

The School District recognizes that truancy is primarily an educational issue and that all reasonable, educationally sound, corrective actions should be undertaken by the school district prior to resorting to the juvenile justice system. For purposes of this section (truancy and compulsory attendance), a parent may provide up to 10 parent notes excusing a student illness or an absence related to an immediate family member's illness or death. However, in order for any subsequent absence related to an illness to be lawful it must be supported by a physician statement/medical note.

I. Truant

A child, ages 6 to 17 years, meets the definition of a truant when the child has three (3) consecutive unlawful absences or a total of five (5) unlawful absences.

II. Habitual Truant

A "habitual" truant is a child, ages 12 to 17 years, who fails to comply with the intervention plan developed by the school, the child, and the parent(s) or guardian(s) and who accumulates two (2) or more additional unlawful absences. This child may need court intervention and an initial truancy petition may be filed. The written intervention plan, and documentation of noncompliance, must be attached to the truancy petition asking for court intervention.

III. Chronic Truant

A "chronic" truant is a child, ages 12 to 17 years, who has been through the school intervention process, has reached the level of a "habitual" truant, has been referred to Family Court and placed on an order to attend school, and continues to accumulate unlawful absences. Should other community alternatives and referrals fail to remedy the attendance problem, the "chronic" truant may be referred to the Family Court for violation of a previous court order. All school intervention plans existing to this point for this child and family must accompany the Contempt of Court petition as well as a written recommendation from the school to the court on action the court should take.

Intervention

In accordance with state laws and regulations, school officials shall immediately intervene to encourage the student's future attendance when the student has three consecutive unlawful absences or a total of five unlawful absences. According to S.C. Code of Laws Ann. §59-65-90, "intervene" means to identify the reasons for the child's

continued absence and to develop a plan in conjunction with the student and his [or her] parent or guardian to improve his [or her] future attendance.”

I. Attendance clerks shall make daily contact (phone/phone messenger, letter or e-mails) to the parent(s)/guardian(s) of students who are absent. To ensure that attendance is coordinated at all levels, each school must utilize its attendance committee or implement other strategies on a regular basis to address issues of student attendance. The school attendance committee should be chaired and coordinated at each level by the following staff:

- Elementary: Assistant Principal or other certified and/or licensed staff designated by the Principal;
- Middle: Grade Level Administrator; and
- High: Assistant Principal

Other members of the attendance committee may include, but are not limited to, the following staff:

- School Social Worker;
- School Resource Officer;
- In-School Suspension Supervisor;
- Parent/Legal Guardian Educator;
- Database Specialist and Attendance Clerk

II. After a student has accumulated three (3) consecutive or a total of five (5) unlawful absences, the attendance clerk will submit an attendance printout and dates of contact to the intervention team coordinator. The intervention team shall:

A. Make every reasonable effort to meet with the parent(s) or guardian(s) to identify the reason(s) for the student’s continued absence. These efforts should include telephone calls and home visits, both during and after normal business hours, as well as written messages and e-mails.

B. Identify reasons for the student's unlawful absences.

C. Develop a written “intervention plan” to address the student’s continued absence in conjunction with the student and the parent(s)/guardian(s) to improve attendance. The intervention plan must include, but is not limited to, the following:

- a. Reasons for the unlawful absences;
- b. Actions to be taken by the parent(s) or guardian(s) and student to resolve the causes of the unlawful absences;

- c. Documentation of referrals to appropriate service providers and, if available, alternative school and community-based programs;
- d. Actions to be taken by intervention team members;
- e. Actions to be taken in the event unlawful absences continue;
- f. Signature of the parent(s) or guardian(s) or evidence that attempts were made to involve the parent(s) or guardian(s);
- g. Documentation of involvement of the intervention team members; and
- h. Guidelines for making revisions to the intervention plan.

D. Apprise the parent(s)/guardian(s) of the South Carolina Compulsory Attendance Law.

E. Document the conference and involvement of team members by having all appropriate conferees sign and date a *Student Attendance Intervention Plan* Form in the spaces provided.

III. If a student accumulates two additional unlawful absences after an intervention plan has been established, the student will be referred to the appropriate attendance supervisor. The referral form, a summary of the student's attendance and the intervention plan will be sent to the attendance supervisor from the school.

IV. Upon receipt of a referral, the attendance supervisor shall immediately intervene to improve the student's attendance. Intervention shall include, but not be limited to:

- A. Convene a conference with the parent(s)/guardian(s) and the student.
- B. Review the plan for improving attendance developed by the parent(s)/guardian(s), student, and intervention team, and make adjustments as necessary.
- C. Follow-up on recommendations made by the intervention team.
- D. Review with the parent(s)/guardian(s) the South Carolina Compulsory School Attendance Law and give the parent(s)/guardian(s) a copy of the law.
- E. Inform the parent(s)/guardian(s) and student that any additional unexcused absence will result in referral to the appropriate agency.
- F. Document the conference by having the parent(s)/guardian(s) and student sign and date the *Student Attendance Intervention Plan* Form. Include your written

findings on recommendations made by the intervention team.

V. Continuing contact, as needed, will be maintained between the referring school and the attendance supervisor.

VI. After not more than nine (9) consecutive or total unlawful absences, the appropriate attendance supervisor shall make a determination whether the case is one of educational neglect or truancy. The case shall then be referred, in accordance with state law and district attendance procedures, to the appropriate agency for disposition.

Referrals and Judicial Intervention

A school must attempt to implement a written intervention plan prior to referring a student to Family Court for judicial intervention. A consent order must not be used as an intervention plan from the District. Should the parent(s) or guardian(s) refuse to cooperate with the intervention planning to remedy the attendance problem, the District is authorized to refer the student to Family Court in accordance with S.C. Code Ann. §59-65-50, and a report shall be filed against the parent(s) or guardian(s) with the Department of Social Services in accordance with state law.

Each referral must include a copy of the plan and specify any corrective action regarding the student and/or the parent(s) or guardian(s) that the District recommends that the court adopt as well as any other available programs or alternatives identified by the District. The intervention plan must be attached to the petition to the Family Court and served on the student and the parent(s) or guardian(s).

Once a school attendance order has been issued by the Family Court and the student continues to accumulate unlawful absences, the student is considered to be a "chronic" truant and school officials may refer the case back to Family Court. However, the school and District must exhaust all reasonable alternatives prior to petitioning the Family Court to hold the student and/or parent(s) or guardian(s) in contempt of court. Any petition for contempt of court must include a written report indicating the corrective actions that were attempted by the District. The District must include in the written report its recommendation to the court should the student and/or parent(s) or guardian(s) be found in contempt of court.

Transfer of Plans

If a student transfers to another public school in South Carolina, intervention plans shall be forwarded to the receiving school. School officials will contact the parent(s)/guardian(s) and local team members to review the plan and revise as appropriate. Court ordered plans may be amended through application to the court.