

TRUANCY PREVENTION IN ACTION

LEGAL AND ECONOMIC IMPLICATIONS OF TRUANCY



BY JAY SMINK AND JOANNA ZORN HEILBRUNN

Learn more about issues related to truancy prevention from all four monographs in this series.

TRUANCY PREVENTION IN ACTION SERIES

Legal and Economic Implications of Truancy

Best Practices and Model Truancy Programs

Planning, Collaboration, and Implementation Strategies for Truancy Programs

Guidelines for Evaluating Truancy Programs

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College of Health, Education, and Human Development
Clemson University
209 Martin Street, Clemson, SC 29631-1555
864-656-2599
email ndpc@clemson.edu
www.dropoutprevention.org

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TABLE OF CONTENTS

Acknowledgments	1
Executive Summary	3
Overview	8
School Attendance Laws	10
Legal Issues and Perspectives	17
Economic Issues and Perspectives	27
Truancy Prevention and Reduction Programs	35
Monitoring and Reporting	42
Summary and Recommendations	43
Appendices	50
References	58
About the Authors	64



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The National Center for School Engagement (NCSE) strives to build a network of key stakeholders who share the belief that improving school attendance and school attachment promotes achievement and school success. NCSE was established as a result of a decade of educational research about youth out of the educational mainstream conducted by the Colorado Foundation for Families and Children. NCSE promotes collaboration among courts, schools, and law enforcement to solve problems at the community level. Additional information is available on their Web site at www.schoolengagement.org.

The Colorado Foundation for Families and Children (CFFC), in collaboration with NCSE, is dedicated to improving the effectiveness of people, programs, and organizations to achieve positive results for our most vulnerable families. CFFC works closely with partners to increase the effectiveness and sustainability of those working directly with families, children, youth, and communities. CFFC services include training and technical assistance, research and evaluation, strategic ventures, and information resources. The CFFC Web site is www.coloradofoundation.org.

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EXECUTIVE SUMMARY

The myriad legal and economic issues that surround truancy are intertwined and interdependent. The first section describes school attendance laws, how they are applied, and the most commonly used methods of curbing truancy. Sections two and three discuss legal issues and economic issues, respectively. They address issues facing schools, truant youth, parents, community and business, and court and law enforcement. Section three also includes a discussion of the costs of ignoring truancy and the benefits of addressing it. Section four discusses types of truancy prevention and reduction programs and addresses the importance of monitoring and reporting program results. Section five concludes with recommendations for state lawmakers, schools and school districts, courts, truancy reduction programs, and researchers. Finally, a list of additional resources is provided and examples of successful truancy reduction programs, laws, alternative schools, and court structures are included.

This publication should be of use to several audiences: those who want to build political will to initiate a truancy reduction program; practitioners who work with struggling students; school, community, and court representatives who will find the sections relating to their particular area of interest useful; and scholars who will find a ready-made research agenda. For anyone concerned with the educational accomplishments of our up-and-coming workforce, this publication should provide a thorough introduction to the breadth and seriousness of the school attendance issue, and to the enormity of its consequences.

SCHOOL ATTENDANCE LAWS

Compulsory education laws are determined by state legislation. States typically require school attendance from the ages of six to 16, but variations in laws mean that depending on a child's state of residence, the child is required to attend as few as nine or as many as 13 years of school. Only 16 states require attendance until the age typical of high school graduation. In most states, young people are entitled to receive public education until the age of 21, yet anecdotal evidence suggests that high-risk students who are expected to lower schools' standardized test scores are often encouraged to withdraw. State laws also vary regarding the definition of truancy.

The No Child Left Behind Act requires schools and districts to report attendance rates for the first time, yet differences in state definitions mean that no aggregated national data on truancy will be available even under the new regulations. The South Carolina attendance law is reproduced in Appendix A.

