



Wayne County Prosecutor
Kym L. Worthy



The following forms must be completed and submitted to the Wayne County Prosecutor's Office - Juvenile Division when filing a petition:

[ERASE TRUANCY](#) Forms Link

**Prosecutor Abolish Chronic Truancy
Forms ([PACT](#)) Link**

If you have questions regarding attendance intervention procedures or would like more information, please contact Assistant Prosecuting Attorney Roberta Bryant, Wayne County Prosecutor's Office - Juvenile Division at rbryant@co.wayne.mi.us 313.833.3115



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School Attendance



Attending school on time and everyday is the foundation that increases a student's earning potential and positive opportunities through life. It is also the law. The ERASE Truancy Intervention Program and the Prosecutor's Abolish Chronic Truancy Program (PACT) help make sure all of our children are in school to receive the benefits of education. These Truancy Intervention Programs are an effort by the Wayne County Prosecutor's Office to improve school attendance by working with students, parents, schools and the community to ensure a faster, more effective response to truancy problems

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Why Attendance Matters

Why does going to school matter so much?

Because school is a person's foundation for the future.



Education not only gives people basic skills they will need for all aspects of life, but it exposes them to a range of possibilities for their future. School helps students explore different ideas and activities, and helps them figure out what paths they want to take next.

In a very practical and immediate way, school helps students attain a better quality of life. But it all starts with being in school.

A high school graduate will earn nearly \$1 million more than a dropout in his or her lifetime. Compare these average incomes:

- \$18,734 high school drop-out
- \$27,915 high school graduate
- \$51,206 college graduate

But it isn't just about making less money, crime, unemployment, underemployment, drug abuse, alcohol abuse and risky sexual activity have all been linked to chronic absenteeism from school. Consider these facts:

- 41% of inmates in our nation's state and federal prisons and local jails have not completed high school or its equivalent.
- High rates of truancy are linked to high daytime burglary rates and vandalism.
- Problems with school have been found to be a risk factor for all juveniles, regardless of race or gender, to engage in weapons-related violence.

Why is skipping a day here or there a concern?

It is hard for a student to be fully prepared and fully engaged when he or she misses classes, even if it is just a couple. Missing school starts a downward cycle of a student being behind and potentially feeling discouraged in class.

A student between the ages of 12 and 15 who is absent ten (10) or more days in a school year without lawful excuse is a "continuing truant".

Truancy is a major risk factor for dropping out of school and for delinquent behavior, including substance abuse, gang involvement, and criminal activity. These activities lead to more serious problems in adult life.



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School Attendance Laws

THE LAW

Attendance at a public school for the entire school year is mandatory for students between the ages of six and sixteen, unless other qualified educational arrangements are made. (MCL 380.1561)

Failure to comply with the compulsory education act can subject a parent/guardian to criminal prosecution and, if convicted, up to 90 days in jail, or a fine, or both.

What is a legal excuse to miss school?

Excused absences

- **Illness.** A parent or guardian must verify the student's illness. If school personnel determine the illness absences are excessive, Michigan law permits the school to require the family to provide medical verification or to see the school nurse.
- **Religious observances** required by the student's religion.
- **Extreme family emergency** (e.g. house fire, critical injury to parent/guardian, funeral of a close family member).
- **Medical appointments** that cannot be scheduled outside of school hours.
- Prior approval by the school principal is required for absences due to travel.

School administration has the right to determine the validity of any request for an excused absence.

Educational Neglect Versus Truancy

If a child is under age 12, his or her failure to attend school is presumed to be the crime of educational neglect committed by the child's guardians. If the child is age 12 or older, his or her failure to attend school is presumed to be truancy. The presumption of whether a child's absence from school is deemed educational neglect or truancy can be overcome with evidence to the contrary.



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Educational Neglect Laws (Ages 6 - 11)

Educational neglect is a parent or guardian's failure to ensure the child attends school as required by law.

Presumption - A child's absence from school is presumed to be due to the parent's, guardian's, or custodian's failure to comply with compulsory instruction laws if the child is under 12 years old and the school has made appropriate efforts to resolve the child's attendance problems.

Truancy Laws (Ages 12 +)

Truancy is a child's willful absence without lawful excuse from one or more class periods on ten or more different school days.

When a student is classified as a continuing truant, the school may notify the student's parent or legal guardian that the child is considered truant and inform the parents of the provisions of Michigan Compulsory Attendance Law regarding truant students. The school may also refer a continuing truant to the Wayne County Attorney's Office Truancy Intervention Program.

Suspensions and Dismissals

"Dismissal" means the denial of the current educational program to any student.

"Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a specified period of time.



