

KANDIYOHI COUNTY  
TRUANCY INTERVENTION PROGRAM



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**KANDIYOHI COUNTY**  
**TRUANCY INTERVENTION PROGRAM**

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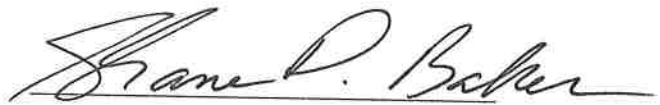
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**KANDIYOHI COUNTY**  
**TRUANCY INTERVENTION PROGRAM**

**ESTABLISHMENT DOCUMENT**

- A. The Kandiyohi County Truancy Intervention Program (Truancy Intervention Program) is established pursuant to M. S. A. § 260A.07 for the purpose of resolving habitual truancy and educational neglect matters without Court action.
- B. The Truancy Intervention Program will be effective upon approval by the Kandiyohi County Attorney for habitual truancy and educational neglect matters.
- C. The Truancy Intervention Program is voluntary on the parents' and child's part.
- D. The Truancy Intervention Program will only be available for parents, and for school children under 18 years of age, residing in Kandiyohi County.
- E. Separate Memorandums of Understanding concerning the Truancy Intervention Program will be entered into between the Kandiyohi County Attorney and other individuals, agencies, and departments as deemed necessary by the Kandiyohi County Attorney.

Approved: 9-15-2022



Shane D. Baker  
Kandiyohi County Attorney

## KANDIYOHI COUNTY TRUANCY INTERVENTION PROGRAM (TIP) GUIDELINES (AGE 11 AND UNDER)

It is recommended that all schools follow the guidelines set forth below for notifying the parents, the Kandiyohi County Attorney's Office, and Kandiyohi County Health and Human Services of any truancy related problems. **Students referred to this program must be a Kandiyohi County Resident.**

**STEP 1. Attendance Alert Letter:** A sample letter (**Exhibit 1**) is attached that may be used to satisfy this requirement. The Kandiyohi County Attorney's Office requests that this letter be sent to families prior to any referrals to the Kandiyohi County TIP.

All schools are required by Minnesota Statute to notify a parent(s) if their child becomes a continuing truant (**3 full-day unexcused absences**). This notification requires advising of the information stated in Minn. Stat. 260A.03. This is done by the Attendance Alert Letter.

Minnesota Statute §260A.03 provides: "Upon a child's initial classification as a continuing truant, the school attendance officer or other designated school official shall notify the child's parent or legal guardian, by first-class mail or other reasonable means, of the following:

- (1) that the child is truant;
- (2) that the parent or guardian should notify the school if there is a valid excuse for the child's absences;
- (3) that the parent or guardian is obligated to compel the attendance of the child at school pursuant to section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under section 120A.34;
- (4) that this notification serves as the notification required by section 120A.34;
- (5) that alternative educational programs and services may be available in the child's enrolling or resident district;
- (6) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
- (7) that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under chapter 260C;
- (8) that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to section 260C.201; and
- (9) that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day."

If the **Attendance Alert Letter** has not resolved a student's attendance issues, please follow these steps when referring cases to the Kandiyohi County Attorney's Office or Kandiyohi County Human Services:

**STEP 2: On-going School Interventions Before the Truancy Informational Meeting (TIM) Referral:**

Before making the TIM referral, the school shall take the following actions:

1. The Attendance Alert letter.
2. Schedule a conference with students to discuss truancy issues;
3. Schedule a meeting with the parent(s) to discuss truancy issues.
4. Please document all intervention efforts. **This information will be useful as the County Attorney's Office and Health and Human Services work with the student.** Additional intervention efforts may include the following:
  - Adjusted student's schedule
  - Adjusted student's program
  - Arranged transportation changes
  - Provided tutoring
  - Provided individualized instructions
  - Conducted home visits or conference
  - Arranged for morning calls
  - Made referral for special education assessment
  - ELL evaluation and assessment
  - Offered special programs
  - Alternative school placement
  - Retention and retrieval programs
  - Counseling-chemical dependency/mental health
  - Contacted the student's probation officer/social worker
  - Reviewed/made changes to current IEP
  - Requested SRO/law enforcement assistance

**STEP 3. Initial Truancy Letter From County Attorney's Office (5 unexcused absences) for Truancy Informational Meeting (TIM):**

If a student reaches **five full-day unexcused absences**, the school can request that the County Attorney's Office send a letter to the parent(s).

