

CAPITAL AREA SCHOOL FOR THE ARTS CHARTER SCHOOL (CASA)

No. 204

SECTION: PUPILS
TITLE: ATTENDANCE/
TRUANCY
ADOPTED: 6/10/2013
REVISED: 1/21/2020

204 ATTENDANCE / TRUANCY POLICY

Capital Area School for the Arts Charter School (the "Charter School") believes that good attendance is essential if students are to achieve and reach their potential. Each day is important for learning. Parents are required to ensure their son/daughter maintains good attendance.

Pennsylvania statutes and the regulations of the Pennsylvania Department of Education requires that all public schools have an attendance policy and that the public school keep records of attendance. Charter school law designates charter schools as "other" public schools. The educational program offered by Capital Area School for the Arts (CASA) Charter School is predicated upon the presence and/or login of the student and requires continuity of instruction and participation in order for students to achieve academic standards and consistent educational progress.

Attendance shall be required of all students enrolled in the charter school during the days and hours that school is in session. Absences covered by this policy are of two types, excused and unexcused.

Definitions:

Compulsory school age –Section 1327 of the Pennsylvania Public School Code stipulates that children reach compulsory school age once they enter school, which is no later than six (6) years of age, and they must attend school until the age of 18 or graduation from high school, whichever occurs first.

Excused Absence -Properly documented excuse or note submitted when required for approved absences up to ten (10) days per school year. Students are permitted three (3) school days to complete missed assignments/tests for days of excused absence. Failure to complete missed assignments within the three (3) days will result in decreased credit for the class(es).

Unexcused Absence -An absence considered "unlawful" according to Pennsylvania attendance laws. In addition to days considered unlawful, the failure to provide after three (3) days a properly documented excuse will also render an absence unexcused/unlawful. Students are not permitted to complete missed assignment/tests for days of unexcused/unlawful absence.

Licensed Medical Professional -A licensed physician, certified registered nurse practitioner or a licensed physician assistant.

Excused Absences

A student may reach a total of ten (10) excused absences per school year. Every absence must be verified by an excuse or parental note indicating generally the reason for the absence, or verified by a note from a licensed medical professional. The Board considers the following conditions to be excused absences provided they are properly documented as required and documentation is submitted when required:

1. Illness, injury or medical condition or disability that prevents a child from attending. After parent/guardian excuses/notes have been presented to verify absences totaling ten (10) days, the parent/guardian will be required to provide a specific written excuse from a licensed medical professional for further absences of illness or injury. In the case of chronic illness or disability, the charter school will accept an excuse/letter from a licensed medical professional that states that the student must miss school due to a specific illness, injury, medical condition or disability, and the parent/guardian may then submit additional excuses (beyond the ten (10) permitted) that refer to that specified reason for each subsequent absence directly related thereto. These absences will then be excused. A new excuse/letter from the doctor must be provided every forty-five (45) days.
2. Serious illness or death in the immediate family. Must be verified by a written excuse from the parent/guardian.
3. Quarantine.
4. Medical or dental attention. Obtaining professional health or mental health care or therapy services is permissible if the following requirements are met:
 - a. The health care or therapeutic services are rendered by appropriate Commonwealth-licensed medical professional as per definition.
 - b. The time of necessary absence from school involves a minimum of interference with the student's regular program of studies.
 - c. Such services must be verified in writing from the parent/guardian. The administration may ask for additional verification from the service provider. Excused absences are permitted only for the reasonable time needed to get to the provider, keep the appointment, and return to school.
5. Absences permitted by a student's IEP or written terms fixed by an administrator when there is no IEP.

