

Student Attendance Review Board

SARB

Procedures and Resources Manual



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Student Attendance Review Board

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MISSION STATEMENT

The Morgan Hill Unified School Attendance Review Board (SARB) values high academic achievement, positive student participation, and a community approach to helping our youth.

It is the mission of this SARB Program to:

- empower the individual schools to effectively respond to the issue of truancy
- provide intervention recommendations to families of truant students
- enforce the California mandatory school attendance regulations through the court process
- reduce truancy by ensuring all students attend school daily
- increase student achievement at all school sites by supporting students positive attendance and class seat time

ACADEMIC ACHIEVEMENT AND ATTENDANCE

Students that attend school consistently have a greater chance of excelling academically. Being present in the classroom provides students the ability to ask for clarification, engage in meaningful discussions with other pupils, and take accurate notes to prepare for examinations. These skills prepare students for higher level learning and job readiness.

A recent REL/West Ed study (Summary of Research on Attendance and Student Achievement. 2011) revealed that course attendance is eight times more predictive of course failure in the freshman year than test scores. Furthermore, just one week of absence is associated with a much greater likelihood of failure, regardless of incoming achievement. This study can be reviewed at <http://relwest.wested.org>.

Morgan Hill Unified School District is committed to increasing student attendance in all grade levels. Our schools are providing guidance and support to many of our students that are experiencing attendance difficulties. Connections are made with these students to bridge them back into our school system. We do ask our parents to assist us by making school attendance a very important priority in their home.

SCHOOL ATTENDANCE REVIEW BOARD SARB

INTRODUCTION

It is the intent of the Legislature that intensive guidance and coordinated community services be provided to meet the special needs of students with school attendance and/or school behavior problems. If alternatives have failed to produce needed changes in a student's problem attendance or behavior, a referral to the School Attendance Review Board (SARB) may be made (E.C. 48263). A SARB screens student referrals to determine if appropriate guidance and community services have been utilized on behalf of the student and act accordingly. This board is composed of educators, community representatives, parents, and members of law enforcement, probation and welfare agencies. This panel attempts to understand why students experience attendance problems and makes every effort to assist in correcting the problem(s). The more frequent actions of the SARB include:

- Recommending changes in the student's program that may be unusual, but necessary.
- Directing the student and/or family to counseling.
- Arranging parenting classes for parents.
- Coordinating assistance from volunteers to help students get to school.
- Directing parents to escort the student to school daily.
- Referral to community service programs.
- Assignment to independent study activities.
- Requiring the student to attend school every day.
- Requiring that the student's future illness absences be verified by a doctor or school official.
- Arranging for tutoring when needed.
- Requesting assistance from other county agencies and programs when needed.

TRUANCY TO HABITUAL TRUANCY

Schools should follow district policies/guidelines, consistent with education code, on when truancy notices are sent.

A juvenile is considered truant when, “Absent from school without valid excuse more than three days or tardy in excess of 30 minutes on each of more than three days in one school year” (E.C. 48260).

The parents are to be notified by first class mail of their child’s truant status. This notice of truancy is originated by the school site and is considered the **first notification of truancy**. The eight points from EC 48260.5 must be included in the letter.

A **second notice of truancy** will be mailed by the site to the parent(s) of a student who has been absent or tardy in excess of 30 minutes from school without valid excuse on one or more days after being recognized as a truant (E.C. 48261). The student’s family will be encouraged to utilize appropriate district and community resources designed to assist with physical, mental and social adjustment problems. A conference with the parents will be requested at this time to discuss solutions to the truancy problem and to sign a school site attendance contract (E.C. 48260.5). This is done at the time of the second truancy letter.

Should the attendance problem persist in that another unexcused absence or tardy in excess of 30 minutes has occurred, a **third notice, or habitual truancy notice**, will be mailed to the parent(s) by the site designee (E.C. 48262).

