THE SEAT SERIES · FREE ATTENDANCE SCIENCE™ RESOURCE

SEAT 13

Practitioners · K-12

Truancy as the Last Resort



When is a court or formal referral appropriate, and what must come first?

10 slides · 2 handouts · evidence from Schools Spared, Children Punished and the Attendance Science™ research base

The letter that fixes nothing

> Maria's case became a referral because a withdrawal-type absence received a truancy-type intervention. Every later step, the letter, the referral, the court date, inherited the error of the first. Truancy is the category that remains after you ask, and less restrictive steps have been tried.

Source: Schools Spared, Children Punished, Ch. 1 (Maria, composite case)



Every story in this series is a composite or a published case. Names are invented.

What practitioners are asking

When is a court or formal referral appropriate, and what must come first?

1

Referrals start before any classification.

2

Courts receive cases schools could solve.

3

New state laws reshape what the first letter must say.

Shared words before shared work

T

Truancy

Unauthorized, choice-driven absence, confirmed by conversation.

L

Less restrictive steps

Matched supports tried before legal consequences.

C

Commitment One

No formal consequence before a conversation decides the category.

The numbers behind the moment

5%

of instructional hours triggers Ohio's new attendance process, counting all absences

Attendance USA Attendance Intelligence Briefs, Aug to Oct 2026 (primary-source checked)

3, 5, 8, 12, 15

unexcused-absence checkpoints in Mississippi's law effective July 2026

Attendance USA Attendance Intelligence Briefs, Aug to Oct 2026 (primary-source checked)

IN SEA 482

Indiana's statewide absence-category reporting, effective July 1, 2025

Attendance USA Attendance Intelligence Briefs, Aug to Oct 2026 (primary-source checked)

Classify before you consequence

Truancy

Confirmed only after the conversation and matched supports.

Withdrawal

Refer to family supports, never to court first.

Avoidance

Fix the environment; a court cannot.

Refusal

Refer to clinical care.

Three moves you can make this week

01

Cost: $0

Check the law

Learn exactly what your state requires at each stage; act no sooner or harsher.

02

Cost: $0

Document the path

Show classification, SALT plan and supports tried before any referral.

03

Cost: $0

Partner with courts

Share the four reasons with judges and diversion staff.

A PRESENCE™ prompt for your building

P	R	E	S	E	N	C	E
Problem definition	Research evidence	Environmental context	Statistical analysis	Equity assessment	Network and partnership	**Compliance and legal**	Evidence-based recommendations

YOUR PROMPT

Audit last year's referrals: how many had a documented conversation and a matched intervention first? That share is your compliance baseline.



Common missteps, and how you will know it works

- ✕ Acting sooner or harsher than state law requires
- ✕ Using the word truancy before a conversation confirms it
- ✕ Referring withdrawal or refusal cases to court

LEADING INDICATOR · Moves first

Referrals with documented prior supports

LAGGING INDICATOR · Confirms it worked

Referrals avoided

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Seat 09: The Four Reasons
Seat 10: SALT: A Strengths-First Response
Seat 11: The Family Stability Conversation

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