

EVERY CHILD  
EVERY DAY  
CLASS

**IMPROVING STUDENT ATTENDANCE  
IN HUMBOLDT COUNTY SCHOOLS**

**AND**

**SCHOOL ATTENDANCE  
REVIEW BOARD (SARB)  
HANDBOOK**

***AUGUST 2016***

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## PREFACE

California Education Code Section 48200 requires everyone between six and eighteen years of age to attend school, except for those who have graduated from high school, passed the California High School Proficiency Exam (CHSPE) and obtained parental permission to leave, or are subject to specific waivers. In our state and county, however, many students with poor attendance or behavior are falling behind and/or dropping out of school. Some children never enroll in school or do not re-enroll after a move. Quick and effective action is needed to stop this trend. Truancy and excessive absenteeism are not new problems but they are costly, long-term problems for students, schools, and the community.

Prevention and early intervention are the most effective strategies to improve school attendance and reduce truancy. Building a positive and inviting school climate, communicating high expectations for attendance and involving parents, students and staff members in these efforts are the basics for achieving school attendance goals. Consistent efforts should be made at the classroom and school level before referring families to the district level or to the courts. Each school or district should have in place a Site Attendance Review Team (SART) or a Student Success Team (SST) to address student and family needs prior to a time when more serious action would need to be taken.

For pupils with continued attendance or behavioral problems, the School Attendance Review Board (SARB) process is a systematic, collaborative approach to meeting their needs. *EC Sections 48320-48325* provide the structures for the School Attendance Review Boards (SARBs) at the district level to create a safety net for students with persistent attendance or behavior problems.

District SARBs, composed of representatives from various youth-serving and law enforcement agencies, schools and the courts, work to develop new ways of coordinating school, community and home efforts. They help students and their parents or guardians solve school attendance and behavior problems through the use of available school and community resources.

Although the goal of SARBs is to keep students in school and provide them with a meaningful educational experience, SARBs do have the power, when necessary, to refer students and their parents or guardians to court. In Humboldt County the districts, Humboldt County Office of Education, District Attorney's (DA) Office and the courts have developed an effective protocol for referring students and their parents or guardians to the court system when the SARB directives are not followed (*EC Section 48290*). **If all other methods are exhausted and a case eventually requires court intervention, it will be imperative that all schools and districts followed the Humboldt County protocol.**

This Handbook provides guidance and practical tools for those involved in the SARB process. Please use the forms, letters and templates you find in the appendix to conduct your SARB business. All letters and documents are in the HCOE Forms Room listed under "SARB". [Humboldt County SARB Handbook and Forms](#)

The Humboldt County Office of Education, the DA, the court and other stakeholders will annually update the SARB Handbook.

Please refer to the California Department of Education's SARB Handbook for additional resources at: [www.cde.ca.gov/ls/ai/sb/sarbhandbook.asp](http://www.cde.ca.gov/ls/ai/sb/sarbhandbook.asp).

## **DEFINITIONS OF KEY TERMS**

**Average Daily Attendance (ADA):** This is commonly understood as the percentage of pupils who typically attend class each day, calculated by dividing the number of pupils present by the total number of enrolled pupils. However, in California ADA also refers to the formula used to determine how much funding a school district should receive from the state. In this case, total ADA is defined as the total days of student attendance divided by the total days of instruction during which the student is enrolled.

**Chronic Absentee:** A student absent on ten percent or more of the days, calculated by dividing total absences by the total number of school days the student is enrolled during the school year. Unlike truancy, this measure includes all absences – including excused absences – and assumes all excessive absence impedes learning. (*EC* Section 60901[c][1])

**Truant:** Any pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without a valid excuse three full days, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or the superintendent of the school district. (*EC* Section 48260[a])

**Habitual Truant:** Any student is deemed a habitual truant who has been truant three or more times per school year. However, this designation can only be made following a conscientious effort by an appropriate district officer or employee to hold at least one conference with a parent or guardian of the student. In addition, notifications as required by *EC* Section 48260.5 must be sent to parents through the most cost-effective means possible which may include electronic mail or a telephone call. (*EC* Section 48262)

**Chronic Truant:** Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with *EC* sections 48260, 48260.5, 48261, 48262, 48263, 48291, and *EC* Section 48263.6.

**See Appendix B for complete text of referenced *CA Education Code* sections.**

## **PREVENTION**

### **Why Prevention is Important**

The SARB process begins with prevention: the most effective and cost-saving manner to increase school attendance. Prevention activities also create connections to school, promote school safety, and set high expectations with accountability which is essential to successful academic outcomes.