If efforts still do not improve the student’s attendance, the school site submits a request for SARB intervention to the SARB Coordinator. In this request, the site will need to submit copies of the 1st letter, 2nd letter, 3rd letter, site contract and student attendance records to the SARB Coordinator and Assistant. Along with copies of all letters, a narrative explaining in detail the interventions and information related to the case will need to be included. Please include copies of all current attendance records.

The process of establishing truancy will start over each school year per Education Code 48260.

SARB REFERRAL

It is realized that a reasonable amount of time should be devoted to each truancy/behavior problem. E.C. 48262 requires that school administrative personnel “*make a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil him/herself.*” If letters, parent and student conferences and related school actions have failed to produce the desired correction of truancy and/or insubordination problems, the individual staff member responsible for handling such problems should initiate a review of measures taken to determine if the school has exhausted all of its resources in addressing the identified problem(s).

If steps have been taken utilizing all options available to the school site and no resolution can be found, a referral to the School Attendance Review Board may be made.

The school making a referral to SARB will accurately review the required documentation and current attendance difficulties prior to sending the request to the SARB Coordinator for review. The SARB Coordinator will notify the referring school of the acceptance of the referral or reasons it is being returned. When the date and time has been set, the SARB Coordinator Assistant will notify the parent/guardian, in writing, of the meeting and their obligation to attend.

The school administrator or appropriate school person must make arrangements to be present at the scheduled SARB meeting to review the case.

SARB HEARING (Grades K-8) and DISTRICT ATTORNEY MEDIATION (Grades 9-12)

Students that are in grades K-8 are eligible for a SARB hearing. The SARB Coordinator sets and distributes the agenda to Board members 3-5 days prior to the meeting. At the SARB meeting members are given copies of pertinent information from the SARB referral packet that will be helpful to them in understanding the specifics of each case. In addition, the school representative is requested to bring the student's cumulative record to the SARB meeting for review.

At the SARB meeting with the parent(s), student and appropriate school person, the school will be asked to present its case with documentation of efforts made to address the problem. After the school's presentation, the Board hears from the parent(s) and student. After both presentations and questions by the Board, the parent(s) and student may or may not be present while the SARB deliberates and comes to a decision and recommendations. Members of the SARB panel need to keep in mind that the goal is to have students attending school regularly, not to punish parents or students. A SARB Contract is developed with requirements and recommendations for the student, parent, school and SARB.

At this point, the school representative, parent(s) and student are invited to hear the suggested solutions and recommendations regarding the problem. A copy of the written contract is signed by the SARB Coordinator, parent(s) and student, and school site administrator. Copies are given to the parent(s) and to the school administrator.

Failure to appear at a SARB meeting will result in one of the following:

- **SARB contract completed by Board and parent/student's signature obtained by the school representative**
- **Rescheduling SARB appearance for the following meeting**
- **Referral for citation for failure to appear a second time**

Students that are in grades 9-12 will be recommended for a District Attorney Mediation forum if they continue to be habitually truant after their third letter is received and the Site Attendance Contract has been completed. The student and parent(s) will be notified by the district SARB Coordinator of their mandatory appearance and the date and time of the forum.

During a District Attorney Mediation forum, students will be provided with information and an education about the future consequences of their habitual truancy. Various district and community support staff will be available to students at this time as well.

Failure to improve attendance after a District Attorney Mediation forum could result in student case referral to the Santa Clara County Juvenile Court by the District Attorney.

LEGAL PROCEDURES

If the student and/or parent(s) fail to comply with the directives of the SARB contract in not having their child attend school regularly, the school administrator may make a request through SARB for prosecution of the parent(s) (EC 48291). The Morgan Hill Unified District SARB Coordinator will submit a request for citation to a prearranged law enforcement individual. This law enforcement officer is often a representative of the SARB that has initiated the request for a citation.

