

INFORMATION for Parents/Guardians

Commonwealth of Pennsylvania

Pennsylvania School Truancy Law – which began during the 2017-18 school year

This informational sheet summarizes Governor Wolf's truancy legislation which became law on November 3, 2016. The new law's intent 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."

Definition of "Truant:" a child subject to compulsory school laws "having three (3) or more school days of unexcused absences during the current school year. "

Definition of "Habitual Truancy:" a child subject to compulsory school laws "having six (6) or more school days of unexcused absences during the current school year." These absences do not need to run consecutively.

Procedures to be followed regarding Truancy and Habitual Truancy:

Truancy:

1. The school will inform parents/guardians **in writing** of the child's third unexcused absence. Information will include a description of the consequences of any additional unexcused absences.
2. If a student continues to have unexcused absences after the three (3) day notice has been issued, **the school will offer the student and parents/guardians a Student Attendance Improvement Conference. Communication for this conference will be through advanced written notice and telephone communication.** This conference will be held to develop an SAIP (Student Attendance Improvement Plan). Under the previous law, parents/guardians and students not attending this school conference were required to attend a conference with the District Magistrate. If absent from this magisterial conference, students/parents/guardians were cited for Truancy. *Under the new Truancy law, the conference for an SAIP will be held whether parents/guardians/students are present or not. A written conclusion of the conference will be mailed to the parents/guardians. Additional unexcused absences may lead to truancy citations/involvement of Children and Youth Services.*

Habitual Truancy:

1. UNDER fifteen (15) years of age:

- a. The school **must** refer the child to a school-based or community-based attendance improvement program, **or**
- b. The school **must** refer the child to Children and Youth Services, or possible disposition as a dependent child under the Juvenile Act.
- c. Additionally, the school **may** file a citation against the parent of a habitually truant child under the age of fifteen (15) in a magisterial district court.

2. Fifteen (15) years of age and OLDER:

- a. The school **must** refer the child to a school-based or community-based attendance improvement program, **or**
- b. The school **must** file a citation against the student **or** the parent/guardian in a magisterial district court
- c. Additionally, the school may refer the child to Children and Youth Services for possible disposition as a dependent child.

CONSEQUENCES

If students or parents/guardians are found guilty of truancy, the new law provides discretion for magisterial district courts to impose appropriate penalties. Some of the possible consequences are:

1. Fines up to **\$750** – the maximum is imposed for excessive truancy. First offenders may receive \$300, which was the previous maximum fine for truancy under the old law.
2. Community service could be assigned in lieu of fines.
3. Incarceration of parents for **three (3) days**. The previous time was five (5) days. Once again, this would be for repeat offenders or parents not paying fines.
4. Magisterial referral to Children and Youth **must** be made for repetitive convictions for truancy during a three year time period.
5. The magisterial district court is allowed discretion on whether to order suspension of driver's
6. license through Pennsylvania Department of Transportation.

Information in this document is from the Education Law Center 's factsheet issued November 15, 2016.

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ACT 16 Of 2019 – changes to Compulsory School Age – to begin in September, 2019

The following is an excerpt from ACT 16 of 2019 enacted by the Pennsylvania Legislature and signed by Gov. Thomas Wolf on June 28, 2019:

"COMPULSORY SCHOOL AGE" SHALL MEAN 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.

MEANING and CONSEQUENCES

Under the original Pennsylvania School Code of 1949, Compulsory Age was defined as parents being required to enroll their children in schools no later than age 8. The revision now states that enrollment in a school must be no later than age 6. The age at which Compulsory attendance ended was a child's 17th birthday. The new law states the child's 18th birthday.

For *Pleasant Valley High School students*, this means that consequences have now changed. Under the old law, students who turned 17 years of age were no longer under the compulsory education age law and could not be cited for truancy. The new law allows schools to cite students for truancy until the student reaches their 18th birthday.

PLEASANT VALLEY HIGH SCHOOL ATTENDANCE POLICY

Compulsory attendance becomes effective when a student enters school for the first time, which shall not be later than six years old, and continues until the student becomes 18 years of age. Sometimes absence from school is unavoidable. Excused absences that are considered legal are reasons of: *illness, death in the immediate family, quarantine, impassable roads, an approved educational trip or tour, recovery from an accident, required court attendance, weather so inclement as to endanger the health of the child, a farm or domestic service emergency permit, religious holiday or as to exceptionally urgent reasons that affect the child.*

Anytime a student is absent from school, a written excuse explaining the reason for the absence must be sent to the Attendance Office. If the excuse is not sent to the Attendance Office within **three days** following the date of return to school, the absence will be considered unexcused.

After three illegal absences, the school will notify parents/guardians in writing of the unexcused absences. When additional days of unexcused absences occur, the school will request a meeting for an SAIP (Student Attendance Improvement Plan). If continued unexcused absences occur, a citation will be issued and may be referred to Children and Youth.

Parents/guardians are encouraged to schedule all appointments after school hours. In the event you must take your child out of school during the school day: the following steps should be taken.

1. Present a written signed note to school first thing in the morning.
2. The students must be properly signed out by the parent/guardian before leaving the building.
3. When a student returns to school he/she must be properly signed back into school.

It is standard practice for the school to call home when a student is absent and/or when absences are accumulating. This is to fill the school's responsibility to monitor student attendance and keep open lines of communication between the school and home regarding attendance irregularities. Parents/guardian are also urged to call the school if they know their child(ren) will be out for an extended period of time.

When student absences accumulate six (6) absences (excused and unexcused), a letter will be sent home informing parents/guardians of those absences.

When student absences accumulate twelve (12) absences (excused or unexcused), a second letter will be sent home informing parents/guardians of excessive absences.

When student absences accumulate eighteen (18) absences (excused or unexcused), an Attendance Contract letter will be sent requiring a Doctors' note to excuse future absences.

If the Attendance Contract is not followed or if it is determined that no extenuating circumstances exist to warrant such a large number of absences, the student may not be granted credit and will be required to repeat the educational program for the entire year.

ADDITIONAL PROCEDURES FOR STUDENTS IN POSSESSION OF STUDENT PARKING PASSES:

Any student with a parking pass that accumulates 5 unexcused absences during a semester will lose their parking pass for a month. Any student with a parking pass that accumulates 10 unexcused absences during a semester will lose their parking pass for the remainder of the school year.