



The Commonwealth of Massachusetts

MIDDLESEX DISTRICT ATTORNEY
15 COMMONWEALTH AVENUE WOBURN, MA 01801
WWW.MIDDLESEXDA.COM



DISTRICT ATTORNEY

TEL: 781-897-8300
FAX: 781-897-8301

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- COMMUNICATIONS
- INTERVENTION & PREVENTION PROGRAMS
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- CYBER PROTECTION PROGRAM
- FAMILY PROTECTION BUREAU
- CHILD ABUSE UNIT
- DOMESTIC VIOLENCE UNIT
- ELDER/DISABLED UNIT
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- WALTHAM
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September 1, 2016

Dear Parent/Guardian:

As your District Attorney and the mother of two young adults, I know that students and their families face many challenges throughout the school year. I have been working with your school district to ensure that we have policies in place so that your child is safe and productive. One of our primary concerns is the need for consistent and timely school attendance for all students.

The consequences of failing to attend school are serious and well-documented. Truancy has been identified as a potential predictor of criminal behavior and drug use. It is often associated with lowered academic achievement, self-esteem and even diminished employment potential. In addition, several studies have found that a pattern of poor attendance in the early grades is linked to an increased likelihood for dropping out of school in later years.

Parents and guardians, as well as students themselves, have the statutory responsibility to ensure that attendance at school is regular and timely. If a school identifies a student who is exhibiting an attendance problem, which includes tardiness, the school is required by law to address that problem. This could be as simple as notifying the parent or guardian and working together to improve that student's attendance. In extreme instances, however, it may require the school to solicit assistance from the Court or The Department of Children and Families.

Enclosed you will find a summary of the Massachusetts General Laws pertaining to attendance. We encourage you to review this as well as your school's policy on attendance. Please feel free to contact the principal of your child's school should you wish to discuss this information further.

We all share the goal of enabling our students to reach their full potential and that begins with a student's regular and timely attendance at school. Thank you for your anticipated cooperation. We look forward to a successful school year!

Sincerely,

Marian Ryan
District Attorney
Middlesex County

Superintendent
Marlborough Public Schools

Principal
_____ School



TRUANCY AND ATTENDANCE

Information FOR PARENTS AND GUARDIANS

One of the keys to academic achievement is good attendance. Consistent participation in school and school-based activities is important for making a successful transition from youth to adulthood. Tardiness and truancy are the first indicators that a student may be experiencing stress or other difficulties in his or her life. Massachusetts laws pertaining to attendance are designed to protect children and ensure that they are safe and productive.

The following is a summary of some of the Massachusetts General Laws pertaining to attendance:

School Attendance

Chapter 76, section 1 of the Massachusetts General Laws states that all children between the ages of six and sixteen must attend school. A school district may excuse up to seven day sessions or fourteen half day sessions in any period of six months. In addition to this law, each school may have its own attendance policy with which parents/guardians should be familiar.

Notification and Contact Information

Chapter 76, section 1A of the Massachusetts General Laws states that parents/guardians must be provided each year with the instructions for calling a designated phone number at a designated time to inform the school of the absence of a student and the reason for the absence. In addition, parents/guardians must provide the school with a home, work or other emergency telephone number so that they may be contacted during the school day so the school may call and inquire about said absence.

Supervisor of Attendance

Chapter 76, section 19 of the Massachusetts General Laws states that each school committee must employ a supervisor of attendance. A supervisor of attendance has the power to apprehend and take to school any child who is truant and is required to investigate all cases where a child in the district fails to attend school.

CRA (Child Requiring Assistance) Application

Under Chapter 119 of the Acts of 2012, Governor Patrick signed an amendment into law that changes Children in Need of Services ("CHINS") to Families and Children Engaged in Services ("FACES"). This modification impacts schools with regard to the filing of FACES applications. A "CRA" (Child Requiring Assistance) application may be filed in court by a school district if a school-aged child who is "habitually truant," that is, who willfully fails to attend school for more than eight school days in a quarter, or who repeatedly fails to obey the lawful and reasonable regulations of his or her school. The Court's authority pursuant to a CRA petition includes the power to place the child in the custody of the state agency known as the Department of Children and Families.

51A

A 51A is a report of suspected child abuse or neglect that is filed with the Department of Social Services. Under Chapter 119, section 51A of the Massachusetts General Laws, a report can be filed on behalf of a child under the age of eighteen for educational neglect if a child is not attending school on a regular basis.

Parental Responsibility

Parents or guardians are legally responsible for ensuring that a child under their control attends school daily. It is a crime for a responsible parent or guardian not to cause such a child to attend school. If a child fails to attend school for seven day sessions or fourteen half day sessions within any six month period, the supervisor of attendance may file a criminal complaint in court against the responsible parent/guardian.

Inducing Absences

It is a crime to induce or attempt to induce a minor to miss school, or unlawfully to employ or to harbor a minor who should be in school.