teachers. Commonwealth of Pennsylvania law and school policy requires regular daily attendance. When absences accumulate, it may ultimately result in academic difficulty for <STUDENT NAME>.

Our LEA has an active Student Assistance Team and additional services that are available to you and your family. We share a common goal to ensure that your child reaches <HIS/HER> full potential. All absences are counted as unlawful until the <LEA NAME> receives a written excuse explaining the reason for the absence. If a written excuse is not received within three days, the absence will permanently be added to the student's file as unlawful. This letter serves as our first communication regarding <STUDENT NAME>'s unlawful absences.

In addition, any absences of ten cumulative days will require a written excuse that indicates <STUDENT NAME> was seen by a doctor or medical practitioner. Enclosed are the penalties for violation of compulsory attendance requirements.

If you have any questions, please call my office at <PHONE> or the guidance office at <PHONE> so that we may work together to ensure <STUDENT NAME>'s educational success.

Sincerely,

<Principal, Assistant Principal, or Attendance Officer>

cc: Student Assistance Team
Attendance Office/Home School Visitor
Guidance Counselor
Student File

(Enclosures: Law and SAP brochure)

NOTE: The Department of Education recognizes that a best practice would include sending a similar letter to any students over the age of 13 years old to reinforce the importance of regular attendance and their academic success. See this section for a sample letter.

Second Unlawful Absence

Parent/Guardian Name Address City, PA Zip Code

Dear < PARENT'S (OR GUARDIAN'S) NAME>,

This letter is to inform you that <STUDENT NAME> was absent unlawfully from school on <DATE>. This is the second unlawful absence recorded this year. Attendance requirements are meant to benefit your child's educational experience. I appreciate your cooperation in trying to improve your child's school attendance and in helping <STUDENT NAME> complete missed assignments on those occasions when <STUDENT NAME> must be absent.

Commonwealth of Pennsylvania law and school policy require that every child of compulsory school age attend school daily. A child must present a written excuse from the parent/guardian or medical practitioner within three days of an absence, or the absence will be counted as unexcused. Enclosed are penalties for violation of compulsory attendance requirements.

I strongly encourage you to contact the guidance office or the student assistance team to discuss ways to ensure your child's school attendance. Continued unlawful absences could lead to notification of the magisterial district judge, as well as a referral to the County Children and Youth Agency. You may request a school attendance improvement conference at this time to explore possible solutions to your child's unlawful absences. If you have any questions, please call my office at <PHONE>.

Sincerely,

<Principal, Assistant Principal or Attendance Officer>
(Enclosures: Law and SAP brochure)
cc: Student Assistance Team
Attendance Officer/Home School Visitor

Attendance Officer/Home School Visitor Guidance Counselor

Guidance Counsel

Student File

Third Unlawful Absence (sent via certified mail and return receipt requested)

Parent/Guardian Name Address City, PA Zip Code

OFFICIAL NOTICE OF CHILD'S UNLAWFUL ABSENCE

Dear < PARENT'S (OR GUARDIAN'S) NAME>:

This letter is to officially notify you that <STUDENT NAME> has been absent from school without a lawful excuse on the following dates: <DATE 1, DATE 2 and DATE 3 (add subsequent dates as appropriate)>. These absences are unlawful and, therefore, constitute a violation of the compulsory attendance provision of the Pennsylvania Public School Code (24 P.S. 13-1327).

You are therefore notified of your child's repeated unlawful absences and strongly encouraged to ensure that your child receives no subsequent unlawful absences. Three unexcused absences during a single school year constitutes truancy under the Public School Code.

Be advised that the process for development of a School Attendance Improvement Plan for your child has now begun, which requires a school attendance improvement conference (SAIC). A SAIC is a conference where the child's absences and reasons for the absences are examined in order to improve attendance, with or without additional services. The school will make every attempt to conduct the SAIC with <PARENT'S (OR GUARDIAN'S) NAME> present, however, the school must hold the SAIC conference even if the person in parental relation declines to participate or fails to attend.

If <STUDENT NAME> accumulates six or more school days of unexcused absences during the current school year, this series of absences will constitute habitual truancy. If a habitually truant child is under age 15, the school must refer the child to either (1) a school-based or community-based attendance improvement program or (2) the county children and youth agency for services or possible disposition as a dependent child. Additionally, the school may file a truancy citation in the office of the appropriate judge against the person in parental relation to the child.