6. Absences approved in advance by the principal, such as college visitations, military recruiting, required court attendance, preplanned education trips and tours, etc.
7. Absences in connection with approved school activities.
8. Authorized religious holidays documented to administrative satisfaction if other than those historically recognized by the charter school.
9. Religious instruction for up to a total of thirty-six (36) hours per school year. This shall require submission of a written request from the parent/guardian of the student prior to release of the student to attend and/or participate in religious instructional programs. Such written request shall include the dates and hours for which instruction is requested, and such "released time" instruction shall meet all requirements of the School Code. Any transportation involved is the parent/guardian responsibility.
10. Impassable roads or other unusual traffic conditions or circumstances deemed appropriate by the Principal. (For example, a late arrival could be excused if there were an accident impeding travel or other appropriate unforeseen circumstances).
11. Other reasons provided by law or regulation. Excuse Procedure and

Requirements upon Return:

- a. After an absence for any of the above reasons, the student must submit an excuse signed by a parent/guardian and giving the name of the student, date, days of absence and reason for absence. The charter school cannot accept an excuse sent via e-mail.
- b. The excuse must be submitted to the proper authority.
- c. Failure on the parent/guardian part to provide a written explanation for the student's absence and failure of the parent/guardian or student to present such an excuse within three (3) school days of the student's return to school, except under extenuating circumstances, will result in an unexcused absence being recorded. Once an unexcused absence is recorded for failure to submit a timely excuse, a parent excuse or note will ordinarily not be accepted for that absence.

As required by law and regulation, students shall be excused from the requirements of regular attendance at this charter school for the following:

1. On certification by a licensed medical professional 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.
2. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade

or business schools has been approved pursuant to 24 P.S. 13-1327(a).

3. Students sixteen (16) years of age or more regularly employed during the school session and holding a lawfully issued employment certificate. Regularly employed is defined by the Pennsylvania Department of Education as 35 or more hours per week.
4. Students receiving tutorial instruction in a field not offered in the charter school's curricula from a properly qualified tutor approved by the Principal, when the excusal does not interfere with the student's regular program of studies.
5. Homebound children unable to attend school on the recommendation of the school physician and the school psychologist or a psychiatrist and approval of the Secretary of Education.

*In these situations, the student shall have an IEP or written terms fixed by an administrator when there is no IEP explaining how the child shall receive instruction while unable to attend the public schools or there shall be such other arrangements as may be required by the Secretary of Education or applicable laws and regulations.

Educational Tours and Trips

The Principal may excuse a student from school attendance to participate in an educational tour or trip not sponsored by the charter school if the following conditions are met:

1. The parent/guardian submits a written request for excusal prior to the absence.
2. The student's participation has been approved by the Principal.
3. The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the Principal.

The Board may limit the number and duration of tours or trips for which excused absences may be granted to a student during the school term.

Unexcused/Unlawful Absences

Examples of unexcused/unlawful absences in accordance with the Pennsylvania State Attendance Laws include, but are not limited to:

1. Truancy
2. Lack of transportation
3. Trips not approved in advance
4. Shopping
5. Birthday or other celebration

6. Hunting, fishing, attending ball games or sporting events or any other similar event
7. Gainful employment (unless related to a school program)
8. Sleeping in
9. Any other reason deemed unexcused/unlawful

The Board or administrative designee may report to appropriate authorities infractions of the law regarding the attendance of students below the age of seventeen (17). After each unexcused/unlawful absence, the parents/guardians will be notified via mail.

Graduation ceremony -The graduation ceremony at CASA Charter School is a privilege for students, not a right. Therefore, if a student has had more than ten (10) unexcused/unlawful days in his/her senior year, he or she may not participate in the graduation ceremony.

The Principal shall develop procedures for the attendance of students which:

1. Ensure a school session that conforms to requirements of state regulations.
2. Govern the keeping of attendance records in accordance with state statutes.

Unlawful/Unexcused Absences

Parents will receive the below *Warning Letters* when a student has accumulated 3, 6, 10, and 20 unexcused absences.