Attending school regularly is important to ensuring that children develop good attendance habits and a strong foundation for subsequent learning. During the early elementary years, children are gaining basic social and academic skills critical to ongoing academic success. Unless students attain these essential skills by third grade, they often require extra help to catch up and are at grave risk of eventually dropping out of school. Furthermore, the educational experiences of children who attend school regularly can be diminished when teachers must divert their attention to meet the learning and social needs of children who miss substantial amounts of school.

Chronic absences in kindergarten are associated with lower academic performance in first grade for all children regardless of gender, ethnicity or socioeconomic status. By sixth grade, chronic absence is a clear predictor of drop-out. By ninth grade, missing twenty percent of the school year is a better predictor of dropping out than test scores.

Early intervention means intervening in the early grades AND early in the school year. Patterns of absenteeism and truancy can often be detected in the first weeks and months of the school year. Addressing the first instances of absenteeism can uncover problems, support families and help students get back on track before they slip behind academically and become disengaged or discouraged at school.

Truancy in middle and high school grades is a risk factor for substance abuse, delinquency, teen pregnancy, and school dropout. The longer it is allowed to continue, the more it places students' academic careers at risk and can affect credit completion, graduation and employability.

Early monitoring of absence and using it as a trigger for intervention can help schools, community partners and families to address social and academic needs and ensure that every child has the opportunity to reach his or her potential. Unfortunately, many schools and school districts in California don't know if they have a problem with chronic absenteeism. Schools typically focus on Average Daily Attendance (ADA) figures and track truancy when children miss school due to unexcused absences. Both of these responses to absenteeism allow chronic absence to remain hidden.

### **Leadership and the School Environment**

Prevention starts with an effective school board policy on attendance. Such a policy reflects the philosophy that school attendance is important to all staff members, students, and parents, and that policy supports the involvement of staff members in maintaining high attendance rates. The policy includes a formal means by which good student attendance is recognized and encourages

school accountability for attendance rates.

When governing boards in counties and school districts develop attendance policies, they should acknowledge the vital role families hold in promoting school attendance. Solutions to attendance problems must include the family and must support a collective approach to insuring that youths attend classes and benefit from their education. The board policy should acknowledge that attendance is a community concern and encourage schools to collaborate with other agencies, including law enforcement agencies, to participate in a SARB program.

### **School Attendance Review Board Policy and Administrative Regulations**

Board Policy and Administrative Regulation should (**Appendix B**):

- 1) Establish the district SARB and acknowledge its role in preventing and addressing attendance and/or behavior problems;
- 2) Allocate resources to attendance efforts and SARB;
- 3) Set a time frame for clearing absences;
- 4) Set limits on the number of absences that will be allowed before medical verification is required;
- 5) Define the process for verifying absences due to illness, quarantine, medical services and/or appointments, attending funeral services, and justifiable personal reasons;
- 6) Specify the uniform time frame and format for all schools in the district to notify parents of absences;
- 7) Provide a system of recognition for excellent or improved attendance;
- 8) Provide a process for receiving feedback on the impact of the SARB process, such as periodic reports from the SARB to the Board and incorporation of attendance goals into the annual mandated Safe School Plan;
- 9) Consider programs for recovering lost attendance, such as weekend programs for habitual truants pursuant to EC 48262.

Other elements of prevention include school-based activities developed by students, parents and staff that encourage a high rate of attendance.

The California Department of Education recommends that “School Culture and Climate” be an area of focus. School climate refers to the conditions or quality of the teaching and learning environment as created by the community of people involved— their values, beliefs, and interpersonal relationships, and the physical setting itself —that affect the subjective school experiences, attitudes, behaviors, and performance of both students and staff members. A positive school climate is one that is supportive, safe, caring, challenging and participatory for all.

### **Parent or Guardian Involvement and Support**

In order for prevention and early interventions to succeed, students and families must view them as supportive, not punitive or judgmental. SARB’s challenge is to identify and link youths with attendance problems and their families to all appropriate school and community resources including mediation programs that involve the DA, counseling and other forms of assistance.

SARBs should involve families and youths in selecting services and resources and in developing the solutions to their school attendance problems. The solutions should incorporate the strengths of the family and build on areas in which the family has assets. Whenever SARBs intervene in attendance cases, they should avoid acting as “rubber stamps” for school districts and should instead emphasize collaborative problem solving with the family and student.

(For this portion of the handbook, examples of letters, forms, and notifications are in Appendix A. These represent the expected level of documentation for the SARB process).

It is best to begin each school year with a *Welcome Letter*. (Form 1 – Welcome to School Letter) that emphasizes the importance of school attendance and the desire of the school to make every day count for every student. Separate letters are targeted to parents/students who have had excessive absences or truancy issues in the prior year (Form 2 – Beginning of School Year for Previous Year Truancy).