If a habitually truant child is 15 or older, the school must either (1) refer the child 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 person in parental relation to the child. If a habitually truant child 15 or older incurs additional absences after a school refers the child to a school or community-based improvement program or the child refuses to participate in an attendance improvement program, the school may refer the child to the county children and youth agency for possible disposition as a dependent child.

A person convicted of a violation of compulsory attendance laws may be: (1) sentenced to pay a fine for the benefit of the school, (2) sentenced to perform community service, or (3) required to complete an appropriate course or program designed to improve school attendance.

Please refer to the enclosed sections in the Pennsylvania School Code for specific penalties for violation of compulsory attendance requirements for both you and your child.

Sincerely,

<Attendance officer>

(Enclosures: Law and SAP Brochure)

cc: Student Assistance Team

Attendance Officer/Home School Visitor

Principal

Assistant Principal Guidance Counselor

Student File

Letter to Truant Student Over the Age of 15

Student Name Address City, State, Zip Code

CERTIFIED AND RETURN SERVICE FIRST CLASS MAIL

Dear Mr./Ms. Name:

Based upon your attendance history, while a student in the, <School District>, it has become necessary to formally notify you of key components of the PA School Code and < School District> policies dealing with attendance. As a student over the age of 15 this letter shall serve as official notification that you are aware of the following:

- You are required by School Code and District Policy to attend school every day it is in session unless illness, injury, or other urgent reasons prevent you from attendance. Signed notice that you were absent with parental permission must be submitted to the school within three days of the absence. If you are absent three or more consecutive days, a note that you were seen by a physician must be submitted to the school, also within the three day time period.
- Should you acquire too many unlawful/unexcused absences you may be denied credit for courses, regardless of your current grade in the class.
- Failure to attend school each day it is in session can result in:
 - o Revocation of any work permits (working papers) issued to you by the District.
- Accumulation of six or more school days of unexcused absences during the current school year will constitute habitual truancy and the school must either:

- o refer you to a school-based or community-based attendance improvement program; or
- o file a citation in the office of the appropriate judge against you or your parent/guardian.
- o Such prosecution may result in you or your parent/guardian being fined up to \$300.
- o Additionally, the District Justice may:
 - Impose a sentence to perform community service or impose a sentence to complete an appropriate course or program designed to improve school attendance. Suspend your privilege to possess or apply for a PA driver's license if convicted and subsequently fail to comply with the penalty imposed.
- Continued failure to attend school may result in a referral to other County agencies for additional actions and/or placements.

Leaving campus prior to dismissal time is considered truancy and subject to prosecution.

I certainly hope that your attendance record improves, and you have a successful school year. It is my desire that we do not need to resort to any of the above actions.

Respectfully,

Signature and Name of Attendance Officer for District

c: Parents via regular mail Truancy File

Compulsory School Attendance Hearing Notes

Resulting in the filing of citation #

RE: Defendant's Name Defendant in this case is the parent or guardian of record for name of student. This student has a date of birth of mm/dd/yy making him/her XX years of age at the time of this offense and subject to the compulsory school age attendance laws as set forth in the PA School Code, as amended. This student was assigned to the Xth grade at School, Township/Borough/City, Name of County, PA. This school is within the jurisdiction of this Magisterial Court. A notice of compulsory attendance letter was mailed to the defendant on Date of Letter referencing unlawful absence dates for this student of list dates here This letter was signed for on mm/dd/yy by name **or** letter was returned unclaimed. This notice was also sent first class return service requested mail and the envelope was/was not returned to the school. A notice requiring a physician's note was mailed to the defendant via certified mail on: date. This letter was signed for on mm/dd/yy by name **or** letter was returned unclaimed. This notice was also sent first class return service requested mail and the envelope was/was not returned to the school. [NOTES: have copy of Attendance Improvement Plan, letter and certified mail cards available for the hearing; referral to county Children and Youth Agency occurs simultaneously with notification. [List chronologically any other actions taken home visits, calls to parents' other letters, meetings with student etc.] Student had absences again on: Resulting in the filing of citation # _____ The student had absences on: