



## School Operations Policy and Procedure Manual

Subject	Student Attendance
Classification	Attendance Policy
Date Issued	August 2020
Policy Number	UC 165.00

### **Purpose**

The Board of Trustees (“Board”) recognizes that attendance is an important factor in educational success, as students who attend school regularly have been shown to achieve at higher levels than students who do not have regular attendance. The purpose of this policy is to institute a comprehensive approach to improving attendance for all Universal Charter Schools (“District”) students and to identify and address attendance challenges in order to support desired student outcomes. [1]

### **Definitions**

For purposes of this policy, terms are defined as follows:

**Compulsory school age:** The period of a student’s life from the time the child's parents/guardians 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 in preschool or who holds a certificate of graduation from a regularly accredited, licensed, registered, or approved high school. [2]

**Habitually truant:** Six (6) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance. [2]

**Truant:** Having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance. [2]

**Person in parental relation:** A: [2]

1. Custodial parent.
2. Noncustodial parent.
3. Guardian of a student.
4. Person with whom a student lives and who is acting in a parental role of a student.

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. [3]

**School-based or community-based attendance improvement program:** A program designed to improve school attendance by seeking to identify and address the underlying reasons for a student'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. [2]



## School Operations Policy and Procedure Manual

### **Authority**

The Pennsylvania School Code and Department of Education Regulations provide the Board the authority to set and enforce attendance requirements.

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 in accordance with applicable laws and regulations, Board policy, and Guidelines for Attendance and Truancy.[4][5][6][7][8][9]

The Board shall establish and enforce attendance requirements, in accordance with applicable laws and regulations, Board policy, and Guidelines for Attendance and Truancy.

### **Delegation of Responsibility**

The Board directs the Superintendent or their designee to annually notify students, parents/guardians, staff, and the Philadelphia Department of Human Services or the Philadelphia Juvenile Court about the District's attendance policy by publishing such policy in student/parent handbooks, on the District website, and through other efficient communication methods.[1][10]

The Superintendent or designee, in coordination with the Central Education Office, shall be responsible for the implementation and enforcement of this policy.

The Superintendent or designee shall develop Guidelines for Attendance and Truancy necessary for the implementation of this policy which will:

1. Govern the maintenance of attendance records in accordance with law.[11][12]
2. Detail the process for submission of requests and excuses for student absences.
3. Detail the process for written notices, School Attendance Improvement Conferences ("SAIC"), 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.

### **Mandatory Regulatory Procedures**

#### **Compulsory School Attendance Requirements**

All students of compulsory school age who reside in the District shall be subject to the compulsory school attendance requirements. [4]

A student shall be considered in attendance if present at any place where school is in session by authority of the Board; if receiving approved tutorial instruction or health or therapeutic services; if engaged in an approved and properly supervised independent study, work-study, or career



## School Operations Policy and Procedure Manual

education program; if receiving approved homebound instruction; or if the student's placement is instruction in the home. [4][7][13][14][15][16]

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

1. On certification by a physician or submission of other satisfactory evidence and on approval of the Pennsylvania 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. [5][6][17]
2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught. [4][15]
3. Students attending college who are also enrolled part-time in district schools, to include dual enrollment and middle college. [19]
4. Students attending a home education program or private tutoring in accordance with law. [4][20][21][22][23]
5. Students fifteen (15), sixteen (16), or seventeen (17) years of age whose enrollment in private trade or business schools has been approved. [4]
6. The District will honor any exceptions to compulsory school attendance permitted by law under the School Code.

### *Excused/Lawful Absence*

The following conditions or situations constitute reasonable cause for absence from school:

- Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts. [5][8]
  - Upon written request by a person in parental relation, a student may be excused during school hours for the purpose of obtaining professional health care or therapy service only if the following requirements are met:
    - The health or therapeutic services are to be rendered by licensed practitioners;
    - It is not practical or possible for the student to receive the services outside of school hours; and
    - The time of necessary absence from school involves a minimum of interference with the student's regular program of studies.
    - Illness, including if a student is dismissed by designated District staff during school hours for health-related reasons.[5][8]
    - Quarantine



## School Operations Policy and Procedure Manual

- Recovery from accident
- Required court appearance
- Death in family
- Educational trip/tour if the following conditions are met: [5][24]
  - The person in parental relation submits the documentation required for excusal prior to the absence, within the appropriate time frame.
  - The student's participation has been approved by the Superintendent or principal.
  - The adult directing and supervising the tour or trip is acceptable to the person in parental relation.
- College tours, trade school tours, career and technical training program tours, community college tours, or tours of other non-District schools, with prior approval.
  - The District may limit the number and duration of non-school-sponsored educational tours or trips for which excused absences may be granted to a student during the school year.
- Observance of a religious holiday observed by a bona fide religious group, upon prior written request from the person in parental relation.[25]
- Out-of-school suspension
- Family Emergency (An unexpected, serious event that is outside of the control of the student's family)
  - Requires parental note explaining the emergency received within 3 school days of the student's return. School staff will evaluate if the situation constitutes a family emergency.
- Participation in a project sponsored by a statewide or countywide 4-H, Future Farmers of America (FFA), or combined 4-H and FFA group, upon prior written request.[1][5]
- Participation in a musical performance in conjunction with a national veterans' organization or incorporated unit, as defined in law, for an event or funeral. The national veterans' organization or incorporated unit must provide the student with a signed excuse, which shall include the date, location, and time of the event or funeral. The student shall furnish the signed excuse to the school prior to being excused from school.[5]
- Other urgent reasons that may reasonably cause a student's absence, as well as circumstances related to homelessness and foster care. [5][8][26][27]