Informing parents or guardians of an absence in a timely manner (daily is preferred) is a powerful way of encouraging consistent and punctual attendance. The sending of a letter to families after excessive absences helps them understand that the school is very mindful of, and concerned about, the absences. It is recommended that all schools use the sample letters as they contain the necessary language. Schools may formulate their own “friendly” letters for the first or second unexcused absences or early indications of excessive excused absences. **Beginning with the third unexcused absence, schools and districts must use Education Code Section 48260 language (Form 3 – First Letter of Truancy or Excessive Excused Absences) contained in the Appendix of this Handbook. The letters in the Appendix contain all the elements that are required for any subsequent legal action by the DA’s Office.**

**It is important to keep a record of all documentation and conversations with parents on the SARB Case Chronology sheet (Form 4 – Student Chronology/Contact Log).**

### **Teaching Attendance Expectations and Skills**

Consider school-wide instruction at least twice per year regarding expectations and associated consequences relative to regular, punctual student attendance. Use a school assembly, parent meetings or individual classroom presentations to give families and students a clear lesson on attendance expectations and consequences for tardiness, absenteeism and unexcused absences, followed up with a review for parents in the form of an article in the school newsletter. The goal is to ensure that parents or guardians, students, and staff all have a consistent understanding of expectations and consequences. Consider having some brief teacher brainstorming sessions (perhaps as part of staff meetings) regarding positive encouragers for attendance, incentive systems and parent communication methods.

## **EARLY ACTION**

### **Early Identification**

From the time a student enters Kindergarten, schools must work proactively with parents and guardians to inform them of the importance of having their pupil in school every day and on time. In order to act early and effectively, schools need a tracking system that identifies students as soon as they have any unexcused absences. It is also highly recommended that schools implement a tracking program that identifies whenever a student has accrued absences equal to or surpassing ten percent of the school days during which s/he has been enrolled, including *excused* absences. School personnel should look for patterns of irregular attendance such as absences on: Mondays and Fridays, exam days, certain class periods, and the time before and after lunch. Absences may be due to health complaints, a learning disorder, bullying, peer conflict, or substance abuse.

Common predictors of poor attendance that require further assessment include the following:

- Difficulty in learning or failure to achieve;
- Defiance of authority or excessive sensitivity to criticism;
- Shy, withdrawn behavior, nail biting, frequent crying, constant tension or undue fears;
- Frequent emotional outbursts, restlessness or impulsiveness;
- Speech, hearing or vision difficulties;
- Excessive dependence on adults, or anxiety of being separated from parents or guardians;
- Unhappiness or depression;
- Frequent disruptive and/or aggressive behaviors in class, sleeping in class, disheveled appearance and poor hygiene, bruises or evidence of physical trauma.

Having a system and designated staff person(s) to monitor such cases on a daily, weekly and/or monthly basis will make early intervention possible. When there is no consistent warning system in place to ensure early interventions, students become more and more disengaged until they disappear from the school environment or are expelled.

### **Excessive Absenteeism**

Excessive absenteeism, often excused by parents or guardians, can damage a child's ability to succeed in school both academically and socially. Below are some recommendations for dealing with excessive absenteeism. They should be included in handbooks, pamphlets and websites.

- Address the number of days deemed "excessive" in the district policy.
- Include a deadline/number of days after which any absences can no longer be cleared by a parent's excuse.
- Include language regarding a limit on the number of days a student can be excused for head lice, after which absences shall be unexcused. Parent should be given the notice in writing, along with information on treating head lice and precautions.
- Advise parents/guardians in writing when their child is approaching the limit of allowed excused illness absences.
- When the limit for excused absences has been reached, advise parents and guardians that further illness absences shall be marked unexcused unless a doctor's verification is provided within the specified number of days.

- Mark absences as unexcused until such verification is received.
- Chronic Illness and Release of Information Form should be signed at the first indication of excessive absences ([Form 8 – Authorization to Release Medical Information](#)).

### **Unexcused Absences and Truancy**

According to *EDUC Section 48260*, a pupil who is absent from school without a valid excuse for three days in one school year or is tardy or absent for more than any thirty minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a *truant* and shall be reported to the district’s attendance supervisor or the superintendent.

A new *Education Code EDUC 48263.6* allows for another definition of a *chronic truant*. Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, is deemed a *chronic truant*, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291.

When the school district designates a student as truant, it must notify the parents or guardians by first class mail (or other reasonable means) that the student is truant.

