

June 14, 2007

Dear School Board Members and Dr. Towsey,

I was truly concerned for the students upon learning that the request for 20 additional work days and extending all contract days to eight (8) hours per day for the position of Attendance Officer was tabled for future discussion. The need that is present within our district is real and of major consequence to the success of many of your students.

The Pennsylvania Department of Education has taken a firm stand against truancy. Many recommendations have been made by PDE to address students at risk. Meetings were held several weeks ago to discuss the need for changes in our truancy plan to reflect the recommendations provided by PDE. All involved are in agreement that the recommendations, although time consuming and cumbersome to the district, would greatly benefit our students and their parents. I've worked very hard these last few weeks not only with our students and their families but also preparing to put together an effective truancy plan for the district. This new plan will be a good fit for your district. I have attached for your review all components of this new truancy elimination plan. Please take a moment to look over the materials provided and contact me with any questions you may have. I'm confident that after you review the enclosed materials and have taken the time to address any questions you may have with me that you will support this request for additional time and hours.

This year I was able to reach out and be personally involved with over 141 students from our schools through home visits and continued that support both in school and in the court system. This figure does not include working with students enrolled elsewhere but residing in our district. There were 218 students placed on first notice this school year despite a strong effort by the schools and myself to encourage parents to comply with state laws. Next year with the plan recommended by PDE I would be required to address personally all students placed on first notice with a meeting and develop a Truancy Elimination Plan for each one of them. This is almost doubling my current workload. The 20 days being requested for approval are paramount to ensure the success of our program. I have many tasks to complete before the start of each school year such as: organizing student files, preparing data for the PDE Truancy Report, updating student attendance/truancy data in the computer, updating probation information, and implementing new procedures. There is also an urgent need to be proactive with student attendance. I plan to work with at least 40 to 50 families through the summer months should this request be approved. This would ensure that those students, who are now considered habitually truant at year end, will be off to a better start with the beginning of a new school year. Approval of this request would show PDE that the Warren County School District is committed to the elimination of truancy issues. This will be important for us in the future years because truant students are more likely to drop out of high school. The benefit of having a strong truancy elimination plan would be a lowering of our drop out rate.

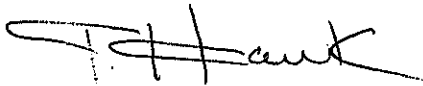
In closing please let me share a personal thought. I care very much about the students and families I work with throughout the school year. Many of the students I work with are falling short of success. Their families may be struggling with illness, drug and alcohol abuse, lack of employment and divorce. These students deserve someone to look out for them and their parents deserve and do appreciate the personal approach I extend to them. The schools benefit by my approach with families by having a better understanding of the family unit and the issues present. My involvement with families has always been non-threatening. Simply put, I'm there to keep them out of trouble with the law and to assist them in finding the supports necessary to improve their child's education and future. Many parents are not aware of the ramifications for non-

compliance of compulsory attendance law and are deeply grateful for the help I provide. I consider myself to be lucky that I work in a position that allows me to see a student once struggling become successful in school.

Thank you for your time and attention and please know that if I didn't feel that this request was necessary for the well-being of our students I would not have pursued this. Ideally, with a district this large, there would be another person working with me. But that is a luxury that we can't afford at this time. My position remains a stand alone position with no secretarial back-up. Also, please consider the fact that this district is a very large district with many miles of road to travel between residences. I want to be able to do what is best for our students and schools but currently there just isn't enough time allotted for me to do it well. I feel that the additional time requested could make a huge difference considering that it would allow me to work during July and August when the schools are closed. The amount of work I would be able to accomplish during this time period would be extremely beneficial to the schools and families in our district. For the last three years I've been working through my lunch break just to be able to get to the next stop due to time constraints. This year, in an effort to get the job done, I began to do some evening visits for parents who are unable to miss work or receive calls at work to discuss attendance issues at no additional cost to the district. With this new plan in place I would anticipate the need for additional evening visits. Please take also into consideration that I am one person serving all schools in your district, TCCS, Beacon Light, WCSD Cyber and outside the district cyber schools. Additionally, I'm working closely with Children and Youth Services, Juvenile Probation, and all District Magistrates. I sincerely feel that I have done everything possible to time manage and streamline but the need continues to grow. I would like to have your support in this matter and can promise you that it will be money well spent.