1. School sends **Truancy Letter Referral Form** (see attached **Exhibit 3**) to the County Attorney's Office requesting a letter be sent to the child and the child's parent(s). The form shall be completed and submitted with a current **attendance**

**record** and a copy of the school's **Attendance Alert Letter**, and other documents outlining interventions attempted. Forms and Letters need to be e-mailed to the County Attorney's Office and Health and Human Services at: [Truancy@kcmn.us](mailto:Truancy@kcmn.us)

2. The County Attorney's Office will send a letter to the child and the child's parent(s) providing the parent(s)/student with date and time of the Truancy Informational Meeting (TIM). A copy will also be e-mailed to the school (see attached **Exhibit 4**). Upon receipt of the mailed TIM letter, please route it to the appropriate parent(s)/student to ensure attendance at the TIM.
3. The County Attorney's Office **requests that the school remind students to attend the TIM**. The County Attorney's Office will provide schools with a list of students who are invited one or two days prior to the meeting.
4. At the TIM, parents/guardians and students will be asked to sign in, as well as provide updated contact information to Kandiyohi County.
5. The Health and Human Services Truancy officer/social worker will work with the parents and student before and after any TIM referral in an effort to address any truancy issues. This county truancy officer/social worker will also be present at the TIM to assist and work with the parents and student.

#### **STEP 4. Educational Neglect Referral (7 unexcused absences - Age 11 and under):**

If the above intervention efforts fail to correct a student's truancy problem and the student reaches **seven full-day unexcused absences**, the school shall make a verbal and written report of child maltreatment to Kandiyohi County Health and Human Services alleging educational neglect.

1. The school completes the **Educational Neglect Referral Form** (see attached **Exhibit 3**) and attaches all necessary documents listed in the form.
2. Kandiyohi County Health and Human Services will screen the report for a child maltreatment family assessment or family investigation.
3. At the completion of the assessment/investigation, the original mandated reported will be notified of the outcome of the assessment/investigation and whether services will be provided.
4. If the assessment/investigation results in a determination of high risk of future maltreatment, or the parent(s)/guardian refuses to cooperate in assuring school

attendance, Health and Human Services will consult with the County Attorney's Office to request an appropriate CHIPS Petition.

5. **Methods for Notification of Continued Unexcused Absences:** If the child has additional unexcused absences, the school authority shall notify Kandiyohi County Health and Human Services - Service Entry and attach a copy of the child's attendance record (with a copy to the County Attorney's Office)

### **Minnesota Compulsory Instruction Statute**

Minn. Stat. § 120A.22 Subd. 5(a): Every child between seven and 17 years of age must receive instruction unless the child has graduated. Every child under the age of seven who is enrolled in a half-day kindergarten, or a full-day kindergarten program on alternate days, or other kindergarten programs shall receive instruction. Except as provided in subdivision 6, a parent may withdraw a child under the age of seven from enrollment at any time.

Minn. Stat. § 120A.22 Subd. 6(a): Once a pupil under the age of seven is enrolled in kindergarten or a higher grade in a public school, the pupil is subject to the compulsory attendance provisions of this chapter and section 120A.34, unless the board of the district in which the pupil is enrolled has a policy that exempts children under age seven from this subdivision.

## KANDIYOHI COUNTY TRUANCY INTERVENTION PROGRAM (TIP) GUIDELINES (AGE 12 AND OVER)

It is recommended that all schools follow the guidelines set forth below for notifying the parents, the Kandiyohi County Attorney's Office, and referring the child to the Kandiyohi County Truancy Intervention Program (TIP). **Students referred to this program must be a Kandiyohi County resident.**

**STEP 1. Attendance Alert Letter:** A sample letter (**Exhibit 2**) is attached that may be used to satisfy this requirement. The Kandiyohi County Attorney's Office requests that this letter be sent to families prior to any referrals to the Kandiyohi County TIP.