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What Parents and Guardians Can Do

What Parents and Guardians Must Do

- **Call or contact the school every time your child is absent.**
- **Know the person at your child's school who is in charge of attendance.**
- **Make sure your child is up, ready, and on the way to school every day.**
- **Make sure your child's homework is done.**
- **Attend conferences.**
- **Be sure not to ignore letters and phone calls.**



For Parents and Guardians to Remember

- **You're responsible for solving problems that interfere with your child's school attendance.**
- **School attendance is the single most important predictor of school success.**
- **Education is a basic need and it is your child's future.**
- **Compulsory attendance is the law.**
- **You will face consequences if your child's school attendance does not comply with the law.**



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Prosecutor's Abolish Chronic Truancy (PACT) Program Overview (Ages 12 - 15)



The Wayne County Prosecutor's Abolish Chronic Truancy (**PACT**) Program is diligently working in collaboration with schools to address the problem of truancy in Wayne County for all students ages 12-15.

Initiated by Wayne County Prosecutor Kym Worthy, **PACT** is proving to be a mechanism for schools to report truancy and quickly address the problem of excessive school absences.

Early identification and intervention with at-risk youth has been the hallmark of the Truancy Intervention Program. It is well established that improved attendance leads to improving academic achievement and an increase in school completion rates.



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ERASE Truancy Program Overview (Ages 6- 11)



The **ERASE Truancy** Program was initiated by the Wayne County Prosecutors Office to address chronic absenteeism of elementary-age children living in Wayne County.

The basic tenets of **ERASE Truancy** are:

1. Regular school attendance leads to higher academic achievement;
2. Education is a basic need for all children;
3. Education is the key to a successful future;
4. School attendance is mandatory; and
5. Parents of children who do not attend school as required by law will be petitioned to court for educational neglect if, despite ERASE's pre-court diversion efforts, attendance does not improve.

Elementary schools may refer any child living in Wayne County to the program who has been absent ten or more days during a school year without lawful excuse.



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Prosecutor's Abolish Chronic Truancy Program (PACT)

Referral Procedures

Maintaining good school attendance is necessary to ensure the successful academic achievement of students. The Wayne County **PACT** program is committed to work with students and parents to achieve good attendance. However, if there is a pattern of poor attendance, which includes unexcused or truant absences, the parent and student will be subject to appear at a truancy adjudication hearing.

- After the student has **five (5)** unexcused absences, the school will call the parent/guardian or send a reminder letter about the student's attendance.
- After **ten (10)** unexcused absences, the school will send a warning letter, reminding the parent of the need to improve the student's attendance and compulsory attendance law. The school will work closely with both student and parent to improve the student's attendance.

However, after a student has **eighteen (18) – twenty (20)** unexcused absences, school officials may file a truancy petition for court action.

It is the goal of **PACT** through the first two steps of the program, to avoid the filing of truancy petitions whenever possible. When the initial efforts of **PACT** are not successful, court ordered consequences and services are essential in capturing the attention of these students and modifying their behavior toward successful school attendance.

The **PACT** process is designed to assist school personnel and parents in making meaningful interventions that successfully modify students' behavior and improve their academic achievement, while also preventing many children from becoming entangled in the juvenile justice system.



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ERASE Truancy Program Referral Procedures

THE ERASE TRUANCY PROGRAM WORKS AS FOLLOWS:

- **When a child is absent ten (10) or more days without a valid excuse, the school Attendance Officer will investigate and notify the child's parent of a school meeting.**
- **If the parent fails to attend this meeting or continues to not send the child to school, the Attendance Officer sends a Formal Notice by mail requiring the parent/guardian to send the child to school the next day.**
- **If the parent fails to comply with the Formal Notice letter, the Attendance Officer makes a referral to the Wayne County Prosecutor. The Prosecutor then sends a warning letter to the parent informing them of the Compulsory Attendance Act and possible criminal prosecution.**
- **If the parent still fails to comply with the above steps, the Attendance Officer files a Complaint with the Prosecutor. The Prosecutor will review and issue a warrant for the parent charging educational neglect.**
- **If the parent fails to appear to answer charges, local law enforcement will make an arrest. The misdemeanor case will then be handled in the local District Court.**



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Referral Forms & sample letters for Schools

**Prosecutor Abolish Chronic Truancy (PACT) Referral Forms& letters
Ages 6-11) ([Word](#)) ([PDF](#))**

ERASE Truancy Referral Forms & letters (Ages 12-15) ([Word](#)) ([PDF](#))



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Contact Information

APA Roberta Bryant
Wayne County Prosecutor's Office – Juvenile Division
1025 E. Forest Ave.
Detroit, MI 48207

Phone: 313.833.3115

Fax: 313.833.2467