

UNDERSTANDING TRUANCY PROCEDURES

What is the law regarding Truancy?

In 2005, Kentucky legislators voted to change the law regarding students who are considered habitually truant and therefore subject to court action (KRS 159.150). In order to reduce the number of unexcused absences and/or unexcused tardies, a student is now considered habitually truant on the sixth (6th) unexcused absence and/or unexcused tardy.

How does the Elizabethtown School District implement the truancy law?

Per Board Policy 09.123, students may submit a signed note from the parent to excuse absences due to illness, family emergency, court appearance, etc. Students may submit no more than six of these parent notes per school year. After the sixth absence, whether excused or unexcused, a student must submit documentation of the absence – signed and dated doctor's note, judge's note regarding court appearance, or other legal documentation. If documentation is not received, the absence is considered unexcused.

The written excuse is to be submitted upon the student's return to school.

What is the definition of truancy?

Any child who has been absent from school for three (3) days or tardy on three (3) days without valid excuse is truant. Any student who is reported truant two (2) or more times is a habitual truant. Thus, 6 unexcused absences and/or tardies is, by definition, truancy. Please note – suspensions are not included in calculating truancy.

How does the district deal with unexcused absences and truancy?

After the third unexcused absence, a letter is mailed to the parent of the student. This letter is a reminder and is also further clarification of the necessity to submit parent notes and documentation when a student is absent from school.

After the sixth unexcused absence, the Assistant Superintendent for Student Services and Support will make either a home visit to the parents or a school visit with the student. At that meeting, he discusses the attendance policy and asks if there is anything that we as a district can do to assist the family. The importance of regular attendance and punctuality is discussed. IF the parent is not home at the time of the home visit, the Final Notice is left near the front door of the premises with a business card requesting the parent contact him. A Final Notice is also mailed; the purpose of the Final Notice is to make the parent and student aware that unless unexcused absences cease, the next step is court referral. Court referral may involve participation in the Truancy Diversion Program, available for middle school students, or filing of truancy with the court system.

After the ninth unexcused absence, the Assistant Superintendent for Student Services and Support files an Affidavit and Truancy Evaluation Form with the Court system if the student is over age 12. If the student is 12 or younger, an Educational Neglect Petition is filed. The family will then receive notification from the Court as to a date to appear for a hearing. Court for truancy issues is normally held on Wednesdays.

What happens if I have to appear in Court?

Notification will be sent from the Court System as to the date and time of appearance in Court. Truancy issues are normally held on Wednesdays and the Court appearance must be made with your attorney present. You are

responsible for the Court costs. The Judge will provide you with guidelines and directions regarding the truancy issue. If the Court's guidelines are not followed, a contempt motion will be filed with the Court.

Please know that we prefer to work with you and avoid the Court appearance. We will assist you with your specific situation in order to do what is best for your child.

Please refer to Board Policy 09.123 and KRS 159.100 for details. Also refer to your child's student agenda for school-specific information regarding attendance and procedures for reporting absences. If you have any questions, please contact Nate Huggins, Assistant Superintendent for Student Services and Support, at 270-765-6146 (Central Office) or 270-268-2073 (cell phone).