

Lesson 9, Unit 4

Truancy

Thumbs up/thumbs down

Most people in jail today
used to cut class when they
were in high school.

You have to cut class at
least five times before
you're considered "truant."

Truancy is based on
absences, not tardies.

If you are truant, your
parents could get in trouble
or even go to jail.

Truancy is an early warning sign for school failure

75% of truant students will eventually drop out of school.



That means if these four friends are all truant, only one of them will stay in school long enough to graduate.



Truancy is also a warning sign for criminal involvement



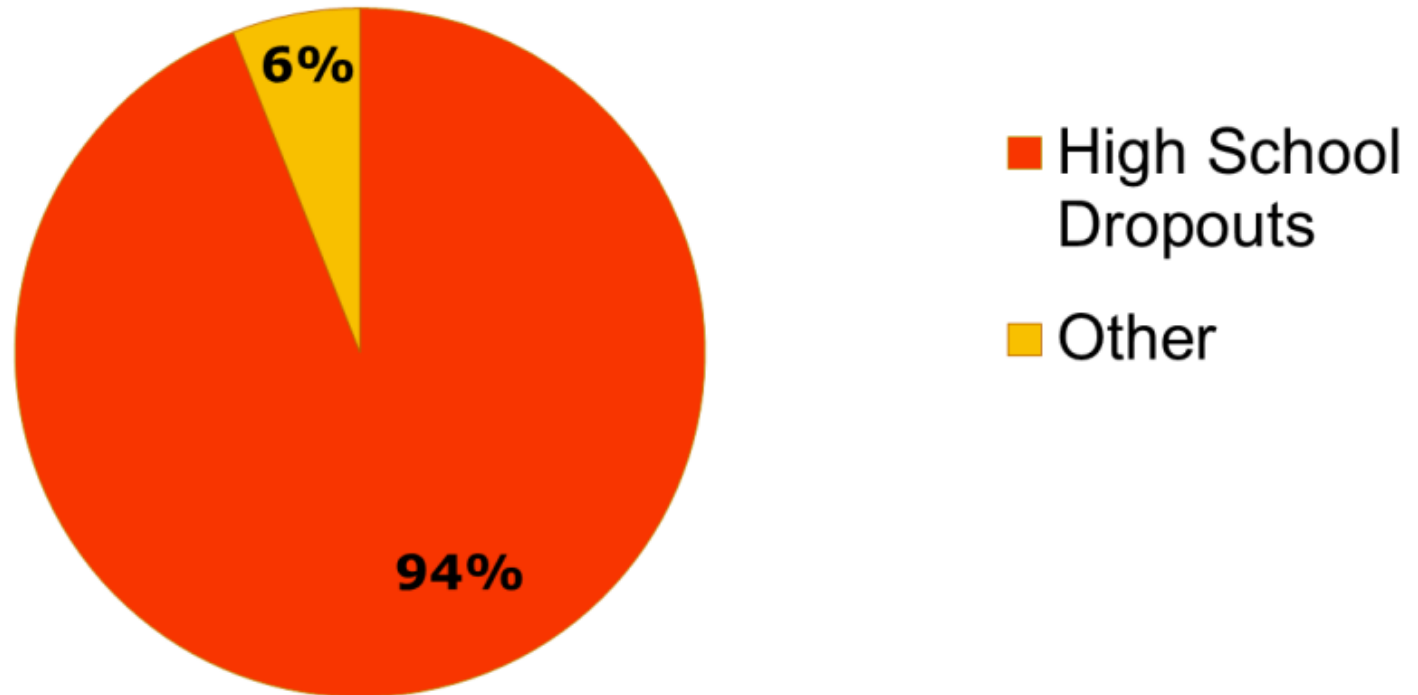
Over **50%** of people in San Francisco's jail are "functionally illiterate." That means they have difficulty with basic reading and writing.

75% of people in prison were habitual truants—they skipped school consistently and frequently.

Do you think people who are functionally illiterate stayed in school? Why do you think so many of them are in jail?

If students stay in school, it is safer for them and for the community in general

SF Homicide Victims Under Age 25 (2003-2009)



All children between the ages of 6 and 18 are required **BY LAW** to attend school.

If you miss school without your parent's permission, you are breaking the law! If you do it repeatedly, you are considered "habitually truant."

Did you know? If you're late to school a lot, you are also at risk of being truant

Every time you are **more than 30 minutes late** for school, that is counted as a tardy. After three tardies, you are considered to be truant.

Habitually truant students **and their parents** can be prosecuted. They are breaking the law.



