

TRUANCY & ATTENDANCE UPDATES

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MICHIGAN SCHOOL ATTENDANCE LAWS

- Compulsory School Attendance Law
- Probate Code—gives authority to court in proceedings concerning juveniles under 17 who willfully miss school
- Probate Code—gives authority to court in proceedings concerning juveniles under 18 whose parent neglects necessary education (educational neglect)



COMPULSORY SCHOOL ATTENDANCE

- MCL 380.1561-1599, applicable sections of the Revised School Code
 - [http://www.legislature.mi.gov/\(S\(o2iz2euqkxhdxrsushstlq0a\)\)/mileg.aspx?page=GetObject&objectname=mcl-380-1561](http://www.legislature.mi.gov/(S(o2iz2euqkxhdxrsushstlq0a))/mileg.aspx?page=GetObject&objectname=mcl-380-1561)
 - Requires kids to be in school from age 6-18, with some exceptions
 - Lists duties and responsibilities of districts, attendance officers
- Explanatory document with references to law sections (good to send people)
 - http://www.michigan.gov/documents/mde/compulsory_attendance_257944_7.pdf

3

PROBATE CODE

- Gives authority to court in proceedings concerning juveniles under 17 who willfully miss school
 - MCL 712A.2(a)(4)
 - <http://legislature.mi.gov/doc.aspx?mcl-712A-2>
 - (4) The juvenile willfully and repeatedly absents himself or herself from school or other learning program intended to meet the juvenile's educational needs, or repeatedly violates rules and regulations of the school or other learning program, and the court finds on the record that the juvenile, the juvenile's parent, guardian, or custodian, and school officials or learning program personnel have met on the juvenile's educational problems and educational counseling and alternative agency help have been sought. As used in this sub-subdivision only, "learning program" means an organized educational program that is appropriate, given the age, intelligence, ability, and psychological limitations of a juvenile, in the subject areas of reading, spelling, mathematics, science, history, civics, writing, and English grammar.
- Gives authority to court in proceedings concerning juveniles under 18 whose parent neglects necessary education (educational neglect)
 - MCL 712A.2(b)(1)(A)
 - <http://legislature.mi.gov/doc.aspx?mcl-712A-2>
 - (1) Whose parent or other person legally responsible for the care and maintenance of the juvenile, when able to do so, neglects or refuses to provide proper or necessary support, education, medical, surgical, or other care necessary for his or her health or morals, who is subject to a substantial risk of harm to his or her mental well-being, who is abandoned by his or her parents, guardian, or other custodian, or who is without proper custody or guardianship. As used in this sub-subdivision: (A) "Education" means learning based on an organized educational program that is appropriate, given the age, intelligence, ability, and psychological limitations of a juvenile, in the subject areas of reading, spelling, mathematics, science, history, civics, writing, and English grammar.

4

TRUANCY VS. CHRONIC ABSENTEEISM

- Truancy generally refers to “unexcused” absences
 - States have different definitions, may include whole days or tardiness
 - Within Michigan, districts have different definitions
 - Fixing the problem often handled by assistant principals, school counselors, engagement officers, etc. or by attendance officers and/or the legal system

