

MARCH 1, 2018

Education Interim Committee
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MAKING SENSE OF ATTENDANCE: POLICY ISSUES RELATED TO TRUANCY AND ABSENTEEISM

Overview

Montana has **compulsory attendance** for ages 7 to 16. This requires enrollment and attendance on each day of the school term, with exceptions for illness, bereavement, homeschooling, and so forth. ([20-5-103, MCA](#)).

Montana defines **truancy** as “the persistent nonattendance without excuse, as defined by district policy, for all or any part of a school day equivalent to the length of one class period of a child required to attend a school” ([20-5-106, MCA](#)). **Habitual truancy** is defined as “recorded unexcused absences of 9 or more days or 54 or more parts of a day, whichever is less, in 1 school year” ([41-5-103\(22\), MCA](#); emphasis added). Larger school districts are required to appoint an **attendance officer**; in smaller districts, either the district appoints an attendance officer or the county superintendent acts as attendance officer ([20-5-104, MCA](#)). Attendance officers are vested with police powers and are given broad authority to address truancy and enforce the compulsory attendance laws ([20-5-105, MCA](#)).

Truancy is about “skipping”—missing school without an excuse.

Absenteeism is simply not being present at school, with or without excuse.

A pupil who has been absent, with or without excuse, for more than 10 consecutive school days on the October or February count days may not be included in ANB calculations ([20-9-311\(6\), MCA](#)).

Statute does not define absence or presence. Definitions at [ARM 10.15.101](#) are not clear on whether attendance for part of a school day means a student was present or absent. Practice seems to be that a student present for part of a school day is considered present. Additionally, it is not clear whether a student not physically present due to a school field trip or travel related to extracurricular activity should be considered present or absent. Including standard definitions related to attendance in statute, rule, or administrative guidance would help ensure consistent and comparable data statewide.

Two Very Different Measures of Attendance

Chronic absenteeism rates show the percentage of students in a given school or district that miss 10% or more of school days. In Montana, this would be 18 or more days over a 180-day school year. The concern is that when students start missing this much school, their engagement and achievement suffer, and they are much more likely to drop out. Because chronic absenteeism is about individual students missing a lot of school, rates can be broken down by race/ethnicity, gender, socioeconomic status, and so forth.

Chronic absenteeism rates in a given school district might vary from 2 to 3% to 20% or more.

AUGUST 1, 2017

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Average daily attendance rates show the average percentage of enrolled students who attend on any given day. Rates generally hover in the mid-90% range. This can mask chronically absent students (see below).

Districts are required to report enrollment and average daily attendance pursuant to [20-7-104\(3\)\(g\), MCA](#). The new federal Every Student Succeeds Act (ESSA) requires chronic absenteeism rates to be reported on each school's report card.

Why is chronic absenteeism a better indicator of attendance issues than average daily attendance?

In a nutshell, chronic absenteeism is about students, whereas average daily attendance is about days on the calendar. Consider two schools, each with 100 students and an average daily attendance rate of 95%. In School A, absences are evenly distributed, with your average student missing 9 days over the course of the year. Perhaps a handful of students would miss 18 or more days; this would give School A a low chronic absenteeism rate of 3-4%. This would not necessarily be cause for concern; a fraction of students will always have an illness, injury, or other issue that keeps them out of school for an extended time. In School B though, absences are highly concentrated, with most students missing very few days but a significant number missing 18 or more days; this could produce a chronic absenteeism rate of 15-20%. Because missing this much school correlates strongly with low academic achievement and eventually with dropping out, School B needs to take action to reduce its chronic absenteeism rate.

Recent Montana Legislation

For the last several sessions, the Office of Public Instruction has requested legislation raising the compulsory attendance age to 18. The most recent iteration was [HB 192](#) (Fern, 2017) which was tabled in House Education.

Montana truancy laws were last amended in [HB 313](#) (Schreiner, 2013) which clarified the appointment requirements and duties of attendance officers, provided a definition of truancy and revised the definition of habitual truancy, and provided for greater consequences for both the truant child and the truant child's parent or guardian. The bill generated much interest from education stakeholders during its initial hearing, so much so that the House Education Committee formed a subcommittee to work on amendments to the bill, which then passed the committee unanimously.

The 2013 changes were initiated in part by the frustrations of some school attendance officers in not being able to successfully deal with truant students. Similar frustrations drove [SB 361](#) (Vincent, 2017) which failed on second reading in the House. The bill outlined components of a truancy plan aimed at resolving the situation to be developed jointly by the attendance officer and the parent or guardian of a truant child. However, if the parent or guardian was unwilling to meet to develop the plan or to enforce the plan, the attendance officer was authorized to notify the local office of public assistance and the Department of Justice. This notification triggered a suspension of certain forms of public assistance and imposed mandatory restrictions on the driver's license of the parent or guardian.

Also considered during the 2017 Legislature was an interim study resolution [HJ 32](#) (Dunwell) that requested a study of "the relationship between student achievement and attendance, chronic absenteeism, and truancy in the K-12 education system." The resolution was tabled in House Education.