

FREQUENTLY ASKED QUESTIONS REGARDING CALIFORNIA TRUANCY LAWS

What is Truancy?

California Education Code 48260(a) defines Truancy as the following:

“Any pupil subject to compulsory full-time education or to compulsory continuation education, who is absent from school without valid excuse for three full days in one school year, or tardy or absent (leaves school early) for more than a 30 minute period of time during the school day, without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor (Office of Child Welfare & Attendance) or to the superintendent of the school district.”

I recently received a “Truancy Notification” from the Office of Child Welfare & Attendance at Tulare City Schools and do not understand why?

Local school districts are required by law to notify a parent when their child has unexcused absences that require them to be reported as a Truant. Please review the laws & comments below to better understand why districts are required to notify parents when their child has unexcused absences.

What does the Child Welfare & Attendance Office do when my child has been reported as a “Truant”?

California Education Code 48260.5 requires the following:

Upon a pupil’s initial classification as a truant, (three or more unexcused absences or three or more unexcused tardies or leaving school early, in excess of 30-minutes, or a combination of absences, tardies or leaving school early,) the school district shall notify the pupil’s parent or guardian using the most cost effective method possible. Tulare City School District’s Child Welfare & Attendance office satisfies this legal requirement by mailing a letter to the parent(s) of each student who has been reported as a Truant.

What can happen if my child continues to have “Unexcused” absences after I have received a Truancy Notification?

California Education Code 48262 requires that students who have been reported as a truant and have two additional unexcused absences or miss more than 30 minutes of the school day for a reason not excused by law, on two additional days, to be declared “Habitual Truants”. These students will be subject to further monitoring by the Office of Child Welfare & Attendance and may be

recommended for a referral to the School Attendance Review Team (SART) or the School Attendance Review Board (SARB).

What if the only time my family can vacation is during the school year?

California compulsory attendance laws do now allow for family vacations during the school year. Of the 365 days in each year, students are only required to be in school for 179 of those days. State lawmakers intentionally created several “breaks” during the school year (Thanksgiving Break in November, Winter Break in December and Spring Break in March or April) to accommodate the needs of families. We encourage parents to take advantage of these school breaks to schedule family vacations when vacationing in the summer months is not possible.

If your child must be out of school for any period of time that is not excused under California attendance laws, please contact your child’s school principal to discuss options that might help to avoid your child having unexcused absences. If your child’s absence from school will be five days or longer, your child’s principal may approve a short-term Independent Study contract. If your child completes all of the work required under that contract, their absences will be recorded as excused once they return to school and turn in the completed assignments.

What if I received a Truancy Notification but the three days recorded as unexcused are the only three days my child has missed all year?

While missing school for reasons not considered to be excused under state law is considered “illegal”, we understand that occasionally things happen that are beyond your control. We encourage you to contact your child’s school as soon as you know that your child will be absent and explain what has happened. When doing this, ask that your explanation be noted in your child’s attendance records so the district’s Child Welfare & Attendance staff can see the explanation when monitoring the unexcused absences.

Receipt of a Truancy Notification letter alone is not an indication that your child has attendance problems serious enough to affect their academic progress. It is a letter that school districts are required by law to send to parents when a child reaches three unexcused absences or misses 30 minutes or more of a school day on three or more occasions.

How will I know when my child's school staff begins to have serious concerns regarding my child's attendance?

There are several steps schools and school districts are required to take when children begin to exhibit significant school attendance problems. If your child's teacher begins to express some concerns that your child is falling behind academically because of their absences or tardies, you should schedule a meeting with your child's school principal immediately to discuss ways to improve your child's attendance. Other indicators that your child's school or district office has significant or serious concerns about your child's attendance include but are not limited to the following:

1. Repeated phone calls from your child's school secretary regarding absences or tardies
2. Phone calls or letters from your child's school principal.
3. Attempts by one of the District's Child Welfare & Attendance Liaisons to make contact with you at your home
4. Referral to a School Attendance Review Team – See the District's pamphlet regarding SART & SARB on the Child Welfare & Attendance webpage sidebar
5. Referral to a School Attendance Review Board – See the District's pamphlet regarding SART & SARB on the Child Welfare & Attendance webpage sidebar

If I need help getting my child to school or have questions about Tulare City School District's Attendance policies, who can I contact?

Your child's teacher and school secretary know more about your child's attendance than anyone in the school district. Please feel free to contact them to discuss your concerns.

If you feel your child's teacher or school secretary cannot adequately answer your questions or assist you with a problem, please contact your child's school principal or the District's Supervisor of Child Welfare & Attendance at 559-685-7222.