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Title: Maine Department of Education Annual Truancy and Dropout Report Prepared for the Joint Standing Committee on Education and Cultural Affairs

Date: February 1, 2022

Source of Report: 20-A §5051-A, sub-§3, par. P.L. 2011, c. 614, sec. 13

Background

The truancy, dropout, and alternative education (TDAE) program was established in 1986 by the 112th Legislature. The program, now located within the Maine Department of Education's Office of School and Student Supports (OSSS), employs one consultant who provides technical assistance to local administrative units and individual schools, with the overall goal of creating student support and intervention systems that increase school success and diploma attainment. The OSSS Management Analyst assists the consultant with data review and analysis. The TDAE consultant maintains regular communication with the Department of Health and Human Services Office of Child and Family Services to address truancy issues at the intersection of education and child protection policy.

Maine's Education and School Statutes, Title 20-A Subchapter 2, defines truancy and provides a set of notification, referral, intervention, and reporting procedures for incidents of truancy. §5051-A (3) requires Superintendents to submit annual reports identifying the number of truants in their units and the unit's actions to address truancy under the statute. Through the consultant's office, the Department is charged with aggregating and summarizing this information to evaluate the impact of state laws on the incidence of truancy in Maine.

Calculating rates of truancy during the 2020-21 school year has been complicated by the COVID-19 pandemic. When the State of Maine established the guidelines that allowed in-person learning to take place in the fall of 2020, each School Administrative Unit (SAU) adopted attendance procedures based on distancing and other COVID mitigation guidance. These different attendance modalities during the pandemic, including in-person, hybrid, and full-remote, allowed schools to stay open but complicated attendance data collection and should be considered when comparing attendance data from non-pandemic years.

Data Collection

SAUs collect and maintain attendance and truancy information throughout the year in local information systems and report detailed, student-level truancy data to the Maine DOE on a quarterly basis.

The Maine DOE truancy reporting module has, for the past two years, juxtaposed schools' truancy records with their reports of unexcused absences, prompting schools to reconcile

instances where attendance data indicates that a student is truant, but no record of intervention has been provided.

Definition of Truancy

For 2019-20, Under Title 20-A, §5051-A, a student is truant if the student has completed grade 6 and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or is at least 6 years of age and has not completed grade 6 and has the equivalent of seven full days of unexcused absences or 5 consecutive days of unexcused absences during a school year.

The 129th Legislature amended school attendance and truancy statutes to make attendance compulsory for all six-year-old children and for five-year-old children who are enrolled by their parents. Five and six-year-old children are considered truant if they accrue 5 consecutive or 7 cumulative unexcused absences. Truancy incidents for five and six-year-olds should be reported and responded to using the process outlined in 20- A MRSA Section 5051-A (2). These five and six-year-old children are covered by the truancy statute beginning September 2019 and the data from the 2020-21 school year report includes them in the total count.

Statutory Responses to Truancy

Title 20-A, §5051-A, §5053-A, and §5054 direct school administrative units, courts, and employers to address student truancy according to the following process:

- Superintendent notification
- Student assistance team intervention planning according to district procedures
- Official parental notice of consequences when interventions are unsuccessful. These consequences include referral to law enforcement for adjudication and referral to the Department of Health and Human Services (DHHS) for educational neglect.
- Notification of school board
- Parent meeting with superintendent or designee
- Referral to local law enforcement
- District Court adjudication, which may include a parental fine of up to \$250.

In addition, Title 20-A §5054 prevents any employer from hiring or otherwise engaging a truant student without the Superintendent's release, with fines or forfeitures ranging from \$250 to \$10,000 depending on the number of violations.

Statute clearly and appropriately places primary responsibility for enforcing school attendance on parents, provides additional enforcement mechanisms in the workplace domain, and directs schools, first and foremost, to utilize positive, student-centered interventions to remedy the root causes of the student's truancy.

2020-21 Incidence of Truancy

Following the change in reporting instituted in 2017-18, the Maine DOE must report the number of truant students rather than the number of “truancy events” that were provided previously. Additionally, SAUs must now include five and six-year-old children who are considered truant if they accrue 5 consecutive or 7 cumulative unexcused absences.

Over the 2020-21 school year, SAUs reported a total of 17,295 truant students. Using the total of 183,783 students, Maine’s 2020-21 reported truancy rate was 9.41%

Drawing comparisons to past truancy data is difficult because, while students in Maine attended school in person, SAUs offered different modalities to attend school, including hybrid models where students attended school in-person on some days and remotely on other day. Many SAUs also offered families an option of attending school as fully remote students. These different attendance options complicate data collection, as each SAU crafted different definitions of unexcused absences, particularly for those students attending remotely. In addition, SAUs have developed local responses to managing impacts related to the virus, including quarantines, outbreak closures, remote learning, work force shortages, mental and physical health and socio-economic impacts on families. Each of these responses impact how excused and unexcused absences are defined and calculated.

While truancy is based on the number of unexcused absences, chronic absenteeism includes excused and unexcused absences and is defined as missing more than 10% of school days. Chronic absenteeism is one of four indicators used in Maine’s Model of School Supports and is used for grades, K-12. For students enrolled for a full year, that equates to 18 or more total absences, a much higher threshold than any of the four truancy definitions. Chronic absenteeism is an additional data point to consider as research shows that children who are chronically absent in preschool, kindergarten, and first grade are much less likely to read at grade level by the third grade. Students who cannot read at grade level by the end of third grade are four times more likely than proficient readers to drop out of high school. From the perspective of minimizing the impact of absenteeism on student achievement, it seems likely that an approach to attendance with the broader goal of reducing all absences (not just the unexcused absences that contribute to truancy) is critical. The chronic absenteeism rate for Maine students during the 2019-20 was 18.27% while 2020-21 is 21.02%, showing an increase of 2.75%.

Statutory Notes

The Committee may wish to consider expanding this report to include chronic absenteeism. As truancy is only the measure of unexcused absences, those children whose families understand the distinction between excused and unexcused absences are less likely to be identified as at-risk. Including chronic absenteeism would provide a more comprehensive picture of student absences.

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