

213: TRUANCY POLICY

I. Purpose:

- 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:

- i. If a student has been absent from school without a valid excuse one (1) or more days, the school administration or designee 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 administration or designee. 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. 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).
- v. 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. 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 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 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 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.

IV. Responsibility:

- a. It is the responsibility of the student and their parents/guardians to ensure that all absences are communicated with the school and to limit unexcused absences to less than 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:

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