

School Attendance and the Law

Information of Truancy and the Consequences Skipping School

Crookston School District 593

218-281-5313

Highland, 281-5600

Washington, 281-2762

Polk County Social Services

218-281-3127

Tri-County Community Corrections

218-470-6076

Polk County Attorney's Office

218-281-4345

SCHOOL ATTENDANCE -IT IS THE LAW

Minnesota State Statute requires that children attend school. For students under the age of 12, it is presumed that it is a parental responsibility to ensure the child's attendance. Between the age of 12 and through the 17th year, it is primarily the students responsibility (with support from the parents), to get to school on a daily basis. The law mandates that parents compel their children to attend school. There are potential legal penalties if a parent fails to do so.

Children who are age 16 and 17 cannot independently "drop out" of school. They must be lawfully withdrawn from school by their parent or guardian.

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

Examples of excused absences include:

- Sickness
- Medical or mental health appointments
- Religious holidays
- Family emergency

Examples of unexcused absences:

- Missing the bus
- Employment
- Need for sleep or rest
- Babysitting

If a student is absent without lawful excuse on all or part of three or more school days, they are considered to be a continuing truant. Truancy is a violation of Minnesota State Law.

TRUANCY INTERVENTION SERVICES

The parents, school, and community are all partners in working toward the goal of regular school attendance and educational success. The law is “designed to provide a continuum of interventions and services to support families and children in school and in combating truancy and educational neglect.”

* When a child has had **one or two unexcused absences**, the school will begin the initial interventions. These may include a contact with the parent, and detention for the student.

* At **three unexcused absences**, the school is legally required to notify the parent or guardian that the child is “continuing truant”. The letter is usually sent outlining potential legal consequences, and recommended action for the parent.

* If the child has **seven unexcused absences**, the school is legally required to notify the parent or guardian that the child is a “continuing truant” The school is required to report that the student is in violation of compulsory attendance laws. At this level, one final intervention is attempted: A county 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. A contract is established with the child, and he or she is placed under supervision to attend class. Significant consequences can occur at this level and appropriate service referrals are made.

Please contact your child’s principal or family service specialist if you need help or resources in getting your child to school on time every day!

CONSEQUENCES AND COURT ACTION

If a student continues to be truant after all less restrictive interventions have been tried, the matter will be referred to the Polk County Attorney's Office to determine what action should occur. The court may be petitioned to determine if the child is in need of protection or services based on truancy. The judge has the authority to administer a variety of consequences or dispositions, which can include the following:

A child can be placed on probation while remaining in his or her own home and school.

A child can be assigned community work service hours.

A child can be removed from the home and placed in shelter or foster care, or a short-term residential facility.

A child may lose driving privileges until he or she is 18 years old.

The court can order that the child or family complete any necessary evaluations, treatment, and counseling services.

The parent or guardian can be legally charged, and receive a fine or jail sentence, if they have NOT compelled their child's attendance.

Truancy can be the beginning of a lifetime of problems.

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 educational and future employment opportunities.

You are not alone. Many families are concerned about school attendance, and help is available.

FIVE STRATEGIES TO ENCOURAGE SCHOOL ATTENDANCE

- 1) Let your child know that you value education. Insist they go to school every day.
- 2) Talk with your child about school. Is your child struggling with schoolwork, classmates, or other problems? Ask how you can help.
- 3) Discuss your concerns with your child's teachers. Ask them to help you to help your child succeed.
- 4) Does your child need a tutor or assessment for special services? Ask for referrals to community programs or counseling services.
- 5) Get to know your child's friends and their families.

WHAT CAN PARENTS DO?

Talk to the staff at your child's school:

Teachers, principals, counselors, and family service specialists at the school may be able to help you understand why your child is truant. Visit the school, if possible, to better understand what's going on with your child's day.

Ask the school staff how they can help:

The school offers extra programs and services that may help your child with attendance.

Reach out to the other family members and friends:

They may have information or ideas that can help.

Connect with professionals for advice:

Request your child's school attendance records.

Ask the school to contact you immediately if your child is absent without a valid excuse.

Periodically check in with your child's teachers to find out how things are going for your child.