

All documents in this handout are available in digital form at [www.connecttclassrooms.org](http://www.connectt classrooms.org), and will be available on the CYS website shortly.

Truancy Resources:

Sample school attendance improvement plan (SAIP) from PA Department of Education:

<https://www.education.pa.gov/Documents/K-12/Safe%20Schools/School%20Attendance%20Improvement%20Plan%20SAIP.pdf>

Resources from Education Law Center

www.elc-pa.org

Click on “Resources and Publications” for Fact Sheets and Toolkits including information about truancy, school enrollment, students who are homeless or in foster care, and other relevant issues.

PA Office for Dispute Resolution

www.odr-pa.org

The Office for Dispute Resolution (ODR) provides the resources for parents and educational agencies to resolve educational disputes for children served by the early intervention system, students who are gifted (or thought to be gifted), and students with disabilities (or thought to have disabilities). Under the “Due Process” tab you will find hearing officer due process decisions from school districts statewide on a variety of issues, searchable by district, issue, or keyword. There are more than 100 decisions listed that involve truancy in some way.

Court decisions:

Commonwealth v. Kerstetter (2013)

62 A.3d 1065, Cmwlth.2013, appeal granted in part 73 A.3d 576, 621 Pa. 106, affirmed 94 A.3d 991, 626 Pa. 89.

Although a school district is not required to provide kindergarten and parents are not required to enroll their child in kindergarten, once the election to enroll a child in school is made, the child is subject to compulsory attendance requirements.

Rivera v. Lebanon School District (2011)

Rivera v. Lebanon School Dist., M.D.Pa.2011, 825 F.Supp.2d 561.

School District was found to be a proper defendant and to be in violation of the Equal Protection Clause where parents received fines in excess of the statutory maximum and the District was found to have intervened in seeking the downward adjustment of excessive fines for some families and not for others with no rational basis for distinguishing between the excessive fines that were reduced and those that were not. Note that the District regularly sought and obtained fines as high as \$9,000 plus costs per citation and the District receives all fines collected by the MDJ for truancy.