LEGAL ISSUES AND PERSPECTIVES

Schools face a number of laws and regulations such as how attendance is recorded, how enrollment is calculated, grade retention policies, zero-tolerance policies, reintegration of incarcerated students, their responsibility to pursue truants, and the No Child Left Behind Act. As a last resort, schools must file court cases but have no say in how they will be handled or how the court is organized. School officials must be aware that parents and students can, and sometimes do, file lawsuits.

Truants face direct legal consequences of poor attendance. Many schools automatically fail students who miss a designated number of class periods. If the school files a truancy petition, the student must appear in court and face court sanctions. Yet the indirect legal consequences of truancy may be more severe. Truants are more likely to become involved with both juvenile and adult criminal justice systems.

Compulsory attendance laws often stipulate parental responsibilities with consequences that vary according to the age of the child, state of residence, and court philosophy. Sanctions most often include fines, orders to attend school with children, or attend parenting classes. In the extreme, parents may face dependency and neglect charges, lose custody of their children, or be sentenced to jail time.

Many cities have daytime curfew laws for school-aged youth, though rarely are businesses legally prevented from serving youth. Truants are often viewed as a nuisance when they congregate in public places.

Courts and law enforcement have a wide array of choices in dealing with truants. Law enforcement departments must decide whether to pick truants up and what to do with them. The court system must decide which court will hear truancy cases, whether to hold a separate truancy docket, how to achieve consistency in sentencing across judges, what sanctions to employ, and whether and what kind of alternative truancy reduction program to offer.

ECONOMIC ISSUES AND PERSPECTIVES

Truancy reduction programs (TRPs) are highly cost-effective. The average high school dropout costs society more than \$800,000 over the course of the individual's lifetime. Yet many TRPs operate on less than \$100,000 a year. Thus, if they make the difference between graduation and dropout for even one child annually, they may be viewed as a sound investment of public funds.

Attendance has economic implications for schools. On one hand, most schools are funded based on attendance during "count day" or "count week." On the other hand, truant students are expensive to educate; they use more counselor time, generate more disciplinary referrals, and require more instructional and support staff. Schools have more incentive to promote good attendance when funding is based on average daily attendance throughout the year.

Economic hardship both contributes to and is exacerbated by truancy. Parents who work long hours cannot monitor school attendance. Those who have trouble paying bills tend to move frequently—a risk factor for school dropout. Truancy exacerbates these problems when parents must take time off from work to address their children's school attendance or pay court fines. Yet the greatest cost of truancy that leads to high school dropout is incurred in lost earning potential. High school graduates earn over \$8,000 more per year than dropouts.

Business has a dual interest in school attendance. In the short run, truants may be customers of local stores but may also be responsible for shoplifting. In the long run, American business benefits from a more educated workforce.

Although law enforcement and courts incur costs when they deal with truants, those costs will be offset by future savings in handling delinquency and adult criminality. The cost to law enforcement of handling truancy can be minimized by setting up truancy drop-off centers. The cost to courts can be minimized by using alternatives to juvenile detention.

TRUANCY PREVENTION AND REDUCTION PROGRAMS

Truancy reduction programs (TRPs) take a wide variety of forms. They may operate in one school, or cover a school district or a state. Most are organized either by schools, a court, or a community coalition. School districts use case manag-

ers, school attendance review boards, alternative schools, and distance learning options in their battle against truancy. Courts that run TRPs tend to take a social service rather than a punitive approach. Some run court programs right at the school building. Community-based programs, of which there are many models, have the advantages of drawing on a wide range of talents and funding sources and have a broad base of support.

Regardless of the type of program, monitoring progress and outcomes is essential to maintaining support and funding. Process evaluations, outcome evaluations, and cost-benefit analyses have different worthwhile purposes. Evaluations of many programs show short-run success, but few studies have followed participants long enough to know whether programs are achieving their long-term goal of high school graduation or a better citizen for our society.

