

TRUANCY

Definition

A student is habitually truant if he/she is required to attend school or alternative instruction under Maine compulsory attendance law (20-A M.R.S.A. § 5001-A) and he/she:

- E. Has completed grade 6 and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or
- E. Is at least 7 years of age and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered "child abuse and neglect" under Maine law and is reportable to the Department of Health and Human Services.

Attendance Coordinators

The Board will appoint one or more attendance coordinators in accordance with state law.

Truancy Procedure

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

- A The building administrator, upon determining that a student is truant under Definition, shall notify the Superintendent within 5 school days of the last unexcused absence.
- B A student who is determined to be truant shall be referred by the Superintendent/designee to the school's student assistance team within 5 school days.
- C The student assistance team shall meet and determine the cause of the truancy and assess the impact of the student's past and possible future absences on the student. If it is determined that the absences have a negative effect, the student assistance team shall develop an intervention plan to address the student's absences and any negative effects.

The intervention plan may include, but is not limited to:

1. Frequent communication between the teacher(s) 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. Consideration of multiple pathways of learning as allowed by law,

8. Attendance contracts,
9. Referral to other agencies for family services, and
10. Other interventions including but not limited to referral to the school attendance coordinator, student assistance team, or dropout prevention committee.

The plan should also address how future absences of the student will be dealt with; the timeline for particular activities; and periodic reports to the Superintendent on the student's progress in complying with the plan

D The student and his/her parents/legal guardians shall be invited to attend any meetings scheduled to discuss his/her truancy and the intervention plan. Failure of the student or the student's parent(s)/legal guardians to attend any scheduled meetings shall not preclude school administrators from implementing a plan to address a student's truancy.

E If the intervention plan does not correct the student's truancy, the Superintendent/designee will serve or cause to be served upon the parent(s) 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 will jeopardize the student's status in his/her current grade;
4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A M.R.S.A. § 5053-A and, if the violation falls under I.B.2 may notify the Department of Health and Human Services; and
5. Outline the plan developed to address the student's habitual truancy and the steps that have been taken to implement that plan.

F Prior to notifying local law enforcement authorities, the Superintendent/designee will schedule at least one meeting of the student assistance team as required in C above and may invite a local prosecutor.

G 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(s) and student refuse to attend the meeting referred to in paragraph D, the Superintendent/designee will report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may

proceed with enforcement action unless the student is at once placed in an appropriate school or otherwise meets the requirements of the compulsory attendance law.

- H When a student is determined to be habitually truant and in violation of the compulsory attendance law and the student assistance team has made a good faith attempt to meet the requirements of paragraph C of this policy, the Superintendent/ designee will notify the Board of the truancy

Annual Report to Commissioner

The Superintendent will submit an annual report regarding habitual truancy to the Commissioner by October 1. The report must identify the number of truants in the school administrative unit in the preceding school year; describe the school department's efforts to deal with truancy; account for actions brought under the habitual truancy law; including the number of truants referred to the student assistance team; and include any other information on truancy requested by the Commissioner.

Legal Reference: 20-A MRSA §§ 5001-A; 5051-A-5054-A

Cross Reference: JEA - Compulsory Attendance
JFC - Dropout Prevention-Student Withdrawal from School
JLF - Reporting Child Abuse and Neglect

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