

FAQs for Revised Compulsory Attendance Law RIGL §16-19-1

When did the compulsory attendance age change from 16 to age 18?

The compulsory attendance age changed from 16 to 18 upon passage of revisions to RIGL §16-19-1, which became effective on July 1, 2011.

What is the intent of the revisions to the compulsory attendance statute?

The intent of the revisions is to prevent students from dropping out of school and being put into truancy court. The statute is written to encourage schools and families to work together so that students remain in high school, or in an alternative learning program, so that the student may continue to work toward earning a high school diploma or its equivalent.

Which students do the revisions affect?

As of July 1, 2011, any student who is at least 6 years old on or before September 1 of any school year and has not yet turned 18 must regularly attend school or be home schooled. Any student who is 16 or 17 and who was still in school as of July 1, 2011 is expected to regularly attend school or be home schooled or be considered truant.

What is meant by an alternative-learning plan?

Alternative-learning plans are student specific programs developed by the student, the student's parent or guardian, the school principal and the school counselor in the student's resident school. The plan should be designed to provide an alternative, age appropriate, rigorous and relevant educational program that provides continued work toward earning a high school diploma or its equivalent.

Who is responsible for initiating an alternative-learning plan?

Principals, teachers, or advisors who are aware that a student is at risk of dropping out of school should first contact the school counselor and other appropriate educators to develop a plan to provide appropriate supports or interventions for struggling students. The school is responsible for informing parents or guardians that their son or daughter is at not on track or is not making adequate progress toward graduation. In cases where a student is still at great risk of dropping out of school, as determined by early warning indicators and/or other data, the principal, or designee, should notify the student's family that an alternative-learning plan may need to be developed to keep a student from withdrawing or dropping out of school.

A parent or guardian or student may also request an alternative-learning plan be developed if there are no other options within the student's resident school or district that meet the student's needs and the student is at great risk of dropping out of school.

What has to be in an approvable alternative-learning plan?

The plan must contain a description of the alternative-learning program that the student will attend, the dates that the student is expected to attend, and other conditions for enrollment in the program that must be met by the student. The plan must also contain the outcome upon the

completion of the alternative-learning plan; for example a high school diploma, enrollment in college, attainment of a GED, enrollment in an apprenticeship program etc.

The student or parent or guardian must bring evidence, such as a document signed by the alternative program provider, that the student is accepted into and has a place in an alternative learning program prior to approval of the plan.

Who approves the final alternative-learning plan?

Once an appropriate plan has been developed, the plan is reviewed and signed by the student, parent or guardian, school counselor, and the principal. The plan is then forwarded to the superintendent for final approval. A final copy of the signed approved plan must be provided to the student and parent or guardian.

What can a student or family do if the alternative-learning plan is not approved?

The parent or guardian may appeal such decisions to the school committee. If the school committee renders an unfavorable decision, the parent or guardian may submit an appeal to the commissioner of education.

What are the steps in the process of getting an alternative-learning plan?

- 1) If it is determined, that despite appropriate supports and school-based interventions, a student is at high risk of dropping out of school, a student, the student's parent or guardian or the principal in the school can initiate a conversation regarding the development of an alternative-learning plan.*
- 2) The student, parent or guardian, and school officials together must develop the plan.*
- 3) The plan must include the description of the program in which the student will participate, the attendance requirements of the program, and the expected outcome of the program as described in the plan.*
- 4) The parent or student must provide evidence, such as a signed document from the program provider, that the student is accepted into and has a place in the alternative program.*
- 5) The student, parent or guardian and school officials must review and sign the plan.*
- 6) The plan is then reviewed by the superintendent and, if approved, signed by the superintendent and a copy provided to the student and his or her parent/guardian.*
- 7) The student is required to participate in the plan as described or be considered truant.*
- 8) The parent or guardian retains the right of an appeal regarding an unfavorable decision of the superintendent.*

What happens if a student does not attend school or the program that is described in the alternative-learning plan?

If a child under the age of 18, who is deemed able to attend school or participate in an approved alternative learning program and who does not attend school or participate in an approved alternative program, the child is subject to truancy action.

Can a student still drop out or withdraw from school even with this statute?

A student must meet specific conditions to be allowed to withdraw from school or else be considered truant. These conditions include documented illnesses that prevent attendance, a documented

financial hardship that requires a student to support his or her family, a court order, or an alternative-learning plan has been completed.

What must a student and parent or guardian do to complete the withdrawal process?

Once the proper authority at the school or district has been notified and the condition for withdrawal has been documented, the parent or guardian will have to sign a withdrawal form. The student's parent or guardian must sign a withdrawal form that includes a statement that the parent understands that such withdrawal prior to a high school diploma or its equivalent being earned will likely reduce the student's future earnings and may result in the student being unemployed.

Isn't the alternative-learning plan the same as dropping out or withdrawing from school?

No, this law provides a student a waiver from regularly attending his or her resident school as long as the student is participating in an approved alternative-learning program. The student is not dropping out of school and is not considered truant. However, while he or she is no longer attending the resident school he or she must be participating in the approved alternative-learning program.

What is the responsibility of the school principal or school superintendent after the alternative-learning plan is approved and the student is participating in the alternative program described and approved of in the plan?

The resident school does not have any direct responsibilities pursuant to this law once the student begins to participate in an alternative-learning program. However, if the student fails to participate in the alternative-learning program as described in the approved alternative-learning plan, the district has the responsibility to report the student as truant.

What is the responsibility of alternative program providers described in the alternative-learning plan?

The alternative program provider has the responsibility for requesting an approved and signed alternative-learning plan from students aged 16 or 17. The alternative program provider has the responsibility for providing the educational instruction or services described in the plan. The alternative program provider must report a student's non-attendance or non-participation to the student's resident school or district. The alternative program provider must also provide notice of program completion to the resident school and the parent or guardian. The alternative program provider may contact the student's resident school for student information, with appropriate consent, that can be used to provide a better educational program for the student.