

StudentsTruancy

To improve student attendance, the Superintendent or designee shall implement positive steps to identify the reasons for a student's unexcused absences and to help solve the problems caused by truancy. Such strategies shall focus on early intervention and may include, but not be limited to, communication with parents/guardians and the use of student assistance teams.

(cf. 5113 - Absences & Excuses)
 (cf. 5147 – Dropout Prevention)
 (cf. 5149 – At Risk Students)
 (cf. 6164.5 – Students Success Teams)
 (cf. 6176 – Weekend/Saturday Classes)

In addition, the Superintendent or designee shall cooperate with other agencies within the community to meet the needs of students who have serious school attendance or behavior problems and to maintain a continuing inventory of community resources, including alternative programs.

(cf. 1020 – Youth Services)
 (cf. 1400 – Relations Between Other Governmental Agencies and the Schools)

Habitually truant students may be referred to a school attendance review board and/or juvenile court in accordance with law.

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)
 37223 Weekend classes
 41601 Reports of average daily attendance
 46000 Records (attendance)
 46010-46014 Absences
 46110-46119 Attendance in kindergarten and elementary schools
 46140-46147 Attendance in junior high and high school
 48200-48208 Children ages 6-18 (compulsory full-time attendance)
 48240-48246 Supervisors of attendance
 48260-48273 Truants
 48290-48296 Failure to comply; complaints against parents
 48320-48324 School attendance review boards
 48340-48341 Improvement of student attendance
 49067 Unexcused absences as cause of failing grade

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VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

66 Ops.Cal.Atty.Gen. 245, 249 (1983)

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An attendance supervisor or designee, peace officer, or school administrator or designee may arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person so arresting or assuming temporary custody shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264)

(cf. 3515.3 – District Police/Security Department)
(cf. 5113 – Absences and Excuses)

Upon receiving a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341, the Governing Board or district attendance supervisor shall make a full and impartial investigation of all charges. If it appears upon investigation that the parent/guardian has violated these laws, the Superintendent or designee shall refer such parent/guardian to the school attendance review board. (Education Code 48290, 48291, 48292)

Strategies for Addressing Truancy

The following steps shall be implemented based on the number of truancies committed by the student:

1. Student shall be classified as truant if absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. Such students shall be reported to the Superintendent or designee. (Education Code 48260)

The parent/guardian of a student classified as a truant shall be notified of the following: (Education Code 48260.5)

- a. The student is truant.
- b. The parent/guardian is obligated to compel the student attend school.
- c. The parent/guardian who fails to meet this obligation may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.
- d. The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.

(cf. 6181 – Alternative Schools)
(cf. 6184 – Continuation Education)

- e. The student may be subject to arrest by a probation officer, a peace officer, a school administrator, an attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.

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- f. The student may be subject to suspension, restriction or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
- g. It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.

(cf. 5145.6 – Parental Notification)

Upon his/her first truancy, a student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school.

(Education Code 48264.5)

(cf. 5125 – Student Record)

Strategies for Preventing Truancy

Students who are habitual truants, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code 48263, 48264.5)

Further, if it is determined the student does not reside in the School District, the student is required to register at their district of residence and dropped from enrollment in the Norris School District.

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Steps in Truancy Process

STEP 1:

Three (3) unexcused absences, or

Three (3) tardies of thirty (30) minutes or more, or

Three (3) partial day, unexcused, absences by being taken out of school for thirty (30) minutes or more before the end of the day, or

Any combination of the above totaling three (3) incidents.

1. Principal will issue a Truancy Notice. (first notification)
2. Principal will make a conscientious effort to hold a conference with the student and his/her parent/guardian regarding the importance of good attendance and the consequences of continued poor attendance.
3. Principal will review where the student resides and, if not in the correct attendance area or school district, refer the parent/guardian to register at the correct school or school district.
4. Principal will review if the student is on an Intra-District or Inter-District agreement and warn that continued truancy will result in the rescinding of any agreement.
5. Principal will create a Student Attendance Review Board (SARB) file with Truancy Intervention Form Summary (TIFS) with results from meeting with parent/guardian, history of grades, behavior and attendance to date. A copy of the T.I.F.S. form is sent to District SARB Chair.
6. Principal will review the steps in the truancy process, (copy of AR 5113.1), with the parent/guardian. If the parent/guardian does not attend the requested conference, a copy is mailed to parent.
7. After seven (7) attendance incidents of being late to school or taken out of school early, for an unexcused reason, of less than 30 minutes, parent/guardian shall be notified by letter of the minors attendance status as being in Irregular Attendance and shall subsequently be referred to SARB for Irregular Attendance.

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STEP 2:

Any student, after being determined to be truant based upon Step 1, who again has,

Three (3) unexcused absence, or

Three (3) tardy of 30 minutes or more, or

Three (3) partial day unexcused absence by being taken out of school for thirty, (30) minutes or more during the school day

1. Principal will issue second Truancy Notice. (second notification)
2. Principal will make a conscientious effort to hold a conference with the parent/guardian and student on grades, behavior and/or attendance. Complete the Truancy Intervention Form Summary (TIFS) with signatures if possible.
3. Copy of TIFS to District SARB Chair.
4. One (1) additional Irregular Attendance incident of being late to school or taken out of school early, for unexcused reasons, less than thirty (30) minutes, the parent/guardian shall be notified of the continued status of student being in Irregular Attendance, and shall again be referred to SARB for Irregular Attendance.

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STEP 3:

Any student, after a second determination of being truant (STEP 2) who again has,

Three (3) unexcused absence, or

Three (3) tardy of 30 minutes or more, or

Three (3) partial day unexcused absence by being taken out of school for thirty, (30) minutes or more during the school day

1. Principal will issue a Notice of Habitual Truancy. (third notification)
2. Principal will again schedule a meeting with parent/ guardian and student.
3. Update Truancy Intervention Form Summary (TIFS) form with all relevant data on grades, attendance and behavior, and any adjustments to interventions.
4. Forward copy of TIFS form to SARB Chair.
5. If the student is on an Inter-District or Intra-District let the Superintendent know the student is a habitual truant.
6. If student has another incident of being in Irregular Attendance, the Principal will issue a Notice of Chronically Irregular Attendance.

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STEP 4:

Any student, after being determined to be a Habitual Truant, who again has,

One (1) unexcused absence, or

One (1) tardy of 30 minutes or more, or

One (1) partial day unexcused absence by being taken out of school for thirty (30) minutes or more during the school day

1. Principal will make a referral to SARB Chair with all documentation from attempts at intervention. (STEPS 1-3)
2. Upon another incident of Irregular Attendance, Principal will make a referral to SARB Chair with all documentation from attempts at intervention.

Upon making a referral to a school attendance review board or the probation department, the Superintendent or designee shall provide the student and parent/guardian, in writing, the name and address of the school attendance review board or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the school attendance review board or probation officer to consider a proper disposition of the referral. (Education Code 48263)