

Kandiyohi County Truancy Handbook



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Introduction

The ABCs of graduation come from three simple sources: Attendance, Behavior, and Course passing. Most students who drop out of school tend to fail at one or more of these. When a youth shows a pattern of poor attendance, it is a distress signal indicating larger issues inside or outside of school. *Sixth- to tenth-graders who miss fewer than five days per year have an 85% likelihood of graduating. Those who miss 10 or more days of school are sending increasingly loud distress signals. Students who miss 20 days are in great danger, and those who miss 40 or more days of school are virtually assured of not graduating without serious and sustained, supportive interventions.* (<http://guidebook.americaspromise.org/section/developing-early-warning-and-recovery-systems>)

It is the goal of this handbook to assist schools, social services, and the court systems in Kandiyohi County to respond positively to attendance concerns so youth can be supported to stay engaged in school and on track for graduation. This handbook grew out of conversations and planning taking place within the county over the last year. We know that working together to empower youth benefits them personally and strengthens families and the community.

Inside you will find:

- 1) Overview of the process and factors contributing to chronic absenteeism
- 2) Best Practices
- 3) Key Contacts
- 4) Kandiyohi County response
- 5) Definitions, Terms and Minnesota Statute references
- 6) Resource links
- 7) Sample Forms

1) Overview

Representatives from Kandiyohi County Health and Human Services, the county attorney, Community Corrections, schools, and service providers met in a series of meetings in 2014 and 2015 to gain a deeper understanding of the issues impacting school attendance, how to better coordinate a response, and strategies that have a positive impact on attendance. Data was utilized from the most recent SHARE Survey (a county-wide survey of students in grades 5, 7, 9, and 11), from discussions with service providers and school staff, and from interviews with youth and parents to better understand what might contribute to missing school and chronic absenteeism. Responses were compiled and summarized to help guide the conversation to look at solutions and response. Six main themes were identified by each of the groups surveyed. They are in order of most reported to least:

1) *Mental health issues with the child or within the family* – includes the impact of trauma on the child and/or the parent and mental health related concerns.

2) *Substance use – alcohol and/or drugs* – substance use by the student impacts their attendance, as does substance use by the parent/caregiver.

3) *Bullying* – being bullied by other students or actions by other students that impact attendance.

4) *Transportation* – not having a ride to school if/when the bus is missed; not on the bus route and is a long distance to walk.

5) *Family issues/concerns* – includes the impact on the student due to family situations – relationship issues with the parents, work-related disruption, homelessness or inconsistent living arrangements, the impact of poverty, or a parent having difficulty with parenting challenges.

6) *School issues – academics, relationship issues with peers, teachers, or school staff* – any type of challenge at school that impacts attendance.

2) Best Practices

Our discussions and research on strategies and best practices that have a positive impact on attendance identified several key themes:

Relationships – forming positive, supportive relationships are critical in addressing chronic absenteeism. Relationships are key with the student, their parent(s), and the school; as well as between staff within the school building and between school, county, and community staff involved with the child and family.

Communication – having clear and timely communication at all levels is critical to find a positive solution to the attendance issues. There can be significant challenges to the communication process that need to be taken into account and worked through.

An individualized approach – working out the issues to positively impact attendance needs to be done with the needs of each student taken into account. This can be complicated when there are multiple contributing factors that impact the child's attendance.

Partnerships – impacting chronic absenteeism needs to be done in partnership with community resources. Issues can be very complex and require resources from the school, the county, and community providers working in partnership with the family.

Strategies to address absenteeism can be looked at in four broad areas:

Prevention

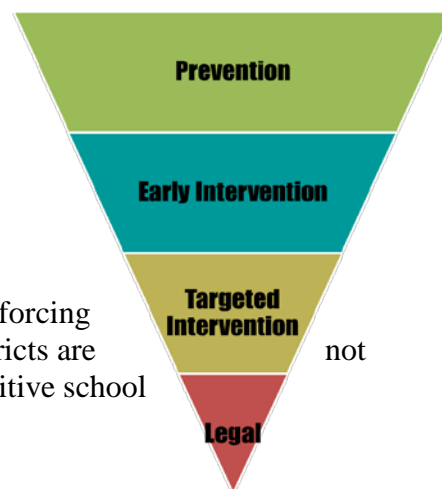
What helps: Creating an atmosphere that supports positive school attendance; clear and consistently-applied school policies, attendance tracking, and timely follow-up.

Challenges: School policy may not be current with student practices; enforcing uniformly across grades and district; school policies in neighboring districts are similar enough (families 'hop' districts'); can be difficult to support positive school attendance (time and resources).

