

# **LEBANON SCHOOL DISTRICT**

POLICY: 204  
SECTION: PUPILS  
TITLE: ATTENDANCE  
ADOPTED: JULY 18, 1994  
REVISED: February 17, 2020

## **204. ATTENDANCE**

### **Purpose**

The Board recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues.<sup>1</sup>

### **Authority**

Attendance shall be required of all students during the days and hours that the school is in session, except that authorized district staff may excuse a student for temporary absences upon receipt of satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence.<sup>2</sup>

The Board shall establish and enforce attendance requirements in accordance with applicable laws and regulations, Board policy and administrative regulations.

### **Definitions**

**Compulsory school age** shall mean the period of a student's life from the time the student's person in parental relation elects to have the student enter school, which shall be no later than eight (8) years of age, until the student reaches seventeen (17) years of age. Beginning with the academic year 2020-2021, compulsory school age shall mean no later than age six (6) until age eighteen (18). The term does not include a student who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.<sup>3</sup>

**Habitually truant** shall mean six (6) or more school days of unexcused

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<sup>1</sup> 22 Pa. Code. 11.41.

<sup>2</sup> 24 P.S. 1327, 1329-30; 22 Pa. Code. 11.23, 11.25, 12.1.

<sup>3</sup> 22 Pa. Code. 11.13; 24 P.S. 1326.

absences during the current school year by a student subject to compulsory school attendance.<sup>4</sup>

**Truant** shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.<sup>5</sup>

**Person in parental relation** shall mean a:<sup>6</sup>

1. Custodial biological or adoptive parent.
2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a child.
4. Person with whom a child lives and who is acting in a parental role of a child.

This definition shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.<sup>7</sup>

**School-based or community-based attendance improvement program** shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a student's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.<sup>8</sup>

### **Delegation of Responsibility**

The Superintendent or designee shall annually notify students, persons in parental relation, staff and local children and youth agency and local magisterial district judges about the district's attendance policy by publishing such policy in student handbooks and newsletters, on the district website and through other efficient communication methods.<sup>9</sup>

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<sup>4</sup> 24 P.S. 1326.

<sup>5</sup> 24 P.S. 1326.

<sup>6</sup> 24 P.S. 1326.

<sup>7</sup> 42 Pa.C.S.A. 6302.

<sup>8</sup> 24 P.S. 1326.

<sup>9</sup> 22 Pa. Code. 11.41; 24 P.S. 510.2.

The Superintendent or designee, in coordination with the building principal, shall be responsible for the implementation and enforcement of this policy.

The Superintendent or designee shall develop administrative regulations for the attendance of students which:

1. Govern the maintenance of attendance records in accordance with law.<sup>10</sup>
2. Detail the process for submission of requests and excuses for student absences.
3. Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the appropriate magisterial district judge.
4. Ensure that students legally absent have an opportunity to make up work.

## **Guidelines**

### Compulsory School Attendance Requirements

All students of compulsory school age who reside in the district shall be subject to the compulsory school attendance requirements.<sup>11</sup>

A student shall be considered to be in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction; or the student's placement is instruction in the home.<sup>12</sup>

The Board shall excuse the following students from the requirements of attendance at the schools of this district, upon request and with the required approval:

1. On certification by a physician or submission of other satisfactory

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<sup>10</sup> 24 P.S. 1332, 1339.

<sup>11</sup> 24 P.S. 1327.

<sup>12</sup> 22 Pa. Code. 11.22-23, 11.28; 24 P.S. 1327.

evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons so urgent as to preclude regular attendance.<sup>13</sup>

2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught.<sup>14</sup>
3. Students attending college who are also enrolled part-time in the schools of this district.<sup>15</sup>
4. Students attending a home education program or private tutoring in accordance with the law.<sup>16</sup>
5. Students fifteen (15) or sixteen (16) years of age whose enrollments in a private trade or business school have been approved.<sup>17</sup>
6. Students fifteen (15) years of age, and fourteen (14) years of age who have completed grade six (6), who are engaged in farm work or private domestic service under duly issued permits.<sup>18</sup>
7. Students sixteen (16) years of age regularly employed during the school session and holding a lawfully issued employment certificate.<sup>19</sup>

### Excused/Lawful Absence

The Board considers the following conditions to constitute reasonable cause for absence from school:

1. Illness, including if a student is dismissed by designated district staff during school hours for health-related reasons.<sup>20</sup>
2. Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth, or territory.<sup>21</sup>

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<sup>13</sup> 24 P.S. 1329-30; 22 Pa. Code. 11.34.