### *Temporary Excusals*

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

- (1) For the purpose of receiving tutorial instruction in a field not offered in the District's curricula, only if the following requirements are met:[4][13]
  - a. A person in parental relation submits a written request;
  - b. The excusal does not interfere with the student's regular program of studies.
  - c. The qualifications of the instructor are approved by the Superintendent or designee.



## School Operations Policy and Procedure Manual

- (2) Students participating in a religious instruction program, if the following conditions are met:[25][28]
- The person in parental relation submits a written request for excusal. The request shall identify and describe the instruction and the dates and hours of instruction.
  - The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.
  - Following each absence, the person in parental relation 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 of the Pennsylvania Department of Education.[17]

### **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.[2]

#### *Parental Notice of Absence*

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

### **Enforcement of Compulsory Attendance Requirements**

#### *Notice of Truancy*

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. [29]

The notice shall: [29]

- Be in the mode and language of communication preferred by the person in parental relation;
- Include a description of the consequences if the student becomes habitually truant; and
- When transmitted to a person who is not the biological or adoptive parent, also be provided to the student'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.



## School Operations Policy and Procedure Manual

The notice may include the offer of an SAIC. [29]

If the student incurs additional unexcused absences after issuance of the notice and an SAIC was not previously held, District staff shall offer an SAIC. [29]

### *School Attendance Improvement Conference (SAIC)*

District staff shall notify the person in parental relation in writing and by telephone of the date and time of the SAIC. [29]

The purpose of the SAIC is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services. [2]

The following individuals shall be invited to the SAIC: [2]

- The student;
- The student's person in parental relation;
- Other individuals identified by the person in parental relation who may be a resource;
- Appropriate school personnel; and
- Recommended service providers.

Neither the student nor the person in parental relation shall be required to participate, and the SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference. [29]

The outcome of the SAIC shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the Student Information System. A copy of the Plan shall be provided to the person in parental relation, the student, and appropriate District staff.

The District may not take further legal action to address unexcused absences until the scheduled SAIC has been held and the student has incurred six (6) or more days of unexcused absences. [29]

### *Student is Habitually Truant*

When a student under fifteen (15) years of age is habitually truant, district staff:[30]

1. Shall refer the student to:
  - a. A school-based or community-based attendance improvement program; and/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.[30]

When a student fifteen (15) years of age or older is habitually truant, District staff shall:[30]



## School Operations Policy and Procedure Manual

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) 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.[30]

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 an SAIC.[30]

### *Filing a Citation*

A citation shall be filed with the appropriate judge whose jurisdiction includes the school in which the student is or should be enrolled, against the student or person in parental relation to the student.[31]

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or the person in parental relation in accordance with the specific provisions of the law.[31]

### **Special Needs and Accommodations**

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations, and Board policy.[32][33][34][35]

For students with disabilities who are truant or habitually truant, the Individual Education Plan team shall be notified and shall address the student's needs in accordance with applicable law, regulations, and Board policy.[32][33][35]

### **Discipline**

The District shall not impose exclusionary consequences on students for truant behavior. The District shall not expel or impose out-of-school suspension, disciplinary reassignment, or transfer for truant behavior.[29]

### **Legal References :**

1. [22 PA Code 11.41](#)
2. [24 P.S. § 13-1326](#)
3. [42 Pa. C.S.A. § 6302](#)



## School Operations Policy and Procedure Manual

4. 24 P.S. § 13-1327
5. 24 P.S. § 13- 1329
6. 24 P.S. § 13- 1330
7. 22 PA Code 11.23
8. 22 PA Code 11.25
9. 22 PA Code 12.1
10. 24 P.S. § 5-510.2
11. 24 P.S. § 13- 1332
12. 24 P.S. § 13-1339
13. 22 PA Code 11.22
14. 22 PA Code 11.28
15. Career and Technical Education Policy
16. Homebound Instruction Policy
17. 22 PA Code 11.34
18. 22 PA Code 11.32
19. 22 PA Code 11.5
20. 24 P.S. § 13- 1327.1
21. 22 PA Code 11.31
22. 22 PA Code 11.31a
23. Home Education Policy
24. 22 PA Code 11.26
25. 22 PA Code 11.21
26. Students Experiencing Homelessness Policy
27. Students in Foster Care Policy
28. 24 P.S. § 15- 1546
29. 24 P.S. § 13- 1333
30. 24 P.S. § 13-1333.1
31. 24 P.S. § 13-1333.2
32. Students With Disabilities Policy
33. Special Education Policy
34. Screening and Evaluations for Students With Disabilities Policy
35. Gifted Education Policy