All schools are required by Minnesota Statute to notify a parent(s) if their child becomes a continuing truant (**three or more class periods on three days**).

Minnesota Statute §260A.03 provides: "Upon a child's initial classification as a continuing truant, the school attendance officer or other designated school official shall notify the child's parent or legal guardian, by first-class mail or other reasonable means, of the following:

- (1) that the child is truant;
- (2) that the parent or guardian should notify the school if there is a valid excuse for the child's absences;
- (3) that the parent or guardian is obligated to compel the attendance of the child at school pursuant to section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under section 120A.34;
- (4) that this notification serves as the notification required by section 120A.34;
- (5) that alternative educational programs and services may be available in the child's enrolling or resident district;
- (6) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
- (7) that if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under chapter 260C;
- (8) that if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to section 260C.201; and
- (9) that it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day."

If the **Attendance Alert Letter** has not resolved a student's attendance issues, please follow these steps when referring cases to the Kandiyohi County TIP:



## **STEP 2: On-going School Interventions Before the TIM Referral:**

Before making the TIM referral, the school shall take the following actions:

1. The Attendance Alert letter.
2. Schedule a conference with students to discuss truancy issues;
3. Schedule a meeting with the parent(s) to discuss truancy issues.
4. Please document all intervention efforts. **This information will be useful as the County Attorney's Office and Health and Human Services work with the student.** Additional intervention efforts may include the following:
  - Adjusted student's schedule
  - Adjusted student's program
  - Arranged transportation changes
  - Provided tutoring
  - Provided individualized instructions
  - Conducted home visits or conference
  - Arranged for morning calls
  - Made referral for special education assessment
  - ELL evaluation and assessment
  - Offered special programs
  - Alternative school placement
  - Retention and retrieval programs
  - Counseling-chemical dependency/mental health
  - Contacted the student's probation officer/social worker
  - Reviewed/made changes to current IEP
  - Requested SRO/law enforcement assistance

## **STEP 3. Initial Truancy Letter from County Attorney's Office for a Truancy Informational Meeting (TIM) (5 truanancies):**

### **STUDENTS AGE 12-17:**

If a student age 12 to 17 reaches **three or more unexcused absences on five separate days**, the student should be referred to a TIM, sponsored by Shane Baker, Kandiyohi County Attorney, and Kandiyohi County Health and Human Services, held twice monthly during the school year.

1. School submits a **Truancy Letter Referral Form** to County Attorney's Office (see attached **Exhibit 3**). Form shall be completed and submitted with a **current attendance record**, a copy of the school's **Attendance Alert Letter**, and other documents outlining interventions attempted. Forms and Letters need to be e-mailed to the County Attorney's Office and Health and Human Services at: [Truancy@kcmn.us](mailto:Truancy@kcmn.us)
2. The County Attorney's Office will send a letter to the child and the child's parent(s) with the date and time of TIM meeting. A copy will also be e-mailed to the school (see attached Exhibit 4). Upon receipt of the e-mailed TIM letter, please route it to the appropriate parent(s)/student to ensure attendance at the TIM.
3. The County Attorney's Office **requests that the school remind students to attend the TIM**. The County Attorney's Office will provide schools with a list of students who are invited one or two days prior to the meeting.
4. At the TIM, parents/guardians and students will be asked to sign in, as well as provide updated contact information to Kandiyohi County.
5. The Health and Human Services Truancy officer/social worker will work with the parents and student before and after any TIM referral in an effort to address any truancy issues. This county truancy officer/social worker will also be present at the TIM to assist and work with the parents and student.

#### **STEP 4. Truancy Petition Referral (7 unexcused absences):**

##### **STUDENTS AGE 12 - 17:**

When a student age 12 to 17 has additional unexcused absences following the TIM (**provided they have a minimum of one or more class periods on seven school days per school year**), the school should refer the student for a truancy petition:

1. Schools will complete the **Truancy Petition - Referral Form** (see attached **Exhibit 3**), attach a current attendance record, and all other documentation relating to the intervention efforts completed by the school. The form should be sent to the County Attorney's Office and Health and Human Services at: [Truancy@kcmn.us](mailto:Truancy@kcmn.us). The referral will be reviewed by the County Attorney's Office to ensure a sufficient legal basis exists to file the truancy petition. The County Attorney's Office or Health and Human Services will contact the school if there are any questions or concerns regarding the referral.