The district SARB Coordinator is responsible for the documentation used to establish habitual truancy and resources that were used to secure attendance (E.C. 48263). The documentation should include copies of the three notices of truancy, correspondence the school site may have used to contact the truant's parent(s), a copy of the truant's most recent attendance print out and SARB records. After the court finding, the school will continue to monitor the truant's attendance. The Education Code allows for a second and third citation if necessary (E.C. 48293).

The district SARB Coordinator and/or school site administrator must make arrangements to attend the truancy court proceedings in order to answer questions or provide information specific to the case.

If truancy court interventions do not resolve the problem and other supporting conditions exist, a misdemeanor charge (Penal Code 270.1) may be filed as determined by the Morgan Hill Unified School District.

TRUANCY PROCESS FLOWCHART

| Student/Family Coordinator | School Site/District | MHUSD/SARB |
|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3+ Unexcused absences or truant tardies of 30 minutes | <ul style="list-style-type: none"> • Letter #1 sent to parent | |
| TRUANT Additional Unexcused absences or truant tardies TRUANT | <ul style="list-style-type: none"> • Letter #2 sent to parent • Send copies of Letters 1-2 to SARB Coordinator (copy of letter or list with complete info.) | <ul style="list-style-type: none"> • Enter into database • Produce District Attorney letter, mail to parent |
| Additional Unexcused absences or truant tardies HABITUAL TRUANT | <ul style="list-style-type: none"> • Letter #3 sent to parent • Site Administrator meets with parent/student sign site contract | <p>Consultation offered to Schools throughout process</p> |
| Broken Site Contract | <ul style="list-style-type: none"> • Utilize all resources available <ul style="list-style-type: none"> • Referral to SARB • District SARB Coordinator reviews referral, schedules meeting or returns for further action and sends Parent Notification of SARB Hearing Letter (K-8) or D.A. Mediation Awareness Letter (9-12) | |
| SARB Hearing (K-8) or D.A. Mediation (9-12) | <ul style="list-style-type: none"> • SARB Contract signed (K-8) • Attend D.A. Mediation (9-12) | <ul style="list-style-type: none"> • Participate on SARB and D.A. Mediation |
| Grades K-8: Broken SARB Contract | <ul style="list-style-type: none"> • Notify SARB Coordinator | <ul style="list-style-type: none"> • Referral to Law Enforcement or return to District SARB for further action |
| Grades 9-12: TRUANCY continues after D.A. MEDIATION | <ul style="list-style-type: none"> • Notify SARB Coordinator | <ul style="list-style-type: none"> • Referral to District Attorney to file truancy case with juvenile court |
| | | |
| Truancy Court | <ul style="list-style-type: none"> • Provide requested attendance updates • Administrator present at court | <ul style="list-style-type: none"> • Court reminder letter sent to parent • Prepare/present court report • Provide outcome to Site Admin. and ESD |

TRUANCY FLOWCHART OVERVIEW

- Step 1:** After a minimum of 3 unexcused absences and/or truant tardies of 30 minutes the school may send Letter #1 to the parent(s).
- Step 2:** After any additional unexcused absences and/or truant tardies the school may send Letter #2 to the parent(s). A copy or list with necessary information may be faxed or emailed to MHUSD SARB Coordinator. The SARB Coordinator will send the District Attorney Awareness Letter to the parent(s) on behalf of the Director of Student Services and Special Education.
- Step 3:** After a minimum of 5 unexcused absences and/or truant tardies (Habitual Truant) the school may send Letter #3 and schedule a school administrator's appointment with the parent(s) and student. The purpose of this appointment is to discuss reasons, alternatives, services and possible solutions to the truancy issue. The school administrator, parent and student will sign a School Site Attendance Contract outlining responsibilities of all parties. (The school site appointment may be done at the time of letter #2). The school will send a copy of the School Site Attendance Contract to the MHUSD SARB Coordinator.
- Step 4:** After a broken Site Contract, the school may submit a SARB Hearing Application to the district SARB Coordinator. The SARB Coordinator will schedule a meeting date and time and notify the designated school person and send out Letter #4.

