FOX CHAPEL AREA SCHOOL DISTRICT

Book	Policy Manual
Section	200 PUPILS
Title	Attendance
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.[1]

Authority

The Board requires the attendance of all students during the days and hours that school is in session, except that temporary student absences may be excused by authorized district staff in accordance with applicable laws and regulations, Board policy and administrative regulations.[2][3][4][5][6][7]

Definitions

Compulsory school age shall mean the period of a student's life from the time the student's person in parental relation elects to have the student enter school, which shall be no later than six (6) years of age, until the student reaches eighteen (18) years of age. The term does not include a student 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 student subject to compulsory school attendance.[8]

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[8]

Person in parental relation shall mean a:[8]

1. Custodial biological or adoptive parent.
2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a student.

4. Person with whom a student lives and who is acting in a parental role of a student.

This term 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 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.[8]

Delegation of Responsibility

The Superintendent or designee shall annually notify students, persons in parental relation, staff and local magisterial district judges about the district's attendance policy by publishing such policy in student handbooks and newsletters, on the district website and through other efficient communication methods.[1][11]

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

The Superintendent or designee 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 magisterial district 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.[2]

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; the student is receiving approved homebound instruction; or the student's placement is instruction in the home.[2][5][14][15][16][17][18][19][20]

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 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.[3][4][21]

2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught.[2][22]

3. Students attending college who are also enrolled part-time in district schools.[23]

4. Students attending a home education program or private tutoring in accordance with law.[2][18][24][25][26][27]

5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved.[2]

6. Students fifteen (15) years of age, as well as students fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits.[4]

7. Students sixteen (16) years of age regularly engaged in useful and lawful employment during the school session and holding a valid employment certificate. Regularly engaged means thirty-five (35) or more hours per week of employment.[4][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.[3]

3. Quarantine.

4. Family emergency.

5. Recovery from accident.

6. Required court attendance.

7. Death in 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][3]

9. Participation in a musical performance in conjunction with a national veterans' organization or incorporated unit, as defined in law, for an event or funeral.[3]

    a. 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.

    b. The student shall furnish the signed excuse to the district prior to being excused from school.

10. Observance of a religious holiday observed by a bona fide religious group, upon prior written request from the person in parental relation.[28]

11. Nonschool-sponsored educational tours or trips, if the following conditions are met:[3][29]

    a. The person in parental relation submits the required documentation for excusal prior to the absence, within the appropriate timeframe.

    b. The student's participation has been approved by the Superintendent or designee.

12. College or postsecondary institution visit, with prior approval.

13. Other urgent reasons that may reasonably cause a student's absence, as well as circumstances related to homelessness, foster care and other forms of educational instability.[3][6][30]

The district may limit the number and duration of nonschool-sponsored educational tours or trips 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, when the excusal does not interfere with the student's regular program of studies.[2][14][18]

2. Students participating in a religious instruction program, if the following conditions are met:[28][31]

    a. 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.

    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 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.[21]

Parental Notice of Absence –

Absences shall be treated as unexcused 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 lawful absences verified by parental notification shall be permitted during a school year. All absences beyond ten (10) cumulative days shall require an excuse from a licensed practitioner of the healing arts.

Unexcused/Unlawful Absence

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

An out-of-school suspension may not be considered an unexcused absence.[8]

Parental Notification –

District staff shall provide prompt 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.[32]

The notice shall:[32]

1. Include a description of the consequences if the student becomes habitually truant;

2. Be in the mode and language of communication preferred by the person in parental relation and:

    a. Include notice that a habitually truant student may not transfer, during the school year, to a cyber charter school unless a judge determines that the transfer is in the best interest of the student; and

    b. Include resources available to assist the student and the person in parental relation with returning the student to compliant compulsory attendance and opportunities for academic recovery in response to the truant behavior.

When the notice is transmitted to a person who is not the biological or adoptive parent, it shall 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.[32]

The notice may include the offer of a School Attendance Improvement Conference.[32]

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference.[32]

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.[32]

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.[8]

The following individuals shall be invited to the SAIC:[8]

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, and the SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.[32]

The outcome of the SAIC shall be documented in a written School Attendance Improvement 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.[32]

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. [32]

Student is Habitually Truant –

When a student under fifteen (15) years of age is habitually truant, district staff:[33]

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 magisterial district judge against the person in parental relation who resides in the same household as the student.[33]

When a student fifteen (15) years of age or older is habitually truant, district staff shall:[33]

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 magisterial district 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.[33]

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 magisterial district judge, district staff shall provide verification that the school held a SAIC.[33]

Unless a judge determines that it is in the student's best interest, a habitually truant student will not be permitted to transfer to a cyber charter school during the school year.[32]

Filing a Citation –

A citation shall be filed in the office of the appropriate magisterial district 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.[34]

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.[34]

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.[16][35][36][37]

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.[16][35][37]

Discipline

The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[32]

Legal

1. 22 PA Code 11.41
2. 24 P.S. 1327
3. 24 P.S. 1329
4. 24 P.S. 1330
5. 22 PA Code 11.23
6. 22 PA Code 11.25
7. 22 PA Code 12.1
8. 24 P.S. 1326
9. 22 PA Code 11.13
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. 113
17. Pol. 115
18. Pol. 116
19. Pol. 117
20. Pol. 118
21. 22 PA Code 11.34
22. 22 PA Code 11.32
23. 22 PA Code 11.5
24. 24 P.S. 1327.1
25. 22 PA Code 11.31
26. 22 PA Code 11.31a
27. Pol. 137
28. 22 PA Code 11.21

29. 22 PA Code 11.26

30. Pol. 251

31. 24 P.S. 1546

32. 24 P.S. 1333

33. 24 P.S. 1333.1

34. 24 P.S. 1333.2

35. Pol. 103.1

36. Pol. 113.3

37. Pol. 114

24 P.S. 1333.3

22 PA Code 11.24

22 PA Code 11.8