

Truancy

TRUANCY DEFINED

A student is truant if he/she is required to attend school or alternative instruction under Maine compulsory attendance law (20-A MRSA 5001-A) and he/she:

- A. 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
- B. 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.

ATTENDANCE COORDINATORS

In accordance with Maine law, the program director shall appoint one or more attendance coordinators. The duties of the attendance coordinator include, but are not limited to:

- A. Interviewing a student whose attendance is irregular and talking with the student and parents to determine the cause of the irregular attendance and filing a written report with the program director;
- B. Filing an annual report with the program director summarizing school year activities, findings and recommendations regarding truants;
- C. Serving as a member of the dropout prevention committee; and
- D. Serving as a liaison between the school and the local sending school district in matters pertaining to student absenteeism under Maine law.

TRUANCY PROCEDURES

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

- A. The program director, upon determining that a student is truant, shall notify the executive director of the student's truancy within five school days of the last unexcused absence.
- B. Within five school days of notification, the program director will notify the student's sending district that the student has been determined to be truant.
- C. The school of placement and the sending school will meet to determine the cause of the truancy and assess the effect of the student's absences, as well as any future absences for the student. If it is determined that a negative effect exists, the team

shall develop an intervention plan to address the student's absences and the negative effect of these absences.

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

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; and
10. Other interventions including but not limited to referral to the school attendance coordinator

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

- D. The student and his/her parents/guardians shall be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan.
- E. If the program director is unable to correct the student's truancy, the director shall 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 student is required to attend school pursuant to 20-A MRSA SS 5001-A (the compulsory attendance law);
 2. Explain the parent's rights to inspect the student's attendance records, attendance coordinator's reports, and any other pertinent documentation;
 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 MRSA SS 5053-A and will jeopardize the student's status in the grade he/she is in;
 4. State that the executive director may notify local law enforcement authorities of a violation of 20-A MRSA SS 5053-A and the Department of Health and Human Services (DHHS) of a violation under 20-A MRSA SS 5051-A(1)(C); and
 5. Outline the plan developed to address the student's truancy and the steps that have been taken to implement that plan.

- F. Prior to notifying local law enforcement authorities, the program director shall schedule at least one meeting of the IEP team as required by law and paragraph B of this policy and may invite a local prosecutor.

- G. If after three school days after the service of the notice described in paragraph E of this policy the student remains truant and the parent(s) and student refuse to attend the meeting referred to in paragraph F, the program director shall report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may proceed with enforcement action against the parent 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 truant and in violation of the compulsory attendance law, and the IEP team has made a good faith attempt to meet the requirements.

ANNUAL REPORT

The program director shall submit an annual report regarding truancy to the sending school districts by October 1. The report must identify the number of truants from their districts in the preceding school year; describe the school's efforts to deal with truancy; account for actions brought to enforce the truancy law; and include any other information on truancy requested by the sending districts.

Legal Reference: 20-A MRSA SS 5001-A; 5051-A; 5054-A
 22 MRSA SS 4002