<sup>14</sup> 24 P.S. 1327; 22 Pa. Code. 11.32.

<sup>15</sup> 22 Pa. Code. 11.5.

<sup>16</sup> 24 P.S. 1327-1327.1; 22 Pa. Code. 11.31-11.31a

<sup>17</sup> 24 P.S. 1327.

<sup>18</sup> 24 P.S. 1330.

<sup>19</sup> 24 P.S. 1330; 22 Pa. Code. 11.28.

<sup>20</sup> 24 P.S. 1329; 22 Pa. Code. 11.25.

<sup>21</sup> 24 P.S. 1329.

3. Quarantine.
4. Recovery from accident.
5. Required court attendance.
6. Family emergency.
7. Death in family.
8. Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request.<sup>22</sup>
9. College or postsecondary institution visit, with prior approval.
10. Observance of a religious holiday observed upon prior written parental request.<sup>23</sup>
11. Nonschool sponsored educational tours or trips if the following conditions are met:<sup>24</sup>
  - a. The parent/guardian submits a written request for excusal prior to the absence;
  - b. The student's participation has been approved by the building/grade principal or designee; and
  - c. The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the building/grade principal.
12. Other urgent reasons. Urgent reasons shall be strictly construed and do not permit irregular attendance.<sup>25</sup>

Upon receipt of a written request from the parents of the students involved, students may be excused from school attendance to participate in an educational tour or trip provided during the school term at the expense of the parents/guardians when such tour or trip is so evaluated by the Superintendent or his/her designee and student participants therein are

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<sup>22</sup> 22 Pa. Code. 11.41; 24 P.S. 1329.

<sup>23</sup> 22 Pa. Code. 11.21.

<sup>24</sup> 24 P.S. 1329; 22 Pa. Code. 11.26.

<sup>25</sup> 22 Pa. Code. 11.25; 24 P.S. 1329.

subject to direction and supervision by an adult personage acceptable to the Superintendent or his/her designee and to the parents/guardians of the students concerned. Such absence shall not exceed ten (10) days during the school year. Additional days absent beyond the ten (10) days shall constitute unexcused absences.

The district may limit the number and duration of nonschool-sponsored educational tours or trips and college or postsecondary institution visits for which excused absences may be granted to a student during the school year.

### *Temporary Excusals*

The following students may be temporarily excused from the requirements of attendance at district schools:

1. Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies.<sup>26</sup>
2. Students participating in a religious instruction program, if the following conditions are met:<sup>27</sup>
  - a. The parent/guardian submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.
  - b. The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.
  - c. Following each absence, the parent/guardian shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.

The Board shall not provide transportation to religious instruction.<sup>28</sup>

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<sup>26</sup> 24 P.S. 1327; 22 Pa. Code. 11.22.

<sup>27</sup> 22 Pa. Code. 11.21; 24. P.S. 1546.

<sup>28</sup> 24 P.S. 1546.

3. School-age children unable to attend school upon recommendation of a school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.<sup>29</sup>

### *Releasing Students from School/Early Dismissal*

Request for students to be released from school before the regular dismissal time shall be approved by the principal of the school or his/her designee. The principal or his/her designee may permit early dismissals under the conditions described below:

1. No parent/guardian may be allowed to remove a student who is under the compulsory school attendance laws from school during school hours without permission of the principal or his/her designee, granted only after acceptable excuse or reason has been presented by the parent/guardian.
2. Students shall be released from school only to their parents/guardians or to persons authorized by their parents/guardians.
3. In case of illness, it shall be determined that the parent/guardian or reliable adult is at home before the student is sent home. Requests for released time for dental and medical appointments shall be honored when impossible to arrange them on non-school time. A written request from the pupil's parents/guardians is necessary.
5. Students shall not be dismissed during school hours for non-school activities such as private music lessons, dancing lessons, etc.
6. Students shall not be sent out of the building on errands for the teachers, principals, or non-instructional personnel unless approved by the Superintendent.
7. If any police or court official requests the dismissal of a student during school hours, parents/guardians shall be notified at once.
8. Under no circumstances may a student be taken from the school by a police officer or other government agency official without the parent's/guardians permission obtained in the presence of the responsible school authority, EXCEPT in case of a lawful arrest.

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<sup>29</sup> 22 Pa. Code. 11.34.

9. In the instance of the case of parents/guardians being separated and the child living with one or the other, the parent/guardian having custody of the student is the only one to whom the student may be released, provided an acceptable excuse as stated above is presented. If both parents/guardians have equal custody rights, the parent with whom the student resides is the one the school would generally see as "having custody." In any case, the school need not release the student to anyone without lawful excuse as determined by the principal.

