

Absenteeism Hurts

• Hurts the students:

When students have excessive absences they miss the benefits of education. They fall behind in their studies. They miss concepts that are important to understanding any subject. They miss socialization skills. They miss life skills such as the capacity to understand, follow directions, and plan for the future.

• Hurts other students:

When a truant student returns to school, they require more individual attention from the teacher and deprive other students of the teacher's attention.

• Hurts the school and the district:

State financial support for schools is directly linked to student attendance. The more absences, the less revenue to the district. With less revenue, the district has less ability to offer educational programs for all students.

• Hurts the community:

The community loses a productive contributor when a student does not receive an education.

Criminal activity increases when students are not in school.

What can a parent do to help?

- Monitor your student's attendance. Get an attendance report from the school.
- Ask about your student's school day.
- Ensure your student is getting adequate sleep.
- Speak with your student's teacher(s).
- Consult your school for counseling agencies.
- Ask your student why they are not attending and work with the school and district to solve the problem.
- Supervise your student's homework.

If you need help with your child call
Parent Project
District Attorney's Office
408-808-3794
parentproject@dao.sccgov.org

For more information contact your local school district



Truancy Laws

Prepared by
County of the Santa Clara
Office of the District Attorney



What is the truancy law?

Compulsory attendance is the law in California from age 6 until the age of 18. (Education Code Section 48200)

A student who has three unexcused absences or three tardies or absences of more than 30 minutes, or any combination thereof, without valid excuse is considered legally truant. A student who has five unexcused absences or five tardies or absences of more than 30 minutes, or any combination thereof, is considered habitually truant and may be referred to the District Attorney's Office for legal action. (Education Code Section 48262)

The parent or guardian is obligated to compel the attendance of the student at school. Parents who fail to meet this obligation may be subject to prosecution. (Education Code Section 48260.5)

What are the legal charges that may be filed?

- Violation of Education Code Section 48293 Failure to Comply with the Compulsory Education Code
- Violation of Education Code Section 48262 Habitual Truant
- Violation of Penal Code Section 271 Contributing to the Delinquency of a Minor

What are the legal consequences?

- For parents or guardians, the court may require fines, parenting classes, loss of welfare benefits, and/or jail time.
- For students, the court may require fines, community service work, loss of work permit, and/or one-year suspension/delay of California driver's license.

Important Facts every parent and student should know

Students suffer academic set backs when frequent absences occur.

The biggest predictor of dropping out is a child's reading level by 3rd grade.

Parents often do not keep track of how many days of school their child has missed. One or two days per month or every other week may not seem like a lot. However, those days quickly add up. In the course of a school year, the student may have missed more than an entire school month.

The more and better education a child has the bigger the child's future.

Education and earnings are tied to one another. Students not in school miss out on a healthy socialization process which will aid them throughout life.

Many school districts have alternative educational programs available for students. Parents should inquire with their student's teacher, counselor, vice principal or principal for more information.

Parents have a legal and moral responsibility to contact the school in writing or by telephone when their student is absent.

The Health Department has stated that if a child misses more than 7-10 days of school per year for illness reasons, that student is missing too much.

Most daylight juvenile crime is committed by students who are truant.

Parents and students may be prosecuted for violating compulsory attendance laws.



**The Santa Clara County
District Attorney's Office
is dedicated to enforcing
those laws that ensure
that every student attends
school regularly and has
the opportunity to achieve
academic and social
success in school.**