3rd Unexcused Absence

- Warning letter sent home
- Offer a Student Attendance Improvement Conference (SAIC)

- Loss of outside privileges at the discretion of Administration

6th Unexcused Absence

- Warning letter sent requesting to schedule a School Attendance Improvement Conference (SAIC)

20th Unexcused Absence

- Letter from Principal sent to family
- Possible referral to SAP team
- Physician note required for illnesses
- Possible truancy charges
- After school detention(s)
- Loss of outside privileges at Administrative discretion
- Potential loss of performance opportunities

10th Unexcused Absence

- Letter sent home from AP/Admin
- Possible referral to SAP team
- Physician note required for illnesses
- After school detention
- Possible truancy charges

Tardy to School

Students must report to school at the designate arrival time. Tardiness to school will be unexcused even though the parent brings the student to school. Oversleeping, car/traffic problems, etc. are all unexcused reasons for tardiness. Lateness to school may only be excused by a school official under the following circumstances:

- Court appointment
- Illness of the student
- Student has a doctor/ dentist appointment (A note or phone call from a parent or a professional note from a doctor/ dentist will be required to verify.)
- Family emergency
- Weather-related road conditions

Unexcused School Tardies	Consequence
6 - 8	<ul style="list-style-type: none"> • Main office will alert Assistant Principal (AP) • AP will meet with student to develop a Tardiness Elimination Plan • AP will contact parent/guardian • Warn student of consequences for subsequent tardies (below)
10	<ul style="list-style-type: none"> • Main office will assign one lunch detention and alert AP • AP possible SAP referral • Loss of privileges (outside lunch for 10-12th grade for one week, etc.) • Letter sent home to parent/guardian
15	<ul style="list-style-type: none"> • Main office will assign two lunch detentions and alert AP • AP possible SAP referral • Loss of privileges (outside lunch for 10-12th grade for two weeks, etc.) • Loss of performance opportunities at Administration discretion • Other consequences at Administrator discretion
20	<ul style="list-style-type: none"> • Main office will alert Assistant Principal (AP) • AP meet with student for possible three lunch detentions/or one after school detention • Loss of privileges (outside lunch for 10-12th grade for one month) • Loss of performance opportunities at Administrator discretion • Other consequences at Administrator discretion • Letter sent home to parents/guardian
25+	<ul style="list-style-type: none"> • Main office will alert Assistant Principal (AP) • AP assigns after school detention • Loss of privileges (outside lunch for 10-12th grade permanently) • Other consequences at Administrator discretion

Truancy - Overview

A child is "truant" if he/she has three (3) or more school days of unexcused absence during the current school year. An unexcused absence is any absence from school without an acceptable excuse (as articulated in the Charter School's Student/Parent Handbook), or without any reason at all. This also includes any student who leaves class without the permission of the teacher. An out of school suspension shall be considered an excused absence.

A child is “habitually truant” if he/she has six (6) or more school days of unexcused absences during the current school year.

When a child demonstrates truant behavior, the Charter School will schedule a school/family conference to discuss the cause of the child’s truancy and develop a mutually agreed upon Student Attendance Improvement Plan (SAIP) to resolve truant behavior. The plan can include a myriad of options for the elimination of truancy that are mutually agreed upon by the participants.

A child is not considered truant if he/she is absent from school due to not meeting the immunization, exemption, or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C (relating to immunization), or the student has not received from the CEO or his/her designee a medical or religious exemption from immunization under 28 Pa. Code 23.84 (relating to exemption from immunization). 22 Pa. Code Chapter 11.20.

Procedure when child is habitually truant:

- Habitually truant children under fifteen (15) years of age: The Charter School will refer the child to either: 1) a school-based or community-based attendance improvement program; or 2) the county children and youth agency (CYS) for services or possible disposition as a dependent child under the Juvenile Act. Additionally, the Charter School may file a citation against the parent/guardian of a habitually truant child under fifteen (15) years of age in a magisterial district court. The venue of the filing shall be based on the location of the school in which the child is enrolled or shall be enrolled.
- Habitually truant children fifteen (15) years of age and older: The Charter School will either: 1) refer the child to a school-based or community-based attendance improvement program; or 2) file a citation against the student or parent/guardian in the appropriate magisterial district court. The venue of the filing shall be based on the location of the school in which the child is enrolled or shall be enrolled. If a habitually truant child aged fifteen (15) or older incurs additional absences after a school refers that child to an attendance improvement program or the child refuses to participate in an attendance improvement program, the Charter School may refer the child to the local CYS agency for possible disposition as a dependent child.

