

213: TRUANCY POLICY

I. Purpose:

- a. ~~Delaware law regarding truancy requires Providence Creek Academy Charter School to report students as truant after a total of three unexcused absences in a year. After a total of thirty unexcused absences in a year, the School is obligated to report parents for prosecution, and if the student is over the age of sixteen, the student may be reported for prosecution as well.~~

a. Every parent, guardian, or other person having legal control of a child between the ages of 5 and 16 is required to send the child to school. Attendance standards are applicable to all students enrolled in the School. School attendance is mandated by State law and regulations of the State Board of Education. The Truancy Policy of the Board of Directors establishes specific regulations related to truancy.

II. Definitions

- a. Excused Absence: An excused absence is missing school with a valid reason and for which the proper documentation has been submitted, as outlined in 213: Attendance Policy.
- b. Unexcused Absence: An unexcused absence is missing school without a valid reason, for a reason not listed as valid, or for which the proper documentation was not submitted.
- c. Truant: A student who has been absent from school without a valid reason or proper documentation (“unexcused absence”) for more than three (3) school days during a school year.

III. Policy Statement:

Providence Creek Academy (PCA) monitors the attendance of all students enrolled. The School is responsible for reporting violations of the attendance laws of the State. Per Delaware Code, a student enrolled in grades K through 8 is considered truant if the student has been absent from school without valid excuse (“unexcused absence”) for more than three (3) cumulative or consecutive school days during a given school year.

- a. Actions for Unexcused Absences:

~~Absences without excuse/truancy conferences:~~

- i. If a student has been absent from school without a valid excuse one (1) or more days, the school administration or designee ~~of the school~~ may take such action as the school administration considers appropriate.
- ii. If a student is truant, the school administration or designee will communicate with the student’s parent/guardian. The communication will include information on scheduling a truancy conference (may be referred by another title such as, “Student Attendance Success Plan meeting”) with the student, the student's parent/guardian and the school

DRAFT

administration or designee. The conference may be attended by other persons as the school administration or designee may include. School administration or designee may include or exclude any person from all or part of the conference. Parent/guardian participation in the truancy conference is required upon request of school administration or designee. Participants will be given notice of the meeting at least one (1) week in advance, but the meeting may occur sooner if agreed upon by participants.

- iii. School administration or designee shall visit the student's home following the tenth (10th) day of unexcused absence in an effort to collaborate with the student's parent/guardian to resolve truancy issues.
- ~~iv. Any student who accumulates more than 10 but less than 18 absences, not including medical/administrative, may be required to make up those days in excess of ten during a fee-based summer program. The student and/or parent/guardian will be expected to provide transportation to the summer program. Failure to make up those days may result in the student being retained.~~
- v. Following the fifteenth (15) day of unexcused absence the student's parent/guardian shall be notified via certified mail to appear at the school within ten (10) days of notification for a truancy conference to discuss attendance and supports (including counseling).

The parent/guardian shall sign a contract with the school agreeing they will make every reasonable effort to:

1. Have their child abide by the Code of Conduct
2. Make certain their child attends school regularly; and
3. Provide written documentation for the reasons for any absence.

- ~~vi. Following a truancy conference the school shall decide whether or not to file a charge against the parent/guardian for a violation. provided, however, that the school administration or designee shall refer the case for prosecution following the 18th day of unexcused absence by a student during the school year, and may refer the case before the 18th day of unexcused absence if the school administration determines it is appropriate to do so. School administration or designee shall refer the case to prosecution following the twentieth (20th) day of unexcused absence by a student during the school year. The School may refer the case before the twentieth (20th) day of unexcused absence if determined appropriate.~~
- vii. The fact that a student or student's parent/guardian may attend or has attended or failed to attend a truancy conference does not bar the school administration or designee filing a complaint with the Justice of the Peace Court. The School's school administration's or designee's failure to hold a truancy conference does not bar the filing of a complaint with a court and adjudication by a court.
- viii. Following the completion of prosecution of the case and the subsequent failure of the student to return to school within five (5) school days thereof, the school shall immediately notify the Department of Services

DRAFT

for Children, Youth and Their Families requesting intervention services by the Department.

ix. A parent/guardian who is determined to violate the State's compulsory school attendance laws is subject to penalties as described by State law. Per Delaware Code, the penalties for parent/guardian may include (not limited to): monetary fines, unpaid community service, imprisonment. A truancy charge for a parent/guardian is a criminal charge.

- b. ~~Providence Creek Academy reserves the right to file truancy charges and/or retain a student who misses more than 18 days.~~
- c. ~~Any student who accumulates more than 10 but less than 18 absences, not including medical/administrative, may be required to make up those days in excess of ten during a fee-based summer program. The student and/or his/parent(s)/guardian(s) will be expected to provide transportation to the summer program. Failure to make up those days will may result in the student being retained.~~
- d. ~~Students are entitled to make up any work that is missed as a result of medical, administrative, or excused absences; however, make up work must be completed within the number of days the student was absent.~~
- e. ~~Students will not be allowed to make up work as a result of an unexcused absence and zeroes will be given for all work missed on those days.~~

IV. Responsibility:

- a. It is the responsibility of the student and their ~~his/her~~ parents/guardians to ensure that all absences are communicated with the school and to limit unexcused absences to less than ~~are under~~ three (3) per school year. Providence Creek Academy is responsible for reporting students deemed truant to the proper authorities.

V. Related Policies:

- a. 201 Attendance Policy

VI. Related Procedures and Documents:

- a. Title 14 Chapter 27 Subchapter 1 School Attendance:
<http://delcode.delaware.gov/title14/c027/sc01/index.shtml>
- b. Title 14 Chapter 27 Subchapter II Truancy:
<http://delcode.delaware.gov/title14/c027/sc02/index.shtml>

Approval and Revision Dates:

APPROVED BY THE BOARD OF DIRECTORS AUGUST 16, 2011

REVISED AND APPROVED BY THE BOARD OF DIRECTORS ON JULY 23, 2019

DRAFT

REVISED....