Thank you again for your time and please feel free to contact me if you feel the need.

Respectfully,



Tammy Hawk  
WCSD Attendance Officer  
Office: 726-2652  
Home: 723-6340

Cc: WCSD Directors  
Dr. R. Towsey, Superintendent  
Dr. H. Dwyer, Assistant Superintendent

clothing or food, the case must be reported to any suitable relief agency operating in the school district. If a proper relief agency is not found in the district, the case should be referred to the proper county board of assistance for investigation and relief.

#### **IV. PDE Recommended School Responses to Unlawful Absences**

Habitual truancy negatively impacts a child's school performance and increases the likelihood of juvenile delinquency. An intensive and timely response to truancy is critical in those cases where a clear pattern of habitual truancy is evident. School districts shall not wait until a child has missed an excessive number of days before initiating a response, however, school districts should exercise caution and reason when utilizing punitive measures and involving other systems.

##### **A . PDE's Recommended Policy**

PDE recommends that a notice be sent to the parent/guardian after each unlawful absence. See Section IIC, page 3, for a definition of unlawful absence. Specific recommendations for each notice and step are found below. PDE recommends that unlawful absences do not trigger a formal response until the district has exhausted all efforts to work collaboratively with the parent/guardian to address the truancy of the student and until the student has three unlawful absences over the course of the school year. Schools are a critical part of a child's support system and have a significant opportunity to assist children and families.

##### **(1) First Unlawful Absence**

Parent/guardian receives a notice of unlawful absence from the school district. The legal penalties established by law for violation of compulsory attendance requirements should be attached to the notice (see sample notices in Attachment). In addition to stating the legal punishments, the name and telephone number of a school contact person shall be included. Parents are then able to contact a specific person to request assistance in resolving the child's truant behavior.

##### **(2) Second Unlawful Absence**

Parent/guardian receives a second notice of unlawful absence from the school district. Once again, the legal penalties established by law for violation of compulsory attendance requirements and the name and telephone number of a school contact person shall be included. Additionally, another offer of assistance should be made to the parent.

##### **(3) Third Unlawful Absence**

Parent/guardian receives a third notice of unlawful absence by certified mail providing "official notice of child's third illegal absence." Attached to this notice will be penalties for violation of compulsory attendance requirements as they pertain to both the student and the parent/guardian, including information that three days after giving such notice, the student or parent/guardian who again

violates the compulsory attendance requirements shall be liable without further notice.

School districts shall coordinate a school/family conference to discuss the cause of the child's truancy and develop a mutually agreed upon Truancy Elimination Plan (TEP) to resolve truant behavior. Issues to be reviewed at the school/family conference include the appropriateness of the child's educational environment, current academic difficulties, physical or behavioral health issues, and family/environment concerns. At the end of the conference all parties should sign a comprehensive TEP that is agreed to by the school representative, the child, and the parents and/or family. The plan could include accessing academic and social/health supports from the school and community organizations, an outline of family/parent and student responsibilities, and levels of performance monitoring that include rewards and consequences.

#### **(4) Subsequent Unlawful Absence**

After agreeing to a TEP, or if there is not agreement on a truancy elimination plan and 3 days have passed since the parent/guardian received the official notice of the child's third illegal absence, if a child is unlawfully absent, at any point within the school year, an official notice of unlawful absence will be sent home. The purpose of this correspondence is to inform the child's parent/guardian that the child has violated the TEP or, if there is not a TEP, to inform the child's parent/guardian that the child has again violated the compulsory attendance requirements, and advise the parent/guardian that a citation will immediately be sent to the magisterial district judge. To ensure the parent/guardian receives the notice, it is recommended that such a notice be sent through certified mail. After this step, the school is not obligated to inform parents in writing of absences but it is recommended that the school continue to call the parent/guardian to inform them of additional truant behavior. Schools should refer all future incidents of truancy directly to the magisterial district judge having jurisdiction in the region.

