

## **CHEBOYGAN COUNTY TRUANCY PROTOCOL**

Truancy is repeatedly staying away from school without good reason; it includes chronic absenteeism and/or tardies. Truancy is a stepping-stone to delinquency, not graduating high school and future involvement with the criminal justice system. In 2017, more than half of individuals convicted of a felony in Cheboygan County did not graduate high school.

The Cheboygan County Truancy Protocol is collaboration between the Cheboygan County Probate Court/53<sup>rd</sup> Circuit Court-Family Division, 89<sup>th</sup> District Court, Cheboygan County Prosecuting Attorney's Office, local law enforcement agencies and Cheboygan County's public schools. The primary objective is to protect our children by requiring their regular attendance at school.

### **The Law for Parents**

MCL 380.1561 - "[E]very parent, guardian, or other person in this state having control and charge of a child from the age of six to the child's sixteenth birthday, shall send that child to public schools during the entire school year."

- Violation of this law is a misdemeanor punishable by up to 90 days in jail and/or a fine.
- Exceptions to this law exist, including attendance at private, parochial schools.

### **The Law for Children**

MCL 712A.2(a)(4) - Prohibits juveniles from "willfully and repeatedly absenting himself/herself from school or other learning program intended to meet the child's educational needs. . ."

- The law requires that the school meet with the parent or guardian and with the child to address educational problems.
- The Cheboygan County Probate Court/53<sup>rd</sup> Circuit Court-Family Division has jurisdiction over juveniles who violate the above referenced statute.

### **Procedures**

1. The schools must accurately document every absence and tardy. For purposes of this protocol, an absence constitutes all of the following:
  - "Absent" – The child did not attend school.
  - "Arrived Late" or "Tardy" - Child arrives more than 30 minutes late to school.
  - "Illness" – The child did not attend due to a health issue.
  - "Parent Choice" – The parent made the decision not to send the child to school.
  - "Medical" - The child did not attend due to a medical appointment.
2. The school shall monitor attendance for excessive absence or tardiness. At 5 days absent, the school may notify the parents or guardian of their child's absences, inform the parents that

school attendance is important and enclose a copy of the Cheboygan County Truancy Protocol.

3. At the 10 absence mark, the school shall notify the designated Truancy Officer. The Truancy Officer shall send letter #1 each parent or guardian must receive his or her own copy of the letter.
4. Pursuant to letter #1, a meeting must be held between the child, the child's parent or guardian, the Truancy Officer and other appropriate school officials. At the meeting, educational counseling and alternative agency help will be considered and sought. The parties should reach an agreement regarding attendance moving forward and should sign the agreement. Further, consequences should be discussed in the event truancy remains a problem. The agreement must include the requirement that the child will resume regular school attendance.
5. At 15 absences, the school must report immediately to the school Truancy Officer. The Truancy Officer shall send letter #2 each parent or guardian must receive his or her own copy of the letter. Letter #2 will indicate that any additional absences will result in a mandatory investigation with a report submitted to the Prosecuting Attorney's Office.
6. The school must notify the Truancy Officer when a child exceeds 15 total absences. At that time, the Truancy Officer is to generate a report for prosecution review. The report shall include, but is not limited to, the following:
  - The child's attendance records,
  - The child's grade report,
  - The child's behavioral record,
  - The school's records in attempting to address the absence issue,
  - An interview of parents, guardians or person in control of child,
  - An interview of the child, and
  - An interview of relevant school personnel, including – teachers attendance clerks and/or administration.
  - Any relevant medical information.
7. The Truancy Officer's report shall be forwarded to the Cheboygan County Prosecuting Attorney's Office for review. The Prosecuting Attorney's Office has discretion in determining the appropriate course of action.
8. The school must continue to notify the Truancy Officer when a child's absences increase by increments of five [20, 25, 30]. The Truancy Officer will provide supplemental reports to the Prosecutor's Office for the additional absences.
9. The Truancy Officer shall provide a copy of all records to the COPESD. This will assist the schools in tracking youth who move from one school to another.