A SARB Hearing includes school, district, MHUSD Coordinator, community agency representatives and the parent(s) and student. Attempts are made to assist the family in correcting the attendance problem. A SARB Contract is signed. Monthly reviews are held.

For grades 9-12, if student continues to be habitually truant after Letter #3 has been sent and the Site Attendance Contract has been completed, then the school site will notify the MHUSD SARB Coordinator. The parent(s) will be notified by the SARB Coordinator that their child is required to attend a District Attorney Mediation and the scheduled date of their child's mediation. ***In order to schedule a DA Mediation, the school site must submit to the SARB Coordinator copies of all truancy letters, attendance records for the current school year, and a brief explanatory narrative of the site interventions thus far.*** If student continues to be truant after the DA Mediation, the District Attorney's office will file a case with the Santa Clara County Juvenile Court.

- Step 5:** After a broken SARB Contract (grades K-8), the school will immediately notify the SARB Coordinator. The SARB will determine if a request is warranted for a parent citation to Truancy Court under Education Code 48293. If an Education Code violation has previously been issued, or there are extenuating circumstances, a Penal Code 270.1 violation may be filed in lieu of the Education Code.

A Truancy Court Hearing is held depending on the number of cases. This could be every other month. For Education Code violations, a school administrator and the MHUSD SARB Coordinator will be present. The MHUSD SARB Coordinator, with the assistance of the school site staff, will prepare and present a report to the court. The Judge will hear the case, issue court orders and schedule a review the following month

- Step 6:** At the scheduled **Truancy Court review**, the MHUSD SARB Coordinator, with the assistance of school site staff, will submit a review to the court on the progress of the court orders/attendance. If the student has satisfactory attendance, the court case may be dismissed or scheduled for further review to monitor attendance. If satisfactory progress has not been made, the Judge may issue additional court orders, impose a fine or the case may be scheduled for further review.

SCHOOL SITE ATTENDANCE/BEHAVIOR CONTRACT

In order to maximize the chances for educational success, the following agreement is entered into on _____ (date) _____. This agreement between _____ (site administrator) _____, _____ (student) _____, and _____ (parent) _____. A complete review of this agreement will take place on _____ (date) _____.

_____ shall: _____ shall:

| | |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Attend school each day school is in session. | Cooperate with school officials. |
| Attend all classes on time. | Ensure student attends school. |
| Follow all school rules. | Notify school when student is absent. |
| Maintain appropriate behavior at school. | Verify all illness absences by doctor note or school official verification. |
| Complete all class assignments. | Arrange for and keep appointments with _____. |
| Meet regularly with _____. | Attend parent conferences when requested. |
| Verify all illness absences by doctor note or school official verification. | Attend parenting classes through: |
| Other: | Other: |

It is with complete understanding that I sign this, knowing that further violations of school rules and regulations can result in a referral to the **MHUSD School Attendance Review Board (SARB)**.

Student Signature _____

Date: _____

Parent/Guardian Signature _____

Date: _____

School Administrator's Signature _____

Date: _____

SCHOOL ATTENDANCE REVIEW BOARD APPLICATION FOR HEARING

Date: _____

Student: _____ DOB: _____ Age: M/F: _____
 Address: _____ Phone: _____
 School: _____ Grade: _____ Special Ed: [] Yes [] No
 Mother: _____ Phone: _____
 Address: _____ Zip: _____
 Father: _____ Phone: _____
 Address: _____ Zip: _____
 Guardian: _____ Phone: _____
 Address: _____ Zip: _____

Siblings:

| Name | DOB | School | Attendance |
|-------|-------|--------|-------------------------|
| _____ | _____ | _____ | _____ [] GOOD [] POOR |
| _____ | _____ | _____ | _____ [] GOOD [] POOR |
| _____ | _____ | _____ | _____ [] GOOD [] POOR |

