

Referrals of Truancy to State's Attorneys

Act 35 of 2021, Section 7

REPORT

February 8, 2022

Report to the General Assembly

Submitted by

Heather Bouchey, Ph.D.

Deputy Secretary of Education



Legislation

This report is submitted pursuant to [Act 35 of 2021, Sec. 7](#). This legislation requires the Agency to report to the General Assembly a statewide compilation of cases referred by school districts to a State's Attorney for truancy.

Text of the Act:

Sec. 7. REFERRALS OF TRUANCY TO THE STATE'S ATTORNEYS (a) On or before September 1, 2021, each school district shall report to the Agency of Education the number of cases referred by the district or its staff to a State's Attorney for truancy under 16 V.S.A. § 1127 or 33 V.S.A. § 5309, what mitigation techniques were used by the district to engage with families prior to each referral, and the result of each referral. (b) On or before December 15, 2021, the Agency of Education shall collate the reports from school districts and report the results to the General Assembly. ([page 13](#))

Status Update and Extension Request

The ongoing pandemic, especially the extremely limited capacity of Local Education Agencies (LEAs) to undertake anything new, has delayed the deployment of a robust data collection mechanism to capture the required information on truancy, mitigation techniques, and referral results. AOE respectfully requests an extension of the LEA reporting component of Act 35 until March 1, 2022. By that time, district personnel will have sufficient time to gather the information due for the collection, being hopefully on the other side of navigating the Omicron variant.

Accordingly, AOE also requests an extension of the final report due to the General Assembly until April 1, 2022.

General Note on Impact of Pandemic on Agency Capacity

Managing the COVID-19 pandemic response in PreK-12 education has put a significant strain on Agency resources and has negatively impacted its ability to respond to these statutory requirements. Additionally, in the last legislative session an unprecedented number of new reporting requirements for the Agency were enacted by the General Assembly which also has adversely impacted Agency capacity to meet these requirements.