

## The Legal Consequences of Educational Neglect

- A child maltreatment report could be filed alleging that the child is being educationally neglected. A child protection services assessment is completed and if educational neglect is determined there could be additional county involvement; including a case plan or legal proceedings.
- Parents/Guardians could be petitioned to court for educational neglect.
- Parents/Guardians could be required to participate in parenting classes, counseling sessions, or other services designed to assist them in improving their children's school attendance.
- In extreme cases, children could be removed from their parental home and placed in foster care or with other adult family members.
- If the child is in need of special care or treatment the court may order that it be provided.



## Tips to Improve School Attendance

- Tell your children that their education is important to you.
- Have a set bedtime and morning routine that includes breakfast.
- Communicate with the school; make sure you know the school's attendance policy.
- Set the expectation that your children complete their homework every day.
- Help your child with their homework.
- If your child does not want to attend, ask why and help them resolve the barriers.
- Seek out help for any issues that may be interfering with his/her attending school, such as financial or family issues, mental health issues, or physical health issues.

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*Education is a basic need  
for all children  
and is the key  
to their successful future.*

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**COMMUNITY  
SERVICES**

## A Guide to Educational Neglect Diversion Services in Washington County

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## School Attendance: It's the Law

All children ages 5 and 6, (if enrolled in a public school) and children ages 7-18 must attend school every day their school is in session. By Minnesota State Statute, a child is in need of protection or services when a child is without the necessary food, clothing, shelter, **and education**, or other required care for the child's physical or mental health or morals because the child's parents, guardian, or custodian is unable or unwilling to provide that care.

A student is required to attend school each and every day and each and every class period. If they miss a school day or part of the day, for legitimate reasons, a parent or guardian must notify the school. A parent or guardian may seek an excused absence from school for his/her child. A school has the right to accept or deny an application for an excused absence within their attendance policy.

- **Excused Absences:**

- Family emergency
- Illness/Medical or mental health appointments (documentation may be required)
- Religious holidays

- **Unexcused Absences:**

- Babysitting
- Child is not immunized
- Missing the bus
- Oversleeping
- Weather

## Educational Neglect Intervention Services

Schools are required to make efforts to resolve students' attendance issues with the family. If problems continue the school can submit a referral to Washington County.

At the time of the referral to Social Services, intervention services are designed to address attendance issues prior to a child protection referral, giving the family an opportunity to make necessary changes to correct the problem.

A Washington County Social Worker will set up a meeting with the school and parent(s)/guardian(s) to establish a contract in which the parent(s)/guardian(s) agree to address issues impacting their child's school attendance and to ensure their child's regular attendance for the remainder of the school year.

Seven unexcused absences fall under the state guidelines for educational neglect, and therefore a referral to child protection. Correcting the problem removes the need for a child protection investigation.

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*Children must  
attend school daily  
and be on time  
unless they have*

*a lawful excuse for being absent.*

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## Responsibility of the School

- Provide a program/schedule that meets the student's educational needs.
- Address problems identified as barriers to the child's ability to attend and learn.
- Maintain accurate attendance records and document communication with the parent(s)/guardian(s) and students about attendance.

## Responsibility of the Parent(s)/Guardian(s)

- **Ensure** your child attends school everyday.
- Ensure your child has completed the required homework.
- Monitor your child's attendance and progress in school.
- Communicate with the school when your child may need to miss school for an acceptable reason.
- Attend a diversion meeting with your child and follow the recommendations of the contract.

