

Chapter 30: Dropout Prevention

Rule 30.4 Truancy Rate Definition, Calculation and Rate

1. PURPOSE

Pursuant to MS Code §37-13-91, a parent, guardian or custodian of a compulsory-school- age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory-school- age. A “Compulsory-school-age child” means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program. Provided, however, that the parent or guardian of any child enrolled in a full-day public school kindergarten program shall be allowed to disenroll the child from the program on a one-time basis, and such child shall not be deemed a compulsory-school-age child until the child attains the age of six (6) years.

Pursuant to the Elementary and Secondary School Act, Subpart I, §41 12, (c)(3)(A)(B)(i), beginning with the 2005-2006 school year, state education agencies were required to report

truancy rates on a school-by-school basis to the US Department of Education. In an effort to ensure compliance with federal guidelines, this policy sets forth the distinction between excused and unlawful absences and provides formulas for truancy, habitual truancy, suspension and expulsion rate calculations. This information will serve to establish a uniform reporting method.

2. DEFINITIONS

- a. Cumulative Enrollment – sum of all entering students within a school year.
- b. Excused Absence – any of seven designated valid excuses for temporary nonattendance of a compulsory-school-age child enrolled in a public school, pursuant to MS Code §37-13-91, (4) (a) through (4) (i).
- c. Habitual Truant – a student who has accumulated twelve (12) or more unlawful absences, excluding suspension and expulsion days, in a school year, which shall result in the filing of a petition in a court of competent jurisdiction by the school attendance officer.
- d. School Day – pursuant to Mississippi Code §37-13-91 (d), defined as not less than five (5) and not more than eight (8) hours of actual teaching in which both teachers and pupils are in regular attendance for scheduled schoolwork.
- e. Truant – a student that has accumulated five (5) or more unlawful absences in a school year, excluding suspension and expulsion days.
- f. Unlawful absence – (also known as an unexcused absence) an absence during a school day by a compulsory-school-age child, which the absence is not due to a valid excuse for temporary nonattendance, pursuant to MS Code §37-13-91 (4).

3. REQUIREMENTS

- a. Truancy shall only apply to students of compulsory-school-age.
- b. Each local school district shall determine whether an absence is excused or unlawful based on the Compulsory School Attendance Law §37-13-91 of the Mississippi Code 1972 Annotated.
- c. For the purpose of calculating truancy rates, out of school suspensions shall not be considered unlawful absences. Out of school suspension days shall not be factored into truancy rate calculations.
- d. Students that satisfy the school day attendance requirements shall not be considered absent and/or calculated in the truancy rate, including students enrolled in alternative education programs, GED Options programs, and students detained in juvenile detention centers.
- e. The MDE shall calculate the truancy, habitual truancy, suspension, and expulsion rates once per year. The MDE shall report disaggregated data at both the state and district levels. The following calculations shall be used in determining truancy, suspension and expulsion rates:
 - i. The Truancy Rate shall be calculated using the following formula: Numerator:
Number of students with five or more unlawful absences (truant)
Denominator: Count of Student Membership – Cumulative Enrollment
Multiplied by 100 to create a percentage value
 - ii. The Habitual Truancy Rate shall be calculated using the following formula:
Numerator: Number of students with twelve or more unlawful absences (habitual truant)
Denominator: Count of Student Membership – Cumulative Enrollment
Multiplied by 100 to create a percentage value
 - iii. The Student Out-of-School Suspension Rate shall be calculated using the following formula:
Numerator: Total number of student out-of-school suspensions in a school year
Denominator: Count of Student Membership – Cumulative Enrollment
Multiplied by 100 to create a percentage value
 - iv. The Overall Out-of-School Suspension Rate shall be calculated using the following formula:
Numerator: Total number of out-of-school suspension days in a school year
Denominator: Count of Student Membership – Cumulative Enrollment
Multiplied by 100 to create a percentage value
 - v. The Expulsion Rate shall be calculated using the following formula: Numerator:
Number of student expulsions in a school year Denominator: Count of Student Membership – Cumulative Enrollment Multiplied by 100 to create a percentage value {MS Code§ 37-13-91} (1972).