#### **(5) Referral to County Children and Youth Agency**

##### **(a) Children Under 13 Years of Age**

Any child who has not attained the age of 13 who fails to comply with the compulsory attendance requirements and is habitually truant, shall be referred by the school district to the local county children and youth agency for services, which may include addressing family issues that may be responsible for the child's truant behavior, or possible adjudication as a "dependent" child under the Juvenile Act. The referral to the county children and youth agency may be in addition to proceeding against the parent/guardian by sending the citation to the appropriate magisterial district judge or a school may decide to refer a family to the local county children and youth agency instead of sending a citation to the appropriate magisterial district judge. If the parent/guardian provides written consent, a copy of the TEP should be forwarded to the county children and youth agency.

##### **(b) Children 13 Years of Age and Older**

Any child who has attained the age of 13 who fails to comply with the compulsory attendance requirements and is habitually truant may, in lieu of being prosecuted (as described in Section V below), be referred by the school district to the local county children and youth agency for services, which may include addressing family issues that may be responsible for the child's truant behavior or, possible adjudication as a dependent child under the Juvenile Act.

### **(c) Habitually Truant**

The School Code defines habitually truant as absence for more than three (3) school days or their equivalent following the first notice of truancy given after a child's third unlawful absence.

### **B. Continued Truancy**

If a child of any age continues to be truant after the above actions have been taken, then school districts are encouraged to file citations with the local magisterial district judge citing the child's continued truancy on a weekly basis. It is imperative that the local magisterial district judge be kept informed if truant behavior continues after a plan is in place.

## **V. Proceedings and Penalties for Violation of Compulsory Attendance Requirements ( 24 PS 13-1333 and 1338.1)**

### **A. School Code**

Every parent/guardian of any child of compulsory school age is subject to penalties if compulsory school-age attendance requirements are not met. While school districts are required to give three days written notice of violation of compulsory attendance prior to proceeding against the offending party it is strongly recommended that school districts make a concerted effort to address the cause of a child's truant behavior before referring the child to another system.

Possible sentences for parents found to be in violation of compulsory attendance law:

- Paying a fine up to \$300 for each offense and court costs, or
- Completing a parenting education program, and
- In cases where the party convicted fails to pay the fine or complete the parenting education program, a subsequent sentencing to the county jail for no more than five days.
- Completing in lieu of, or in addition to the previous penalties, community service within the school district for a period of no more than six months.

(Magisterial district judges may suspend all or portions of the sentence if the child is no longer habitually truant.)

The board of school directors may bring a student before the court. Possible dispositions for children found in violation of compulsory attendance law:

1. If the parent/guardian is not convicted by the magisterial district judge because the parent/guardian took every reasonable step to insure the child's attendance at school and the child has attained the age of 13, the child may be:
  - subject to a fine of no more than \$300 for each offense, or
  - assigned to an adjudication alternative program pursuant to 42 Pa.C.S. § 1520, and
  - alleged to be dependent under 42 Pa.C.S. § 6303(a)(1) by the magisterial district judge if the child fails to pay the fine or comply with the adjudication program.
  - referred by the school district for services or possible disposition as a dependent child as defined under 42 Pa.C.S. § 6302(5), in lieu of prosecution or assignment to an adjudication alternative program, if the child fails to comply with compulsory attendance provisions and is habitually truant

(Magisterial district judges may suspend all or portions of the sentence if the child is no longer habitually truant.)