MUST BE COMPLETED PRIOR TO SARB REFERRAL

- [] Truancy letters sent to parent(s):
 1st Letter- Date Sent: _____ # of Unexcused Absences: _____
 2nd Letter- Date Sent: _____ # of Unexcused Absences: _____
 3rd Letter- Date Sent: _____ # of Unexcused Absences: _____
- [] Conferred with student. Date: _____ By _____
- [] Parent meeting with a school administrator to discuss solutions to the problem and consequences. Date: _____ By _____
- [] School Site Contract signed by parent and student. (**Attach Copy**)
 Date: _____ Indicate if "no show"
- [] Made at least one home visit. Date: _____ By _____
 (Recommended)

Student's Attendance Pattern:

As of _____ (date)
 [] Total days of unexcused absences
 [] Total days of truant tardies (30+ min)
 [] Total days of truancy
 [] Total days of excused absences
 [] Total days enrolled

Previous SARB/Truancy History:

School Year: _____ [] SARB [] Truant
 School Year: _____ [] SARB [] Truant
 School Year: _____ [] SARB [] Truant

Factors Affecting Attendance:

[] Family Problems
 [] Lack of Parental Involvement
 [] Economic Stress
 [] Student Attitude
 [] Health
 [] Low Academic Performance
 [] Peer Relations
 [] Teacher/Staff Relations
 [] Bored
 [] Other (specify): _____

Please attach the following documentation to SARB referral:

Copy of truancy letters sent to parent, attendance report, last report card/progress report, past attendance records, documentation of contact with parents, any other documentation to establish a pattern and school responses to the problem.

Please bring to the SARB meeting:

Student's cumulative folder, test scores, SST information, and any other pertinent information.

SCHOOL ATTENDANCE REVIEW BOARD (SARB)
CONTRACTUAL AGREEMENT

Date: _____ Review Dates: _____ / _____ / _____

The **School Attendance Review Board**, having evaluated a referral form:

School: _____ RE: _____
Student: _____ DOB: _____ Grade: _____ and _____
Parent(s)/Guardian: _____ and _____

- Having met in conference with the above named [] student and [] parent, or
- Having been unable to meet with and obtain cooperation of the above named [] student and [] parent, believes that the student and/or parent would benefit from:

The directives of this agreement, or parent referral for legal action:

[] Education Code 48293 or [] Penal Code 272

CONDITIONS OF AGREEMENT

The STUDENT shall:

- Attend school daily, arrive on time, and remain at school the full time assigned.
 - Follow all school rules and maintain appropriate behavior while at school.
 - Attend and participate in recommended school/district programs(i.e. tutoring, summer school)
-
- Attend and participate in recommended counseling program until counselor feels services are no longer needed.

The PARENT(S) shall:

- Maintain their legal obligation to see that their child attends school each day, arrives on time, and remains at school the full time assigned. School starts at _____.
- Provide a physician's written verification or obtain a school official's verification for all illness absences after _____ day(s).
- Attend all meetings and conferences concerning their child at school.
- Schedule appointments for counseling with _____ for their [] child [] family.
- Immediately advise the school and SARB of any changes in address and/or telephone number.

The SCHOOL shall:

- Arrange for specific school/district programs designated above.
- Arrange for special testing or other site interventions _____.
- Provide updated attendance reports and information to SARB for reviews.

ADDITIONAL DIRECTIVES/RECOMMENDATIONS:

- _____
- _____
- _____

If the student's attendance does not improve, the parent may be referred to the Santa Clara County District Attorney or Law Enforcement Agency for legal action (E.C. 48290-48293, P.C. 272), and/or the Santa Clara County Welfare Department for sanctions.

I have read a copy of this agreement and understand the terms, and agree to comply with all of the conditions indicated.