5

TRUANCY VS. CHRONIC ABSENTEEISM

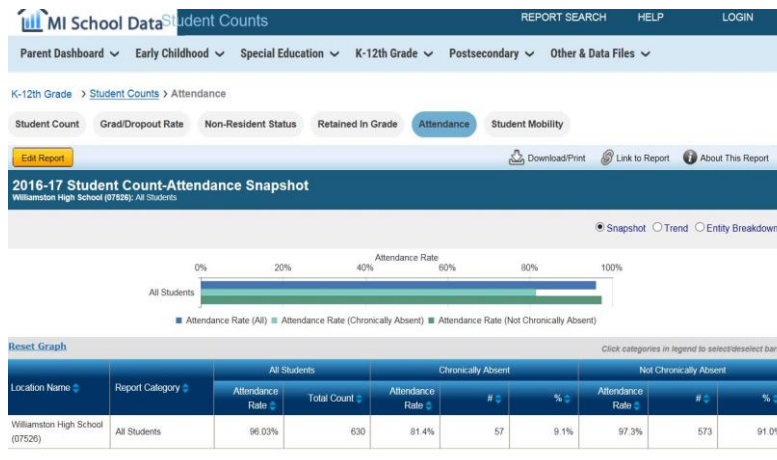
- Chronic Absenteeism Federal Definition: missing 10 percent of school days within one academic year for any reason
 - 2015 ESSA requires states to report chronic absence data and allows federal spending on training to reduce absenteeism
 - Prior to 2017-2018, a student was counted as absent only if they missed a full day of school. Starting 2017-2018, that criteria was changed so that students are counted as absent if they miss more than 50% of the school day
 - How Michigan Schools are tracking: a.m. and p.m. attendance (elementary)
 - MI School Data tracks this: www.mischooldata.org (next slides)

6

CHRONIC ABSENTEEISM

7

CHRONIC ABSENTEEISM



8

CHRONIC ABSENTEEISM

MI School Data Student Counts REPORT SEARCH HELP LOGIN

Parent Dashboard ▾ Early Childhood ▾ Special Education ▾ K-12th Grade ▾ Postsecondary ▾ Other & Data Files ▾

K-12th Grade > Student Counts > Attendance

Student Count Grad/Dropout Rate Non-Resident Status Retained In Grade **Attendance** Student Mobility

Edit Report About This Report

What It Means

The **Attendance** report shows the aggregate attendance rates for all students, chronically absent students, and not chronically absent students for the selected location.

Research shows that regular attendance is critical to student success. This report can give an overview of attendance rates for all students in the state, or highlight if certain grade levels or certain demographics are more often chronically absent. The data used for this report do not differentiate between excused and unexcused absences, and therefore do not reflect truancy rates.

Historically, the State of Michigan had defined students as chronically absent if they missed more than 10 days of school within a given school year. In 2017, the U.S. Department of Education adopted the definition of chronically absent as students who miss 10 percent or more days, including only students who were enrolled in a district for at least 10 consecutive days. The Attendance report reflects that definition beginning with school year 2015-16. The historic definition of 10 days or more missed will remain for years prior, and will appear under the Chronically Absent columns of the data table. When viewing the trend chart in this report, there will be a break between school years 2014-15 and 2015-16 to illustrate this methodology change.

Prior to school year 2017-18, a student was counted as absent only if they missed a full day of school. Beginning with school year 2017-18, that criteria was changed so that students are counted as absent if they miss more than 50 percent of the school day. This aligns with *Every Student Succeeds Act* requirements. For details on this reporting, exemptions and other information, please see the Michigan Student Data System (MSDS) Collection Details Manual on the Center for Educational Performance and Information (CEPI) website.

The data in this report reflect the attendance data reported by districts collected by CEDS in the MSDS, which is a web-based data collection application. Districts report the total

Why It Matters

About the Data

9

PENDING LEGISLATION*

- SB 103 amends suspension/expulsion law, MCL 380.1311 and compulsory school attendance law, MCL 380.1561
<http://legislature.mi.gov/doc.aspx?2017-SB-0103>
- SB 104 amends truancy law, MCL 380.1586
<http://legislature.mi.gov/doc.aspx?2017-SB-0104>
- SB 105 amends school safety, incident data reporting law, MCL 380.1310a <http://legislature.mi.gov/doc.aspx?2017-SB-0105>
- SB 106 amends juvenile court jurisdiction law, MCL 712A.2
<http://legislature.mi.gov/doc.aspx?2017-SB-0106>
- Passed Senate 5/18/17, in House Committee

