

Text of Proposed Bill

AN ACT TO PREVENT TRUANCY

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 76 of the General Laws is hereby amended by inserting, after Section 20, the following:

Section 21: Truancy Prevention

Within 15 months of the effective date, the Board of Education shall promulgate regulations requiring school districts to conduct a special needs assessment and create an Individual Truancy Prevention Plan for each student who is between the ages of 6 and 16 years old and who is absent from school without medical excuse ten (10) or more days in any quarter of a school year.

- (a) The assessment shall be conducted by qualified professionals and shall include, at a minimum:
- (i) Evaluation for learning disabilities,
 - (ii) Assessment of mental health and need for talk-therapy, anxiety management, trauma counseling, or other mental health illness treatment,
 - (iii) A home visit and meeting with the student's parent(s) or legal guardian(s), and
 - (iv) Structured solicitation of input from the student's parent(s) or legal guardian(s).

The Board of Education may, in its regulations, require assessments to include additional items which it determines to be necessary.

- (b) The Individual Truancy Prevention Plan shall include, at a minimum:
- (i) If the assessment demonstrates that the student has a learning disability: regularly scheduled special education sessions provided by a qualified professional,
 - (ii) If the assessment demonstrates that the student could benefit from mental health treatment and/or counseling: regularly scheduled treatment / counseling sessions provided by a qualified professional,
 - (iii) Tutoring sessions to help the student catch up on work missed during the truancy absences, and
 - (iv) A school-parent/guardian communication plan which requires that within 24 hours of the student's second consecutive unexcused absence, the student's school make reasonable efforts to contact the parent/guardian of the student to discuss the student's absence. A reasonable effort requires that the school district attempt phone calls or home visits in the evening if the parent(s) or guardian(s) cannot be reached during the day.

Where possible, the services described in this subsection shall be provided at the student's school and during the regular school day. The student's parent(s) or legal

guardian(s) and a school district official (e.g. a principal or Supervisor of attendance) shall sign the Individual Truancy Prevention Plan signifying that they agree to its terms. The Board of Education may, in its regulations, require Individual Truancy Prevention Plans to include additional items which it determines to be necessary.

(c) The Board's regulations shall require the school district to fund the assessment, special education, mental health counseling, and tutoring services where it is determined (in a manner established by the Board in its regulations) that the parents are unable to afford to contribute to the cost.

(d) The Board shall, in promulgating these regulations, include other provisions to ensure smooth and efficient implementation of this law and progress towards the goal of reducing student truancy. Such provisions shall include, but not necessarily be limited to:

- (i) Maximum number of days between student's tenth absence without medical excuse and the completion of the assessment of the student,
- (ii) Maximum number of days between the completion of the assessment and the development of the Individual Truancy Prevention Plan,
- (iii) Schedule and procedures for amending the Individual Truancy Prevention Plan or terminating its implementation,
- (iv) Required qualifications for professionals conducting the assessments and providing services to the student, and
- (v) Required school district reporting to the Department of Education enabling the Department to
 - a. Ensure that school districts are in compliance with the regulation,
 - b. Determine the effectiveness of the Individual Truancy Prevention Plans in reducing truancy

(e) Five years after the effective date of this law, the Department of Education shall submit a report to the Chairpersons of the Education Committees of the Senate and House of Representatives in the General Court. The report shall include

- (i) An overall evaluation of the regulation's effectiveness in reducing truancy, especially among students from low-income homes, and
- (ii) Any recommendations which would improve the law and help further reduce truancy.

(f) Disputes between parent(s) / guardian(s) and the school district regarding the assessment, the Individual Truancy Prevention Plan, implementation thereof, or other matter arising under this Section shall be resolved in accordance with the laws and procedures governing dispute resolution of special needs evaluations and Individual Education Plans under Chapter 71B ("Special Education") of the General Laws, and 603 C.M.R. 28.00.