



700 Broadway, Suite 810 • Denver, CO 80203-3442 • 303.299.3600 • Fax: 303.296.8332 • www.ecs.org

## Truancy and Habitual Truancy

### Examples of State Definitions

Updated by Dinah Frey

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Through “compulsory attendance” laws, all states set the ages between which a child’s attendance at school is required. For the most part, compulsory attendance laws do not specify the number of times a student must be truant before sanctions are enforced. In some states, attendance policies are set at the district level, and local boards are responsible for determining the number of absences a child may incur before he/she is considered “truant” or “habitually truant”. Other jurisdictions set the standard for truancy at the state level. The following represent a number of states with a statewide definition of “truancy” and “habitual truancy”.

State	Definition of Truancy	Definition of Habitual Truancy
<b>Arizona</b>	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).
<b>California</b>	<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</p>	<p>A student is deemed a habitual truant if the student has been reported as a truant three or more times in one school year. No student will be deemed a 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).</p> <p>A student is deemed a chronic truant if the pupil is subject to compulsory full-time education or to compulsory continuation education and is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291 (CAL. EDUC. CODE § 48263.6).</p>

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	<p>days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district (CAL. EDUC. CODE § 48261).</p>	
<b>Colorado</b>		<p>A student between 7 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).</p>
<b>Connecticut</b>	<p>Truants are children age 5 to 18, enrolled in a public or private school with four unexcused absences from school in any month or 10 unexcused absences from school in any school year (CONN. GEN. STAT. § 10-198A).</p>	<p>Habitual truants are children age 5 to 18, enrolled in public or private schools, with 20 unexcused absences within a school year (CONN. GEN. STAT. § 10-200).</p>
<b>Delaware</b>	<p>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).</p>	
<b>Florida</b>		<p>A 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).</p>
<b>Idaho</b>		<p>A 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).</p>
<b>Illinois</b>	<p>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).</p>	<p>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).</p>
<b>Kentucky</b>	<p>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).</p>	<p>Any child who has been reported as a truant two or more times is a habitual truant (KY. REV. STAT. ANN. § 159.150).</p> <p>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 a habitual truant (KY. REV. STAT. ANN. § 600.020).</p> <p>Per annotations: "While 'habitual truant' is defined differently in KY. REV. STAT. ANN. § 159.150 and KY. REV. STAT. ANN. §</p>

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		600.020, the statutes may be reconciled in their application by district courts and pupil personnel directors.”
<b>Louisiana</b>	The term "tardy" includes but is not limited to leaving or checking out of school unexcused prior to the regularly scheduled dismissal time at the end of the school day but does not include reporting late to class when transferring from one class to another during the school day (LA. REV. STAT. ANN. § 17:233).	A student is considered habitually absent or habitually tardy after (1) all reasonable efforts by any school personnel, truancy officer or other law enforcement personnel have failed to correct the condition after the fifth unexcused absence or fifth unexcused tardy within any school semester (LA. REV. STAT. ANN. § 17:233).
<b>Maine</b>	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 he/she is required to attend school or alternative instruction and has 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).
<b>Minnesota</b>		A 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 class periods on seven school days and who has not lawfully withdrawn from school is a habitual truant (MINN. REV. STAT. § 260C.007).
<b>Nevada</b>	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).
<b>New Hampshire</b>	Truancy means unexcused absence from school or class (N.H. REV. STAT. ANN. § 189:35-a).	Ten half days of unexcused absence during a school year constitutes habitual truancy (N.H. REV. STAT. ANN. § 189:35-a).
<b>New Mexico</b>	Truant means a student who has accumulated five unexcused absences within any 20-day period (N.M. STAT. ANN § 22-12-9).  An unexcused absence of two or more classes up to 50% of an instructional day is counted as one-half day absence, and the unexcused absence of more than 50% of an instructional day is counted as one full-day absence (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 a habitual truant (N.M. STAT. ANN § 22-12-9).
<b>North</b>	To be deemed in attendance, a	

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<b>Dakota</b>	<p>student may not be absent from school without excuse for more than:</p> <p>a. Three consecutive school days during either the first half or the second half of a school or school district's calendar;</p> <p>b. Six half days during either the first half or the second half of a school or school district's calendar; or</p> <p>c. 21 class periods.</p> <p>(2011 <a href="#">S.B. 2226</a>)</p>	
<b>Pennsylvania</b>		<p>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).</p>
<b>South Carolina</b>	<p>A child ages 6 to 17 years meets the definition of a truant when the child has three consecutive unlawful absences or a total of five unlawful absences (S.C. CODE ANN. REGS. <a href="#">43-274</a>).</p>	<p>A "habitual" truant is a child age 12 to 17 years who fails to comply with the intervention plan developed by the school, the child, and the parent(s) or guardian(s) and who accumulates two or more additional unlawful absences.</p> <p>A "chronic" truant is a child ages 12 to 17 years who has been through the school intervention process, has reached the level of a "habitual" truant, has been referred to Family Court and placed on an order to attend school, and continues to accumulate unlawful absences (S.C. CODE ANN. REGS. <a href="#">43-274</a>).</p>
<b>Texas</b>		<p>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).</p>
<b>Utah</b>	<p>"Absence" or "absent" means failure of a school-age minor assigned to a class or class period to attend the entire class or class period. A school-age minor may not be considered absent under this part more than one time during one day.</p> <p>"Truant" means absent without a valid excuse.</p> <p>"Truant minor" means a school-age minor who is subject to the state's compulsory education law, and is truant (is absent from school without a valid excuse). (UTAH CODE ANN. § 53A-11-101).</p>	<p>"Habitual truant" means a school-age minor who is at least 12 years old, is subject to compulsory education requirements, and is truant at least ten times during the school year or fails to cooperate with efforts on the part of school authorities to resolve the minor's attendance problem (UTAH CODE ANN. § 53A-11-101).</p>

State	Definition of Truancy	Definition of Habitual Truancy
<b>Wisconsin</b>	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).
<b>Wyoming</b>	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 a habitual truant (WYO. STAT. ANN. § 21-4-101).

Territory	Definition of Truancy	Definition of Habitual Truancy
<b>Guam</b>	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 who has incurred 12 or more unexcused absences in a school year, and is of compulsory attendance age, is a habitual truant (GUAM CODE ANN. § 6402).

#### Resources:

ECS State Policy Database:

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

Dinah Frey is an intern in the ECS Clearinghouse.

Last updated by Kyle Zinth, researcher in the ECS Information Clearinghouse, in April 2005.

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