

Lee County School System  
Attendance **and**  
**School Climate** Protocol

2019-2020

# Lee County Student Attendance Protocol

## Table of Contents

I.	School System Procedures	2
II.	Criminal Prosecution for Violation of School Attendance Law	3
	A. Filing Juvenile Complaints	4
	B. Juvenile Justice Procedures	5
	C. Prosecution in Magistrate Court	5
	D. Notification to Parent(s)	6
III.	Community Support	6
	A. Local Law Enforcement	6
	B. Public Health	6
	C. Department of Family and Children Services	6
	D. School Climate	6
IV.	Monitoring the Protocol	7

## **Student Attendance and School Climate Protocol**

### **I. School System Procedures**

Lee County Board of Education will monitor student attendance daily. The local Board of Education will adopt policy and procedure outlining the specific steps to be taken to monitor and address student attendance.

Upon enrollment and registration each school year, parents and guardians will be given notice of State Compulsory Attendance Law pursuant to O.C.G.A. Code 20-2-690.1. The school will make reasonable efforts to ensure receipt and comprehension of the policy by requesting signatures from parents/guardians that this notice was received and understood. At the Middle and High schools, students will also receive this notice and provide a signature. At the Elementary schools, this notice will be received by all students who have reached age ten (10) or above by September 1 of that school year. This notice should also be included in system's Code of Student Conduct.

Each school has established an Attendance Support Team, (hereinafter, AST) which is chaired by each school's Principal/Assistant Principal and includes as its members the School Social Worker (Attendance Officer) and any faculty having direct contact with the parents/guardians of or providing direct service to the specific student(s) to be discussed. School Resource Officers will also be invited to participate, as appropriate. Each school's AST meets regularly and is responsible for implementing and monitoring policy to reduce tardy days, early withdrawals, and truancy. Parents/guardians are invited to and encouraged to attend these meetings.

Reasonable attempts are made to call the parents/guardians of absent students after three consecutive days. In cases known to involve joint or shared custody or guardianship of a student, efforts are made to contact all individuals with custodial rights. This standard also applies to steps mentioned hereinafter.

After three (3) consecutive absences, the homeroom teacher or administrative designee will make an attempt to contact parents and document the outcome in the attendance record of the student (Infinite Campus).

Attendance letters will be sent by the school at five (5) absences and 10 (excused/unexcused).

#### **Primary level:**

After five (5) unexcused absences/ten (10) excused absences, the Attendance Support Team (AST) conducts a conference with the parent(s)/guardian(s) to assess the student's absences and determine strategies to address their attendance. Each school takes reasonable steps to ensure that parent(s)/guardian(s) are invited to attend these

conferences. Students may also participate in AST meetings, as deemed appropriate by the AST.

**Elementary/Middle School/9<sup>th</sup> grade/LCHS:**

At five (5) unexcused days, the AST will conduct a conference with parent(s)/guardian(s) –see above.

At ten (10) excused days, the AST will conduct a conference only if the absences are causing the student to suffer academically and the student is in jeopardy of failing for the year or a given subject due the absences.

**All Schools:**

At ten (10) unexcused/fifteen (15) excused absences, the AST reviews the situation again and makes an official referral to the school social worker/attendance officer (if a referral has not been made previously). The attendance officer then determines at this point if a referral to the court system is needed to keep school system in compliance with the law.

Notes/excuses provided by the parent/guardian(s) regarding child’s illness(es) can only cover twelve days per school year. After twelve notes/excuses, the parent/guardian will be expected to provide medical/doctor excuse(s) for additional absences. In unusual cases, extenuating circumstances will be considered.

**II. Criminal Prosecution for Violation of School Attendance Law**

O.C.G.A 20-2-690.1 requires any person in this State who has control or charge of a child between the ages of six and sixteen to enroll and send that child to school, including public, private and home schooling.

A child is responsible to attend school and is subject to adjudication in Lee County Juvenile Court as an unruly child for violation of this statute. If a parent, guardian or other person who has control or charge of the child causes the child’s absence, then that person, and not the child, is in violation of this statute. Such a violation is a misdemeanor and carries a penalty of up to \$100 fine and 30 days in jail for each violation. The law specifies that *each day’s absence* constitutes a separate offense.

For purposes of this Protocol, the term “parent” may include any adult who has charge and control over the child, including a biological, adoptive, foster, or stepparent, a guardian or any other person who has control or charge of the child’s attendance at school. In this regard, two parents residing in the same household with the child are equally responsible for the child’s attendance at school.

**A. Filing Juvenile Complaints**

A juvenile complaint should be filed in the Juvenile Court of Lee County against a child who is habitually and without justification truant from school. Such a child is “unruly.”

For purposes of this Protocol, habitual truancy or absence is defined as ten (10) days of unexcused absences from school. At this point the child's circumstances will be reviewed by the AST, to which the parent will be invited to attend. At this review the following options will be discussed:

- Refer the child and/or parent to the appropriate social services
- Request further medical documentation if appropriate
- File an unruly child complaint with the Juvenile Court of Lee County
- Seek a criminal warrant for the parent from the appropriate Court.
- Seek an action for Deprivation against the parent in Juvenile Court

The School Social Worker will be responsible for obtaining and monitoring compliance with the recommendations of the AST.