In all cases, regardless of age, where the Charter School refers a habitually truant child to the the magisterial district court or CYS, the Charter School will provide verification that it convened and held an Attendance Improvement Conference.

Students that are absent from school for ten (10) or more consecutive days without appropriate documentation will be removed from Charter School’s rolls.

The Charter School will report unexcused absences directly to PDE through the Pennsylvania Information Management System (PIMS).

Children who are habitually truant from school while subject to compulsory school attendance are subject to an assessment to determine if there is a need for general protective services. Children will not be referred to the county children and youth agency for assessment as possibly needing services until after the Charter School has made a formal effort to involve the family and child in resolving the cause of the truant behavior.

Students with Disabilities

A student who is truant or chronically absent for health-related reasons may be eligible for protections under IDEA or Section 504. If a student with a disability is truant or chronically absent, the school should convene the student's IEP team to determine whether revisions to the student's IEP are necessary or appropriate. In those instances, the administrator responsible for handling truancy-related matters should be a participating member of the IEP team process. A student with a disability who is truant or chronically absent for health-related reasons must still produce a valid excuse for any absence, which may include a written excuse from a physician.

However, schools must recognize that students' disabilities may present unique circumstances that might require consideration of other statutory or regulatory provisions or attendance policies. That is, students' federal and state law rights, such as those provided under IDEA, Section 504, or the ADA, may require the school to otherwise diverge from its general attendance policy in order to ensure that all students with a disability are provided a free and appropriate public education (FAPE).

School Attendance Improvement Conference and the Attendance Improvement Plan

The Attendance Improvement Plan is developed cooperatively with involved stakeholders through an Attendance Improvement Conference, which is required upon the Charter School's notice to the child's parent/guardian following the child's third unexcused absence. The Charter School will invite the following individuals to the conference:

- The child;
- The person in parental relation to the child;
- Other individuals identified by the person in parental relation who may be a resource (e.g. a grandparent, sibling, family friend, advocate, community member, etc.);
- Appropriate school personnel;
- Appropriate service providers, if applicable (e.g. case managers, behavioral health providers, probation officers, children and youth practitioners, etc.).

The Charter School is permitted to proceed with the Attendance Improvement Conference and Attendance Improvement Plan without the child's parent present at the Conference.

Teachers are the first line of defense for compulsory attendance, as they are the first to recognize students with possible attendance issues. Therefore, the Board of Trustees directs the CEO or designee to work with the Charter School's teachers to implement a plan of action that includes but not limited to:

- Sharing and reviewing the Charter School's policy on attendance and student responsibilities with students and families;
- Contacting a child's parent/guardian upon the child's absence from school;
- Meeting individually with students to discuss reason(s) for absence;
- Following up with the CEO (or assigned attendance officer);
- Making referrals to guidance counselors; and
- Collaborating with Student Assistance Teams as appropriate.

The Attendance Improvement Conference engages all participants involved in the child's life to explore possible solutions to increase the child's attendance. Maintaining open communication between the child and adults will facilitate positive outcomes.

The purpose of the Attendance Improvement Conference is to discuss the cause(s) of the truancy and to develop a mutually agreed upon plan to assure regular attendance. Issues to be addressed at the Attendance Improvement Conference will include but not be limited to:

- Appropriateness of the child's educational environment;
- Possible elements of the school environment that inhibit student success;
- Child's current academic level and needs;
- Social, emotional, physical, mental and behavioral health issues;
- Issues concerning family and home environment and;
- Any other issues affecting the child's attendance.

The participants in the Attendance Improvement Conference should work collaboratively to conduct a holistic assessment to determine the reason(s) the child is exhibiting truant behavior. Every member should have a vested interest in and responsibility for determining an appropriate plan to assist the child to succeed both socially and academically. This Attendance Improvement Conference also provides an opportunity to ensure that both the child and the family clearly understand the legal ramifications of not adhering to the state's compulsory attendance requirements.

The Charter School will not impose discipline for truant behavior that excludes the child from the classroom, including in-school suspension, out-of-school suspension or expulsion.

