

TRUANCY

1. TRUANCY DEFINED

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

- A. Have completed grade 6 and have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or
- B. Are at least 6 years of age and have not completed grade 6 and have 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 (DHHS) when the truancy is the result of neglect by a person responsible for the child; or
- C. Are at least 5 years of age and have been voluntarily enrolled in school; have not completed grade 6. Such a child will be considered truant if they have 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 (DHHS) when the truancy is the result of neglect by a person responsible for the child.

2. ATTENDANCE COORDINATORS

In accordance with Maine law, the Superintendent shall appoint one or more attendance coordinators.

3. TRUANCY PROCEDURES

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

- A. The principal, upon determining that a student is truant under Section 1, shall notify the Superintendent of the student’s truancy within five school days of the last unexcused absence.
- B. Within five school days of notification, the Superintendent/designee will refer the student who has been determined to be truant to the school’s student assistance team.

C. The student assistance team 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 student assistance 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 are 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 their parents/guardians shall be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan. Failure of the student and/or their parents/legal guardians to attend any scheduled meetings shall not preclude the school from implementing an intervention plan.

E. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee shall send written notice to the parent that the student's attendance is required by law. The Superintendent may make 2 documented attempts to serve (or cause to be served) the notice by certified mail. The notice shall:

1. State that the student is required to attend school pursuant to 20-A MRSA §5001-A (the compulsory attendance law);
2. Explain the parent/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 MRSA § 5053-A and will jeopardize the student's status and current grade;
4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A MRSA § 5053-A and, if the violation falls under Section 1.B.2 or B.3, must notify the Department of Health and Human Services; 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 shall schedule at least one meeting of the student assistance team as required by law and Section 3.C above and may invite a local prosecutor.

G. If after three school days after the 2nd attempted service of the notice described in Section 3.E of this policy the student remains truant and the parent/guardian(s) and student refuse to attend the meeting referred to in Section 3.D, the Superintendent/designee 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.

ANNUAL REPORTS

The Superintendent shall submit an annual report regarding truancy to the Board by October 1. The report will identify the number of students who are truant in the school administrative unit in the preceding school year, efforts currently underway to address truancy, and any other information requested by the Board.

The Superintendent shall submit an annual report regarding truancy to the Commissioner of Education by October 1. The report must identify the number of students who are truant in the school administrative unit in the preceding school year; describe the school unit'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 MRSA §§ 5001-A; 5051-A-5054-A
22 MRSA §§ 4002(1); (6)(B-2)

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

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