

# BALDWIN- WHITEHALL SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TRUANCY

ADOPTED: JUNE 11, 2014

EFFECTIVE: JUNE 12, 2014

REVISED:

<p>Authority SC 1327, 1330 Pol. 204</p> <p>SC 1333</p> <p>SC 1333</p>	<p style="text-align: center;">204.1 TRUANCY</p> <p>Parents/Guardians or persons in parental relation having control or charge of any child of compulsory school age, as well as the child or children of such ages, shall be expected to comply with the provision of the compulsory attendance laws.</p> <p><u>Failure to Comply</u></p> <p>A parent/guardian who fails to comply with the compulsory attendance law shall be prosecuted to the fullest extent permitted and shall be subject to the stated fines.</p> <p>A student who fails to comply with the compulsory attendance law may be cited.</p> <p>Prior to instituting any proceedings against an offending parent/guardian, the district Attendance Officer shall give that person three (3) days written notice of such violation.</p> <p>A notice will be sent to the parent/guardian after each unlawful absence.</p> <p>Upon three (3) unexcused/unlawful absences, the school will notify parent/guardian and implement The Baldwin-Whitehall Truancy Elimination Plan.</p> <p>The student, as well as the parent/guardian/person in parental relation, must appear at the hearing established by the District Justice.</p> <p><u>Conviction/Sentencing</u></p> <p>Upon conviction of the summary offense, the District Justice may suspend a sentence, in whole or in part, which the person is summoned to pay, provided that the child no longer is habitually truant from school without justification.</p> <p><u>Habitually Truant</u></p> <p><b>Habitually truant</b> shall mean absence for more than three (3) school days or their equivalent following the first notice of truancy given. A person shall be habitually</p>
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	<p>truant after such notice.</p> <p><u>Child or Parent/Guardian/Person in Parental Relation Not Convicted Because of Efforts To Force Child's Attendance</u></p> <p>SC 1333 If the parent/guardian/person in parental relation is not convicted of the offense because s/he took every reasonable step to ensure the child's attendance and the child has attained the age of thirteen (13), that child who fails to comply with the compulsory attendance requirements or who is habitually truant is subject to conviction and may be sentenced to pay a fine not to exceed \$300 for each offense or be assigned to an adjudication alternative program.</p> <p>SC 1333 Any child who has attained the age of thirteen (13) who fails to pay the fine may be referred by the District Justice to CYF and/or Juvenile Court.</p> <p>SC 1333 Upon conviction of the child, the District Justice may suspend, in whole or in part, a sentence or an adjudicated alternative program in which the child must pay or comply, provided that the child no longer is habitually truant. If the child is then habitually truant and fails to comply with the provisions of the law, that child may be referred by the school district for services or possible disposition as a dependent child.</p> <p>SC 1333 If a child not thirteen (13) years of age has failed to comply with the provisions of the compulsory attendance laws and is habitually truant, s/he shall be referred by the school district for services or possible disposition as a dependent child.</p> <p><u>Dependent Children</u></p> <p>SC 1338 In case any child of compulsory school age cannot be kept in school in compliance with the provisions of the compulsory attendance provisions of law on account of incorrigibility, truancy, insubordination, or other bad conduct or if the presence of any child attending school is detrimental to the welfare of the school on account of incorrigibility, truancy, insubordination, or other bad conduct, the Baldwin-Whitehall School Board may refer the child to CYF or to the local police to file a dependency petition against the child before juvenile court, or otherwise as is now or may hereafter be provided by law for incorrigible, truant, insubordinate or dependent children.</p> <p><u>Suspension of Operating Privilege</u></p> <p>SC 1333, 1338.1 In the event a child is convicted of violating the compulsory attendance law, the Department of Transportation will be notified. The Department of Transportation may suspend for ninety (90) days the operating privilege of the child. If the Department receives a second or subsequent conviction for a child's violation, the child's operating privilege may be suspended for six (6) months.</p>
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	<p>Any child who does not have a driver's license and whose record has been forwarded to the Department as in the above, may be ineligible to apply for a driver's license or learner's permit.</p> <p>Children under sixteen (16) may be ineligible for operating privileges upon attaining the age of sixteen (16).</p> <p><u>Arrest of Children Failing to Attend School</u></p> <p>SC 1341 Attendance officers or home and school visitors will enforce the compulsory attendance laws and will have full police power to arrest or apprehend any child who fails to attend school in compliance with the law or who is incorrigible, insubordinate or disorderly during attendance at school or on his/her way to or from school.</p> <p>SC 1343 When an attendance officer, or other authorized authority, arrests or apprehends any child who fails to attend school as required, s/he shall promptly notify the parent/guardian/person in parental relation of such child, if the person can be found in the district. The attendance officer, unless requested by the parent/guardian/person in parental relation, to place said child in a school other than public school, shall place said child in the public school in which the child is, or should be, enrolled.</p> <p><u>Corruption of Minors</u></p> <p>18 Pa. C.S.A. Sec. 6301 Any person who knowingly aids, abets, entices or encourages a minor younger than eighteen (18) years of age to commit truancy commits a summary offense. Any person who violates this paragraph within one (1) year of the date of a first conviction under this section commits a misdemeanor of the third degree.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1327, 1330, 1333, 1338, 1338.1, 1341, 1343</p> <p>Corruption of Minors – 18 Pa. C.S.A. Sec. 6301</p> <p>Board Policy – 204</p>
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