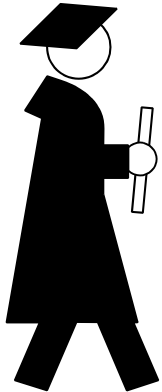


## A Final Note:

“Truancy is an important issue in Johnson County. It has an impact on the entire community. Research has shown that truancy and crime rates are related, in both a community and individual sense. Therefore, our office has pledged to work closely with schools, law enforcement and the court system to deal with truancy. When our office becomes aware of a truancy problem, we will take immediate steps to effectively deal with the issue.”

-- Paul J. Morrison  
District Attorney  
Johnson County, Kansas

If you have any questions or concerns about a specific juvenile case or law, please feel free to contact



*Brian Lipford*  
Assistant District Attorney  
(913) 715-3072  
[Brian.Lipford@jocogov.org](mailto:Brian.Lipford@jocogov.org)

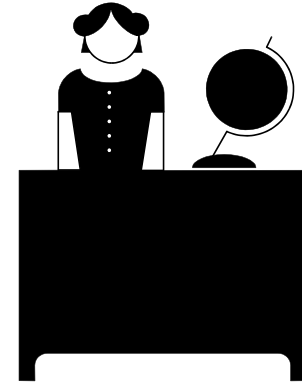
*Jackie Bivens*  
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And remember parents: you play the biggest role in making sure your child attends school and gets an education. Help the school system help your child.

Johnson County District Attorney's Office

Juvenile Division  
P.O. Box 728  
Olathe, KS 66051  
913-715-3000

# Important Information About Truancy Laws



An Informational Brochure

Presented by the

**JOHNSON COUNTY  
DISTRICT ATTORNEY'S OFFICE**

**Paul J. Morrison,  
District Attorney**

**July, 2004**

**Brian Lipford, Assistant D.A.  
Jackie Bivens, Truancy Assistant**

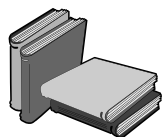
# Important Information About Truancy Laws

Truancy is a serious problem in Johnson County. In the year 2003 alone, over 3,090 juvenile cases were filed in District Court and over 470 referrals were received for truancy. Because well educated children are more successful in life, our court system believes that prosecuting truancy cases makes a difference for our community.

## ATTENDANCE

*Who must attend school?*

✓All children between the ages of seven and eighteen must attend school continuously. The laws also apply to children under seven who are enrolled in school. Our compulsory attendance laws apply to all Kansas students attending public, private parochial, or denominational schools.



*What if a child has special needs?*

✓The attendance of children who attend special education classes is subject to the 1997 Individuals with Disabilities Act, and amendments. Generally, these children are required to attend school until graduation, or until they reach the age of 21.

*How is Attendance Determined by Law?*

✓“Truancy” is a legal term. A child who has 3 consecutive unexcused absences, or 5 unexcused absences a semester, or 7 in a year, whether part or all of the day, is considered truant.

*What is an "unexcused absence"?*

✓The law delegates the authority of deciding if an absence is excused or unexcused to each school or school district. The school also has the authority to determine if the absence is enough of the day to constitute a complete absence. Typical excused absences are illness with a doctor's note, or emergencies

with parent confirmation. Please consult your school to find out when an absence is considered unexcused, or when it counts for a whole day and what form of excuse will be accepted.

## REPORTING AND REFERRAL

*What happens if a child is determined to be truant?*

✓The school is required to provide notice to the parent or guardian. The school will then try to work informally with the family to try and solve the problem.

✓However, if the child continues to be truant after notice has been received, then state law requires the school to report the truancy to the District Attorney's Office.

*What happens once the DA's office gets involved?*

✓The DA's office is given broad discretion in handling truancy matters. The child may be requested to complete an assessment process at the Juvenile Intake and Assessment Center (JIAC) in Olathe, Kansas. A child willing to work on these issues will be given every opportunity to avoid court proceedings. The school and SRO (school resource officer) will be notified of any action taken. In the event that informal options are not appropriate, then the case may be filed with the court as a Child in Need of Care (CINC) case.

*What happens in Court?*

✓A CINC case is a court action alleging a child is in need of special help (in this case because of truancy). The child is appointed an attorney. The parents may be represented by an attorney if they wish. If a child is found to be “truant,” then the court may order individual or family counseling, treatment, or even out of home placement. The family may be required to pay for the costs of the services, including paying child support for out of home placement. It is more cost effective for a family to prevent, or informally deal with truancy problems.



*What happens if a child walks away from school grounds after a parent/guardian has taken the child to school?*

✓The law allows police officers to take into custody any student found off school grounds during school hours. After the officer takes custody of the child, the child is taken back to school, or home or to JIAC.

## HOME SCHOOLING

*What is the law regarding home schooling?*



✓The compulsory attendance laws are not an effort to eliminate home schooling, but rather to make sure each child gets an education. Home schooling may be approved by the court only if the teaching curriculum, and reason for home schooling are appropriate, and if the child's needs are being met.

## DROPPING OUT

*Can a student just “drop out”?*

✓No. Kansas law requires a student attend school until age 18, or upon receiving a diploma or G.E.D.

✓A student over 16 may withdraw from school, but only after consultation with a school counselor, and with parental consent. Usually, a special education student with an I.E.P. cannot leave school unless the staffing committee agrees the student should no longer receive special services.