### *Parental Notice of Absence*

Absences shall be treated as unlawful until the district receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.

A maximum of ten (10) days of cumulative lawful absences verified by parental notification shall be permitted during a school year. All absences beyond ten (10) cumulative days shall require an excuse from a licensed practitioner of the healing arts.

### Unexcused/Unlawful Absence

For the purpose of this policy, absences which do not meet the criteria indicated above shall be considered an unexcused/unlawful absence.

An out-of-school suspension may not be considered an unexcused absence.<sup>30</sup>

### *Parental Notification*

District staff shall provide notice to the person in parental relation upon each incident of unexcused absence.

### Enforcement of Compulsory Attendance Requirement

#### *Student is Truant*

When a student has been absent for three (3) days during the current school year without a lawful excuse, district staff shall provide notice to the person

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<sup>30</sup> 24 P.S. 1326.



in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.<sup>31</sup>

The notice shall:<sup>32</sup>

1. Be in the mode and language of communication preferred by the person in parental relation;
2. Include a description of the consequences if the student becomes habitually truant; and
3. When transmitted to a person who is not the biological or adoptive parent, also be provided to the child's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.

The notice may include the offer of a School Attendance Improvement Conference.<sup>33</sup>

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference.<sup>34</sup>

#### *School Attendance Improvement Conference*

District staff shall notify the person in parental relation in writing and by telephone of the date and time of the School Attendance Improvement Conference.<sup>35</sup>

The purpose of the School Attendance Improvement Conference is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.<sup>36</sup>

The following individuals shall be invited to the School Attendance Improvement Conference:<sup>37</sup>

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<sup>31</sup> 24 P.S. 1333.

<sup>32</sup> 24 P.S. 1333.

<sup>33</sup> 24 P.S. 1333.

<sup>34</sup> 24 P.S. 1333.

<sup>35</sup> 24 P.S. 1333.

<sup>36</sup> 24 P.S. 1326.

<sup>37</sup> 24 P.S. 1326.

1. The student.
2. The student's person in parental relation.
3. Other individuals identified by the person in parental relation who may be a resource.
4. Appropriate school personnel.
5. Recommended service providers.

Neither the student nor the person in parental relation shall be required to participate, and the School Attendance Improvement Conference shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.<sup>38</sup>

The outcome of the School Attendance Improvement Conference shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student, and appropriate district staff.<sup>39</sup>

The district may not take further legal action to address unexcused absences until after the date of the scheduled School Attendance Improvement Conference has passed.<sup>40</sup>

### *Habitually Truant*

When a student under fifteen (15) years of age is habitually truant, district staff:<sup>41</sup>

1. Shall refer the student to:
  - a. A school-based or community-based attendance improvement program; or
  - b. The local children and youth agency.

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<sup>38</sup> 24 P.S. 1333.

<sup>39</sup> 24 P.S. 1333.

<sup>40</sup> 24 P.S. 1333.

<sup>41</sup> 24 P.S. 1333.1.

2. May file a citation in the office of the appropriate magisterial district judge against the person in parental relation who resides in the same household as the student.<sup>42</sup>

When a student fifteen (15) years of age or older is habitually truant, district staff shall:<sup>43</sup>

1. Refer the student to a school-based or community-based attendance improvement program; or
2. File a citation in the office of the appropriate magisterial district judge against the student or the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.<sup>44</sup>

Regardless of age, when district staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate judge, district staff shall provide verification that the school held a School Attendance Improvement Conference.<sup>45</sup>

### *Filing a Citation*

A citation shall be filed in the office of the appropriate magisterial district judge whose jurisdiction includes the school in which the student is or should be enrolled.<sup>46</sup>

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.<sup>47</sup>

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<sup>42</sup> 24 P.S. 1333.1.

<sup>43</sup> 24 P.S. 1333.1.

<sup>44</sup> 24 P.S. 1333.1.

<sup>45</sup> 24 P.S. 1333.1.

<sup>46</sup> 24 P.S. 1333.2.

<sup>47</sup> 24 P.S. 1333.2.

## Special Needs and Accommodations

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.

## Discipline

The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.<sup>48</sup>

## Tardiness to School

All students are to arrive at school every day at the designated start time.

All students who report to school after the designated time will be marked tardy.

Age appropriate guidelines for addressing student tardiness shall be developed and placed in building level student handbooks or other informational documents that are distributed to students and parents/guardians.

An excused tardy is a medical doctor, therapist or court hearing. Official excuses from the medical doctor, therapist or court should be submitted when the child returns to school.

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<sup>48</sup> 24 P.S. 1333.