

COMPULSORY ATTENDANCE AGES

NEPN/NSBA Code: JEA

Under state law, full-time school attendance is required of all children from their 7th to their 17th birthday except:

- A. A person who graduates from high school before that person's 17th birthday;
- B. A person who has:
 - 1. Reached the age of 15 Years or completed the 9th grade;
 - 2. Permission to leave school from that person's parent;
 - 3. Been approved by the principal for a suitable program of work and study or training;
 - 4. Permission to leave school from the school board or its designee; and
 - 5. Agreed in writing with that person's parent and the school board or its designee to meet annually until that person's 17th birthday to review that person's educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent may appeal to the Commissioner;
- C. A person whose absence is excused under section 5051. The parent of an habitual truant who has been denied a waiver of this paragraph may appeal to the Commissioner in accordance with section 5051, subsection 2, paragraph E (habitual truancy); or
- D. A person who has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the attendance in public school under this paragraph must be approved by the Commissioner.

Alternatives to attendance at public day school

Alternatives to attendance at public day school are as follows.

- A. Equivalent instruction alternatives are as follows:
 - 1. A person shall be excused from attending a public day school if the person obtains equivalent instruction in:
 - a) A private school approved for attendance purposes pursuant to section 2901;
 - b) A private school recognized by the department as providing equivalent instruction;
 - c) A manner approved by the Commissioner pursuant to subparagraph (3); or

d) Any other manner arranged for by the school board and approved by the Commissioner.

2. A student shall be credited with attendance at a private school only if a certificate showing the name, residence and attendance of the person at the school, signed by the person or persons in charge of the school, has been filed with the school officials of the administrative unit in which the student resides .

3. A person who wishes to obtain approval of equivalent instruction under rules established by the Commissioner for equivalent instruction through home instruction (home schooling) shall simultaneously submit a completed application for approval to the local board and to the Commissioner. The local board may review the application and submit comments on the application to the Commissioner within 30 days of receipt of the application. Within 60 days of receipt of the application, the Commissioner, using state criteria established by rule, shall decide whether to approve the equivalent instruction application. If the Commissioner denies the application, the applicant may, within 30 days of receiving the denial, amend and resubmit the application directly to the Commissioner. The Commissioner shall make a decision within 30 days of receiving the amended application. If an application is approved, the Commissioner shall send notice of the approval to the local board.

Notice provided to the local boards under this section of applications for approval of equivalent instruction through home instruction and of the Commissioner's decision on those applications is only for informational purposes. Local boards are not required to play any role in the application, review and approval or oversight of home instruction programs.

B. A person may be excused from attendance at a public day school pursuant to section 5104-A or section 8605 (other public or private alternative programs).

C. A student who is educated under the provisions of paragraph A in any manner, other than in a private school approved under chapter 117, subchapter 1, shall be counted as 1/2 a student for the purpose of computing state aid under chapter 606.

Excusable absence

A person's absence is excused when the absence is for the following reasons:

A. Personal illness;

B. An appointment with a health professional that must be made during the regular school day;

C. Observance of a recognized religious holiday when the observance is required during the regular school day;

D. A family emergency; or

E. A planned absence for a personal or educational purpose which has been approved.

Compulsory education is essential to the preservation of the rights and liberties of the people and the continued prosperity of our society and our nation. Maintaining regular student attendance is necessary to achieve the goal of an educated citizenry. Public schools should ensure the rights of access for all school-age persons to an appropriate educational opportunity and, when necessary, should develop alternatives to regular school curricula for those children and youth at risk of becoming dropouts and those who may have left school.

Since parents are responsible for the attendance of students who are under 17 years of age, the board shall do everything within its power to ensure that parents comply with the compulsory attendance law.

Secondary school pupils of 20 years of age will not be admitted to the school system prior to board approval. Older people may secure a certificate of equivalency from the Maine Department Of Education or a diploma through the Adult Education Program .

Legal Reference: TITLE 20A MRS A SEC. 5001-A, ET SEQ.

Cross Reference: JFC - STUDENT WITHDRAWAL FROM SCHOOL/DROPOUTS

Adopted: 11-16-95