SUMMARY AND RECOMMENDATIONS

Truancy is both a cause and an effect of legal and economic problems. Research shows that truants often come from low-income families, have parents who lack high school degrees, are victims of abuse or neglect, have mental health problems, or have parents with histories of criminality or substance abuse. However, some are highly intelligent and are just bored with school. Regardless of a child's circumstances, unstructured time provides opportunities for youngsters to get into serious trouble. Society has a responsibility to ensure they gain the tools necessary for successful adult life; otherwise, we perpetuate the cycle of low education and low opportunity. Problems not solved among this generation will likely surface again in the next.

TRPs promote educational success, reduce juvenile and adult criminality, save taxpayer money, and generate indirect benefits via social service referrals. Their benefits will likely continue to be felt by the children of today's participants. A broad range of agencies and groups must take responsibility for making structural, systemic changes in order to improve life's opportunities for our children. The publication concludes with specific recommendations for state laws, school and school district policies, courts, truancy reduction programs, and researchers. Examples include the following.

Recommendations for State Laws

- Expand data reporting laws.
- Eliminate push-out laws and get school incentives right.

- Encourage consistency in the educational experiences of children removed from their homes by the court.

Recommendations for Schools and School Districts

- Make accurate attendance reporting a priority.
- *Never* assign out-of-school suspension as a punishment for truancy.
- Eliminate automatic “Fs” for students who miss a certain number of class periods. Alternatively, allow students to earn back attendance credit for unexcused absences by attending Saturday school.

Recommendations for Courts

- Create a truancy docket within the juvenile or family court so that all truancy cases are heard on the same day. This saves schools significant resources in terms of personnel time, making schools more willing to file cases.
- Plan for every youth to have an advocate who may be a lawyer, a guardian ad litem, or a social service worker.
- Provide for truancy court judges to have flexibility in sentencing options, including alternatives to juvenile detention for even the most difficult cases.

Recommendations for Truancy Reduction Programs

- Catch problems early and act aggressively.
- Gain trust and support of parents and students by advocating for truant youth and their families.
- Use both incentives (carrots) and sanctions (sticks) in dealing with truants and parents.

Recommendations for Researchers

- Are there different typologies among truants? In other words are there subsets of truants with different characteristics, motivations, and likely outcomes?
- What is the interaction between truancy and delinquency? What characteristics are predictive of the truant-only, delinquent-only, and truant-delinquent populations?
- Above all, how can we best motivate students with poor attendance problems to return to class, stay there, and graduate?

OVERVIEW

The myriad legal and economic issues that surround truancy are intertwined and interdependent. Laws have economic consequences, and economics affect the content, implementation, and enforcement of laws. Poor school attendance may be a consequence of and can almost be guaranteed to perpetuate poverty. Truancy can have direct legal consequences for students and their families when court proceedings are filed, or indirect legal consequences when youngsters with too much free time engage in illegal activities.

This research-based review summarizes the legal and economic issues surrounding truancy. The first section describes school attendance laws, how they are applied, and the most commonly used methods of curbing truancy. Sections two and three discuss legal issues and economic issues respectively. They are structured similarly, with discussions of the issues facing schools, truant youth, parents, community and business, and finally court and law enforcement. The economic section includes a discussion of the costs of ignoring truancy and benefits of addressing it. Section four discusses types of truancy prevention and reduction programs and discusses the importance of monitoring and reporting program results. Section five concludes the paper with recommendations for state lawmakers, schools and school districts, courts, truancy reduction programs, and researchers. Finally, a list of additional resources is provided.

Throughout the publication, many examples of successful truancy reduction programs, laws, alternative schools, and court structures are included. As an example of a state statute, Appendix A reproduces the full text of South Carolina school attendance laws, and Appendix B provides a table listing many examples of specific truancy reduction programs operating across the country and the outcomes of their evaluations.

Several audiences will benefit from this publication. First and foremost, it is our hope that this four-publication series will spark the political will among communities, schools, and courts

This paper is one of a series of four documents published by the National Dropout Prevention Center at Clemson University in South Carolina.

