

The Legal Consequences of Truancy

If a student continues to truant after all less restrictive interventions have been tried, the matter will be referred to the Washington County Attorney's Office to determine what action should occur. At this point, the parent or guardian can be criminally charged if they have not compelled their child's attendance. The student can be petitioned as a child in need of protection or services based on truancy. The judge has the authority to administer a variety of consequences or dispositions.

- A child may lose their driving privileges until he or she is 18 years old.
- A child can be placed on probation.
- A child can be ordered to attend a school chosen by the court.
- A child can be ordered to undergo evaluation and treatment for chemical dependency or mental health issues.
- A child can be assigned community work service hours.
- A child can be put on house arrest and cannot leave the residence unless at school or with a parent.
- A child can be removed from their home and placed in shelter or foster care or a short term residential facility.
- The court can impose any other services or activities that it deems appropriate.

Tips to Improve School Attendance

- Tell your children that their education is important to you.
- Have a set bedtime and morning routine that includes breakfast.
- Communicate with the school; make sure you know the school's attendance policy and advocate for them at school.
- Set the expectation that your children complete their homework every day.
- Help you child with their school work or find someone who can.
- Buy your child an alarm clock.
- Do not enable your child's illegal behavior by calling the school to cover for their illegitimate absence.
- If you child does not want to attend, ask why and help them resolve the barriers.
- Set clear expectations for the child; establish a set curfew.
- Seek out help for any issues that may be interfering with his/her attending school, such as mental health, chemical health or peer issues.



School Attendance Intervention Program
Washington County Community Services
14949 62nd St. N., P.O. Box 30
Stillwater, MN 55082
Phone: 651-430-6523 • Fax: 651-430-8340
www.co.washington.mn.us

WCCS-71040-35 (8-08)



School Attendance Intervention Program

Truancy Services

Phone: 651-430-6523
Fax: 651-430-8340
www.co.washington.mn.us

School Attendance: It's the Law

Minnesota State Statute requires that children attend school. *Truancy is a violation of Minnesota state law.* The parents, school, and community are all partners in working toward the goal of school attendance and educational success.

Education is as essential as food, clothing and shelter in a child's life. Parents should send their children to school to improve the children's quality of life.

The law also mandates that parents compel their children to attend school. Children cannot independently "drop out" of school. Truancy and poor attendance are the primary reason students fail to graduate on time.

The most far reaching consequences for truancy are not the court sanctions. Children who do not attend school are more likely to become involved in delinquent and ultimately criminal behaviors. These young people are severely limiting their opportunities and truancy can be the beginning of a lifetime of problems.



Definitions

A student is required to attend school each and every day and each and every class period. If they miss a school day or part of the day, for legitimate reasons, a parent or guardian must notify the school.

Examples of excused absences include:

Family emergency
Medical or mental health appointments
Religious holidays
Sickness (a doctor note may be required)

Examples of unexcused absences:

Babysitting
Cold weather
Child is not immunized
Employment
Missing the bus
Need for sleep or rest
Not in assigned location while at school

Continuing Truant:

3 unexcused absences on 3 or more days

Habitual Truant:

1 or more unexcused absences
on 7 or more days

The Responsibility of the School

- Provide a program/schedule that meets the student's educational needs.
- Address problems identified as barriers to the child's ability to attend and learn.
- Maintain accurate attendance records and document communication with the students and parents/guardians about attendance.

Program Description

The law is "designed to provide a continuum of intervention and services to support families and children in school and in combating truancy."

At *three unexcused absences*, the school is legally required to notify the parent or guardian that the child is a "*continuing truant.*"

Parents and students are invited to attend an *Attendance Intervention Meeting (AIM)* presented by the Washington County Attorney's Office and the County Truancy Social Workers, which outlines the laws regarding school attendance, the diversion process, potential legal consequences as well as recommended actions to address the truancy issues.

If the child has *seven unexcused absences*, they are then considered "*habitually truant.*" Allowing for a margin of error in attendance records, the school is required to report that the student is in violation of the compulsory attendance laws after ten unexcused absences. At this level, one final intervention is attempted.

A County Truancy Social Worker arranges a formal meeting between the school, parents, and child. This meeting occurs in lieu of court, in final efforts to compel the child to attend school. An attendance contract is established with the child and he or she is placed under supervision to attend school.

Significant consequences can occur at this level and appropriate service referrals are made.