

Jess Anderson
Count Me In
LD 322

Chairperson and Members of the Committee,

I appreciate the opportunity to provide testimony on LD 322, which proposes the full repeal of Maine's truancy statute. My intention is not to express support or opposition to the bill, but rather to highlight key considerations for the committee as it evaluates the role of truancy laws in addressing absenteeism.

Maine's current truancy statute establishes specific thresholds for unexcused absences and outlines a process for school intervention, including referrals to student assistance teams, the development of intervention plans, and potential legal actions if truancy persists. While this framework incorporates some best practices for addressing attendance issues, it also presents challenges that hinder effective implementation. As the Executive Director of Count ME In, I have the opportunity to partner with schools across the state to support them with improving student attendance. Currently, our organization is providing monthly collaborative learning sessions for schools reaching over 40 school leaders each month at no cost as well as providing more intensive support to over two dozen other schools. Through my work with schools, I have witnessed confusion with multiple attendance metrics, misunderstandings of the current truancy process, and frustration with feeling helpless trying to support the most challenging students. I have also observed success setting attendance goals, communicating expectations, regularly reviewing data, and intervening collaboratively and effectively.

Strengths of the Current Statute:

Collaboration and Intervention: The law mandates referrals to teams and the creation of intervention plans, initially promoting proactive engagement rather than punitive measures.

Evidence-Based Practices: By suggesting strategies such as mentoring, counseling, tutoring, and family referrals, the statute aligns with best practices that emphasize individualized support over disciplinary actions.

Accountability and Reporting: The requirement for schools and districts to report truancy data and actions ensures a level of monitoring and awareness of attendance issues at a system-wide level.

Recognition of Limited School Resources: The statute acknowledges that schools may not always have the necessary resources to address truancy effectively and provides steps to connect with external supports such as school boards, DHHS, and law enforcement.

Challenges in Implementation:

Focus on Unexcused Absences: In order to fully address attendance challenges, we need to address all absences not just those that are unexcused. Focusing on unexcused absences

Resource Constraints: Many schools lack the adequate staff, time, and funding necessary to effectively implement intervention plans, limiting their ability to provide meaningful support beyond the identification of truant students.

Data Access and Communication Barriers: Schools often face delays in accessing accurate attendance data and encounter significant challenges in engaging families, particularly those experiencing economic or social hardships.

Limited Enforcement Mechanisms: Although the law outlines escalating steps for intervention, including potential legal action, these measures do not always yield improved attendance outcomes, especially when underlying barriers remain unaddressed.

Additional Concerns About Notification of Law Enforcement: From a capacity standpoint, both schools and law enforcement agencies often lack the necessary resources to effectively handle truancy cases in a supportive manner. Additionally, there are significant concerns regarding the potential consequences of involving law enforcement, particularly for students from marginalized communities. Issues related to race, immigration status, and historical distrust of law enforcement can further

deter families from engaging with schools, exacerbating attendance challenges rather than resolving them.

Ineffectiveness of External Support Mechanisms: While the statute provides a pathway for schools to connect with school boards, DHHS, and law enforcement when additional support is needed, these external systems often fail to provide effective solutions for students and families facing the most significant challenges. Without coordinated and responsive interventions, these referrals do not always lead to meaningful improvements in attendance or student well-being.

Concerns About Full Repeal: While the current statute is not without its flaws, the complete removal of the statute without a carefully crafted alternative risks creating a gap that could lead to even less effective attendance policies. In the absence of a structured framework, schools may find it increasingly difficult to systematically address absenteeism, particularly without clear state guidance on interventions and support strategies. Moreover, a repeal could weaken the accountability measures that currently facilitate statewide tracking and individualized responses to absenteeism.

Recommendations for Consideration: If the committee decides to proceed with the repeal, I encourage thorough deliberation regarding what should replace the existing statute. Rather than complete removal, potential alternatives could include:

Shifting from a truancy-focused model to one centered on chronic absenteeism, which takes into account all absences (excused and unexcused) and promotes prevention and early intervention through evidence-based practices.

Providing schools with additional resources and professional development to enhance their ability to support students facing attendance challenges or those at risk for chronic absenteeism.

Improving statewide data systems and coordination efforts to facilitate real-time tracking of attendance and support earlier intervention.

Developing clear, non-punitive protocols for school responses that do not rely on law enforcement involvement, ensuring that students and families receive support without fear of legal consequences that could disproportionately impact marginalized communities.

Establishing dedicated attendance intervention roles, such as community liaisons, to provide schools with an effective next step when internal interventions have been exhausted.

In my role, I acknowledge that schools face difficulties in finding the time to implement the steps outlined in the current truancy law due to challenges with data access, limited opportunities for family communication, and insufficient resources for effective intervention plans. Any modifications to the law should consider these realities and ensure that districts are well-equipped to support students and families effectively. Addressing attendance challenges requires a community-wide effort, and we cannot expect our schools to solve this issue alone without adequate support from community partners.

Thank you for your attention to this important issue and for your commitment to finding the best path forward for Maine's students. I appreciate your time and consideration.