

BENTON COUNTY TRUANCY MEDIATION PROGRAM GUIDELINES (AGE 11 AND UNDER)

It is recommended that all schools follow the guidelines set forth below for notifying the parents, the Benton County Attorney's Office, and/or Benton County Human Services of any truancy related problems. **Students referred to this program must be a Benton County Resident.**

All schools are required by Minnesota Statute to notify a parent(s) if their child becomes a continuing truant (**3 full-day unexcused absences**).

*Minnesota Statute §260A.03 provides: "Upon a child's initial classification as a continuing truant, the school attendance officer or other designated school official shall notify the child's parent or legal guardian, by first-class mail or other reasonable means, of the following: (1) that the child is truant; (2) that the parent or guardian should notify the school if there is a valid excuse for the child's absences; (3) that the parent or guardian is obligated to compel the attendance of the child at school pursuant to section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under section 120A.34; (4) that this notification serves as the notification required by section 120A.34; (5) that alternative educational programs and services may be available in the district; (6) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy; (7) that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under chapter 260C; (8) that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to section 260C.201; and (9) **that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day**" (Emphasis applied).*

Attendance Alert Letter: A sample letter (**Exhibit 1**) is attached that may be used to satisfy this requirement. The Benton County Attorney's Office requests that this letter be sent to families prior to any referrals to the Benton County Truancy Mediation Program.



If the Attendance Alert Letter has not resolved a student's attendance issues, please follow these steps when referring cases to the Benton County Attorney's Office or Benton County Human Services.

STEP 1 – Initial Truancy Letter From County Attorney Office (5 unexcused absences):

If a student reaches **five full-day unexcused absences**, the school can request that the County Attorney's Office send a letter to the parent(s).

1. School sends **Initial Truancy Letter Referral Form** (see attached **Exhibit 2**) to the County Attorney's Office requesting a first letter be sent to the child and the child's parent(s). The form shall be completed and submitted with a current **attendance record** and a copy of the school's **Attendance Alert Letter**. Forms and Letters can be faxed or e-mailed to the County Attorney's Office.
2. The County Attorney's Office will send a letter to the child and the child's parent(s). A copy will be e-mailed to the school (see attached **Exhibit 3**).
3. The County Attorney's Office will send a copy of the letter (Exhibit 3) to Benton County Human Services for a potential Parent Support Outreach Program referral.

STEP 2 – Educational Neglect Referral (7 unexcused absences):

If the above intervention efforts fail to correct a student's truancy problem and the student reaches **seven full-day unexcused absences**, the school shall make a verbal and written report of child maltreatment to Benton County Human Services alleging educational neglect.

1. The school completes the **Educational Neglect Referral Form** (see attached **Exhibit 4**) and attaches all necessary documents listed in the form.
2. Benton County Human Services will screen the report for a child maltreatment family assessment or family investigation.
3. At the completion of the assessment/investigation, the original mandated reporter will be notified of the outcome of the assessment/investigation and whether services will be provided.
4. If the assessment/investigation results in a determination of high risk of future maltreatment, or the parent(s)/guardian refuses to cooperate in assuring school attendance, Human Services will consult with the County Attorney's Office to request an appropriate CHIPS Petition.