Parents of habitual truants face serious consequences

First, the Education Code fines parents:

1 st instance	\$100 per child
2 nd instance	\$250 per child
3 rd instance	\$500 per child

If truancy continues, it is considered a misdemeanor. Parents may face:

- A fine up to **\$2,500**
- Up to **one year in jail**



The D.A.'s Office prosecutes parents of habitual truants

Parents who repeatedly demonstrate a failure to get their children to school—or parents who fail to work with SFUSD staff to solve the problem—will be prosecuted by the District Attorney's Office. They will have to appear in court.



Your Options in Truancy Court

You have been called to court today for a violation of Education Code § 48293, an infraction. When you appear in front of the judge, you will be presented with three options. Please take time to consider your decision and feel free to ask for clarification from the District Attorney, your caseworker, or the presiding judge.

	Work with the Court and School District	Plead Guilty and Pay a Fine	Plead Not Guilty
WHAT HAPPENS	<ul style="list-style-type: none"> You will enter a plea of guilty, which the judge will set aside until a later date. You will sign a "Parental Responsibility Plan," in which you commit to work with the court. You will come back to court several times over the next few months and review your child's attendance with the judge and the District Attorney. The school district and city social services will provide assistance to help your child attend and succeed in school. 	<ul style="list-style-type: none"> The judge will accept a guilty plea in court today. If you plead guilty, you waive any right to challenge the District Attorney's case against you. 	<ul style="list-style-type: none"> Your case will proceed to be heard in trial at a later date. The District Attorney will present a case against you outlining your student's truancy and the actions that have been taken by the School District. You will be able to challenge any claims made against you by the District Attorney. You have the right to an attorney, but none will be provided for you by the court. At the end of the trial, the judge will rule on your case.
END RESULT	If your child attends school regularly for the next semester, you will not pay any fine and CHARGES WILL BE DROPPED. If not, you must pay a \$100 FINE for each truant child and the infraction will be reflected in your criminal record.	You must pay a \$100 FINE for each truant child and the infraction will be reflected in your criminal record.	If found guilty, you must pay a \$100 FINE for each truant child and the infraction will be reflected in your criminal record. If found not guilty, your case will be dismissed.

Failure to pay any fine ordered by the court may result in a charge of contempt and a warrant for your arrest.

PLEASE NOTE: Any parent found guilty of a first truancy offense who is re-referred to the District Attorney may be charged under Penal Code § 272, a misdemeanor punishable by up to a year in jail and a \$2,500 fine.

**Truancy Court
Parental Responsibility Plan (PRP)**

Date of Initial Plan:
Name:
Court Case Number:

Date Plan Updated:
School Contact:
Assistant DA: Katherine Miller

_____ I understand that the purpose of this Parental Responsibility Plan is to help me to get my child back in school, and attending school daily and succeeding in school.

_____ I understand that **my child's truancy** increases the odds that **he/she will not succeed** in school, which increases her chances of dropping out, and of becoming a victim or perpetrator of crime.

_____ I understand that it is a crime for me to fail to get my child to school.

_____ I commit to getting my child to school and helping my child succeed.

My Commitments:	Required Activities:	Start Date:	Review Date:
I will make sure that my child attends school regularly.	<ul style="list-style-type: none">• I will make sure my child gets up early enough to make it to school on time.• I will make sure my child has appropriate transportation to get to school.		
I will make sure that my child arrives at school ready to learn.	<ul style="list-style-type: none">• I will make sure my child arrives at school well-rested and fed.• I will make sure my child has appropriate hygiene and clothing for school.		

Continued

I will make sure that my child receives the support he/she needs to overcome the effects of her truancy.	<ul style="list-style-type: none"> • I will meet with staff at my child's school to develop an academic support plan for my child. • I will work with my child's school to identify the extra help he/she needs to catch up academically and to create a plan to get that help. 		
I will to stay in contact with my child's school regarding his/her progress.	<ul style="list-style-type: none"> • I will contact my child's school on a monthly basis. 		
I will obtain other services that I need to help me improve my children's attendance.	<ul style="list-style-type: none"> • I will seek and follow through on all referrals provided by CPS and my child's school site team. 		

Participant Signature: _____

Date: _____

ADA Signature: _____

Date: _____

School District Signature: _____

Date: _____

Other Agency (optional): _____

Signature: _____

Date: _____

Students also face significant consequences

Education Code

Pay a fine of up to \$100

Complete 20–40 hours of community service

Vehicle Code

Driver's license can be suspended/delayed up to 1 year.

Repeat offenders' licenses can be suspended/delayed for additional years.

Students will also have to appear in court



- The same judge will hear parent and student cases, so the judge will be familiar with each student's individual circumstances.
- Court appointments will be arranged so students don't miss more school.
- Students must demonstrate a willingness to improve their attendance and involvement in school.

Have you changed your mind?

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