



Education Law Center

*Making sure that all of Pennsylvania's children
have access to quality public schools*

The Truancy Process in the School District of Philadelphia

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral, or contact an attorney of your choice.

General Information: In Pennsylvania, children between the ages of 6 and 17 must attend school (with a few exceptions). If your child misses a lot of school, s/he may be brought into court, fined, and/or the Department of Human Services (DHS) may get involved. It is very important to work with the school to make sure your child is attending school regularly.

The truancy process in Philadelphia can be confusing. **If you have any questions about it, talk to your child's principal or call the District's Office of Attendance and Truancy at 215-400-4220!**

1. When a child misses school without a valid excuse, the teacher records it on her roll sheet and sends it to the school's front office.

TIP FOR PARENTS: You should always send in a written note to the principal and the teacher when your child is absent from school. **Send the note within three (3) days of your child's absence and explain the reason for your child's absence.** Make sure to keep a copy of the note for yourself. If you don't send in a note, and the school has no reason for your child's absence, your child will be considered **truant** - meaning absent from school without a valid excuse.

CHILDREN BEING BULLIED: Even if your child is being bullied or harassed at school, your child still must attend school if s/he is between the ages of 6 and 17. **You can call the District's 24-hour Bullying/Truancy Hotline at 215-400-SAFE to report bullying and/or truancy.** For more information about what to do if your child is being bullied, see ELC's fact sheet, *What To Do When Your Child is Being Bullied at a Philadelphia Public School*, at www.elc-pa.org.

2. The front office enters the attendance information into the School Computer Network.
3. Once this information is entered, the computer triggers the auto-dialer so that parents are made aware of their child's unexcused latenesses and absences.
4. Once a child has **three (3) unexcused absences**, the parent should receive a preliminary legal notice from the District inviting her to schedule a conference with the principal in order to address the truancy and informing her that she may be subject to truancy proceedings in court if her child has any more unexcused absences.

TIP FOR PARENTS: Make sure to get in touch with your child's school if you get a truancy notice! It is very important to meet with the school and talk about what can be done to get your child to school.

5. For students (grades K-12) with **3-7 unexcused absences**, the School District contracts with various agencies to provide **Parent Truancy Officers (PTOs)** to make home visits and inform parents of their child's absence and of their legal obligations under the law (PTOs are not available at every school in the district). The school also should set up a **Comprehensive Student Assistance Process (CSAP) - Tier I** meeting. CSAP is a process by which schools identify barriers to learning and develop a plan to assist with the removal of the barriers by using school-based and community-based resources. For more information about the CSAP process, you can get the District's *Parent Guide To The Comprehensive Student Assistance Process*, at http://webgui.phila.k12.pa.us/uploads/zd/nC/zdnCJ6yN9Esz5gO1-gPi_Q/csap_parent_guide.pdf, or you can call ELC for a copy.
6. For students with **sixteen (16) or more unexcused absences**:
 - **Grades K-3:** students are referred to DHS, Office of Delinquency and Truancy Prevention for **case management services** by Community Based Organizations (like Congreso and Presbyterian Children's Village). The goal is to figure out why the child is not coming to school and what help the child and her/his family needs to get the child to school.

- **Grades 4-10:** a list is generated and sent to the Philadelphia Court of Common Pleas - Family Court Division, Project START (Stop Truancy and Recommend Treatment) and students are sent to a "**Regional Truancy Court**" for a hearing (see below).
- **Grades 11-12:** students are referred to the Office of Delinquency and Truancy Prevention for appropriate interventions.
 - i. The District's **Reengagement Center** is another resource available to help older chronic nonattenders find the right school program for them. The phone number for the Reengagement Center Hotline is 215-400-6700.
- **For All Students:** Your child's school should set up a **CSAP-Tier II meeting** that you should attend. At the meeting the team will discuss the truant behavior and decide the help/resources that is/are needed to get the student to school (like referral for behavioral health services, the Student Assistance Program, etc).

TIP FOR PARENTS: If your child has an **Individualized Education Program (IEP)** and **receives special education services**, you should also ask the school for an IEP team meeting to see if your child's program needs to be changed in some way. For instance, your child may be avoiding school because s/he has trouble reading, and s/he may need tutoring in reading to improve her/his ability to participate in school.

7. Once the child is referred to court, the court determines who should be brought in for a hearing. Parents of these children will receive a notice from the court specifying the day and time that they need to be in court.

TIP FOR PARENTS: **Students in the School District of Philadelphia cannot be suspended for cutting class, lateness, or truancy.** Students exhibiting excessive or patterns of unexcused absences should be referred by their schools to CSAP for intervention planning at the Tier I (group) and/or Tier II (individual) level.

8. The first truancy hearing is held in one of **eight regional truancy courts**. The regional truancy courts are generally located in a school building (such as George Washington High School or West Philadelphia High School). The first hearing is held in front of a **Facilitator** (who is a social worker - not an attorney). The Facilitator may schedule a follow-up hearing 30 days from the day of the first hearing. The Facilitator will usually keep a case open for up to 60 days. If the student's attendance has not improved in that time, then the case gets sent to a "Master."

TIP FOR PARENTS: Make sure you go to the hearing at the regional truancy court! Bring whatever information you have that can show 1) that your child's absences should have been counted as excused absences, 2) that the child was actually in school during the days the school had herhim listed as absent, and/or 3) any other information (like doctor's notes) which provides an explanation for the child's absences. You also should be prepared to explain what you have done to try to get your child to school.

9. The next hearing is in front of a Master who is a lawyer. The Master hears the case and if the child has continued to be truant since the first hearing, another hearing will be scheduled in Family Court ("L" Court). A Master has the power to order community service, daily reports, and/or assign the case to a community provider for monitoring and support.
10. If the child continues to be truant, the case will be referred to "K" court and the family will go in front of a judge. The judge has the power, among other things, to **fine** the parent or the child (if the child is over age 13 and the parent has shown she has made reasonable efforts to get the child to school). The judge can also assign the parent to a parent education program, or require the child to participate in a community service program or some other type of program. The judge can also take away the child's driver's license. At this point, there is a possibility that the child could be adjudicated dependent and put in the care of the state.

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