2. County Attorney's Office and Health and Human Services will consult regarding whether to file a petition or attempt an alternative to court.
3. Continued Unexcused Absences: If the child has additional unexcused absences, the school authority shall notify the County Attorney's Office and Health and Human Services at [Truancy@kcmn.us](mailto:Truancy@kcmn.us).
4. If a truancy petition is filed, Court will schedule hearings within 10 days of filing the petition.
5. Schools will be notified of court hearings and are to attend.

**STEP 5. Court Hearings:**

1. Truancy Hearings:
  - a. Generally scheduled every Tuesday afternoon starting at 2:45 p.m. This block runs from approximately October 1<sup>st</sup>-June 1<sup>st</sup>;
  - b. School official/representative to sit at counsel table with assistant county attorney;
  - c. Court may impose one or all of the following consequences:
    - i. Parents could be required to deliver child to school every morning;
    - ii. Students could lose driving privileges until 18th birthday;
    - iii. Students could be fined up to \$100;
    - iv. Students over age 14 who have previously been through the Kandiyohi County TMP and are petitioned to court will lose driving privileges for a period of time up to age 18;
    - v. Students could be ordered under house arrest including the use of Electronic Home Monitoring (EHM) and the use of curfew-EHM;
    - vi. Student could be removed from his or her home and placed in a short-term residential facility;

- vii. Student could be placed in long-term residential treatment;
- viii. Require parents or another adult to attend school with student;
- ix. No electronics at school or during certain periods of time.
- x. Other consequences as deemed necessary by the court

2. Truancy Review hearings:

- a. Following an admission to the truancy or following the trial finding the child truant, the court will be typically scheduling two review hearings to assess the child's progress.
- b. These review hearings will be scheduled approximately 30 days and 60 - 90 days after the finding of truancy. There may be fewer or more review hearings depending on the circumstances of the case. These hearings will be scheduled in the morning;
- c. The hearing will be by Zoom. The student and the School official/representative would appear from school;
- d. The purpose of the review hearing is to address any issues affecting on-going truancy. Court may impose the same consequences listed above.

**Minnesota Compulsory Instruction Statute**

Minn. Stat. § 120A.22 Subd. 8: Any student who is 17 years old who seeks to withdraw from school, and the student's parent or guardian must:

- (1) attend a meeting with school personnel to discuss the educational opportunities available to the student, including alternative educational opportunities; and
- (2) sign a written election to withdraw from school.

## ATTENDANCE ALERT LETTER - ELEMENTARY SCHOOL STUDENT

Date

Name  
Address  
City/State

Dear Parent(s)/Guardian(s) of Student:

Pursuant to Minnesota law, an elementary student who misses three full days of school without a valid excuse is considered a "continuing truant." School records indicate that your child has been absent without lawful excuse on (dates missed). We have not received notice that any of these absences have been excused. In the event that there is a valid excuse for your child's absences, you should notify the school immediately.

In Minnesota, the parent/guardian of a child is obligated to compel a child to attend school or face criminal prosecution under Minn. Stat. § 120A.34 (Compulsory Attendance Statute). It is your right to meet with school officials to discuss a possible solution to your child's truancy. (Name of school) and the (name of school district) have a variety of alternative programs and services which may be made available to your son or daughter to help address the attendance program. It is our hope that you will contact the school to set up such a meeting.

Any additional absences may result in you and your child being subject to juvenile court proceedings under Chapter 260C, and potentially the dispositions listed in 260C.201.

Finally, we recommend that the parent/guardian of a truant student accompany the student to school and attend classes with the child for one day. Please feel free to contact the school to make arrangements for such a visit.

Please contact Assistant Principal (Name) if you have any questions or concerns about the contents of this letter. Please note that the contents of this letter are required pursuant to Minn. Stat. §260A.03 and the letter serves as your legal notice of truancy.

