

Truancy

A student, age seven to 17 years old, is habitually truant under state law if he or she:

- 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.

The Board shall appoint one or more attendance coordinators who shall hold the qualifications and perform the duties specified by state law.

The following statutory procedure shall be followed when a student is habitually truant.

- A. If the principal and the attendance coordinator determine that a student is habitually truant, the principal shall inform the Superintendent.
- B. The Superintendent shall first try to correct the problem informally by asking the student's parents to attend a series of meetings with their child's teacher or other school personnel designated by the Superintendent. The purpose of the meetings is to describe the education program to the parents and explain the value of their child attending an educational program, including but not limited to school, adult education, a high school equivalency degree program and other alternative education programs. The Superintendent shall arrange meeting times convenient to the parents.
- C. If the principal and the attendance coordinator are unable to correct the problem, the Superintendent shall refer the matter to the Board along with the reports of the attendance coordinator and the principal, and any other useful information.
- D. The Board shall call a hearing and shall notify the student's parents in writing at least seven days' in advance of the date and time of the hearing; the purpose of the hearing; the parents' right to inspect the student's attendance records; and the necessity of the parents' and student's attendance at the meeting.

If the Board determines that the student is habitually truant, it shall either:

- instruct the student to attend school as required by the compulsory attendance law (20-A M.R.S.A. § 5001-A) and advise the parents of their responsibility under the law to assure the student's attendance; or
- waive the requirements of the compulsory attendance law if the student is 15 years of age or older.

A parent may appeal to the Commissioner of Education if the Board denies a student who is habitually truant and at least 15 years old a waiver of the compulsory attendance law.

When a student is determined by the Board to be habitually truant and in violation of the compulsory attendance law and the Superintendent has made a good faith attempt to correct the problem informally, the Superintendent may notify the local law enforcement department of the Board's decision. After this notification, a local law enforcement officer who sees a truant may offer to transport said truant to the appropriate school as provided by law.

Legal Reference: 20-A MRSA §§ 5001-A; 5051-5054 Chapter 125 (Maine Department of Education Rules)

Cross Reference: JEA – Compulsory Attendance Ages
JFC – Dropout Prevention Committee

First Reading: August 11th, 2003

Second Reading: September 8th, 2003

Adopted: September 8th, 2003