#### ***Truancy Letter #1, The First Notice to Parents or Guardians***

This first letter must be sent out during the day of the third unexcused absence ([Form 3 – First Notice of Truancy or Excessive Absences – Truancy Letter #1](#)). The school also begins a Chronological Log ([Form 4 – Student Chronology/Case Log](#)) for each student that is deemed a truant. Truancy Letter #1 ([Form 3](#)) meets the following requirements of the California Education Code and the Humboldt County DA’s Office

1. Advises the parents or guardians of their obligation to compel the attendance of their student at school.
2. Advises them that if they fail to meet this obligation, they may be found guilty of an infraction and subject to criminal prosecution.
3. Advises them of alternative educational programs that are available in the district.
4. Advises them that their child may also be subject to prosecution.
5. Advises them that their child’s vehicle driving privileges may be subject to suspension, restriction, or delay under Vehicle Code Section 13202.7.
6. States the recommendation that the parent or guardian accompany the pupil to school and attend classes with him or her for one day.
7. *Designates the student as a truant* subject to various actions identified in *EC Section 48264.5*

### ***Truancy Letter #2***

This letter should be sent to the parent or guardian of a student upon the next (fourth) unexcused absence in the same school year (**Form 5 – Second Letter of Truancy or Excessive Absences**). Letter #2 includes a scheduled mandatory parent/student conference. SART meetings generally take place at the student’s school site with the parent, student, principal, teacher or other staff and agency personnel familiar with the student. The conference, or documented attempts to hold the conference with the student and parent, must occur prior to sending a third letter. This is referred to as the Student (or Site) Attendance Review Team Meeting (SART). In best practice, the conference must include written documentation and be signed by all who are present including the student and parent. Sample formats for this meeting are found on: (**Form 6 – SART Conference Record or Form 7 – Summary of SART Meeting**). A phone conference can be held as a last resort but a signature should be obtained or all attempts to obtain a signature need to be documented on the final meeting agreement (**Form 10 – SART Agreement**). During this conference there must also be a stated request that release of information forms (**Forms 7 – Authorization for Release of Medical Information and Form 8 – Interagency Release of Information**) be completed for possible future use if absences continue. If the parent or guardian does not meet with school officials, every attempt to hold a conference should be documented and a certified letter should be sent with a mailing receipt kept on file.

### ***Truancy Letter #3***

This letter should be sent to the parent or guardian upon the next (fifth) unexcused absence. Schools can choose to refer the family directly to SARB with the third letter of truancy (**Form 11 – Third Letter of Truancy, Referral to SARB**). Alternatively, schools can request the family attend an additional School Attendance Review Team (SART) meeting (**Form 12 – Third Letter of Truancy, Second Student Conference**). Both versions of the letter *state the student has met the criteria for a habitual or chronic truant*.

School sites can also FAX a copy of Letter #3 (**Form #12**) to the Humboldt County DA’s Office, (**707-445-7416**) whereupon the DA’s office will send a letter to the parent or guardian reinforcing the legal requirement for parents/guardians to send their children to school. A copy of the DA’s letter is located in **Appendix A in the “DA Referral” section (Form 27)**.

## **INTERVENTIONS**

### **SART/SST Early Intervention**

According to *EDUC 48262*, schools using the SARB process must have a Student Success Team (SST), a Site Attendance Review Team (SART), or another site-level guidance team that attempts to resolve the attendance or behavior problem with the student and parent or guardian. Schools/districts are required to make “*a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself*” prior to deeming a pupil a “chronic/habitual truant” (Letter #3, **Form #12**). If there is potential of a court referral, it is imperative that a face-to-face meeting be conducted, an agreement be developed and signed by everyone in attendance, and resources for the student and family be identified.

Electronic mail or a telephone call (preferably with both parent or guardian and student together, or separately) can substitute for a face-to-face meeting if that is the only option. The record must document the meeting or phone conference and document the efforts and attempts to hold the meeting. A Release of Information for Interagency Communication (Form 9) will need to be signed during the SART meeting/conference. If the meeting does not take place, the release will need to be signed prior to making a SARB referral. If excessive absences, not just unexcused absences, are also an issue, the Chronic Illness and Release of Information Form (ROI) also needs to be filled out and signed during the conference (Form 8). It is recommended that the ROI be completed by the parent even if the absences are not due to excessive excused absences, as this may be an issue that the parent or guardian brings forward at a later date.

School sites who are in partnership with Family Resource Centers should engage them in assisting with the family's efforts at improving attendance. FRC's often already have signed releases to share information with DHHS Social Services CAL-Works office. If the CAL-Works office determines that the parent or guardian receives Temporary Assistance for Needy Families (TANF), the CAL-Works office may send a letter to the parent or guardian reinforcing the TANF requirement for children to regularly attend school. Additional support services through their Family Stabilization Unit may be available to the family.