Early Intervention

What helps: Contact with families at earliest possible indication of unexcused absences. Contact includes a letter and phone call; school staff works with child and family to increase attendance (learning issues, friends, etc.); school resources are a good place to make positive connections with the student and the family.

Challenges: Connecting with the student/family can take time (e.g. work schedules, incorrect contact information) and a response may not get worked out before more absences pile up; getting everyone



‘to the table’ can be difficult; issues can be greater than what school resources can address alone; volume – the time it takes to sort out issues with several students at one time – can be time-consuming and stretch both school and county social service resources.

Targeted Intervention

What helps: Having a defined process of when to refer out of the school and who to refer to; school and county work together at earliest possible time if issues continue; plan developed is geared towards unique needs of each student; working on a plan before unexcused absences pile up and ends in a referral to child protection for educational neglect or CHIPS (truancy) petition.

Challenges: Contributing issues are often complex – poverty, mental health and more; school attendance may not be a high enough priority for family with all that they are dealing with; may be challenging to get the “attention” of the youth/family; is difficult to get all the resources a family might need to the table at one time (time and money).

Legal Intervention

What helps: Coordinated response with school, social services, and county attorney; information about what has been tried and what has been useful is incorporated into the legal steps.

Challenges: Limited options if student ends up in court; out-of-home placements are often not effective – child returns home without impacting issues that contributed to unexcused absences.

3) Key Contact People

Kandiyohi County Health and Human Services:

Becky Anderson: Truancy Social Worker

Email: becky_a@co.kandiyohi.mn.us;

320-231-7800 ext. 2429;

Fax: 320-231-6285

JoLynn Sundstrom: Child Protection Supervisor

Email: JoLynn_S@co.kandiyohi.mn.us

320-231-7800 ext. 2461

Charlotte Hand: Child Protection, Family Assessment and Intake Supervisor

Email: Charlotte_H@co.kandiyohi.mn.us

County Attorney’s Office:

Shane Baker, Kandiyohi County Attorney

Stephen Wentzell, First Assistant Kandiyohi County Attorney

Suelana Kinney, Assistant Kandiyohi County Attorney

Kandiyohi County Attorney’s Office:

320-231-2440

Fax: 320-231-2706

4) Kandiyohi County Response

The county's response to attendance concerns is defined by Minnesota State Statute. If a child is under 12 years of age, a child's absence from school is presumed to be due to parent's failure to comply with laws. If a child is 12 or older, the child's absence from school is presumed to be due to the child's intent to be absent from school.

Children under age 12

The law presumes that it is a parental responsibility to ensure attendance for children under age 12. State law allows for programs to divert families from child protection intervention due to educational neglect. The matter can eventually be referred to child protection services if the issues are not resolved. The school is required to make initial efforts to remedy attendance issues with the parents and student (phone calls, meeting with parents, letters, etc.). The chart below outlines the basic steps to respond to unexcused absences for children under age 12.

Number of Unexcused Absences	<u>For Children Under Age 12</u> Task/Steps/Who's Responsible
1-2 days	Family contacted/ absences clarified by school
3 days	<ul style="list-style-type: none">- Phone call and attendance alert letter sent to family from school (<i>Sample #1</i>)- Family offered resources through school, to help support attendance- School continues to track/monitor attendance- Progress made; no further action needed- No progress: referral sent to county social services after three unexcused absences (<i>Sample #2</i>)
3 or more days	<ul style="list-style-type: none">- County Health and Human Services contacts family/meets with family to review attendance concerns; meetings can be at family's home or at school- County staff develops plan with family to address issues impacting attendance (<i>Sample #4</i>)- School and county work with family to address attendance concerns- Progress made; school and county monitor attendance
7 or more days	<ul style="list-style-type: none">- No progress: referral to child protection (education neglect)- Referral will be screened for child protection (CP) services; level and type of services determined- County continues to work with family on issues as needed

The following chart reflects steps taken for students age 12 and older.