Parent/Guardian

Student

SARB Coordinator

School Administrator

Parent/Guardian DOB: _____, DL#: _____, SS#: _____

Distribution: Original-SARB Copy-School Copy-Parent/Student

APPENDIX

SAMPLE HEARING OVERVIEW

Have your room well marked: SARB MEETING. Have chairs available outside the meeting room for families waiting. If a secretary does not greet the families, post a sign informing them to have a seat.

Name Plate Cards for the Board members with their agency/school affiliation is helpful for identification.

Have Kleenex available.

Have basic SARB packets available for all board members. The packet should include at a minimum: the SARB referral sheet, recent attendance profile, grades. The chair should have an entire packet and the presenting school administrator should have the student's cumulative file.

1. Case presentation by school administrator.
2. Family comes in. Board members introduce themselves. The Coordinator explains the hearing process. The school administrator summarizes the issues in front of the parent and child.
3. Family responds and the Board asks questions (see samples, page 24).
4. The family may be dismissed while the Board deliberates and designs the contract. Each board member may have a blank contract in front of them for reference. Chair reads through the contract and with suggestions from the Board, indicates conditions and writes out specifics.
4. If family has been excused, bring the family back in. Chair reads through the contract.
5. Parent(s) and student sign contract.
6. Make a minimum of 3 copies: Parent, referring school administrator, District SARB file.

During no shows or wait time, review previous cases unless someone is scheduled to present.

SARB COORDINATOR'S GUIDELINES

The school administrator presents the case to the Board (family not present) including circumstances of the student's absences and the corrective measures that were tried up to this point.

Family invited in to meeting.

Introduction of School Attendance Review Board (SARB) members.

Purpose of SARB meeting explained to family:

“You and your child are attending this School Attendance Review Board meeting because your child has had poor school attendance during this school year. The purpose of this SARB meeting is to identify problems and assist in improving your child's school attendance, behavior at school, and academic progress. It is important that you, the school and SARB work together in a cooperative manner in order to solve this problem of poor attendance. The progress that your family makes in following the SARB contract which will be developed here, will be reviewed by us every 30 days. Your attendance may be required at these meetings. If you have not followed the SARB contract and your child's attendance has not improved, then prosecution of you by the Santa County District Attorney's Office may be requested by this Board as allowed under Education Code 48263.5 and 48291. In addition, you may be referred to the Department of Employment and Social Services for sanctions.

You have been called to this SARB meeting because _____ has attendance issues (Truancies or Behavior).”

School administrator reviews the case for the Board and family.

Questions/Discussion with family (see Possible SARB Questions, Page 24).

Contract developed.

To Parent/s and Student:

“At this point the SARB team will deliberate and write the SARB/parent/student contract.” (May or may not have parent and child present).

To Parent/s and Student:

“The SARB team has developed a contract for the purpose of improving your child/s attendance.”

Review contract, answer questions, get signatures and distribute copies.

POSSIBLE SARB QUESTIONS

ATTENDANCE

Parent:

Explain to the SARB team why you and your child are here.

Do you know how many days your child has missed of school?

Why doesn't your child go to school every day?

What is your child's behavior like at home?

What would you like to see your child achieve academically?

Student:

Explain to the SARB team why your attendance is poor.

What do you think is a good reason for you not to go to school?

What do you want to be when you grow up?

What would it be like if you went to school every day?

What would it take for you to go to school every day?

Where are you when you're not at school?

Do you have friends at school?

What do you like about school?

BEHAVIOR

Parent:

Is there a theme or pattern to your child's behavior?

What is your child's behavior like at home?

Does your child show a lack of commitment to decisions?

What would you like to see your child achieve both academically and behaviorally?

Student:

Do you have a problem with your ability to manage your anger?

Do you have a bad temper?

What do you think your reputation is like with other students at your school? Staff?

What do you think other students at your school think about you? Staff?

What do you want to achieve academically and behaviorally?

Is your behavior a problem for you? Please specify.