The Truancy Officer(s) with the Juvenile Court will:

- 1) Review available information from the AST and parent contacts from school staff.
- 2) Meet with the student(s) and attempt a home visit to further explore reasons for absence and offer assistance to the student and family for addressing the causes of absences. Examples of such assistance would include, but is not limited to:
  - Brief individual or group therapeutic intervention with students at school
  - Referral to public or private mental health or counseling services
  - Referral to public or private medical or dental services
  - Referral to public assistance programs
  - Referral to the school's Student Support Team
  - In-home support facilitated by the School Social Worker
  - Referral to outside social service or counseling providers for intensive in-home support
- 3) Upon further investigation, determine the need for immediate referral of:
  - Students ages twelve (12) to sixteen (16) to Juvenile Court for Truancy
  - Parent(s)/guardian(s) of students ages six (6) to sixteen (16) to the Magistrate Court for Failure to Comply with Compulsory Attendance

*In most cases, Court referrals will be made at this point or at the next unexcused absence.*

- 4) Continue to monitor student attendance weekly and provide support related to the student's educational needs once a referral is made to a Court.
- 5) Review end of year attendance records with each school's administrator and determine a list of active referrals for the beginning of the next school year.

*In general, students known to be on probation for Truancy and students with excess of ten (10) unexcused absences or any combination of tardies and early checkouts totaling*

*twenty (20) will be referred to the School Social worker or monitored for attendance concerns on a monthly basis the next school year.*

#### B. Juvenile Justice Procedures

At ten (10) unexcused absences, the Attendance Officer for the school system will make a referral to the Truancy Officer:

The Truancy Officer will monitor the youth's attendance, at a minimum, on a monthly basis. These reviews will assess the youth's attendance at school and effectiveness of any services that may be involved to assist youth and/or family. All parties involved should be prepared to report on youth's progress at these reviews.

#### C. Prosecution in Magistrate/Superior Court

When it is clear that the parent is the direct cause of the child's absence, a warrant for violation of OCGA 20-2-690.1 should be sought against the parent. In other circumstances, the AST may, but is not required to, take into account the following considerations when recommending a criminal warrant is sought for the parent of a child.

- The child is under the age of 16 years.
- The child has an illness for which the parent has not been diligent in pursuing medical attention or in seeking financial assistance to procure the proper medical attention.
- The parent has not actively sought assistance from community social services and resources to assist in getting child to school.
- The parent is absent from the home or neglectful to an extent that it hinders the child's willingness or ability to attend school.
- The child is a deprived child.

The child and parent must comply with the AST's recommendations. Failure of the child or parent to comply with the recommendation, including further unexcused or excessive excused absences from school, will result in juvenile adjudication of the child and/or criminal prosecution of the parent. In any event, if the child accumulates ten (10) or more unexcused absences; 20 or more excused absences or any combination of early dismissals or tardies more than 20 in any school year, the School Social Worker could file a complaint and/or apply for a criminal warrant for violation of mandatory school attendance laws. When a parent is prosecuted, regular school attendance will be assigned as a condition of bond.

#### D. Notification of Parent(s)

Notification to the parent of a truant child shall include notice of an AST review. Prior to any judicial proceedings the school system shall send a notice to such parent, guardian, or other person by certified mail, return receipt requested.

### **III. Community Support**

#### **A. Law Enforcement**

The Lee County School System in Lee County has access to two employees of the Leesburg City Police Department. These individuals are certified peace officers designated as “School Resource Officers.” In support of improved school attendance, the School Resource Officers shall:

- Attend AST meetings, as appropriate.
- Honor any applicable school-related transportation orders issued by a court.

#### **B. Public Health**

The Lee County Health Department is an integral partner in community health related to school readiness, attendance, and success. Lee County Health Department shall:

- Provide immunization evaluations, immunizations, and immunization records required for school enrollment.
- Provide Scoliosis screens for students.
- Provide various medical, dental, and prescription services, referrals, and education to students and families in Lee County to promote personal and community health.

#### **C. Department of Family and Children Services**

The Lee County Department of Family and Children Services often provide social services to the families of truant students. In support of this Protocol, the Lee County Department of Family and Children’s Service shall:

- Accept and consider information related to school attendance, behavior, and performance in reports and investigations of other suspected abuse and/or neglect.
- Address school attendance in departmental case plans and safety plans.
- Ensure school enrollment and regular attendance for students in emergency shelter care, temporary guardianship arranged by the Department, or foster care.
- Verify involvement of the School Social Worker when available attendance information indicates more than ten (10) unexcused absences.
- Attend court proceedings, when necessary, for cases involving truancy and/or complaints against parents related to mandatory school attendance.

#### **School Climate:**

School climate is a school’s overall quality and character of school life. School climate refers to the quality and character of school life. School climate is based on patterns of students', parents' and school personnel's experience of school life and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.

In a positive school climate, students and adults:

- Feel socially, emotionally, and physically safe;
- Engage with each other and respect each other;
- Share a vision for the school and work together to make it happen—each person contributes to the operations of the school and the care of its physical environment; and
- Model and nurture attitudes that emphasize the benefits and satisfaction gained from learning.

Lee County School System will ensure that all students feel secure and safe by ensuring PBIS (Positive Behavioral Interventions and Supports) is implemented with fidelity and consistency in all of our schools.

#### **IV. Monitoring the Protocol**

The Protocol Committee meets bi-annually, as required by law. The Committee's goal is to improve communication between agencies, encourage inter-agency cooperation, and update the protocol as necessary. Each participating agency monitors and evaluates compliance with this protocol and, as needed, recommends protocol revision and implementation that best meets the needs of the community and complies with Federal, State, and local statutes, as well as agency policy.