The titles are:

- *Legal and Economic Implications of Truancy*
- *Best Practices and Model Truancy Programs*
- *Planning, Collaboration, and Implementation Strategies for Truancy Programs*
- *Guidelines for Evaluating Truancy Programs*

across the country to initiate their own truancy reduction programs and to use best practices when doing so. Practitioners who work with struggling students will find guidance regarding the types of practices that are effective. School, community, and court representatives will find the sections discussing those organizations of particular interest. And scholars will find a ready-made research agenda in the list of questions regarding truancy that have yet to be answered fully. For anyone concerned with the educational accomplishments of our up-and-coming workforce, this publication should provide a thorough introduction to the breadth and seriousness of the school attendance issue, and to the enormity of its consequences, for which every taxpayer pays.

SCHOOL ATTENDANCE LAWS

STATE COMPULSORY ATTENDANCE LAWS

Most components of education law are determined by state legislation, and compulsory education regulations are no exception. States typically require that young people begin school by the age of six, but some do not require school until seven. The most common age at which a youth may legally drop out of school is 16, though some laws stipulate 17 or 18. In most states, young people are entitled to receive public education until they graduate from high school or reach the age of 21.

Many states allow exceptions to their compulsory education laws. Most exceptions require parental permission for a student younger than 15 to withdraw in order to engage in full-time work or because of the distance from the student's home to a public school. The distance to school exception does not appear to be a common escape route for many children since it would have greater application in the mostly rural states—precisely those that achieve the highest high school graduation rates.

Variations in law mean that depending on a child's state of residence, the child is required to attend as few as nine or as many as 13 years of school. Typical students graduate from high school at the age of 18. Only 16 states require attendance until this age. No state requires that young people actually earn a high school degree (Education Commission of the States, 2004).

Do compulsory education laws really matter in terms of keeping youth in school? One study analyzes the relationship between years of education and quarter of birth and finds that people born early in the calendar year, who often just miss the age cut-off for kindergarten and must wait another year to enroll, complete less schooling than those who make the cut-off and enter kindergarten at a younger age. They therefore receive less education before reaching the legal dropout age than those who were born later in the year. The authors estimate that due to compulsory schooling laws as many as 25% of potential dropouts remain in school longer than they would otherwise (Angrist & Krueger, 1990). On the other hand, a study of the class of 2000 in Philadelphia shows that

Examples of Compulsory Age Requirements

- *Twenty-seven states allow young people to withdraw at 16 years of age.*
- *South Carolina and Arkansas require 12 years of schooling, from the age of 5 until 17.*
- *Pennsylvania only requires nine years of schooling, from age 8 until 17.*
- *Washington, DC, plus 15 states require schooling until age 18. DC recently raised the upper bound in a specific effort to combat juvenile crime.*

time enrolled in school does not equate to educational accomplishment. Researchers found that most Philadelphia dropouts spent several years registered in their high schools, but earned very few credits during those years (Neild & Farley, 2004).

Most state laws entitle a young person to receive free public education until the age of 21. The majority of students, then, are legally entitled to three extra years in which to graduate from high school. These years may be necessary for students who have been required to repeat a grade, have failed a number of high school classes, or who immigrated with little formal schooling. A substantial body of anecdotal evidence suggests that many high school counselors and administrators do not encourage young people to take advantage of all the educational opportunities to which they are entitled. Stories abound of young people who were told to withdraw from school or face truancy or delinquency charges that would send them to court, failing students urged to seek GEDs rather than regular high school diplomas, and students simply encouraged to transfer to other schools without follow-through to make sure that happened. The outcome is the same: Low-achieving students leave school before taking standardized test with scores that would reflect badly on the school, and troublesome students are prevented from disrupting the classroom (Gotbaum, 2002).