The primary goal of the Attendance Improvement Conference is the development of a comprehensive Attendance Improvement Plan which is understood by, agreed upon and supported by the child, the parent/guardian, Charter School representatives and all other conference participants. The Attendance Improvement Plan should include but not be limited to the following components as appropriate:

- Identification and provision of appropriate academic supports by the Charter School and/or community organization(s);
- Identification and provision of appropriate social, emotional, physical, mental and behavioral health supports from the Charter School and/or community organization(s);
- Identification of the school environment issues that affect the child's success and solutions to address these issues;

- Explanation of the child's strengths and responsibilities related to the Attendance Improvement Plan;
- Explanation of the family's strengths and responsibilities related to the Attendance Improvement Plan;
- Clarification of method(s) used for monitoring the effectiveness of the Attendance Improvement Plan;
- Explanation of the consequences for each stakeholder if the Attendance Improvement Plan is not fully implemented;
- Discussion of the benefits for successfully implementing the Attendance Improvement Plan; and
- Following up and reporting the outcome of the Attendance Improvement Plan.

The Attendance Improvement Plan substantiates efforts made by the Charter School, the family and other vested third parties to assist the child in addressing and resolving school attendance issues. This comprehensive system of supports and services provides documentation of the good faith effort between the Charter School and the child's family should future action be required.

Homeless Students

The McKinney-Vento Homeless Assistance Act requires states and schools to work to remove barriers to the education of homeless children and youth, including barriers to enrollment and retention due to absences. Compulsory attendance laws can be such barriers, particularly when they result in court involvement. Frequently, students in homeless situations will miss school due to their living situations. However, absences caused by homelessness must not be counted as unexcused absences, as this would create a barrier to enrollment and retention in school.

As part of a SAIC, schools and nonpublic schools should work to identify the root cause of students' absenteeism and the SAIP should address those issues, which may include homelessness and lack of transportation to and from school.

If a student is a homeless student, the school should clarify which entity (school of origin, school of residence, etc.) is responsible for complying with the compulsory attendance laws.

In addition, schools should consider whether it is appropriate to file citations against a person that may merely be "acting as a parent" or hosting an unaccompanied youth. These individuals often agree to provide a temporary place for a youth to sleep and may not have control over whether the child is attending school. Instead, the school could contact the county children and youth agency and attempt to eliminate barriers to attendance through that route.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

The CEO or designee is directed to develop procedures that may be necessary to implement this policy.

Third Unlawful Absence

Parent/Guardian Name
Address
City, PA Zip Code

OFFICIAL NOTICE OF CHILD'S TRUANCY

Dear <PARENT'S (OR GUARDIAN'S) NAME>:

This letter is to officially notify you that <STUDENT NAME> has been absent from Capital Area School for the Arts Charter School without an excuse on the following dates: <DATE 1, DATE2, and DATE 3 (add subsequent dates as appropriate)>. These absences are unexcused and, therefore, constitute a violation of the compulsory attendance provision of the Public School Code (24 P.S. 13-1327).

You are therefore notified of your child's repeated unexcused absences and strongly encouraged to ensure that your child receives no subsequent unexcused absences. The series of unexcused absences constitute a summary offense under the Public School Code for which penalties may be imposed against you as parent or guardian. Act 138 of 2016 provides for up to a \$750 fine and allows the court to impose parent education classes with your daughter or son, and community service sentences for parents of a truant child who do not show that they took reasonable steps to ensure the child's school attendance. Act 138 also provides that truant students lose their driver's license for ninety (90) days for the first offense, and six (6) months for the second offense.

Be advised that the process for development of an Attendance Improvement Plan for your child has now begun, which requires your participation in an attendance improvement conference. If your child receives six (6) unexcused absences, Capital Area School for the Arts Charter School may initiate a proceeding against you before a magisterial district judge, and a referral for general protective services made to the local children and youth agency. Please refer to the enclosed sections in the Public School Code for specific penalties for violation of compulsory attendance requirements for both you and your child.

Sincerely,

<CEO >

(Enclosures: Law)

cc: CEO/Principal
Assistant Principal
School Counselor