

COMPULSORY ATTENDANCE

Required attendance. Persons residing in the unorganized territory who are at least 6 years of age and under 17 years of age shall attend a public day elementary or secondary school or an approved private school during the time it is in session.

[PL 2019, c. 508, §1 (AMD).]

1-A. Attendance of persons 5 years of age or older and under 6 years of age. A person 5 years of age or older and under 6 years of age who is enrolled in and who has not withdrawn from a public day school is required to attend that school during the time it is in session.

[PL 2019, c. 508, §2 (AMD).]

2. Alternative instruction. Alternative instruction may be substituted for attendance in a day school in the following cases when approved by the school principal. A person 5 years of age or older and under 6 years of age is not required to meet the requirements of this subsection.

A. The person is enrolled in an approved special education program. [PL 1985, c. 490, §8 (NEW).]

B. The person obtains equivalent instruction through alternative learning or in any other manner arranged or approved by the commissioner. [PL 2007, c. 667, §4 (AMD).]

C. [PL 1989, c. 415, §3 (RP).]

[PL 2019, c. 508, §3 (AMD).]

3. Exceptions. Attendance at school or an alternative education program is not required of:

A. A person who has graduated from high school before the person's 17th birthday; [PL 2007, c. 667, §5 (AMD).]

B. A person who is at least 15 years old, has completed the 9th grade and has permission to leave school to participate in a suitable program of training or combined work and study from a parent and the commissioner; and [PL 1989, c. 415, §4 (AMD).]

C. A person who has been adjudged a truant and has been excused from attendance pursuant to procedures established by the commissioner. [PL 2011, c. 614, §8 (AMD).]

§3272. Truancy; excusable absences

1. Truancy.

[PL 2011, c. 614, §9 (RP).]

2. Truancy. A person is truant if:

A. The person is required to attend school or alternative instruction and has completed grade 6 under this chapter and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; [PL 2019, c. 235, §3 (AMD).]

B. The person is required to attend school or alternative instruction and is at least 6 years of age and has not completed grade 6 under this chapter and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year; or [PL 2019, c. 508, §4 (AMD).]

C. The person is required to attend school pursuant to [section 3271, subsection 1-A](#) and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. [PL 2019, c. 235, §3 (NEW).]

[PL 2019, c. 508, §4 (AMD).]

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

A. Personal health, including the person's physical, mental and behavioral health; [PL 2019, c. 562, §1 (AMD).]

B. An appointment with a health professional that must be made during the regular school day and the absence has prior approval; [PL 2007, c. 304, §2 (AMD).]

C. Observance of a recognized religious holiday when the observance is required during the regular school day; [PL 2021, c. 25, §1 (AMD).]

D. A family emergency; or [PL 1985, c. 490, §8 (NEW).]

E. A planned absence for a personal or educational purpose that has prior approval. [PL 2007, c. 304, §2 (AMD).]

[PL 2021, c. 25, §1 (AMD).]

4. Adult responsibility. Any adults having a person of compulsory school age under their control shall cause the person to attend school as provided in this section.

[PL 1985, c. 490, §8 (NEW).]

§3273. Enforcement

1. Civil violations. A parent who has control of a person who is truant under **section 3272, subsection 2** and who is primarily responsible for that person's truancy commits a civil violation under this chapter.

A. [PL 1989, c. 415, §6 (RP).]

B. [PL 1989, c. 415, §6 (RP).]

C. [PL 1989, c. 415, §6 (RP).]

[PL 2011, c. 614, §11 (AMD).]

2. Jurisdiction. The District Court shall have jurisdiction over these violations.

[PL 1989, c. 415, §7 (AMD).]

3. Process. Service of the petition on the parent shall be in accordance with the Maine Rules of Civil Procedure.

[PL 1989, c. 415, §8 (RPR).]

4. Penalties.

[PL 1989, c. 415, §9 (RP).]

5. Disposition. The court may order injunctive relief of one or more of the following actions against any person who commits a civil violation under **subsection 1**:

A. Ordering the offender to comply with this chapter; [PL 1989, c. 415, §10 (NEW).]

B. Ordering the offender to take specific action to ensure the student's attendance at school; [PL 1989, c. 415, §10 (NEW).]

C. Enjoining the offender from engaging in specific conduct which interferes with or may interfere with the student's attendance at school; or [PL 1989, c. 415, §10 (NEW).]

D. Ordering the offender to undergo counseling by a professional selected by the offender, with the court's approval, or by the court. The counselor shall submit a written evaluation to the court and to the offender. [PL 1989, c. 415, §10 (NEW).]

[PL 1989, c. 415, §10 (NEW).]

6. Fine. For a civil violation under this section, the court may impose a fine not to exceed \$250, all or part of which may be suspended upon the offender's compliance with a court order under this section.

[PL 2007, c. 304, §4 (NEW).]

COMPULSORY ATTENDANCE

§3271. Compulsory attendance at school

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C. A person who has been adjudged a truant and has been excused from attendance pursuant to procedures established by the commissioner. [PL 2011, c. 614, §8 (AMD).]

Approved: January 2022