

Possible Legal Action by the Courts for Chronic Truancy

Truant Minor In Need Of Supervision - Students

If truant behavior by a student continues despite interventions provided by the school and with parent (s)/guardian(s) cooperation and support, legal action may be initiated by the ROE through the Office of the States Attorney, charging the student as a **Truant Minor In Need Of Supervision**. Students so adjudicated are determined by the courts to be beyond the influence and control of the parent(s)/guardian(s), requiring court supervision.

Should a student be found by the courts to be a Truant Minor In Need of Supervision, they can be subject to : be ordered by the court to attend school and be held in contempt for not so doing; ordered to obtain counseling or other supportive services; subject to a fine in an amount in excess of \$5.00 but not to exceed \$100.00 per date of unexcused absence; suspension of a driver's license or driving privileges up until 18 years of age; and required to perform reasonable public service work. (705 ILCS 405/3.33.5)

Educational Neglect – Parents/Guardians

If there is evidence that the parent(s)/guardian(s) are not cooperating with the school and provided agencies to support school attendance, or that the parent(s)/guardian(s) are willfully or knowingly permitting a child to persist in truancy, legal action may be initiated by the ROE through the Office of the States Attorney, charging them with **Educational Neglect**.

Should the courts find that the parent(s)/guardian(s) willfully and knowingly permits such a child to persist in truancy, they are can be found guilty of a Class C misdemeanor, subject to a fine of up to \$500, and/or subject to imprisonment for up to 30 days. (105 ILCS 5/26-10). In addition, the courts will require regular, daily school attendance by the minor, and may require participation supportive counseling services and court appointed oversight.