Truancy Policy

(TRCS Student Policy 5.01)

### **Attendance**

Your child’s consistent attendance is essential to her/his success and contributes to the unity and success of the school. Good attendance is important because many of the lessons are presented orally and through group interactions. A student who is frequently absent will find it difficult to make up work or fully understand the material. Attendance policies apply to on-line classes as well. California schools no longer receive funding for students who are sick or even excused. Students should attend school whenever possible, for part of a day after or before appointments.

TRCS is a closed campus. Students are not to leave school while school is in session without obtaining permission to leave from the School Director. Permission will be given when the parent sends a note containing the exact date/time/reason for leaving. The reason for leaving must be a valid reason. Students with a permit should sign out when leaving the campus and sign back in when arriving back to school. Parents taking their children off campus during the school day must sign them out either in the classroom or in the school office.

**Absences and Tardiness**

Parents should call and inform the school anytime your child will be late or absent so we can make adjustments to plans for the day and prepare make-up work. In a small school everyone counts a lot! Please make it your priority to have your child arrive on time. Students arriving late often interrupt ongoing activities and miss important parts of class meetings and decision-making. In addition, the school loses funding every day for every child who is absent. That means that your child’s absence hurts, in a variety of ways, our school’s ability to provide your child an outstanding education. Therefore, please limit any absence to mandatory or urgent situations such as family emergencies, serious illness, or doctor’s appointments and verify the absence by a phone call or note from the parent or guardian.

**Valid Excuses for Absences**

* Illness
* Directed by a Health Official to Stay at Home
* Medical Appointment
* Funeral (1 day in California, 3 days outside of California)
* Religious Observance
* Immediate Family Leaving for Military Duty

**What is Truancy**

California Education Code Section 48260 defines truancy as: “absent from school without 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…” As a result of excessive truancies, students will, in some cases, receive a lower or failing academic grade in a class. Students are truant from school or a class when they are absent or leave campus without prior parent permission on file with the attendance office. Three Rivers Charter School has instituted the following policies and procedures for dealing with the cumulative total of truancies:

**Habitual Truant**

*EC* Section 48262: Any pupil is deemed a habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed a habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261. For the purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

**Chronic Truant**

*(EC* Section 48263.6:) Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with *EC sections* 48260, 48260.5, 48261, 48262, 48263, and 48291.

**Interventions**

When a student is a *habitual* truant, or is irregular in attendance at school, or is habitually insubordinate or disorderly during school, the student may be referred to a school attendance review board (SARB.)

**On the first truancy –**

In addition to the reporting requirement, the law states that the school district must notify the parent or guardian of the truant by the most cost-effective method possible, and that the notification must include specific information related to the student's unexcused absences.

(a) That the pupil is a truant.

(b) That the parent or guardian is obligated to compel the attendance of the pupil at school.

(c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.

(d) That alternative educational programs are available in the district.

(e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.

(f) That the pupil may be subject to prosecution under Section 48264.

(g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the *Vehicle Code*.

(h) That it is recommended the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

**Student Penalties**

The law provides schools and school districts with discretion regarding student penalties for truancy as long as they are consistent with state law. The penalties for truancy for students defined in *EC* Section 48264.5 become progressively severe from the first the time a truancy report is required through the fourth time a truancy report is required. The *EC* Section regarding penalties for students who are truant reads as follows:

*EC* Section 48264.5: Any minor who is required to be reported as a truant pursuant to Section 48260 or 48261 may be required to attend makeup classes conducted on one day of a weekend pursuant to subdivision (c) of Section 37223 or after school.

(a) The first time a truancy report is required; the pupil may be personally given a written warning.

(b) The second time a truancy report is required within the same school year, the pupil may be assigned, by the school, to an after school or weekend study program located within the same county as the pupil's school. If the pupil fails to successfully complete the assigned study program, the pupil shall be subject to subdivision (c).

(c) The third time a truancy report is required within the same school year, the pupil shall be classified a habitual truant, as defined in Section 48262, and may be referred to and required to attend, an attendance review board or a truancy mediation program pursuant to Section 48263 or pursuant to Section 601.3 of the *Welfare and Institutions Code*. If the district does not have a truancy mediation program, the pupil may be required to attend a comparable program deemed acceptable by the school district's attendance supervisor. If the pupil does not successfully complete the truancy mediation program or other similar program, the pupil shall be subject to subdivision (d).

(d) The fourth time a truancy is required to be reported within the same school year, the pupil shall be within the jurisdiction of the juvenile court which may adjudge the pupil to be a ward of the court pursuant to Section 601 of the *Welfare and Institutions Code*. If the pupil is adjudged a ward of the juvenile court, the pupil shall be required to do one or more of the following:

(1) Performance at court-approved community services sponsored by either a public or private nonprofit agency for not less than 20 hours but not more than 40 hours over a period not to exceed 90 days, during a time other than the pupil's hours of school attendance or employment. The probation officer shall report to the court the failure to comply with this paragraph.

(2) Payment of a fine by the pupil of not more than one hundred dollars ($100) for which a parent or guardian of the pupil may be jointly liable.

(3) Attendance of a court-approved truancy prevention program.

(4) Suspension or revocation of driving privileges pursuant to Section 13202.7 of the *Vehicle Code*. This subdivision shall apply only to a pupil who has attended a school attendance review board program, or a truancy mediation program pursuant to subdivision (c).