In addition, each school district should develop a list of possible school site strategies and appropriate community resources for referring students and their families to professional assistance; this list should be made available to their regional or district SARB. **Appendix B** contains a consolidated list of Family Resource Centers in Humboldt County to assist districts in developing their own lists of available resources.

Schools have many options for addressing attendance or behavior problems. School site staff can find the most appropriate solution for each student and family. School sites need to explore their possible options prior to involving SARB, but SARB can be an invaluable aid in suggesting or enforcing the following strategies:

1. Use asset-based assessment in student and parent or guardian conferences (both parents/guardians when possible).
2. Conduct staff conferences to discuss the specific needs of students.
3. Consider a flexible class schedule in which students can take early and late classes.
4. Use vocational placement or enrichment at a work site as a student alternative to regular classroom instruction.
5. Change the student's schedule and/or instructor to best match student needs with available course offerings.
6. Request an intra-district transfer or explore placement in specialized programs, such as AVID, special education, or an alternative education school.
7. Suggest that the parent or guardian obtain a medical evaluation to rule out any physical reasons that might be a barrier to the student's education.

To deal with the vast number of required conferences after the second letter, many counties are holding group assemblies. At the meeting, school staff and county agency representatives discuss the law and provide assistance for families seeking help to improve their child's

attendance. The following example has been discussed locally with positive reaction and may be developed at a later date.

### **Truancy Mediation Assemblies**

These assemblies with the DA and appropriate agencies may serve as a form of SART. School districts may seek the assistance of the DA's Office in coordinating a group meeting with truant or habitually truant students and their families. Districts must send letters stating that the meeting is mandatory. Parents sign in at the meeting so that the school has a record of those who attended.

The Deputy District Attorney leads a panel consisting of representatives from community-based organizations, police and juvenile probation department as well as a school nurse or health clerk. The Deputy District Attorney advises parents and guardians of their legal obligations as determined by the California compulsory education laws and the consequences of their failure to comply. Each panel member discusses their organization's services available for families. Time is reserved for questions. School administrators are present to answer questions and to talk with families after the meeting about individual student issues.

Representatives of the community based organizations or school districts must be available to meet with families individually after the formal assembly presentations if this format is to serve as a SART. When opportunities for individual consultation are provided to each family, the Truancy Mediation Assembly can be used as a form of SART conference which is required after the second letter. However, a conference of any type must be held prior to sending the third letter.

After the meeting, school staff determines which families did not attend the meeting and proceeds with conscientious efforts to hold an individual conference or SART.

### **Referral to the Regional/District SARB**

If the student has another (sixth) unexcused absence, in a fourth letter (Form 13) the student would be referred to the SARB; the SARB will want information on all modifications, problem solving and services to which the student and family were referred to be well documented. (A referral may be made to the SARB in the third letter if there have been prior chronic absences, a meaningful conference has been held and there has been little or no improved attendance.)

Schools can access a number of forms in this handbook **Appendix A** to help organize the SARB referral process: the SARB Referral Checklist (Form 14), and SARB District Referral Form (Forms 15). Schools must provide specific documentation with the SARB referral. When documentation is missing, the process for a family being called to SARB will be delayed.

Schools will be responsible for sending a follow-up notice to the SARB Chair, documenting each student's progress after the SARB meeting (Form 17).

## **STRUCTURE AND PROCESS OF SCHOOL ATTENDANCE REVIEW BOARDS**

Regional/District SARBs may and should include representatives of all of the following: school district(s), probation and human services departments, law enforcement, community based organizations, school guidance and/or child welfare offices, attendance and health care personnel, and families. **SARB meetings are covered under the Brown Act and have posted agendas and minutes of open sessions. Case numbers, rather than names, appear on the agenda, and students' cases are heard in closed sessions. A Sample SARB Agenda is in Appendix A (Form 19).**

After a school refers a student to SARB, a designated SARB member reviews the case to determine whether the school has included sufficient documentation on the student's attendance or behavior problems. If the SARB member considers the documentation and verification actions to be inadequate, it will remand the case to the school and/or district office for further work. If the referral case is adequate, the SARB will schedule a meeting that includes SARB members, the student, his or her parent or guardian, and school site and district representatives.

Prior to the hearing, the SARB chairperson completes all required forms and notifies the parent or guardian, by certified mail or personal delivery, that a SARB referral has been made (Form 20). The letter identifies the reasons for the referral, explains the SARB process, identifies the members of the District SARB, states that information from the student's records will be released to the SARB, and invites the parent or guardian to participate in a conference on a specific date and at a specific location. The chairperson also sends a copy of the letter to appropriate personnel in the school district.

