

P1461 REPORTING PROCESS - PUPILS NOT ATTENDING SCHOOL AND INEXCUSABLY ABSENT PUPILS (TRUANT)

BOARD POLICY:

In compliance with requirements of the Kansas Compulsory School Attendance Law, reports shall be filed with appropriate authorities when a child is not enrolled in a public school or non-public school or when a child is enrolled in school and is inexcusably absent.

The terms used in this policy are defined as follows:

- a. "Valid Excuse for Absences" is defined as:
 - 1) Medical or dental treatment, examination or recuperation;
 - 2) Death or serious illness in immediate family;
 - 3) Approval by school authorities, secured prior to the absence;
 - 4) Circumstances or conditions which, in the opinion of the principal or designee of the school the pupil attends, constitutes a valid excuse.
 - 5) Under the Interstate Compact on Educational Opportunity for Military Children, Wichita Public Schools may grant up to five (5) days excused absences per school year for a military-connected student whose parent or legal guardian is an active duty, Guard or Reserve member of the military who has been called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or combat support posting. The conditions under which USD 259 schools may approve excused absences are: (1) the absence is preapproved; (2) the student is in good standing; (3) the student has a prior record of good attendance; (4) missed work is completed and turned in within the school's allotted time period; and (5) the absence is not during standardized testing dates.
- b. "Substantial Part of a School Day" is defined as one-half (1/2) day or more for full-time secondary students. One-half (1/2) day is equivalent to four (4) regular class periods each being approximately forty-five (45) minutes or two (2) block schedule periods, each being approximately ninety (90) minutes, or any combination thereof. "Substantial Part of a School Day" is defined as one and one-half hour (1 ½) for elementary students. To remain in compliance with the non-negotiable elements of the English Language Arts Instruction, elementary schools must provide English Language Arts Instruction for not less than three (3) hours a day of which ninety (90) minutes must be devoted to uninterrupted reading. Student attendance is required for learning.
- c. "Kansas Compulsory School Attendance Law" means K.S.A. 72-3120 and amendments thereto. Requirements to attend school as set forth in the Kansas Compulsory School Attendance Law are described in Policy Pupil Attendance.
- d. "Inexcusable Absence" and "Inexcusably Absent" is any absence that is not a Valid Excuse for Absences as defined in a.
- e. "Non-public School" is defined as a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public schools are maintained in the school district in which the private, denominational or parochial school is located.

- f. "Parent", means and includes natural parents, adoptive parents, stepparents, and foster parents and "person acting as a parent" means (A) a guardian or conservator, or (B) a person, other than a parent, who is liable by law to maintain, care for or support the child, or who has actual care and control of the child and is contributing the major portion of the cost of support of the child or who has been granted legal custody of the child, or who has been granted legal custody of the child by a court of competent. "Parent," when referring to a parent of an Exceptional Child, is defined in K.S.A. 72-3404 and amendments thereto.
- g. "Exceptional Child" is defined in §K.S.A. 72-3404(g) and amendments thereto, except such term as used herein shall not include gifted children.
- h. "Pupils Not Attending School" Whenever a child between the ages of seven (7) years of age and under eighteen (18) years of age is required by the Kansas Compulsory School Attendance Law to attend school and the child is not enrolled in a public or non-public school, the child shall be considered to be not attending school.
- i. "Inexcusably Absent" Whenever a child between the ages of seven (7) years of age and under eighteen (18) years of age is required by the Kansas Compulsory School Attendance Law to attend school and is enrolled in a district school, and the child is inexcusably absent for a substantial part of a school day on either three (3) consecutive school days or five (5) school days in any semester, or seven (7) school days in any school year, whichever of the foregoing occurs first, the child shall be considered to be inexcusably absent.
- j. "Pupil Not Attending School - Exceptional Child" Whenever an exceptional child between three (3) years of age through the school year the child completes a local curriculum or reaches age twenty-one (21) whichever occurs first, is not enrolled in a district school or is not otherwise receiving special education and related services on a private basis as indicated on the child's Individual Education Plan, the child shall be considered to be not attending school.
- k. "Inexcusably Absent - Exceptional Child" Whenever an exceptional child between three years of age through the school year the child completes a local curriculum or reaches twenty-one years of age, whichever occurs first, is enrolled in a district school and such child is inexcusably absent for a substantial part of a school day on either three (3) consecutive school days or five (5) school days in any semester or seven (7) school days in any school year, whichever of the foregoing occurs first, the child shall be considered to be inexcusably absent.

