Truancy Intervention Process Renville County[[1]](#footnote-1)

Procedure for Truant Students

1. Monitor student absences and identify truant students.
2. 1st Parent Letter
   1. When a child has three unexcused absences, send Parent Letter pursuant to MN Stat. 260A.03.
   2. There is specific statutory language that must be included in this letter. See page 13 for a sample letter.
   3. This first letter will not set up a meeting unless requested by the parent.
3. Second Parent Letter
   1. If and when the child reaches 5 unexcused absences a second letter is sent setting a time for a meeting with the parents, school officials, and a representative from Renville County Human Services.
   2. Recommendation is that the school set the time for the meeting in the letter and stick to that date and time as much as possible. See page 14 for a sample letter.
   3. At the meeting parties can explore reasons for failure of the child to be in school and remedies to get the child to school[[2]](#footnote-2).
   4. Parties may sign a School Attendance Contract, sample on page 16.
4. Third Parent Letter
   1. If parents fail to respond or attend the meeting, a third letter should be sent that explains that further action can be taken by the County Attorney’s Office.
   2. See page 15 for sample “No Show Letter.”
5. Truancy
   1. When a child reaches 7 unexcused absences the child should be referred to the County Attorney’s office for prosecution.
   2. Send the child’s current attendance record.
   3. Send copies of the above letters and any evidence that the letters have been returned or not able to be delivered.
   4. Send any signed contracts or other documents showing the school’s effort to assist the child to get to school. A written summary of those efforts is acceptable.
   5. The County Attorney’s office will also request documents from Human Services where appropriate.
6. Petition
   1. The County Attorney’s Office will file a CHIPs petition in Court naming the Appropriate School District as the Petitioner.[[3]](#footnote-3)
   2. Each school district should designate a staff member to sign the petitions in front of a notary and attend Court.
7. Court
   1. A date is set for an admit/deny hearing. The School District will get notice of this hearing by either the Court or the Count Attorney’s Office.
   2. If the parents and child admit at the first hearing, the Judge will order a disposition (see # 8 below.)
   3. If parents and child deny the allegations in the petition, the Court may set it for a contested hearing. The school will get notification of this hearing as well.
8. Disposition
   1. The Court will order the child to attend school, and if appropriate, order the parents to make sure the child does attend.
   2. The Court will also order that the child follow the rules at home and at school, and have no law violations.
   3. The Court has a number of minor sanctions that it can impose on a child, found in 260C.201 (b): fine, community work service, chemical dependency evaluation, etc.
   4. The Court may warn the child and parents that violations of the Court’s order is contempt and ultimately punishable by incarceration. (Hammergren Warning. 294 NW2d 705)
9. Post-Disposition,
   1. The School needs to continue to monitor the child.
   2. Further unexcused absences or rule violations at school or at home should be reported to the County Attorney’s office.
10. Violation of Court Order
    1. If further violations occur, the County Attorney will file a delinquency petition on the child for contempt for not following the Court’s order.
    2. Again, the school will get notice of the hearing and should have a knowledgeable staff member attend the hearing.
    3. Court will rule on whether the violation occurred.
    4. The Court can order further sanctions, including contempt on parents and child, and possible incarceration.
    5. The Court can hear multiple violations over the course of the school year so. It is the School’s discretion whether to ask to file on each violation or wait until a number of violations occur.

Educational Neglect – Especially children *under* 12 years old.

1. Case by case determination.
2. No set procedure - school must attempt to contact the parents to find a remedy to the missed school.
3. A CHIPs petition can be filed on a parent for Educational Neglect. Call the County Attorney’s Office for guidance on what constitutes Educational Neglect and when and if the School can file a petition.
4. Basic Factors:
   1. Child under 12 years old – could use it on older children depending on the case.
      1. Follows the presumption in MN 260C.163, subd. 11, in that a child’s absence from school is presumed to be due to the parents if the child is under 12.
   2. High number of parent excused absences, but not enough unexcused to file a CHIPs petition.
   3. Excused absences are interfering with child’s education.

1. Substitute for page 11 in Truancy Intervention Program [↑](#footnote-ref-1)
2. If need, this section could be expanded to include option, or give suggestions as to what parents can do to get their child to school. [↑](#footnote-ref-2)
3. Maybe a Hammergren Warning to parents and child in the petition? [↑](#footnote-ref-3)