Well in advance of each meeting, the SARB Chair will send a list of families being summoned to the SARB meeting to the following SARB partners: DHHS CWS Education Liaison, Juvenile Probation Department Supervisor, HCOE Foster/Homeless Youth Coordinator, and District Attorney Investigator.

## **ELEMENTS OF AN EFFECTIVE SARB CONFERENCE**

Conducting a successful, productive conference requires skill, planning, and work. The chairperson sets the tone for the conference, which should be conducted with a level of formality that lies between an informal counseling session and a formal juvenile court hearing. SARB members must remember that the purpose of the conference is to help, not punish, the student.

### **Role of the SARB Chairperson**

The chairperson has a pivotal role in the SARB meeting. His or her opening remarks are very important in setting a positive tone for the conference. He or she establishes the goal of the conference and identifies the procedures for the conference. Participants must understand the emphasis on shared decision making which ensures that SARB is an effective tool. After the conference ends, the chairperson is responsible for making the necessary notations about the proceedings, scheduling regular SARB reviews and forwarding the necessary information to the appropriate resource personnel in addition to following through on any unsigned agreements.

## **Preparation for Conference**

Before a District SARB meets with a student and his/her parent or guardian, the chairperson has several tasks and responsibilities to fulfill. It is the role of the chairperson to do the following:

1. Confirm the date, time, and place with the parent or guardian and student. Determine whether the family will need a language interpreter, transportation or child care (if available) and give the family a telephone number to call in case of illness or an emergency.
2. Review documentation for its appropriateness to the hearing.
3. Designate one SARB member to meet the parent or guardian and student outside the conference room and to bring them in at the appropriate time.
4. Verify that a quorum/majority of SARB members will be present.
5. Start the conference on time and conclude it on time.
6. Ensure that the physical setting for the hearing reflects the importance of the meeting. Some districts choose to hold their SARB meetings at the local police department.
7. Confirm that all the needed materials are available: nameplates for SARB members, case records, paper and pens for taking notes, a box of tissues, resource and reference materials (e.g., Ed.Code, Welfare & Inst. Code, and attendance bulletins) and agreements in English and other needed language translations as needed.

## **Appropriate Conference Techniques**

When a SARB conference is being conducted, the attitude of the members can have a major impact on the outcome. A formal yet friendly demeanor seems to set the best tone. The California State SARB suggests the following techniques to facilitate the meeting:

- Use a consistent procedure when conducting meetings.
- Give concrete suggestions and provide specific resource listings for the parent and child.
- Give the parent or guardian a written copy (in their native language) of the directives and detailed resource referrals.
- Take notice of the reactions of the parent and child.
- Give the student and parent or guardian an opportunity to discuss the case and indicate their understanding of the problem.
- Emphasize that all SARB members are united in their commitment to support the attempts of the student and parent or guardian to solve the problem.
- Consider an intra- or inter-district transfer for the student.
- Suggest to the parent or guardian that he or she, with the help of the family's physician, investigate or rule out any physical reasons that might be a barrier to the student's education. Request a signed release of information for the district to communicate with medical providers if that has not been accomplished prior to SARB.
- Refer the student to a school psychologist or to resources in the community that can assist the student and family.
- Arrange for a student transfer to an alternative program, class or adjusted schedule that can meet the student's needs.
- Use alternative educational placements, such as opportunity classes and pregnant-minor classes for students.

- Provide the necessary evaluation for possible placement in special education programs.
- Take full advantage of community resources for students and families. Make SARB resource listings available to families and make referrals to community programs after carefully considering the individual's and family's needs. (Updated annually by the truancy committee.)
- Document in the student's cumulative file that s/he has been seen by the District SARB. If the student changes schools, a brightly colored sticker will provide important information to the receiving school that there may be an attendance problem (Form 22). (Place sticker on SARB referral and place in cum.)

These efforts comply with the legislative intent for intensive guidance and coordinated community services to be provided to meet the special needs of pupils with school attendance or school behavior problems.

### **SARB Agreement**

At the SARB meeting, members, along with the student and family, will identify the problem, assess the contributing factors, discuss the school's position, and recommend strategies for alleviating the problems. The SARB formalizes the proposed solutions in an agreement to be signed by the student, parent or guardian, SARB Chairperson, and school district representative (Form 21). It is important to designate the effective dates on the SARB Agreement. The agreement should include specific timelines for task to be completed or for the length of time an intervention shall apply. For example, if the student is to participate in "Check In-Check Out", it should specify whether that is to continue until the end of the semester or the school year. The SARB Chairperson clarifies all of the agreements made. They should include an agreement that the student will attend school or improve classroom behavior, a statement of the responsibilities of all persons involved, specific referrals made to community services or agencies. The SARB Summary Agreement is essential because it formally establishes the student as a Chronic or Habitual Truant or Chronic Absentee. The SARB Chairperson should send a letter to the parent or guardian to confirm the content of the agreement (Form 23).

