



OFFICE OF THE DISTRICT ATTORNEY  
CONTRA COSTA COUNTY

*Mark A. Peterson*  
DISTRICT ATTORNEY

Dear

It has come to my attention that your child \_\_\_\_\_ has not been attending school, or there has been a pattern of excessive tardiness and/or absences. These absences are *not* excused and are considered trancies.

The California Education Code sections 48291—48293 give the District Attorney's Office the power to prosecute: "...any person, guardian, or other person having control or charge of any pupil who fails to comply with the compulsory full-time education requirements, unless excused or exempted." Under these sections, you could be prosecuted for failing to ensure that your child attends school. The fine ranges from \$100 to \$500 *per student*, and the court may also order you to be placed in a parenting education and counseling program.

You may also be subject to prosecution under Penal Code section 272, Contributing to the Delinquency of a Minor, if your child's truancy results in delinquent juvenile behavior. This misdemeanor carries a penalty of up to a year in county jail and/or a fine up to \$2500, and/or up to five years' probation.

Newly enacted in 2011, parents of K-8<sup>th</sup> graders may also be prosecuted under Penal Code section 270.1, Failing to Reasonably Supervise or Encourage Child's School Attendance. This statute carries a penalty of up to a year in county jail and/or a fine up to \$2000. The court has the discretion to permit a deferred-entry of judgment program after a guilty plea is entered, which could include periodic reviews in court and parenting classes.

In addition, as a result of failing to attend school, your child could be made a ward of the court pursuant to Welfare and Institutions Code section 601(b).

***It is important that you send your child to school every day. Willful violations of the law may result in a Citation, Complaint, or Warrant being issued for your arrest.*** If you have questions, please call your child's School Attendance Representative at (\_\_\_\_) \_\_\_\_\_.

Sincerely yours,

MARK A. PETERSON  
District Attorney  
Contra Costa County

Letter # 2

