



Book	Policy Manual
Section	200 Pupils
Title	Attendance - DRAFT
Code	204
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Purpose

The Board recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues. ~~The purpose is to improve school attendance and deter truancy through a comprehensive approach to consistently identify and address attendance issues as early as possible with credible intervention techniques.~~^[1]

Authority

~~Regular a~~ Attendance shall be required of all students during the days and hours that school is in session, except that authorized District staff may excuse a student for temporary absences upon receipt of satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence.^{[2][3][4][5][6][7]}

The Board shall establish and enforce attendance requirements, in accordance with applicable laws and regulations, Board policy, and any applicable administrative regulations.

Definitions

Compulsory school age shall mean the period of a child's life from the time the child's parents/guardians elect to have the child enter school, and which shall be no later than eight (8) years of age until the child reaches seventeen (17) 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.^{[8][9]}

Habitually truant shall mean six (6) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.^[9]

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.^[9]

Person in parental relation shall mean a:^[9]

1. Custodial biological or adoptive parent.

2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a child.
4. Person with whom a child lives and who is acting in a parental role of a child.

This definition shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.[\[10\]](#)

School-based or community-based attendance improvement program shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a child's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.[\[9\]](#)

Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians, the local children and youth agency and the local Magisterial District Judges with jurisdiction over the parental guardians and students who reside in the District, about the District's attendance policy by publishing such policy in student handbooks ~~and newsletters~~, on the District website, and if deemed necessary, through other efficient communication methods.[\[1\]](#)[\[11\]](#)

The Superintendent or designee, in coordination with the building principal, Attendance Officer, Home and School Visitor, and Director of Pupil Services shall be responsible for the implementation and enforcement of this policy.

The Superintendent or designee may ~~shall~~ develop administrative regulations for the attendance of students which:

1. Govern the maintenance of attendance records in accordance with law.[\[12\]](#)[\[13\]](#)
2. Detail the process for submission of requests and excuses for student absences.
3. Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the appropriate judge.
4. Ensure that students legally absent have an opportunity to make up work.

Guidelines

Compulsory School Attendance Requirements

All students of compulsory school age who reside in the District shall be subject to the compulsory school attendance requirements.[\[5\]](#)

A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; or the student is receiving approved homebound instruction.[\[2\]](#)
[\[5\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

The following students shall be excused from the requirements of attendance at District schools, upon request and with the required approval:

1. ~~Upon~~ On certification by a licensed physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.[\[6\]](#)

[7][20]

2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught. [5][21]
3. Students attending college who are also enrolled part-time in District schools. [22]
4. Students attending a home education program or private tutoring in accordance with law. [5][17][23][24][25][26]
5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved. [5]
6. Students fifteen (15) years of age, and fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits. [7]
7. Students sixteen (16) years of age regularly employed during the school session and holding a lawfully issued employment certificate. [7][15]

Excused/Lawful Absence

For purposes of this policy, the following conditions or situations constitute reasonable cause for absence from school:

1. Illness, including if a student is dismissed by designated District staff during school hours for health-related reasons. [3][6]
2. Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory. [6]
3. Quarantine.
4. Family emergency.
5. Recovery from accident.
6. Required court attendance.
7. Death in ~~the immediate~~ family.
8. Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request. [1][6]
9. Observance of a religious holiday observed by bona fide religious group, upon prior written parental request. [27]
10. Nonschool-sponsored educational tours or trips if the following conditions are met: [6][28]
 - a. The parent/guardian submits a written request for excusal prior to the absence.
 - b. The student's participation has been approved by the Superintendent or designee.
 - c. The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the Superintendent and/or designee.

11. College or postsecondary institution visit, with prior approval and supporting documentation verifying the visit upon return to the school setting.
12. Other urgent reasons. Urgent reasons shall be strictly construed and do not permit irregular attendance.[\[3\]](#)[\[6\]](#)

The District may limit the number and duration of nonschool-sponsored educational tours or trips and/or college or postsecondary institution visits for which excused absences may be granted to a student during the school year.

Temporary Excusals -

The following students may be temporarily excused from the requirements of attendance at District schools:

1. Students receiving tutorial instruction in a field not offered in the District's curricula from a properly qualified tutor approved by the Superintendent or designee, when the excusal does not interfere with the student's regular program of studies.[\[5\]](#)[\[14\]](#)[\[17\]](#)
2. Students participating in a religious instruction program, if the following conditions are met:[\[27\]](#)[\[29\]](#)
 - a. The parent/guardian submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.
 - b. The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.
 - c. Following each absence, the parent/guardian shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.
3. School age children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.[\[20\]](#)

Parental Notice of Absence -

Absences shall be treated as unlawful until the District receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.

A maximum of ten (10) days of cumulative lawfully excused absences for illness, verified by parental notification shall be permitted during a school year. All absences due to illness beyond ten (10) cumulative days shall require a note~~an excuse~~ from a licensed practitioner of the healing arts.

Unexcused/Unlawful Absence

~~Absences for which the District does not receive the appropriate excuse documentation within the three (3) days, as described in the previous section of this Policy, shall be considered unexcused/unlawful absences.~~

For purposes of this policy, absences which do not meet the criteria indicated above shall be considered an unexcused/unlawful absence.