Sincerely,

Name  
Title  
School Name  
Address  
City/State  
Phone Number

EXHIBIT 1

## ATTENDANCE ALERT LETTER – MIDDLE/JUNIOR/SENIOR HIGH SCHOOL

Date

Name  
Address  
City/State

Dear Parent(s)/Guardian(s) of Student:

Pursuant to Minnesota law, a middle school, junior high, or high school student who misses three or more class periods on three days of school without a valid excuse is considered a "continuing truant." School records indicate that your child has been absent without lawful excuse on (dates missed). We have not received notice that any of these absences have been excused. In the event that there is a valid excuse for your child's absences, you should notify the school immediately.

In Minnesota, the parent/guardian of a child is obligated to compel a child to attend school or face criminal prosecution under Minn. Stat. § 120A.34 (Compulsory Attendance Statute). It is your right to meet with school officials to discuss a possible solution to your child's truancy. (Name of school) and the (name of school district) have a variety of alternative programs and services which may be made available to your son or daughter to help address the attendance program. It is our hope that you will contact the school to set up such a meeting.

Any additional absences may result in you and your child being subject to juvenile court proceedings under Chapter 260C, and potentially the dispositions listed in 260C.201.

Finally, we recommend that the parent/guardian of a truant student accompany the student to school and attend classes with the child for one day. Please feel free to contact the school to make arrangements for such a visit.

Please contact Assistant Principal (Name) if you have any questions or concerns about the contents of this letter. Please note that the contents of this letter are required pursuant to Minn. Stat. §260A.03 and the letter serves as your legal notice of truancy.

Sincerely,

Name  
Title  
School Name  
Address  
City/State  
Phone Number

EXHIBIT 2



**SHANE D. BAKER**  
Kandiyohi County Attorney

**KRISTEN E. PIERCE**  
First Assistant County Attorney

Assistant County Attorneys  
 Laura J. Leitch  
 Rachel A. Molsberry  
 Julianna F. Passe  
 Laura J. Garvey  
 Rebecca A. Trapp

**KANDIYOHI COUNTY TRUANCY REFERRAL FORM**

This form is to be completed when the student has five or more unexcused absences on separate days and at a minimum a letter has been sent, a phone call (other than an automated phone call) has been made, and there has been a meeting (or attempted) regarding truancy has been held. Please submit an updated referral at seven days absent.

- Initial Truancy Intervention Referral
- Educational Neglect/Truancy Court Petition Referral

Student Information:				
Student Name:	DOB:	Age:	<input type="checkbox"/> Male	<input type="checkbox"/> Female
School:	Grade:	IEP?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Full Days Unexcused:	Kandiyohi County Resident?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Partial Days Unexcused:	Native American Heritage?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Student's Home Address:				
Student's Cell Phone #:		Student's Email Address:		
Custodial Parent and/or Guardian Information:				
Custodial Parent? <input type="checkbox"/> Yes <input type="checkbox"/> No		Mother's Home Address:		
(Mother): (DOB: )		Father's Home Address:		
Custodial Parent? <input type="checkbox"/> Yes <input type="checkbox"/> No		Father's Home Phone #:		
(Father): (DOB: )		Father's Work Phone #:		
Mother's Home Phone #:		Father's Cell Phone #:		
Mother's Work Phone #:		Father's Email Address:		
Mother's Cell Phone #:		Emergency Contact Information:		
Name of Emergency Contact 1:		Emergency Contact 1 Phone #:		
Name of Emergency Contact 2:		Emergency Contact 2 Phone #:		
Sibling Information:				
Name:	DOB:	School:	Grade:	
Name:	DOB:	School:	Grade:	
Name:	DOB:	School:	Grade:	
Name:	DOB:	School:	Grade:	

EXHIBIT 3

<b>Primary Language Information:</b>	
Primary Language at home:	Interpreter Services Needed? <input type="checkbox"/> Yes <input type="checkbox"/> No

**Intervention/Efforts:**

- Informed the parent(s)/guardian(s):
  - in writing and/or  By phone that the student has been absent without excuse.
- Scheduled a conference with the student.
- Scheduled a conference with the student and parent(s)/guardian(s).
- Did the School District enter into a written agreement with the student and parent that established school attendance requirements?
  - Yes (Original agreement attached)  No

