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DISTRICT ATTORNEY

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EXECUTIVE

- ADMINISTRATION
- COMMUNICATIONS
- INTERVENTION & PREVENTION PROGRAMS
- PUBLIC POLICY
- LEGISLATION
- VICTIM WITNESS BUREAU

TRIAL TEAMS

- CAMBRIDGE REGION SUPERIOR COURT
- MALDEN REGION SUPERIOR COURT
- WOBURN DISTRICT COURT

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- APPEALS & TRAINING BUREAU
- CYBER PROTECTION PROGRAM
- FAMILY PROTECTION BUREAU
- CHILD ABUSE UNIT
- DOMESTIC VIOLENCE UNIT
- ELDER/DISABLED UNIT
- PUBLIC PROTECTION, ANTI-TERRORISM, CORRUPTION & TECHNOLOGY (PACT)

STATE POLICE DETECTIVES

- COMPUTER FORENSICS
- HOMICIDE
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REGIONAL OFFICES

- CAMBRIDGE
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DISTRICT COURT OFFICES

- AYER
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- MARLBOROUGH
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- WALTHAM
- WOBURN

September 2018

Dear Parent/Guardian:

As your District Attorney and the mother of two young adults, I know that students and their families face many challenges throughout the school year. There are many areas in which I work with our schools throughout the year to ensure that your child is safe and productive. The start of a new school year is always a good opportunity to discuss consistent and timely school attendance and its importance for student success.

The consequences of failing to attend school are well-documented and can be serious. Truancy is associated with lowered academic achievement, decreased self-esteem and even diminished employment potential. In addition, several studies have found that a pattern of poor attendance in the early grades is linked to an increased likelihood for dropping out of school in later years.

Parents and guardians, as well as students themselves, have a responsibility to ensure that attendance at school is regular and timely. If a school identifies a student who is exhibiting an attendance problem, which includes tardiness, the school is required by law to address that problem. This could be as simple as notifying the parent or guardian and working together to improve that student's attendance. In extreme instances, however, it may require the school to solicit assistance from the Court or the Department of Children and Families.

Enclosed you will find a summary of the laws pertaining to attendance. We encourage you to review this as well as your school's policy on attendance. Please feel free to contact the principal of your child's school should you wish to discuss this information further.

We all share the goal of enabling our students to reach their full potential. This begins with regular and timely attendance at school. Thank you for your anticipated cooperation. Best wishes for a successful school year!

Sincerely,

Marian T. Ryan
 Marian Ryan
 District Attorney
 Middlesex County

Chris Malone

Chris Malone, Superintendent
 Tewksbury Public Schools

Terry Gerrish

Terry Gerrish, Principal
 Loella F. Dewing Elementary School



From Tewksbury Public Schools Elementary (PK-4) Student Handbook/Parent Information Guide 2018-2019 (beginning on page 13)

ATTENDANCE and ABSENCES (*Absenteeism and the Massachusetts General Laws*)

The parents or guardians of each pupil shall, annually, at the commencement of each school year, be sent a notice instructing them to call a designated telephone number at a designated time to inform the school of the absence of a pupil and the reason therefore. Said notice shall also require such parent or guardian to furnish the school with a home, work or other emergency telephone number where they can be contacted during the school day. If a pupil is absent and the school has not been notified by the designated time, the school shall call the telephone number or numbers furnished to inquire about said absence.

(Massachusetts General Law Title XII, Chapter 76, Section 1A)

Classification Of Absences In The Tewksbury Public Schools K-8

Excused Absences

Exempt Absence: When a student is absent for a court appearance (court documentation required), religious observance or funeral (parent/guardian call required), or documented medical reasons (notes and/or receipts required), then the student's absence is classified as excused or "exempt". An exempt absence does not count toward the total number of accumulated absences.

(Aspen Code: E – with Reason from drop down menu)

Unexcused Absences

Absent Confirmed: For an absence to be confirmed, a parent/guardian must call the child's school on the morning of the absence or the student must present a note from a parent/guardian upon his or her return to school. It is considered an unexcused absence unless it satisfies one of the reasons listed above. An "absent confirmed" still counts toward the total number of accumulated unexcused absences.