*The information on this slide thanks to Carolyn Claerhout of Oakland Schools

10

TRUANCY & ATTENDANCE ORGANIZATIONS

- School-Justice Partnership www.school2prison.com
- Pathways 2 Potential www.michigan.gov/mdhhs/0,5885,7-339-71551_69890---,00.html
- Attendance Works www.attendanceworks.org
- National Dropout Prevention Center www.dropoutprevention.org
- National Center for School Engagement www.schoolengagement.org

11

TRUANCY-RELATED ISSUES & TOPICS

- Cyber Schools
- School Board Drop-policies (after 10 days)
- Head Lice
- Schools of Choice
- Homeschool
- DHHS
- Beginning of year no-show students
- Human Trafficking
- Courts
- Anxiety & Mental Health
- Homelessness & Poverty
- Restorative Justice
- “Handle With Care” programs

12

CYBER SCHOOLS

- Who handles the truant student? ISD Attendance Officer (AO) for county of residence or ISD AO for county where school located?
- What happens when cyber schools don't report truant students?
- What happens when truant students drop out of a traditional school and enroll in a cyber? Or cyber to cyber? Or cyber to traditional? How are they tracked, and who is tracking them?
- How is "attendance" measured, tracked, and reported? "Participation?"
- Some cyber schools have their own truancy officers

13

DHHS

- Child Protective Services (CPS) Doesn't take referrals based on truancy alone.
- Family Independence Program (FIP): "Dependent children ages 6-17 must attend school full-time." from the DHHS *Bridges Eligibility Manual*
 - <https://dhhs.michigan.gov/OLMWEB/EX/BP/Public/BEM/245.pdf>
 - How can we report this? Do we want to report this? Are we supposed to report this?
- Pathways to Potential in Schools: targets five outcome areas—attendance, education, health, safety and self-sufficiency.

14

CHARTER SCHOOLS

- Wide variation among charter schools, both cyber and brick and mortar.
- Difficulty tracking the truant students, sometimes transient, back and forth.
- What happens when charter schools don't make referrals to attendance officers?
 - Contact Management Company
 - Contact Charter School Authorizer

15

SCHOOL BOARD DROP POLICIES

- Some school boards have their own 10-day “drop” policy that is not a pupil accounting requirement or law.
- Is it appropriate to drop a student? What if no records request is subsequently ever received? Is the school where the student was last enrolled responsible for reporting truancy?
- Is the drop policy being carried out uniformly?
- Implications for court proceedings

16

HEAD LICE

- **MDE has a Head Lice Manual**
https://www.michigan.gov/documents/Final_Michigan_Head_Lice_Manual_106828_7.pdf
 - Any student with live lice (or nits within one quarter inch of the scalp) may remain in school until the end of the school day (see recommended procedures, page 23). Immediate treatment at home is advised. The student will be readmitted to school after treatment and examination. If, upon examination, the school-designated personnel find no live lice on the child, the child may reenter the school.
 - Any student with nits (farther than one quarter inch from scalp) should be allowed in school.
 - Parents should remove nits daily and treat if live lice are observed.
- **Lice-Freee, (yes, it's spelled that way) a non-toxic, homeopathic product using a naturally occurring mineral, sodium chloride (salt) to kill head lice and eggs.**
 - Free samples for schools
 - 97% effective with one treatment
 - www.licefreee.com

17

SCHOOLS OF CHOICE

- **Can a school drop a schools of choice student for non-attendance? If board policy allows for dropping a resident student for non-attendance, the district can also drop the SOC student—policy has to be carried out uniformly and fairly for all students, resident or not. The SOC student has to be allowed to re-enroll, assuming there was no expulsion or enrollment in another district.**
- **Who handles the truant student? The ISD where the educating school is located, or the ISD in the county where the student lives?**
- **Cooperation with other ISD truant officers and county court systems**