In addition, the School District has undertaken the following actions to eliminate or reduce the student's absences:

- Adjusted Schedule
  - Adjusted Student's Program:
  - Work experience
  - Check & Connect
  - Arranged transportation changes
  - Provided tutoring
  - Provided individualized instruction
  - Conducted home visits or conference
  - Arranged for morning calls
  - Made referral for special education assessment
  - ELL Evaluation and assessment
  - Offered special programs: \_\_\_\_\_
  - Alternative school referral
  - Retention and retrieval programs
  - Counseling-chemical dependency/mental health
  - Contacted the student's probation officer/social worker
  - Reviewed/made changes to current IEP
  - Requested SRO/law enforcement assistance
  - Referral to school based mental health worker
  - PSOP Referral
- Date testing completed: \_\_\_\_\_

Referring School & Address	Telephone Number	Contact Person	Date

**Please attach copies of:**

- Student's Attendance Record
- Attendance Alert Letter
- In School Attendance Contracts
- Verify student/parent contact information is up to date
- List of contacts made to parents/guardians
- Any/All other documents regarding intervention

Submit completed form via email to:

[Truancy@kcmn.us](mailto:Truancy@kcmn.us)

**\*\*\*INCOMPLETE REFERRALS WILL BE RETURNED FOR COMPLETION\*\*\***





SHANE D. BAKER  
Kandiyohi County Attorney

KRISTEN E. PIERCE  
First Assistant County Attorney

Assistant County Attorneys  
Suelana M. Kinney  
Laura J. Leitch  
Rachel A. Molsberry  
Julianna F. Passe  
Laura J. Garvey  
Rebecca A. Trapp

Date

Custodial Parent  
Child Address

RE: **\*\*Name of Child\*\***  
Age:

Dear **\*\***:

School attendance is mandatory in the State of Minnesota. The Administrators of **\*\*School\*\*** have informed the Kandiyohi County Attorney's Office that your child has not been attending school regularly as required by law. Because your child has been absent from school without lawful excuse during [three full days] [three or more class periods on three or more days], he/she is considered a "continuing truant" under Minnesota law. It is both you and your child's responsibility to ensure regular school attendance. Failure to comply with requirements of Minnesota law may result in court action being taken against you and your child by Kandiyohi County Attorney's Office. This court action could include an educational neglect child protection action, a truancy petition, or a criminal complaint against the parents or guardians pursuant to Minn. Stat. §120A.34 for failure to compel the attendance of the minor at school.

To avoid these court actions, **Truancy Intervention Meeting** sponsored by the Kandiyohi County Attorney's Office and Kandiyohi County Human Services is being scheduled. Attendance at the meeting is voluntary.

The meeting will last approximately one (1) hour. There will be time allowed for questions after the meeting. Thank you in advance for being on time.

**\*\*Meeting Date\*\***

**Check in at 5:00 p.m.**

**Meeting will start promptly at 5:30 p.m.**

**Kandiyohi County Health and Human Services (See enclosed directions/map)**

**Multi-Purpose Room – Lower Level**

**2200 23<sup>rd</sup> Street NE**

**Willmar, MN 56201**

If you have any questions or concerns regarding your child's school attendance, you should contact your child's school, **\*\*Agency\*\***, attendance liaison. **Please note that your child's attendance record will be available for your review at this meeting.** We request that small children are not brought to the meeting as your full attention to this matter is needed.

415 6<sup>th</sup> Street Southwest • P.O. Box 1126 • Willmar, MN 56201

Phone: 320-231-2440 • Fax: 320-231-2706

county.attorney@kcmn.us

EXHIBIT 4

**\*\*The referral completed by the school indicated interpreter services were needed, so an interpreter has been requested to attend this meeting with you. If you do not need an interpreter, please call \*\*.**

Sincerely,

**\*\***

/mrt

Enclosure

cc: Referred By **\*\*School\*\***  
Becky Anderson, KCHHS Social Worker  
Kandiyohi County Health and Human Services