An out-of-school suspension may not be considered an unexcused absence.[\[9\]](#)

Parental Notification -

District staff shall provide notice to the person in parental relation upon each incident of unexcused absence.

Enforcement of Compulsory Attendance Requirements

Student is Truant -

When a student has been absent for three (3) days during the current school year without a lawful excuse, District staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence. [30]

The above notice shall: [30]

1. Be in the mode and language of communication preferred by the person in parental relation;
2. Include a description of the consequences if the student becomes habitually truant; and
3. When transmitted to a person who is not the biological or adoptive parent, also be provided to the child's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.

The notice ~~to the person in parental relation of the student's third unlawful absence~~ may include an offer of a School Attendance Improvement Conference. [30]

If the student incurs additional unexcused absences after issuance of the above notice ~~of the student's third unexcused absence~~, and a School Attendance Improvement Conference was not previously held, District staff shall offer a School Attendance Improvement Conference. [30]

School Attendance Improvement Conference - (SAIC)

District staff shall notify the person in parental relation in writing and/or by telephone of the date and time of the School Attendance Improvement Conference. [30]

The purpose of the School Attendance Improvement Conference (SAIC) is to examine the student's absences and reasons for the absences ~~to identify the ways in which those who must be invited to the SAIC can in an effort to~~ improve the ~~student's~~ attendance with or without additional services. [9]

The following individuals shall be invited to the SAIC: [9]

1. The student.
2. The student's person in parental relation.
3. Other individuals identified by the person in parental relation who may be a resource.
4. Appropriate school personnel.
5. Recommended service providers.

Neither the student nor the person in parental relation shall be required to participate ~~in the SAIC,~~ and ~~t~~he SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference. [30]

The outcome of the SAIC shall be documented in a written School Attendance Improvement Plan (the Plan). The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate District staff. [30]

The District may not take further legal action to address unexcused absences until after the date of the scheduled SAIC has passed ~~taken place~~. [30]

Student is Habitually Truant -

When a student under fifteen (15) years of age is habitually truant, District staff: [31]

1. Shall refer the student to:

- a. A school-based or community-based attendance improvement program; or
- b. The local children and youth agency.

2. May file a citation in the office of the appropriate judge against the person in parental relation who resides in the same household as the student.[31]

When a student fifteen (15) ~~or sixteen (16)~~ years of age or older is habitually truant, District staff shall:[31]

1. Refer the student 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 the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) ~~or sixteen (16)~~ years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.[31]

Regardless of age, when District staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate judge, District staff shall provide verification that the school held a SAIC.[31]

Filing a Citation -

A citation shall be filed in the office of the appropriate judge whose jurisdiction includes the school in which the student is or should be enrolled.[32]

~~A citation may not be filed against a student or a person in parental relation with the student, who resides in the same household as the student, for a subsequent violation of compulsory school attendance, if:~~

- ~~1. A proceeding is already pending with the appropriate judge relative to a previously filed citation against the student or a person in parental relation with the student who resides in the same household as the child, and judgment in the pending proceeding has not yet been entered, unless a warrant has been issued for failure of the student or person in parental relation to appear before the court and the warrant has not yet been served; or,~~
- ~~2. A referral for services has been made to the local county children and youth agency and the agency has not closed the case; or,~~
- ~~3. A petition has been filed alleging the child is dependent due to being habitually truant under 42 Pa. C.S. Ch. 63, and the case remains under the jurisdiction of the juvenile court.~~

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.

Special Needs and Accommodations

If a truant or habitually truant student may qualify as a student with ~~is reasonably suspected of having~~ a disability, and requires special education services or accommodations, the Director of Pupil Services shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.[33][34][35][36]

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.[33][34][36]

Discipline

The District shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[30]

Legal

1. 22 PA Code 11.41
2. 22 PA Code 11.23
3. 22 PA Code 11.25
4. 22 PA Code 12.1
5. 24 P.S. 1327
6. 24 P.S. 1329
7. 24 P.S. 1330
8. 22 PA Code 11.13
9. 24 P.S. 1326
10. 42 Pa. C.S.A. 6302
11. 24 P.S. 510.2
12. 24 P.S. 1332
13. 24 P.S. 1339
14. 22 PA Code 11.22
15. 22 PA Code 11.28
16. Pol. 115
17. Pol. 116
18. Pol. 117
19. Pol. 118
20. 22 PA Code 11.34
21. 22 PA Code 11.32
22. 22 PA Code 11.5
23. 22 PA Code 11.31
24. 22 PA Code 11.31a
25. 24 P.S. 1327.1
26. Pol. 137
27. 22 PA Code 11.21
28. 22 PA Code 11.26
29. 24 P.S. 1546
30. 24 P.S. 1333
31. 24 P.S. 1333.1
32. 24 P.S. 1333.2
33. Pol. 103.1
34. Pol. 113
35. Pol. 113.3
36. Pol. 114
- 22 PA Code 11.8
- 22 PA Code 11.24