Administrative Implemental Procedures:

1. The principal of each school is responsible for determining the acceptability and validity of offered valid excuses for absences from school for each pupil enrolled in the principal's school.
2. Pupils participating in a school related activity shall not be counted absent.
3. It will be the responsibility of school personnel to:
 - a. Communicate district and school attendance policies to students and parents.
 - b. Develop corrective strategies for students who are inexcusably absent with the intent of increasing the student's attendance and participation in school. Out of school suspension

shall not be used as a disciplinary action for non-attendance/truancy.

- c. Maintain attendance records.
 - d. Notify lawful parent or person acting as a parent of pupil absence.
 - e. Arrange conferences to resolve attendance problems.
 - f. Report absences as required by the Kansas Compulsory School Attendance Law.
4. Prior to reporting that a Pupil is Not Attending School, the district official responsible for making the report shall notify by personal delivery or first class mail the child's parent or person acting as a parent.

Such notice shall inform the parent or person acting as a parent that continued absence of child without a valid excuse for absences will be reported to the Secretary of the Kansas Department for Children and Families or designee, or to the District Attorney, 18th Judicial District, or designee, whichever is appropriate, and to the Commissioner of Education, or designee, as required under K.S.A. 72-3120 and amendments thereto.

If an acceptable response as determined by the appropriate district official is not received from the parent or person acting as a parent of the child on the school day next succeeding personal delivery of the notice or within three school days after the notice was mailed, a report together with a certificate verifying the manner in which notice was provided to the parent or person acting as a parent, shall be made in accordance with the provisions of AIPs 7 and 8.

5. By September 1st of each school year, principal(s), or designee(s), shall be designated by the Board of Education to report cases of inexcusably absent pupils to:
- 1) Secretary of the Kansas Department for Children and Families, or designee
 - 2) District Attorney, 18th Judicial District, or designee whichever agencies is appropriate, and
 - 3) Commissioner of Education, or designee

By September 11th of each year, the designated principal(s), or designee(s) shall be certified to the above agencies by the Clerk of the Board.

6. By September 1st of each year the Assistant Superintendent of Elementary Schools or designee and the Assistant Superintendents of Secondary Schools or designee shall be designated by the Board of Education to report cases of pupils residing in district boundaries who are not enrolled in a public or non-public school.

By September 11th, the designated division directors, or designee, shall be certified to the appropriate agencies by the Clerk of the Board.

7. The principal, or designee(s), shall report all of cases Pupils Not Attending School who are 13 years of age or more to:
- 1) Assistant Superintendents of Secondary Schools, or designee
 - 2) District Attorney, 18th Judicial District, or designee

This information shall be presented to the Commissioner of Education, or designee.

8. The principal, or designee(s), shall report all cases of Pupils Not Attending School who are less than 13 years of age to:

- 1) Assistant Superintendent of Elementary Schools, or designee
- 2) Secretary of the Kansas Department for Children and Families, or designee

This information shall be presented to the Commissioner of Education, or designee.

9. As required by the Kansas Compulsory School Attendance Law or by the Compulsory Attendance laws applicable to Special Education as set out in Policy Pupil Attendance, the Assistant Superintendent of Elementary Schools, or designee, shall report all cases of Pupils Not Attending School who are less than 13 years of age and who reside within district boundaries to:

- 1) Secretary of the Kansas Department for Children and Families, or designee,
- 2) Commissioner of Education, or designee

10. As required by the Kansas Compulsory School Attendance Law or by the Compulsory Attendance laws applicable to Special Education as set out in Policy Pupil Attendance, the Assistant Superintendent Secondary Schools, or designee, shall report all cases of Pupils Not Attending School who are 13 years of age or more residing within district boundaries to:

- 1) District Attorney, 18th Judicial District, or designee,
- 2) Commissioner of Education, or designee

Administrative Responsibility: Secondary Education Office

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