(Aspen Code: AC)

Absent (Truant): When a student is absent from school and no phone call or note has been received from a parent/guardian verifying the absence, the student's absence is classified as unexcused or truant. This type of absence or truancy also counts toward the total number of accumulated unexcused absences.

(Aspen Code: A)

Attendance Protocol in the Tewksbury Public Schools:

1. Following the fifth (5th) unexcused absence, a letter will be sent home to parents or guardians notifying them of their child's attendance and a copy of the letter will be placed in the student's file.
2. Following unexcused absences of seven (7) full days or fourteen (14) half-days within any period of six (6) months, a supervisor of attendance may choose to file a "failure to send" complaint in the juvenile court. (Massachusetts General Law Title XII, Chapter 76, Section 2)
3. Following the twelfth (12th) unexcused absence, a second letter will be sent home to the parents/guardians notifying them of their child's attendance and a copy will be placed in the student's file. Parents/guardians may be asked to meet with school administration and/or guidance department at this time.
4. Between twelve to fifteen (12-15) absences the Attendance Officer may make phone contact or visit the home of the parent/guardians.
5. Following the eighth (8th) unexcused absence in one quarter, the Principal or designee may choose to file a Child Requiring Assistance (CRA) in the juvenile court to support the student in attending school. (Massachusetts General Law Title XVII, Chapter 119, Section 39 E&G)

STUDENT ABSENCES AND EXCUSES

Regular and punctual school attendance is essential for success in school. The Committee does recognize that parent/guardians of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the child.
4. For observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator.

A student's understanding of the importance of day to day school work is an important factor in the shaping of his/her character. Parent/guardians can help their children by refusing to allow them to miss school needlessly. Accordingly, parent/guardians will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable.

Student Absence Notification Program

Each Principal, by whatever title he/she may be known, will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal, by whatever title he/she may be known, or designee shall make a reasonable effort to meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

SOURCE: MASC Policy

LEGAL REFS.: M.G.L. 76:1; 76:1B; 76:16; 76:18; 76:20

SOURCE: MASC October 2014

Reviewed and Adopted May 14, 2014

Revised: April 14, 2015

TRUANCY AND ATTENDANCE

Information FOR PARENTS AND GUARDIANS

One of the keys to academic achievement is good attendance. Consistent participation in school and school-based activities is important for making a successful transition from youth to adulthood. Tardiness and truancy are the first indicators that a student may be experiencing stress or other difficulties in his or her life. Massachusetts laws pertaining to attendance are designed to protect children and ensure that they are safe and productive.

The following is a summary of some of the Massachusetts General Laws pertaining to attendance.

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, each school may have its own attendance policy with which parents/guardians should be familiar. 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 14 half day sessions within any six month period, the supervisor of attendance may file a criminal complaint in court against the responsible parent/guardian.

Notification and Contact Information

Chapter 76, section 1A of the Massachusetts General Law states that parents/guardians must be provided each year with the instructions for calling a designated phone number at a designated time to inform the school of the absence of a student and the reason for the absence. In addition, parents/guardians must provide the school with a home, work or other emergency telephone number so that they may be contacted during the school day so the school may call and inquire about said absence.

Inducing Absences

It is a crime to induce or attempt to induce a minor to miss school, or unlawfully to employ or to harbor a minor who should be in school.

Supervisor of Attendance

Chapter 76, section 19 of the Massachusetts General Laws states that each school committee must employ a supervisor of attendance. A supervisor of attendance has the power to apprehend and take to school any child who is truant and is required to investigate all cases where a child in the district fails to attend school.

CRA (Child Requiring Assistance) Application

Under Chapter 119 of the Acts of 2012, Governor Patrick signed an amendment into law that changes Children in Need of Services ("CHINS") to Families and Children Engaged in Services (FACES). This modification impacts schools with regard to the filing of FACES applications. A CRA (Child Requiring Assistance) application may be filed in court by a school district if a school-aged child who is "habitually truant," that is, who willfully fails to attend school for more than eight school days in a quarter, or who repeatedly fails to obey the lawful and reasonable regulations of his or her school. The Court's authority pursuant to a CRA petition includes the power to place the child in the custody of the state agency known as the Department of Children and Families.

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 18 for educational neglect if a child is not attending school on a regular basis.