### **Failure of Appearance at Conference or Failure to Obtain Agreement Signature**

If parents or guardians fail to appear for the SARB conference or fail to sign the agreement, the SARB Chairperson (or designee) should take all of the following steps:

- Proceed with the meeting with the school officials, developing an agreement regarding next steps, which may include referral to the District Attorney.
- Call the parent or guardian and let them know that an agreement has been written in their absence and ask them to come to meet with the site administrator to review and sign the agreement.
- If the parent or guardian is unable or unwilling to do the above, send a copy of the SARB agreement and appropriate cover letter by certified mail (Form 24).
- If the Chairperson is unable to obtain signatures after concerted and documented efforts to deliver the agreement and obtain the signatures of the parent or guardian and student, such agreements will be considered to be "Verified" and in effect. The District SARB Chairperson should document this action.

- The District SARB can refer the case to the DA upon the next unexcused absence.

### **Progress Reports**

The school representative and/or agencies referred to, is/are responsible for submitting follow-up reports to the SARB (Form 17). These follow-up reports will prepare the SARB for possible next steps: time extension for agreement completion, termination of the agreement, or follow-up conferences to determine the need to revise or escalate interventions. If the school determines that the student needs additional time to meet all the conditions of the agreement, it may request that the SARB grant an extension of the agreement. SARBs will usually grant reasonable requests of this kind. If the school's reports indicate acceptable improvement, the SARB may terminate the agreement and acknowledge the student's achievement either in a final conference with the student and his/her parent or guardian or in a congratulations letter to all concerned persons (Form 25). If, however, there has been inadequate progress or the agreement has not been maintained by the parent or guardian or the student, the school representative will make recommendations on the SARB Follow Up form (Form 17). Schools may also choose to proceed to a subsequent SARB Referral (Form 18).

### **Failure to Schedule SARB Conference During School Year**

If a SARB conference is not held and an agreement is not signed, or all attempts to obtain a signature have failed (which must be well documented) within the same school year in which the truancy letters were sent, the process of sending the Truancy Letters #1, #2, SART/conference and #3 must start over again in the following school year. For this reason, schools are encouraged to start the letter process early in the school year and complete the SARB Agreement with every student who is exhibiting attendance problems. Multiple year agreements are addressed on the next page under the section entitled *Required Annual Updates for Students on a SARB Agreement*.

### **Documentation**

It is critical that the school and district document all of their efforts in the SARB process, especially if it is anticipated that a case may proceed for legal action. Documentation of the attendance record, the truancy letters, the SART/conference and SARB meetings, all conversations and those who witnessed them and the SARB Agreement are necessary for any subsequent legal action. If the school deems that the parent or guardian is responsible (as in most cases of a student under 13 years of age), the documentation should focus on the statements, actions or inaction of the parents or guardians because legal action is implemented against the adult(s) rather than the student. Districts should document that the parents or guardians are knowingly keeping their child(ren) from attending school. It is important to document all good-faith efforts by the school district even if the parent or guardians or student do not respond or attend a meeting.

### **Required Annual Updates for Students on a SARB Agreement**

Subsequent to a SARB Agreement the school district must annually send at least two truancy

notification letters and make conscientious efforts to hold a SART/conference if a student continues to have unexcused absences. Once these two letters and the conference (or efforts) have been documented, the district can refer the case to the DA. For the first letter, the school district may elect to send out a back-to-school letter to all students who have existing SARB agreements (Form 2). Alternatively, the school may elect to send out the first letter after the student's first unexcused absence (Form 3). The second letter includes a request to attend a scheduled SART/conference (Form 5), and all efforts to hold this conference should be documented in the Case Chronology (Form4).

### **Other Responsibilities**

Schools will include all attendance forms, including a copy of the SARB Referral, if applicable, in the student's cumulative file and attach a green label (Form 22) to a copy of the SARB Referral Packet of any student referred to SARB. (A previous state court ruled the sticker cannot be placed on outside of cum.)

Each month, every SARB will submit online at the HCOE website the requested information for the SARB Annual Summary Report (Example of online information Form 26). Website to be developed.

Annually, a designee from the Humboldt County Office of Education will compile the data and report to the districts and SARBs.

## **SUPPORT AND ENFORCEMENT WITH THE DISTRICT ATTORNEY'S OFFICE AND COURTS**

### **Request for Legal Action**

If the SARB determines that the student's attendance or behavior problems persist after exhausting community resources, the SARB can request legal action based on Humboldt County's established procedures. Legal action can result if the student and family do not follow SARB recommendations, the student violates the terms of the SARB Agreement, and/or the student or family fails to cooperate with the SARB. The SARB has the option of referring the cases to the DA's Office. Programs of this kind are authorized by Welfare and Institutions Code Section 601.3 and Education Code Section 48263.5.

