

Shelby County Board of Education

TRUANCY

6016

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I. PURPOSE

To outline guidelines regarding and set forth procedures to prevent truancy.

II. SCOPE

This policy applies to Shelby County Schools students.

III. POLICY STATEMENT

Unauthorized absence from school is considered truancy and will be treated as such.

This includes absence from any class, study hall, or activity during the school day for which the student is scheduled and remedial programs that are offered at no cost to parents provided that prior to requiring the student to attend the program a commitment of transportation is provided to those students who qualify for transportation to and from school. The principals, in coordination with any teachers who provide instruction to a student and any other appropriate school faculty, shall make the decision to require the student's attendance at such remedial instruction occurring outside of the regular school day, including but not limited to programs conducted during the summer and after the conclusion of the regular school day pursuant to state law.

Truancy Prevention/Intervention

To prevent truancy, when unexcused absences occur, Shelby County Schools will seek assistance and support from school based and community-wide programs or agencies to restore the student's attendance. SCS will also use effective interventions with students and parents/guardians to restore and

maintain a student's regular attendance. Referral to Juvenile Court or to the District Attorney General will be the final option. ²

Truancy

If a student receives five (5) or more absences during the school year without adequate excuse, the Superintendent shall notify the parents that the student is required to attend school. If within 3 days of receiving the notice, the parent has failed to comply, the Superintendent shall notify the District Attorney General and/or local law enforcement of this fact and legal action may be taken against the parent as provided by T.C.A. § 49-6-3007.

Except as otherwise provided by law,³ a child may be truant under the law who is less than six (6) years of age, provided that a child may be withdrawn six (6) weeks of initial enrollment without penalty.

Legal References:

1. TCA 49-6-3007
2. TCA 49-6-3001, *et seq.*
- 3..TCA 49-6-3001; TCA 49-6-3005

Truancy

Prevention Programming

Parents shall receive frequent communications on the importance of regular attendance at school. In addition, each school shall develop school-wide programs and activities to promote and reward both regular and outstanding school attendance and improved attendance. Examples of such programs and activities include certificates of recognition for students who achieve perfect attendance or 95% attendance; a school awards ceremony to celebrate a school-wide attendance goal of 95%; and bookstore gift certificates for students with the most improved attendance.

Communicating Information to Students and Parents

At the beginning of each school year, schools shall send a letter to parents that emphasizes the importance of attendance and encourages their children's regular attendance at school. The letter should include the parent's legal requirements concerning attendance and the school's procedures for addressing attendance issues. Schools shall also hold a school-wide attendance meeting with their student body informing them of the school's attendance goals and expectations, the compulsory attendance laws, and the consequences for noncompliance. In addition, schools are encouraged to develop avenues for students to talk about attendance-related problems with persons at the school whom they trust when poor attendance and truancy are a result of another problem (e.g., family, social, economic). Schools should communicate these avenues to their students during the school-wide attendance meeting.

Unexcused Absence Procedures

1. If a student is absent without an excuse, the school must use school-based procedures as well as appropriate interventions to encourage regular school attendance. The following attendance procedures shall be used:

- a. First Two (1st and 2nd) Unexcused Absences-Documented phone calls to parents/guardians on the first day and second day of the first two days of unexcused absence.
 - b. Third (3rd) Unexcused Absence-Warning letter to parents/guardians informing them of the truancy laws and the consequences of noncompliance and requesting a parent/teacher conference.
2. After the student's fifth (5th) unexcused absence, the first official attendance letter will be automatically generated by the District and sent to the parents/guardians informing them of their noncompliance with compulsory attendance laws, the consequences for failing to comply, and that their presence is requested at a meeting of the Student Attendance Review Team (SART). This team is designed to identify the cause(s) of the unexcused absences in order to bring the parent/guardian and student in compliance with attendance laws. The SART team may consist of the family specialist, guidance counselor, principal (or designee), parent/guardian, an advocate representing the student such as a teacher of the student's choosing, and the student. It is preferable that all members attend the meeting. However, the SART meeting may proceed with the student and at least two other members of the SART team. Designated staff may also continue to call the parents/guardians to request their presence at a SART meeting.
3. The SART team must develop a Parent/ Student Action Plan (PSAP) to address the cause(s) of the unexcused absences and identify interventions that eliminate the underlying problem and enable the student to attend school on a regular basis. The Plan must be signed by all members of the team and shall be monitored on a regular basis. If the parent/guardian does not cooperate, the plan can be implemented with the student's signature, but the Plan must document attempts to contact the parents/guardians.
4. After a student has accumulated ten (10) or more unexcused absences, the final letter and subsequent letters from the District Attorney's Office will be automatically generated by the District and sent to the parents/guardians requiring them bring their child to a mandatory meeting of the communitywide Student Attendance Review Board (SARB).

The purpose of this Board is to determine factors leading to truancy and to refer the child and parent for appropriate services. The Board may consist of representatives from Juvenile Court, the Memphis and Shelby County Community Services Agency, Shelby County Schools, the Council of Missing and Exploited Children, and the Department of Children's Services. (Membership may vary.)

5. The SARB Board shall review the student's file, including attempts by the school to obtain parent support in enforcing the compulsory attendance laws. The Board can decide to refer the case to the Attorney General and Juvenile Court or give the parents the chance to follow the plan that has already been set forth. The Board may also modify the plan to place additional requirements on students and parents (e.g., requiring the student to attend an intervention program or the parent/guardian to attend a parenting class). The Student Attendance Review Board (SARB) shall inform the principal of the outcome of the SARB meeting.

6. Principals shall notify the Superintendent (or designee) when they withdraw a student who has at least ten (10) consecutive days of unexcused absence. This notification shall include documentation of the school's attempt to implement the Unexcused Absence Procedures outlined in these regulations.

Documentation

Schools shall provide documentation of parent/guardian conferences and contacts including phone calls and letters as well as of the student and/or family interventions that occurred. This documentation shall be made available to the parent/guardian, appropriate school, District, community agency, and law enforcement officials.

Interventions

It is expected that discussions with parents/guardians and students will focus on the reasons for the student's unexcused absences and ways the school can intervene to support regular attendance.

Interventions can include the following:

- a. A school-based individual intervention modification program

- b. Referring a student for a special education needs assessment
- c. Adjusting the student's schedule
- d. Assigning a mentor to the student
- e. Providing the student with a tutor
- f. Parent counseling
- g. Parenting classes
- h. Referring the family to an appropriate social service agency
- i. Other interventions as appropriate
- j. Securing standardized clothing/school uniforms, where appropriate

Law Enforcement

Any student who accumulates 10 or more days of unexcused absences within a school year may be referred to Juvenile Court and the District Attorney General's Office for appropriate legal action. However, every attempt shall be made to intervene to support students prior to referral to these agencies.

Parents who violate the compulsory attendance law commit a Class C misdemeanor; and in the event the child is adjudicated to be unruly, the appropriate judge having juvenile jurisdiction may assess a fine of up to fifty dollars (\$50.00) or five (5) hours of community service, in the discretion of the judge, against the parents of children in kindergarten through grade twelve (K-12) if the child is unlawfully absent more than five (5) days during any school year. As an alternative to prosecution for a Class C misdemeanor, at the prosecutor's discretion, parents of a child against whom a petition of truancy has been brought for being absent more than five days during the school year, may participate in parent education training and parent-teacher conferences. The prosecutor may provide the parent with the option to participate in such alternative program prior to filing the criminal charge. Failure of the parent to

timely respond to such option shall result in the revocation of the option and immediately filing of the criminal charge.

Legal References:

1. TCA 49-6-3007(i)