

## STUDENT ABSENCES

School attendance is a priority for the Worcester Public Schools. Students who are chronically absent from school impact their own learning and the school community as a whole. Schools can take the following steps to address absenteeism:

### School Attendance

Chapter 76, section 1 of the Massachusetts General Laws states that all children between the ages of six and sixteen must attend school. A school district may excuse up to seven day sessions or fourteen half day sessions in any period of six months. In addition to this law, Worcester has an attendance policy and should make sure that parents/guardians are familiar with it.

### CRA – Child Requiring Assistance: M.G.L. Chapter 119 Section 39e

A school can file a CRA application with the Worcester Juvenile Court if the Student is a Habitual School Truant or a Habitual School Offender. The following rules apply:

- I. Habitual School Truant: Student between the ages of 6 and 18 who, without excuse, willfully fails to attend school for more than 8 days in a quarter.
  - a. School must document whether or not the child's family have participated in a truancy prevention program.
  - b. CRA will be dismissed when the child turns 16.
  - c. If the failure to attend school is due to a physical or mental disability rather than a willful failure to attend school, the school should not file a CRA. If the failure to attend is due to a physical or mental disability, the school should convene the student's IEP or 504 Team to discuss supports and services necessary to facilitate school attendance.
- II. Habitual School Offender. Student between the ages of 6 and 18 who repeatedly fails to obey school rules.
  - a. School must document specific steps taken to improve the child's conduct.
  - a. CRA will be dismissed when the child turns 16.
  - b. If the failure to obey school rules is due to a physical or mental disability rather than willful disobedience, the school should not file a CRA. In such cases, the school the

school should convene the student's IEP or 504 Team to discuss supports and services necessary to facilitate good behavior and consider a FBA and BIP as appropriate. If the student is subject to school discipline, the school should conduct a manifestation of the student's disability as appropriate.

#### **Home Hospital Educational Services 603 CMR 28.03(3)(c)**

State regulations provide educational services to a student who is confined to the home or hospital for medical reasons for a period of not less than fourteen school days in a school year. The intent of the regulation is to provide students receiving a publicly-funded education with the opportunity to make educational progress even when a physician determines that the student is physically unable to attend school. Home/hospital educational services are not intended to replicate the total school experience. The number of tutoring hours provided to the student will be based upon Worcester's recommendations of what is required to minimize educational loss and taking into account the medical needs of the student. The Principal and/or his designee determines the credits will be awarded for work completed during tutoring.

If a chronic or acute medical condition that is not temporary in nature appears likely to adversely impact a student's educational progress, the Principal and/or his or her designee will initiate a referral to determine eligibility for special education or 504 services.

Worcester requires students who seek home/hospital instruction to provide the Principal with a Department of Elementary and Secondary Education Physician's Statement form (form 23R/3) that is completed and signed by the Student's attending physician. The Principal and/or his or her designee may seek parental permission to speak with the physician in order to clarify the student's medical availability to receive educational services, to gather additional information and to develop a transition plan to return the student to a school setting. Students who do not provide a fully-completed and signed form will not be provided with tutoring.

#### **Failure to send M.G.L. Chapter 76 Section 2**

Parents or guardians are legally responsible for ensuring that a child under their control attends school daily. It is a crime for a responsible parent or guardian not to cause such a child to attend school. If a child fails to attend school for seven day sessions or fourteen half day sessions within any six month period, the supervisor of attendance may file a criminal complaint in court against the responsible parent/guardian.

#### **M.G.L. Chapter 119 Section 51A**

A 51A is a report of suspected child abuse or neglect that is filed with the Department of Children and Families. Under Chapter 119, section 51A of the Massachusetts General Laws, a report can be filed on behalf of a child under the age of sixteen for educational neglect if a child is not attending school on a regular basis.