Massachusetts enacted the first compulsory education law in 1851, and over the next 50 years other states joined suit (Applied Research Center, 1998). In each case, of course, the requirements were geared toward the economic circumstances of the time. Arguably, today's requirements are anachronistic. Ironically, one argument given against raising the age at which students may withdraw is the cost of providing extra years of education to youth who would otherwise drop out. Indeed, this faulty argument maintains that an increase in the required attendance age would worsen the already severe overcrowding in many high school buildings, particularly in poor, urban areas. However, even including the expense of building new facilities, the cost of providing education is much less than that of allowing a third of our young people to leave school unprepared for the workforce or for college.

TRUANCY DEFINED

State laws also vary regarding the definition of truancy. In South Carolina, a student who misses three consecutive days of school without an excuse, or five days altogether, is considered

truant. Colorado defines a truant as having 10 or more unexcused absences in an academic year, or four or more unexcused absences in one month. Some states distinguish between habitual versus simple truancy. The term simple truancy is used to describe occasional, mischievous class cutting a la Ferris Bueller's Day Off or "senior skip day." The term habitual truant is generally used to describe a student who misses several days of classes. For example, in Wisconsin, missing up to three days of classes is considered "simple truancy," while missing between three and 10 days is considered habitual truancy.

Regardless of the content of the law, absences must first be counted in order for truancy laws to be enforced. Absences are generally tallied by class periods missed, rather than days missed, since students may often elect to skip their least favorite classes, or sleep through the earliest classes, but attend others. To get an accurate count, teachers must take attendance in *every* period, and report all absences to the office staff. Often, the attendance records upon which school staff relies when making truancy interventions are incomplete. The attendance officer in one high school located in a large urban school system with an active truancy reduction program explained, when providing attendance data for an evaluation, that if a student has missed both the first and the last period of the day, that student likely missed the entire day—but there was no way to know for certain. Such accounting practices mean that students may miss more than twice as much school as the attendance records show.

All schools distinguish between unexcused and excused absences. However, when absences are more than occasional, this distinction becomes irrelevant; the outcome is that the student fails to learn. In many cases, when extended or repeated absences are due to illness, basic health care could address the problem quickly. A lack of affordable health care means that low-income children miss more school than their wealthier classmates. On the other hand, some parents are complicit in their children's truancy; to avoid being called to task by schools, they report their children are ill, when in fact the children have refused to go to school, and parents have given up the fight. The possibility of parental complicity makes it difficult to know what proportion of absences is due to legitimate illness, even when data are available.

For the first time, the No Child Left Behind Act (P.L. 107-110, H.R. 1) of 2001 requires schools and districts to report attendance rates and truancy rates. Hopefully this requirement

is leading schools to improve their record keeping. Nonetheless, the differences in state definitions of truancy mean that no aggregated national data on truancy will be available even under the new regulations.

Examples:

- **South Carolina:** A child aged 6 to 17 years meets the definition of a “truant” when the child has three consecutive unlawful absences or a total of five unlawful absences. (See Appendix A for a complete copy of the school attendance law.)
- **Illinois:** A “truant” is defined as a child subject to compulsory school attendance and who is absent without valid cause from such attendance for a school day or portion thereof. “Chronic or habitual truant” shall be defined as a child subject to compulsory school attendance and who is absent without valid cause from such attendance for 10% or more of the previous 180 regular attendance days. (Sec. 26-2a.; <http://mcdonough.k12.il.us/optionaleducation/TAOEP/truancylaws.htm>)

LOCAL POLICIES AND PRACTICES

Within the regulations set by the state, school districts write the policies that govern school responses to attendance problems. School districts and community service providers agree that it is much more effective to address truancy earlier than later, yet there is substantial variation in how quickly schools respond to absences. Rapidity of response often depends on administrative priorities; the severity of the truancy problem schoolwide; and other situations confronting the schools such as overcrowding, whether the school risks being penalized by zeros on standardized exams, staffing constraints, etc. A common refrain among administrators is that they choose to spend their limited resources on the students who really want to be there. When schools have no confidence in the juvenile court, and no outside program—with additional funding—to which to send truant students, they may feel that fighting truancy is a losing battle.

