

## Jackson County Intermediate School District Procedures for Referral to County Attendance Officer

### Introduction:

Regular attendance is critical in the development and learning of all students. Research shows students with chronic absenteeism have lower grades and are more likely to drop out than students with better attendance. Truancy is not only detrimental to student success, but is also detrimental to our community as truancy is one of the most powerful predictors of delinquent and criminal activity. Truancy is often a symptom of a multitude of social justice issues including poverty, homelessness, delinquency, and mental health issues.<sup>1</sup> The role of the county attendance officer is to supplement the efforts of local school districts in enforcing the Compulsory School Attendance Law.

### Michigan Compulsory Attendance Law:

The law in Michigan governing compulsory attendance requires a parent, legal guardian, or other person having control or charge of a child age six to sixteen to send the child to school during the entire school year, except under the limited circumstances specified in subsection (3) of section 380.1561. **A child who was age eleven on or after December 1, 2009 or who was age eleven before that date and entered grade 6 in 2009 or later shall attend school from age six to eighteen.** The exceptions include, but are not limited to, sending the child to a state-approved, nonpublic school or educating the child at home in an organized educational program. Although the compulsory school attendance law does not apply to children under the age of six, a child who is at least five years of age by December 1 of the school year and is a resident of a school district which provides kindergarten work is entitled to enroll in the kindergarten [MCL 380.1147].

### Definitions: <sup>2</sup>

- **Chronically absent:** A student is considered chronically when they are absent for 10% or more of the enrolled school days in a school year, whether absenteeism is due to unexcused, excused, or disciplinary absences. For example, missing 18 days in the entire school year.
- **Disciplinary absence:** Absences that result from school or district disciplinary action.
- **Excused absence:** includes the following:
  - Student illness/injury with doctor's note
  - Medical appointments
  - Religious holidays
  - Extreme family emergencies
  - Lice (3 days)
  - Funeral/death in family
  - Mandated court appearances (documented)

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<sup>1</sup> Attendance Works- <http://www.attendanceworks.org/>

<sup>2</sup> Proposed Amendments to Truancy/Chronic Absenteeism Laws  
Office of the Prosecuting Attorney Letter- Jerard Jarzynka

- Placement by Juvenile Court in detention, shelter care, foster care or residential placement.
- Educational opportunities approved by school officials
- Homelessness
- **Unexcused absence:** any absence not accounted for above, examples of unexcused absences include, but not limited to:
  - Staying home to baby-sit
  - Overslept
  - Travel
  - Needed at home
  - Weather
  - Missed bus
  - Child is not immunized
  - Sickness (not documented)
  - Willful truancy (skipping)
- **Truancy:** A child is considered truant when he/she has ten (10) or more unexcused absences per school year.
- **Tardy/Late Absences** A student who enters a classroom after the bell is considered tardy, unless excused. Tardy students not only miss learning time, but also interrupt the learning of other students in class.

**Local School District Procedure:**

Prior to making a referral to the county attendance officer, it is necessary that school districts utilize all resources and make every effort to resolve students' attendance issue.

1. Determine the existence of an attendance problem.
2. Make initial contact with parent/guardian and the child to discuss the issue.
3. School administrator and/or counselor will conference with parents/guardians and the child to discuss concerns, consider barriers, and create a plan to improve student's attendance/overcome barriers.
4. Utilize resources within school as appropriate.
  - School counselor, social worker, psychologist, and special education services.
5. Refer to appropriate outside community agency
  - Do'Chas, Lifeways, Early Truancy Intervention, Childcare Network, Family Services and Children's Aide, Catholic Charities.
6. If the school has attempted steps 1-5 and attendance still has not improved, then a referral to the attendance office is appropriate.

**County Attendance Officer Procedure:**

The attendance office will employ the following procedure based on the severity of attendance problem. While these procedures are listed in order, in some cases certain procedures may be by-passed to ensure timely intervention.

1. Attendance Officer receives completed referral form, determines if local school district procedures have been followed and that referral is appropriate.
2. Attendance Officer attempts phone contact.
3. Attendance Officer sends formal notice to parents, and a copy is sent to the school. The letter serves as a notice to schools that the case is active with the attendance office and explains legal consequences for on-going truancy.
  - a. The school is to send the attendance office updates on student's attendance weekly.
4. Attendance Officer will attempt to schedule a meeting with the family as the final attempt to assist family in resolving attendance problems.
5. If attendance still does not improve, appropriate petition to court is filed.
  - a. Educational neglect petition is filed against the parent(s) of a youth aged 6-11 who is considered truant.
  - b. Truancy petition is filed for a youth aged 12-18 who is considered truant.

### **Juvenile Court Procedure:**

#### Truancy Petition

1. Prosecutor's Office authorizes petition.
2. If this is youth's first offense the Youth Services Director holds a diversion conference.
  - a. Youth receives MAYSI assessment.
  - b. Youth referred to diversion program/mental health counseling as appropriate.
3. If youth has prior offenses then an Inquiry Hearing is scheduled.
  - a. Youth is assigned a probation officer through the Court Referee.
    - i. Completes informal probation and released on Consent (no record)
    - ii. Youth is adjudicated and requires formal probation (goes on their record).

#### Educational Neglect Petition

1. Parent is referred to Child & Parent Center for home visit/assessment.
2. Formal hearing.