Kandiyohi County Truancy Diversion

Number of Unexcused Absences	<u>Students age 12 to 17</u> Task/Steps/Who's Responsible
1-2 days	Family contacted/absences clarified (school)
3 days	<ul style="list-style-type: none"> - Phone call and attendance alert letter sent to family from school (<i>Sample #1</i>); letter outlines State Statute, request to clarify absences, and resources to help - Family offered resources to support attendance concerns - Attendance is tracked/if improved, school supports continued
3 or more days	<u>If Attendance does not improve:</u> <ul style="list-style-type: none"> - Referral form completed and sent to county social services (<i>Sample #3</i>) - Family is contacted by school representative requesting them to attend a Truancy Intervention Meeting; the meeting may be at the school or other agreed-upon location - County staff and school representative meets with parents and child to review options to increase attendance - Plan developed with student and parent (<i>Sample #4</i>) - Attendance tracked by school and reported to social service staff. - County/School Team follows up as needed to support plan (improvements being made)
7 or more days	<u>If Unexcused Absences continue:</u> <ul style="list-style-type: none"> - County social services contacts the family; sets meeting time - Plan developed/reviewed with family/student to address attendance concerns; options include: truancy circle, mental health, other community supports - Progress made: case monitored - Progress not made: <ul style="list-style-type: none"> - Referral to county attorney; request for CHIPS petition to be filed - County attorney makes determination to file CHIPS or refer to Restorative Justice
7 or more days	<ul style="list-style-type: none"> - County staff requests county attorney to file a CHIPS petition - County attorney files CHIPS petition for truancy - Court hearing: student, parent(s), County/School Team members attend - Options outlined from court hearing - No progress/absences continue - Court Action <ul style="list-style-type: none"> - If adjudicated as truant, formal case plan developed and monitored

5) Key Terms & Minnesota Attendance/Truancy Statutes

Continuing Truant – a student who is absent without excuse for three or more class periods on three days in middle school or high school.

Habitual Truant – a student who is absent without excuse for one or more class periods on seven different school days if the student is in middle school or high school.

Kandiyohi County Health and Human Services (County Social Services)

Child Protection/Child Protective Services – services provided to families in which a maltreatment assessment found a level of risk to indicate the need for protective services.

Child welfare – services are provided to families which have requested assistance with family struggles such as truancy, parent/child conflict, child behavior concerns, etc.

Children's mental health case management – a voluntary service through the county for families requesting support and case coordination for a child with a qualifying mental health disorder.

County Attorney/Court Services

The county attorney's office will get involved when at least seven unexcused absences are reached and the child is referred by Health and Human Services. Habitual truancy falls under the office of the county attorney.

Restorative Justice/Diversion

Kandiyohi County utilizes a number of practices to address juvenile offences (including truancy) to prevent further involvement in the legal system. Restorative practices include:

Conferencing – a process for first-time juvenile and adult offenders and is used to resolve petty misdemeanor cases or other eligible cases in a short amount of time.

Circle – A community-directed process in partnership with the juvenile justice system. Circle is a collaborative effort to address issues surrounding incidents of crime/negative behavior by youth.

Child in Need of Protection Services (CHIPS) or Truancy Petition

A request by social services to the county attorney to become involved with the case. A CHIPS petition is normally not filed unless there are more than seven unexcused absences and little or no progress has been made to address the unexcused absences.

Admit/Deny Hearing

The child/family and school will receive a summons and/or notice to appear in court on the truancy petition. The school official is expected to attend the court hearings. An assistant county attorney and a truancy worker from the county will also be attending the first hearing (Admit/Deny) and an attorney is assigned to represent the child during the proceeding. Information is introduced to support the reason for the petition (e.g. number of unexcused absences, school attendance record, any steps taken by school and county to address the attendance concerns). If the county finds the truancy petition is proven or admitted to by the parent(s), the procedure moves to a *Disposition Hearing* (in most cases this is held immediately following the first Admit/Deny hearing – all parties are already present at court).

Disposition Hearing

When the truancy petition is proven or admitted by the parent(s) and child, a written report will be submitted to the court by the truancy worker with recommendations for the court to order. If the truancy petition is denied by the parent(s) and/or child, the case will be set for trial at a future date.

The school official and any other school staff, as needed, will have to appear in court and testify at the trial.

Review Hearing

Review hearings are usually set anywhere from 30-90 days after the disposition hearing. At all hearings, the school official should be prepared to attend and address the court regarding the student's current attendance and progress at school. The school official must keep the ongoing social worker apprised of the child's attendance and progress throughout the time the child is in court for truancy. An updated report is sent to the court prior to the hearing by the social worker through the county attorney. The court will review the child's progress and/or lack of progress in following the court's previous order and order accordingly. The court has the authority to order the child to be placed out of the home to provide for the education and welfare of the child. Usually this is only ordered when the child has continued to fail to follow the court's previous orders.

Mental health terms

Diagnostic Assessment (DA) – determining the clinical and functional mental health needs of a child or adult.