18

HOMESCHOOL

- What happens when a parent withdraws student to homeschool? (Often conveniently after truancy proceedings initiated by school.)
- Can we initiate court proceedings against a homeschool student?
- Encourage schools to have parent fill out homeschool withdrawal form (though not required by law)

19

BEGINNING OF YEAR NO-SHOW STUDENTS

- Several districts and AOs say to call every parent and person on the emergency contact list. “Grandma always knows where the kid is.”
- Send letter(s)
- Send local law enforcement to do a well-child check
- Refer to local AO, depending on ISD policy. If AO is also pupil accounting auditor, can sometimes use MSDS to locate student and confirm enrollment elsewhere.
- Sample of KENT ISD “No-Show” letter

20

HUMAN TRAFFICKING

- Definition—this age group and area, generally sex trafficking, not labor. From NCMEC’s website, it involves “recruitment, harboring, transportation, provision, obtaining, or advertising of a minor child for the purpose of a commercial sex act.”
- Signs that a child may be engaged in human trafficking
 - http://www.missingkids.com/content/dam/ncmec/en_us/documents/CST-Resource-blue-1.pdf
 - Changes in behavior; increase in online activity/profiles; lying about age/identity; evidence of a controlling or dominating relationship; having items or an appearance that does not fit current situation (extra \$\$\$, electronics, new clothes/shoes, nails/hair done but youth is homeless, etc.)
- What do we do if we suspect a child is being trafficked?
 - Contact the National Center for Missing and Exploited Children (NCMEC)
 - www.missingkids.com

21

COURTS

- District Court, truancy tickets.
- Ingham County Circuit Court
 - Probate Code (juvenile section) for truancy court, meets once per week, students on probation have to come once per month and meet with Juvenile Court Officer (JCO) weekly.
 - Ed Neglect statute for elementary cases, meets once per month, parents on “probation” have to come for reviews once per month and meet with JCO.
- Court only accepts truancy cases for students who live within county boundaries? If so, how does this affect ISDs who span more than one county?

22

ANXIETY & MENTAL HEALTH

- Is missing school a treatment for school anxiety? Some scholarly research says NO. Some regular literature on the topic also says no.
- Parents buying into “anxiety” defense, even when no medical diagnosis.
- What about the parents who just want their kids home with them?
- How can we keep these kids in school?
- MDE has a resource page on School Mental Health:
<http://www.michigan.gov/mde/0,4615,7-140-74638-199286--,00.html>

23

HOMELESSNESS & POVERTY

- Should homeless students be given a free pass? Or should they be given a limit to the number of absences that are “excused” due to homelessness?
- How does poverty affect school attendance?
- How can we serve these students if we have trouble finding them? Court petitions, social work visits, etc.

24

RESTORATIVE JUSTICE

- Approach to addressing conflict and misconduct that focuses on healing instead of punishment
- Alternative to suspension desirable, especially for the truant/chronically absent student
- MDE has a page on Restorative Justice
http://www.michigan.gov/mde/0,4615,7-140-74638_72831_72833-361320--00.html
 - When students are repeatedly suspended, they are at substantially greater risk of leaving school altogether (American Civil Liberties Union of Michigan, 2009, p. 23; Advancement Project, 2010; US DOE, Office of Civil Rights, 2014).
 - Turns the discipline process into a learning opportunity, and students who participate in this process are more likely to gain positive attitudes toward authority and to the concepts of fairness and justice (National Center Brief, 2009, p.5-6).

25

“HANDLE WITH CARE” PROGRAMS

- Aims to help students suffering traumatic events
- Jackson County/DHHS gave presentation on this at the School Just Partnership conference last September
- If any student experiences an event that involved law enforcement the day or night before, they are then “handled with care” in their schools.
- Law enforcement encounters a child on scene, he finds out name and school and contacts the school who then dispatches a “handle with care” note to the teacher or school personnel who encounter the child.
- Note has no details, simply “handle with care.”
- www.handlewithcaremi.org

26

QUESTIONS OR COMMENTS

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