

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 631

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H.P. 408

House of Representatives, February 14, 2023

### An Act to Change the Notification Law for School Truancy

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative LaROCHELLE of Augusta.  
Cosponsored by Representatives: BRIDGEO of Augusta, ROBERTS of South Berwick,  
WHITE of Waterville.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §5051-A, sub-§2, ¶C**, as amended by PL 2011, c. 614, §13,  
3 is further amended to read:

4 C. If the intervention plan developed pursuant to paragraph A-2 is unable to correct  
5 the truancy of the child, the superintendent shall make 2 documented attempts to serve  
6 or cause to be served upon the parent in hand or by registered mail a written notice that  
7 attendance of the child at school is required by law. The notice must:

8 (1) State that the student is required to attend school pursuant to section 5001-A;

9 (2) Explain the parent's right to inspect the student's attendance records, attendance  
10 coordinator's reports and principal's reports;

11 (3) Explain that the failure to send the student to school and maintain the student  
12 in regular attendance is a civil violation in accordance with section 5053-A and  
13 will jeopardize the student's status in the grade that the student is in;

14 (4) State that the superintendent may notify the local law enforcement department  
15 of a violation of section 5053-A and the Department of Health and Human Services  
16 of a violation under subsection 1, paragraph C; and

17 (5) Outline the plan developed to address the student's truancy and the steps that  
18 have been taken to implement that plan.

19 **Sec. 2. 20-A MRSA §5051-A, sub-§2, ¶E**, as amended by PL 2011, c. 614, §13,  
20 is further amended to read:

21 E. If, after 3 school days after service or the 2nd attempted service of the notice referred  
22 to in paragraph C, the student remains truant and the parent and student refuse to attend  
23 the meeting scheduled according to paragraph D, the superintendent shall report the  
24 facts of the unlawful absence to the local law enforcement department, which may  
25 proceed with an action to enforce section 5053-A against the parent unless the student  
26 is at once placed in an appropriate school or otherwise meets the requirements under  
27 section 5001-A.

28 **SUMMARY**

29 Current law provides that a superintendent must serve or cause to be served upon the  
30 parent in hand or by registered mail a written notice that attendance of the parent's child at  
31 school is required by law. This bill provides that the superintendent is required to make 2  
32 documented attempts to serve the required notice upon the parent.