Mental Health Professional – A person providing mental health services who is licensed in the state and has met a set of standards for degree and supervised practice and is able to provide Diagnostic Assessments and develop Treatment Plans.

Rule 79 – refers to determining eligibility for children's mental health case management. A child needs to have a Diagnostic Assessment by a mental health professional and must have more serious and long-lasting mental health needs.

Mental Health Practitioner – Works under the direction of a mental health professional. Helps to implement the treatment plan and provides support to the youth.

CTSS – Children's Therapeutic Services and Supports is one of the rehabilitative mental health packages covered by Minnesota Health Care Plans (MHCP).

Chemical Dependency

CD or Chemical Dependency assessment – An assessment includes an interview with a counselor to review a person's chemical use and its impact on his/her daily life and relationships.

Rule 25 – A CD assessment arranged through the county when requested.

School/Education terms

EBD – Emotional or Behavioral Disorder

IEP (Individual Education Plan) – A written education plan designed to meet a child's learning needs

504 plan – A 504 plan spells out the modifications and accommodations that will be needed for these students to have an opportunity to perform at the same level as their peers.

Minnesota Attendance and Truancy Statutes

Attendance laws

These laws apply to all students, regardless of age, who are enrolled at any publically-funded school in the state of Minnesota. Once a student enrolls at a publically-funded school, they subject themselves to these laws.

Minn. Stat. 120A.22 (Compulsory Instruction)

- Defines students who are required to attend school.
- Allows for students aged 17 to withdraw from school with parent's written consent after student and parent attend a meeting with school personnel to discuss education options.
- Allows for students aged 18 and older to withdraw from school on their own accord.
- Allows schools to define excused versus unexcused absences.

Truancy laws

These laws apply to all students under the age of 18 years who attend any school – including a home school – in the state of Minnesota. Because students must be enrolled in some form of school environment after the age of seven, these laws apply to all students aged seven until their eighteenth birthday.

Minn. Stat. 260A.02 (Definitions)

- Defines continuing truant student as one who is absent without excuse for three or more class periods on three days in middle school or high school.

Minn. Stat. 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)

- Requires that the school notify the parent or guardian of the following:
 - The student is truant
 - The definitions of excused absences
 - How to report those absences
 - That parents are obligated to compel attendance of the child
 - That the parent and child could be subject to juvenile or family court proceedings
- Requires that the school attempt to intervene and make appropriate efforts to resolve the student's attendance problems.

Minn. Stat. 260C.007, Subd. 19 (Habitual Truant Defined)

- Defined a habitual truant student as one who is absent without excuse for one or more class period on seven school days if the student is in middle school or high school.
- Places habitual truancy under the prevue of county attorneys as a child in need of protection matter.
- Requires that the school attempt to intervene and make appropriate efforts to resolve the student's attendance problems.

Minn. Stat. 260C.143 (Procedure, Habitual Truants, Runaways, Offenders)

- Attendance officers report habitual truants to the county of residence and follow their procedures.
- County of residence may file notice that habitual truants must appear before a judge.
- Parents are notified in every case and required to appear with habitual truant in court.
- Peace officers may transport habitual truant to court or to school as needed.
- Child's absence from school presumed to be due to parent's failure to comply with laws if the child is under 12 years old.
- Child's absence from school presumed to be due to the child's intent to be absent from school if the child is 12 and older.

6) Resources

www.attendanceworks.org – Attendance Works is a national and state initiative that promotes better policy and practice around school attendance. This site has a wealth of resources and information to address attendance and truancy concerns.

<https://www.revisor.mn.gov/statutes> – the link to all Minnesota attendance statutes

Kandiyohi County website: www.kcmn.us

PACT for Families Collaborative: www.pactforfamilies.org

7) Sample Forms

This Handbook is on the PACT for Families website (Resources tab) and the Kandiyohi County Health and Human Services website at:

http://www.co.kandiyohi.mn.us/departments/family_services/child_protectionchild_welfare.php

- Sample #1: Sample letter sent by school to home at three unexcused absences
- Sample #2: Form/notice sent from school to county at three unexcused absences (students 11 and under)
- Sample #3: Form/notice sent from school to county at three unexcused absences (students age 12-17)
- Sample #4: Sample of plan developed with student/parent and county

Sample #1 –Template for Sample of letter sent from school to family at three unexcused absences (each school district has developed their own letter that follows this basic format).

On school letterhead

Date

Name

Address

City/State

Dear Parent/s Guardians of Student:

Pursuant to Minnesota law, an elementary student who misses three full days of school without a valid excuse is considered a “continuing truant”. School records indicate that your child has been absent without lawful excuse on (**dates missed**). We have not received notice that any of these absences have been excused. In the event that there is a valid excuse for your child’s absences, you should notify the school immediately.

