

Truancy

Education Commission of the States • 700 Broadway, Suite 1200 • Denver, CO 80203-3460 • 303.299.3600 • Fax: 303.296.8332 • www.ecs.org

Truancy and Habitual Truancy Examples of State Definitions

Updated by Kyle Zinth

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For the most part, compulsory attendance laws do not specify the number of times a student must be truant before sanctions (also part of the compulsory attendance laws) are enforced. A number of states require districts to set attendance policies and sometimes ask that districts identify the number of absences that constitute “truant” or “habitual truant” in those policies. Others, as reflected below, set the standard for truancy at the state level. The following states do not constitute a comprehensive listing, but do provide some examples of policy for others to consider:

State	Definition of Truancy	Definition of Habitual Truancy
Arizona	Truancies are unexcused absences for at least one class period during the school day (ARIZ. REV. STAT. § 15-803).	Habitually truant students are truant for at least five school days within a school year (ARIZ. REV. STAT. § 15-803).
California	<p>Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or to the superintendent of the school district (CAL. EDUC. CODE § 48260).</p> <p>Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district (CAL. EDUC. CODE § 48261).</p>	A student is deemed an habitual truant if the student has been reported as a truant three or more times in one school year. No student will be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by CAL. EDUC. CODE § 48260 or CAL. EDUC. CODE § 48261 (CAL. EDUC. CODE § 48262).
Colorado		A student between seven and 16 years old having four unexcused absences from public school in any one month or 10 unexcused absences from public school during any school year is habitually truant. Absences due to suspension or expulsion are considered excused (COLO. REV. STAT. § 22-33-107).
Connecticut	Truants are children age five to 18, enrolled in a public or private school with four unexcused	Habitual truants are children age five to 18, enrolled in public or private schools, with 20 unexcused

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	absences from school in any month or 10 unexcused absences from school in any school year (CONN. GEN. STAT. § 10-198A).	absences within a school year (CONN. GEN. STAT. § 10-200).
Delaware	Truant means a student who has been absent from school without valid excuse for more than three school days during a school year (DEL. ST. TI. 14, § 2721).	
Florida		An habitual truant is a student who has 15 unexcused absences within 90 calendar days with or without the knowledge or consent of the student's parent and is subject to compulsory school attendance (FLA. REV. STAT. § 1003.01).
Idaho		An habitual truant is a student who – in the judgment of the board of trustees – has repeatedly violated the attendance regulations established by the board, or any child whose parents or guardians have failed or refused to cause the child to comply with the state's compulsory attendance law (IDAHO CODE § 33-206).
Illinois	A truant is a child subject to compulsory school attendance and who is absent without valid cause for a school day or portion thereof (ILL. REV. STAT. CH. 105, PARA. 5/262A).	A child subject to compulsory school attendance and who is absent without a valid excuse from school for 10% or more of the previous 180 regular attendance days is a chronic or habitual truant (ILL. REV. STAT. CH. 105, PARA. 5/262A).
Kentucky	Any student who has been absent from school without valid excuse for three or more days, or tardy without valid excuse on three or more days, is a truant. Being absent for less than half of a school day is regarded as being tardy (KY. REV. STAT. ANN. § 159.150).	Any child who has been reported as a truant two or more times is an habitual truant (KY. REV. STAT. ANN. § 159.150). Any child who has been found by the juvenile court to have been reported as a truant two or more times during a one-year period is an habitual truant (KY. REV. STAT. ANN. § 600.020). Per annotations: "While 'habitual truant' is defined differently in KY. REV. STAT. ANN. § 159.150 and KY. REV. STAT. ANN. § 600.020, the statutes may be reconciled in their application by district courts and pupil personnel directors."
Louisiana		A student shall be considered habitually absent or habitually tardy after (1) all reasonable efforts by the principal and the teacher have failed to correct the condition after the fifth unexcused absence or fifth unexcused tardy within any month or (2) if a pattern of five absences a month is established (LA. REV. STAT. ANN. § 17:233).
Maine	A person required to attend school or alternative instruction under Maine's compulsory school attendance law is truant when an absence of a half day is not excused (ME. REV. STAT. ANN. TIT. 20-A, 3272).	A person is habitually truant if they are required to attend school or alternative instruction and have attained the equivalent of 10 full days of unexcused absences or seven consecutive school days of unexcused absences during a school year (ME. REV. STAT. ANN. TIT. 20-A, 3272).
Minnesota		An habitual truant is a child under the age of 16 years who is absent from school without lawful excuse for seven school days – if the child is in elementary school – or for one or more class periods on seven school days if the child is in middle, junior high or high school. A child who is 16 or 17 years of age who is absent from school without excuse for one or more

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		class periods on seven school days and who has not lawfully withdrawn from school is an habitual truant (MINN. REV. STAT. § 260C.007).
Nevada	A pupil who has one or more unapproved absences from school is considered truant (NEV. REV. STAT. ANN. § 392.130).	Any child who has been declared a truant three or more times within one school year will be declared a habitual truant (NEV. REV. STAT. ANN. § 392.140).
New Mexico	Truant means a student who has accumulated five unexcused absences within any 20-day period (N.M. STAT. ANN § 22-12-9).	A student who has accumulated the equivalent of 10 or more unexcused absences within a school year is an habitual truant (N.M. STAT. ANN § 22-12-9).
Pennsylvania		Habitually truant means absence for more than three school days or its equivalent following the first notice of truancy given under PA. STAT. ANN. TIT. 24, § 13-1354 (PA. STAT. ANN. TIT. 24, § 13-1333).
Texas		A student commits an offense if he is required to attend school under Texas' compulsory school attendance law and fails to attend school on 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period (TEX. EDUC. CODE ANN. § 25.094).
Utah	Any school-age minor who is subject to the state's compulsory education law, and who is absent from school without a legitimate or valid excuse, is truant (UTAH CODE ANN. § 53A-11-101).	Any school-age minor who has received more than two truancy citations within one school year from the school in which they are or should be enrolled and eight absences without a legitimate or valid excuse or who, in defiance of efforts on the part of school authorities to resolve a student's attendance problem, refuses to regularly attend school or any scheduled period of the school day is an habitual truant (UTAH CODE ANN. § 53A-11-101).
Wisconsin	Truancy means any absence of part or all of one or more days from school during which the school attendance officer, principal or teacher has not been notified of the legal cause of the absence by the student's parent or guardian. It also means intermittent attendance carried on for the purpose of defeating the intent of Wisconsin's compulsory school attendance law (WIS. REV. STAT. § 118.16).	A student who is absent from school without an acceptable excuse for part or all of five or more school days during a school semester is considered habitually truant (WIS. REV. STAT. § 118.16).
Wyoming	An unexcused absence is the absence – as defined in the policies of the local board of trustees – of any child required to attend school when such absence is not excused to the satisfaction of the board of trustees by the parent or guardian (WYO. STAT. ANN. § 21-4-101).	Any child with five or more unexcused absences in any one school year is an habitual truant (WYO. STAT. ANN. § 21-4-101).

Territory	Definition of Truancy	Definition of Habitual Truancy
Guam	Truant means a student found to be absent from school without a reasonable and bona fide excuse from a parent (GUAM CODE ANN. § 6401).	A student that has incurred 12 or more unexcused absences in a school year, and is of compulsory attendance age, is an habitual truant (GUAM CODE ANN. § 6402).

Resources:

ECS State Policy Database:

<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&RestrictToCategory=Attendance--Truancy>

Kyle Zinth, researcher in the ECS Information Clearinghouse, updated this report.

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