2. Any child who has not attained the age of 13 who fails to comply with the compulsory attendance requirements and is habitually truant, shall be:
  - Referred by the school district for services or possible adjudication as a dependent child as defined under 42 Pa.C.S. § 6302(5).
3. For children convicted of violation of compulsory attendance requirements by the magisterial district judge, the court, including a court not of record, must send a certified record of the conviction or other disposition to the Department of Transportation.
  - Upon first conviction, the child's operating privilege for operating an automobile will be suspended for 90 days.
  - Upon the second or subsequent conviction, the child's operating privileges will be suspended for six months.
  - Children who do not yet have a driver's license will be ineligible to apply for a license for the time periods of 90 days for the first conviction and six months for the second and any subsequent conviction.
4. If a student of compulsory school age cannot be kept in school on account of truancy, the school district may proceed against the student before the juvenile court.

#### **B. Further corrective measures for violation of compulsory attendance**

General protective services are defined as services to prevent the potential for harm to a child. Under Title 55 Pa Code, Chapter 3490.223, children who are habitually and without justification 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 shall not be referred to the county children and youth agency for assessment as possibly needing services until after the school district has made a formal effort to involve the family and child in resolving the cause of the truant behavior.

## **VI. Charter Schools**

### **A. Charter School Responsibilities**

Charter schools must report to the student's school district of residence when a student has accrued three or more days of unlawful absences. It is the responsibility of the school district to enforce the compulsory attendance laws in accordance with the Public School Code. However, charter schools should also follow PDE's Recommended Responses to Unlawful Absences for the first, second and third unlawful absences including the school/family meeting and implementation of a TEP. Charter schools should also refer the child to the county children and youth agency as stated in Section V above.

### **B. School District Response to Charter School Absences**

Under compulsory attendance laws, the parents/guardians of a student who has accumulated three unlawful absences are to receive notice stating any subsequent unlawful absences will result in a citation being filed with the magisterial district judge. The school district of residence should send the notice to parents/guardians immediately upon notification of the third unlawful absence by a charter school. It is recommended that such notice be sent through certified mail. Future unlawful absences should be filed with the magisterial district judge.

For brick and mortar charter schools, a school district may file truancy documents with the magisterial district judge in whose jurisdiction the charter school is located, which is where the cause of action arose, or where the charter school student resides, which is where the parent/guardian may be served. For cyber charter schools, a school district may file truancy documents with the magisterial district judge in whose jurisdiction the charter school student resides, which is where the cause of action arose and where the parent/guardian may be served. Charter schools and cyber charter schools must cooperate with school districts by providing necessary documentation for the truancy filings, and attending the hearings to provide testimony, if necessary.

## **REFERENCES:**

### **Purdon's Statutes**

24 PS §13-1326  
24 PS §13-1327  
24 PS §13-1329  
24 PS §13-1330  
24 PS §13-1332  
24 PS §13-1333  
24 PS §13-1334  
24 PS §13-1338  
24 PS §13-1338.1  
24 PS §13-1339  
24 PS §13-1341  
24 PS §13-1343  
24 PS §13-1354

The Juvenile Act- 42 Pa.C.S. §§ 6301- 6365

**OVERVIEW OF ATTENDANCE CHANGES  
2007-2008 SCHOOL YEAR**

**Parent Notification of UL Absences:**

<b>Notification</b>	<b>Manner/Notification</b>	<b>Person Responsible</b>	<b>Follow-up Person</b>	<b>Documentation</b>	<b>Person Responsible to Enter Documentation</b>
<b>First UL Absence Notice w/Attachment</b>	Letter after first UL absence occurs	TBA	Phone call from Guidance or Principal Office	Letter and phone call date to be recorded in A. Officer Field	TBA – Letter Guidance/Office-Phone Call
<b>Second UL Absence Notice w/Attachment</b>	Letter after second UL absence occurs	TBA	Phone call from Guidance or Principal Office if no contact was made with first notification	Letter date to be recorded in A. Officer Field	TBA – Letter Guidance/Office-Phone Call
<b>New First Notice Letter w/Attachment</b>	Notice sent after third UL absence occurs	Attendance Secretary	Tammy Hawk	Recorded in A. Officer Field	Attendance Secretary
<b>TEP Invite</b>	Sent after First Notice	TBA/Tammy Hawk	Tammy Hawk	Recorded in A. Officer Field	TBA/Tammy Hawk
<b>TEP Meeting</b>	ASAP after Invite	Tammy Hawk	Tammy Hawk	Recorded in A. Officer Field Copy to School	Tammy Hawk
<b>C/Y Referral</b>	After non-compliance to TEP	Tammy Hawk	Tammy Hawk	Recorded in A. Officer Field	Tammy Hawk