In Minnesota, the parent/guardian of a child is obligated to compel a child to attend school or face criminal prosecution under Minn. Stat. § 120A.34 (Compulsory Attendance Statute). It is your right to meet with school officials to discuss a possible solution to your child’s truancy. (**Name of school**) and the (**name of school district**) have a variety of alternative programs and services which may be made available to your son or daughter to help address the attendance program. It is our hope that you will contact the school to set up such a meeting. Any additional absences may result in you and your child being subject to juvenile court proceedings under Chapter 260C, and potentially the dispositions listed in 260C.201.

Finally, we recommend that the parent/guardian of a truant student accompany the student to school and attend classes with the child for one day. Please feel free to contact the school to make arrangements for such a visit.

Please contact Assistant Principal (**Name**) if you have any questions or concerns about the contents of this letter. Please note that the contents of this letter are required pursuant to Minn. Stat. § 260A.03 and the letter serves as your legal notice of truancy.

Sincerely,

Name

Title

School Name

Address

City/State

Phone number

KANDIYOHI COUNTY
REFERRAL FORM FOR THE TRUANCY MEDIATION PROGRAM
Elementary Schools

Student's Name (Last, First, Middle) Grade Date of Birth Age Sex

Parent 1 (Guardian's) Name Parent 2 (Guardian's) Name

☐ Lives With Interpreter needed: Yes / No ☐ Lives With Interpreter needed: Yes/No

Phone Number Phone Number

Parent 1 Address Parent 2 Address

Parent 1 Employer & Phone Number Parent 2 Employer & Phone Number

Siblings Names and Birthdates:

DATES OF UNEXCUSED ABSENCES (may attach computer readout) _____

DATES OF CONTACTS MADE TO PARENTS (Please designate whether it was phone contact, home visit, etc. Letters to the family may be attached. Please include the letter the school is required to send the family after the third unexcused absence.)

TEACHER'S NAME/SCHOOL SOCIAL WORKER/COMMENTS. Student's strengths, grades, behavior problems, etc. (Please route to teacher and school social worker). _____

Teacher's Signature

Social Worker's Signature

REFERRAL SOURCE INFORMATION

Referring School Contact Person Date

Phone Number Fax Number

Send to: Becky Anderson, Truancy Coordinator, Kandiyohi County Family Services Department, 2200 23rd St NE, Suite 1020, Willmar, MN 56201. Phone Number: 320-231-7800 ext. 2429, FAX: 231-6285

KANDIYOHI COUNTY

Sample #3

REFERRAL FORM FOR THE TRUANCY MEDIATION PROGRAM

Secondary Schools

Student's Name (Last, First, Middle) Grade Date of Birth Age Sex

Parent 1 (Guardian's) Name

☐ Lives With Interpreter needed: Yes / No

Phone Number

Parent 2 (Guardian's) Name

☐ Lives With Interpreter needed: Yes/No

Phone Number

Parent 1 Address

Parent 2 Address

Parent 1 Employer & Phone Number

Parent 2 Employer & Phone Number

Siblings Names and Birthdates:

DATES OF UNEXCUSED ABSENCES (may attach computer readout)

DATES OF CONTACTS MADE TO PARENTS (Please designate whether it was phone contact, home visit,
etc. Letters to the family may be attached. Please include the letter the school is required to send the family
after the third unexcused absence.)

OTHER PERTINENT INFORMATION (Student's strengths, grades, behavior problems, etc.)

REFERRAL SOURCE INFORMATION

Referring School Contact Person Date

Phone Number Fax Number

**Send to: Becky Anderson, Truancy Coordinator, Kandiyohi County Family Services Department, 2200
23rd St NE, Suite 1020, Willmar, MN 56201. Phone Number: 320-231-7800 ext. 2429, FAX: 231-6285**

Kandiyohi County Health and Human Services

Educational Needs _____ Physical Health _____ Mental/Behavioral Health _____ Services Needed _____
SHORT-TERM PLAN

	What are we worried about:	What is going well:	Next Step: Services / how they will be delivered	Timeline:
Child:				
Child:				
Child:				
Child:				
Parent:				
Scaling Question: What would make it better?				
1 2 3 4 5 6 7 8 9 10				
Family Signature:			Date:	
Social Worker Signature:			Date:	

If children are eligible, this plan will also qualify as a CW-TCM Plan.