

MESSALONSKEE SCHOOL DISTRICT (MSAD 47)

File: JHB

TRUANCY

Truancy is defined as the willful absence of a student from school without the consent or knowledge of the parents, guardians, or school authorities and/or absence without permission for reasons unacceptable to the school authorities. A student is habitually truant if the student is subject to the compulsory attendance law and has attained the equivalent of 10 full days of nonexcused absences or seven consecutive school days of nonexcused absences during a school year.

Under law, the Board is required to enforce the truancy laws of the state and to elect one or more persons to act as Attendance Coordinators. Attendance coordinators shall have the responsibility to inquire into all cases of unauthorized student absence, to report such cases to the Board as circumstances warrant, and to perform such other duties as the law requires.

Under Maine law, the Board elects an attendance coordinator who is professionally certified or registered in the mental health, social welfare or educational system and who is qualified to carry out the duties in accordance with state law and Department of Education rules. The Attendance Coordinator, when notified by the principal that a student's attendance is irregular, shall interview the student and the parents to determine the cause of the irregular attendance. The Coordinator shall file a written report to the Principal on each student referred to him/her and file an annual report with the Superintendent, summarizing school year activities, findings and recommendations regarding truants. The Attendance Coordinator will also serve as a member of the Dropout Prevention Committee.

Except for a first offense, all cases of truancy shall be reported and prosecuted as permitted by law. In case of a first offense, the student who has been judged truant shall be required to attend a conference with his parents or guardians and the principal of the school in order to analyze the cause of the truancy and prevent recurrence.

As required by law, the following procedure shall be followed when a student is habitually truant.

- A. If the Principal determines that a student is habitually truant, the Principal shall notify the Superintendent who shall first try to solve the problem informally. Informal attempts to correct the problem must include meeting with the student and the student's parents to identify possible causes of the habitual truancy and to develop a plan to implement solutions to the problem. If the initial meeting does not resolve the problem, the Superintendent/designee shall implement interventions that best address the problem including but not limited to the following.
 1. frequent communication between the teacher and the family
 2. changes in the learning environment
 3. mentoring
 4. student counseling
 5. tutoring, including peer tutoring

6. placement into different classes
7. evaluation for alternative education programs
8. attendance contracts
9. referral to other agencies for family services
10. other interventions including but not limited to referral to the student assistance team or dropout prevention committee

Failure of the student or the student's parents to appear at scheduled meetings does not preclude school administrators from implementing a plan to address a student's truancy.

- B. As part of correcting the problem informally, the Superintendent/designee shall require the student and his/her parents to attend one or more meetings with the student's teacher or other school personnel designated by the Superintendent. The purpose of the meeting(s) is to reinforce the plan referenced in Paragraph A or to develop an alternative plan. Such meetings may involve others including but not limited to case managers, therapeutic treatment providers, and representatives of the Department of Human services, the Department of Behavioral and Developmental Services, and the Department of Corrections. The Superintendent/designee shall schedule the meeting(s) at mutually convenient times.
- C. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee shall serve or cause to be served upon the parent in hand or by registered mail a written notice that the student's attendance is required by law. The notice shall:
 1. State that the student is required to attend school pursuant to 20-A M.R.S.A. §5001-A (the compulsory attendance law);
 2. Explain the parent's right to inspect the student's attendance records, attendance coordinator's reports, and principal's reports;
 3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A M.R.S.A. §5053-A and explain the possible penalties; [NOTE: The penalties are described in 20-A M.R.S.A. §5053-A and include a minimum \$25.00 fine; the court may also order a parent to take specific action to ensure the student's attendance including compliance with the plan developed in accordance with paragraph A of this policy, participation in a parent training class, attending school with the child, community service hours at the school, or participation in counseling or other service as appropriate.]
 4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of the habitual truancy statute.
 5. Outline the plan developed to address the student's habitual truancy and the steps that have been taken to implement that plan.

- D. Prior to notifying local law enforcement authorities, the Superintendent/designee shall schedule at least one meeting as required by law and Paragraph B of this policy.
- E. If after three school days after the service of the notice described in Paragraph C of this policy the student remains truant and the parent and student refuse to attend the meeting referred to in Paragraph D, the Superintendent/designee shall report the facts of the unlawful absence to local law enforcement authorities.
- F. When a student is determined to be habitually truant and in violation of the compulsory attendance law and the Superintendent/designee has made a good faith attempt to meet the requirements of Paragraph B of this policy, the Superintendent/designee shall notify the Board and local law enforcement authorities of the truancy. After this notification, a local law enforcement officer who sees the truant student may transport the student to the appropriate school if the truant student is off school grounds during school hours and not under the supervision of school personnel.

The Superintendent shall submit an annual report regarding habitual truancy to the Commissioner by October 1. The report must identify the number of habitual truants in the school administration unit in the preceding school year, describe the school unit's efforts to deal with habitual truancy; account for actions brought to enforce the habitual truancy law; and include any other information on truancy requested by the Commissioner.

Legal Reference: MRSA 20-A, Section 5001-A; 5051-A-5054

Cross Reference: JEA, Compulsory Attendance
JFC, Dropout Prevention Committee

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