In Humboldt County, the SARBs send referrals to the DA's Office requesting legal action (Form 28). The referral is the means of establishing a legal basis for involvement of the court, it must contain all the information requested including the dates and times of all incidents and the names and addresses of witnesses and involved persons. All referrals to the DA must be complete and be in order based on the DA Checklist (Form 27), Referral/Request Action (Form 28) and Cover Letter/Case Summary (Form 29).

### **Basic Documents Needed for Legal Action**

The basic documents necessary in filing for prosecution are:

- Attendance records and a summary sheet of the attendance codes;
- Copies of all correspondence between the school and the parent or guardian; all instructions given to the parent or guardian; and any other written documents provided by either party for the other;
- A case chronology documenting every occurrence concerning attendance, including the action taken, the name of the person who initiated the action, names of all persons involved, the dates and times of interactions, all telephone conversations, any observations of behavior, and/or any detail concerning the case which may be handwritten;
- A cover letter providing a description of the problem, what the school has done to solve the problem, the attempts made by the school to educate the parent or guardian(s) about the problem, the family's responses to the school's efforts and an analysis of the reasons the school is now submitting the problem for prosecution. The summary orients the prosecuting attorney and focuses the submitting official's attention on prosecutable issues. Because school records provide the basis for legal action, the information must identify the person(s) who observed the behavior personally or who had the conversations or interactions with the student, parent or guardians or guardians or who heard the comments (Form 29);
- A completed Referral/Request for Action to the DA (Form 28).

### **Prosecution Against Parent or guardians of Truant Children**

Under EDUC 48293 or PC 270.1 the SARB may request a complaint against the parents or guardians for failure to follow SARB directives or for failure to compel attendance. The SARB may request a complaint against the parents or guardians of truant children. In Humboldt County, the parents or guardians of pupils six to eighteen years of age who are truant may be prosecuted.

A person is guilty of a violation of Education Code section 48293 if he/she is the parent of a habitual truant (as defined in Ed. Code 48262) and he/she continually and willfully fails to respond to directives of the SARB or services provided. A person found guilty under this section can be fined up to \$500 and/or be placed in a parent education and counseling program.

A person is guilty of a violation of Penal Code section 270.1 if he/she is the parent or guardian of a chronic truant (as defined in Ed. Code 48263.6) age six or more, first through eighth grades, and he/she has failed to reasonably supervise and encourage the pupil's school attendance, and has been offered language accessible support services to address the pupil's truancy. A person found guilty under this section is punishable by up to a \$2,000 fine or imprisonment in county jail up to one year, or both. A person may also participate in a deferred entry of judgment program under this section and eventually earn dismissal of the criminal charge upon successful completion.

If the SARB is requesting a complaint against the parents or guardians of truant children ages 6-18, the district must complete the Complaint Review Form in addition to the typical form for Referral to the DA.

The DA referral packet is to be forwarded to Humboldt County Office of Education's SARB Liaison, not to the DA directly. Packets should be presented in paper form, not electronically.

Humboldt County Superior Court will hold a dedicated day, either weekly or bi-weekly, depending on need, when truancy cases are heard.

### **Legal Action Against a Student in Juvenile Court**

Students (minors) who are considered responsible for their actions may be heard in Juvenile Court. The Application for a Juvenile Court Petition is a signed affidavit alleging that a minor within the school is in violation of Welfare and Institutions Code Section 601(b). School personnel completing the referral should do so with the belief that the facts therein stated are true and correct and that the minor clearly comes within the meaning of Welfare and Institutions Code Section 601(b).

The court works closely with students and their families to understand the reasons for the truancy and the legal consequences. Students and families can be repeatedly called back to court until attendance has improved. Additional consequences could include:

- Court-approved community service;
- A fine of not more than \$100, for which the parent or guardian(s) are jointly liable;
- A court-approved truancy prevention program;
- Loss of driving privileges, suspension or revocation of all driving privileges, or postponement of a driver's license for one year (and additional waiting time for driving privileges for repeated truancy).

### **Students on Probation and/or Nearing Eighteen Years of Age – Legal Action**

The District SARB has the option of referring the students on probation and students nearing eighteen years of age, but typically these cases will not be seen in Truancy Court. In cases of students on probation, the District SARBs should notify the Humboldt County Probation Department. Cases of students nearing their eighteenth birthday will be reviewed individually by the DA's Office for appropriate intervention.