

Truancy

Truancy Defined

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

- 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 Superintendent must appoint one or more attendance coordinators. The duties of the attendance coordinator(s) include, but are not limited to:

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

Truancy Procedures

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

- A. The Principal, upon determining that a student is truant, must notify the Superintendent of the student's truancy within five school days of the last unexcused absence.
- B. Within five school days of notifying the Superintendent, the Principal must refer the student who has been determined to be truant to the school's student assistance team.

- C. The student assistance team must 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 student assistance team must 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, student assistance team, or dropout prevention committee.

Failure of the student or the student's parent(s)/guardian(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 the student's parents/guardians must be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan.
- E. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee must serve, or cause to be served upon the parent(s)/guardian(s), in-hand or by registered mail, a written notice that the student's attendance is required by law. The notice must:

1. State that the student is required to attend school pursuant to 20-A M.R.S. §5001-A (the compulsory attendance law);
 2. Explain the parent(s)/guardian(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. §5053-A and will jeopardize the student's status in the grade the student is in;
 4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A M.R.S. §5053-A and the Department of Health and Human Services (DHHS) of a violation under and 20-A M.R.S. §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 Superintendent/ designee must schedule at least one meeting of the student assistance team as required by law and paragraph B of this policy and may invite a local prosecutor.
- G. If three school days after the service of the notice described in paragraph E, the student remains truant and the parent(s)/guardian(s) and student refuse to attend the meeting referred to in paragraph F, the Superintendent/designee must 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.

The Superintendent must submit an annual report regarding truancy to the Commissioner by October 1. The report must identify the number of truants in RSU 40 in the preceding school year, describe RSU 40'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 Commissioner.

Legal Reference: 20-A M.R.S. §§4710; 5001-A; 5051-A-5054-A
22 M.R.S. §4002

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

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