# WARREN COUNTY SCHOOL DISTRICT

CENTRAL ADMINISTRATIVE OFFICES

185 HOSPITAL DRIVE

WARREN PA 16365-4885

ROBERT B. TOWSEY, PH.D.  
INTERIM SUPERINTENDENT

## First Unlawful Absence Notice

Parent/Guardian Name

Address

City, PA Zip

Student Name:

Age:

DOB:

Dear (Name),

Your student's absence on (Date) has been recorded as unlawful. This letter serves as our first communication regarding unlawful absences. Warren County School District Policy states that a proper excuse must be turned in within three days of return to school. If an excuse was not sent or your student did not turn in a proper excuse this would result in the absence being permanently added to the student's file as unlawful. The Commonwealth of Pennsylvania law and school policy **require** regular daily attendance. Students who are frequently absent from school miss direct instruction and regular contact with their teachers. Regular attendance at school is an important part of every student's success and is necessary in order to gain the greatest benefit from the educational experience.

If your student accumulates three days of unlawful absences or the equivalent the district must notify you. Any additional unlawful absences beyond three must be turned into the magisterial district judge.

In addition, any absences of ten cumulative days will require a written excuse that indicates that the student has seen a doctor or medical practitioner in order to be excused. Enclosed are the penalties for violation of compulsory attendance requirements.

Our district has many services available to you and your family. If you have any questions, please call my office at 726-2652. I look forward to working with you to ensure your child's educational success.

Sincerely,

Mrs. Tammy Hawk  
WCSD Attendance Officer

Cc: Student File



# WARREN COUNTY SCHOOL DISTRICT

CENTRAL ADMINISTRATIVE OFFICES  
185 HOSPITAL DRIVE  
WARREN PA 16365-4885

ROBERT B. TOWSEY, PH.D.  
INTERIM SUPERINTENDENT

## Second Unlawful Absence Notice

Parent/Guardian Name  
Address  
City, PA Zip

Student Name:

Age:

DOB:

Dear (Name),

Your student's absence on (Date) has been recorded as unlawful. **This is the second unlawful absence recorded this school year.** Warren County School District Policy states that a proper excuse must be turned in within three days of return to school. If an excuse was not sent or your student did not turn in a proper excuse this would result in the absence being permanently added to the student's file as unlawful.

If your student accumulates three days of unlawful absences or the equivalent the district must notify you. Any additional unlawful absences beyond three must be turned into the magisterial district judge. Commonwealth of Pennsylvania law and school policy require that every child of compulsory school age must attend school daily. Mental, physical or other urgent reasons as described in the student handbook are the only lawful excuses accepted. Enclosed with this letter you will find information regarding the penalties for violation of compulsory attendance requirements.

In addition, any absences of ten cumulative days will require a written excuse that indicates that the student has seen a doctor or medical practitioner in order to be excused.

I strongly encourage you to call my office at 726-2652 to discuss ways to improve your child's attendance record. Continued unlawful absences could lead to notification of the magisterial district judge, as well as a referral to the County Children and Youth Agency. You may request a school-family conference at this time to explore possible solutions to your child's attendance problems.

Sincerely,

Mrs. Tammy Hawk  
WCSD Attendance Officer

Cc: Student File