Nonetheless, the school is invariably the first agent responsible for addressing poor school attendance. Most district policies require that schools begin with letters or phone calls directed to parents, notifying them of their child’s absence, commonly after a fairly low number of absences. These steps are easy and

inexpensive and, in some cases, all that is needed. However, if the student is the only one home to delete the phone message or throw out the letter, these messages may never reach the parents.

A common next step is to summon the parents and child for a meeting with the school counselor and the principal or attendance officer. Generally, the child's attendance pattern is reviewed, and families are informed of the laws regarding school attendance and the legal consequences of truancy. After these initial interventions, districts begin to differ in their resources and responses to truancy.

Some districts schedule School Attendance Review Boards (SARBs) or Community Attendance Review Boards (CARBs) that incorporate a team of professionals including some from outside the school, often including a mental health specialist. The team meets with the parents and child to discover the impediments to school attendance for that particular child. They often draft a jointly written agreement listing the student's, the parents', and the school's responsibilities.

Sometimes schools or districts have a counselor who is especially assigned to work with truant students. These counselors may be paid from district budgets or have outside funding. They try to establish an ongoing relationship with the student and family, and do what they can to meet whatever need is preventing the students from getting to school.

Examples of innovative school district programs include:

- **Chicago Public Schools (CPS)** has developed a multi-tiered approach to promoting school attendance. Components of the plan include:

A detailed manual clearly outlining all attendance related procedures that must be followed by every district school. The manual, entitled Guidelines for Improved Student Attendance and Truancy Prevention, is available on the Web at <http://www.attendance.cps.k12.il.us/Publications.html>.

Available on the same site is a manual describing the Just Go To School! Student Attendance Clubs that operate in CPS high schools. The clubs are charged with sponsoring fun and informative activities conveying the message that school attendance is important and worthwhile.

Project Bridge is designed to help 16- and 17-year-olds who have been released from detention or jail to reenter school.

- **Dallas:** Eastfield Community College offers a half-day Saturday school program as an alternative to court action for truancy. The class first presents information on the legal consequences of truancy. Then students tour the campus visiting occupational/technical labs, science labs, and the athletic departments. They receive information on the admissions process and financial aid, and receive some academic and career counseling. Class attendance automatically puts the students on the college mailing list. From 2002 to 2004, 752 students have attended the class. Of those old enough to have graduated and enrolled in college classes, 39% have done so (Williamson, 2005).
- **California:** Although the use of School Attendance Review Boards is generally a local decision, the state of California requires that every school district set up a SARB. Excellent, downloadable manuals (California Department of Education, 2002) for setting up and operating SARBS are available at www.cde.ca.gov.

In more and more places, schools have the option of referring students to truancy reduction programs (TRPs) run by the court or by a community coalition. Another publication in this four-part series, *Best Practices and Model Truancy Programs* by Mary S. Reimer and Kaki Dimock, discusses such programs in detail. Although the majority of TRPs have not been evaluated, many of those that have show positive results. A table listing several of these programs, along with their evaluation results, is presented in Appendix B.

Without the means to bring students who have missed considerable amounts of school back up to speed, returns to the classroom may be short-lived. Students attempting to correct their truant behavior need help to feel academically successful in the classroom. Schools have varying resources when it comes to tutoring help for students who have fallen behind in their work. Options currently in use include elective classes in which truant students catch up on class work, Saturday school that allows students to earn back credit lost to truancy, and summer programs designed as alternatives to retaining students. Examples of creative policies and programs that help truant students include:

- The Truancy Mediation Program in Columbia, South Carolina, operates an intervention program with Conflict Solutions, Inc. to identify and understand the underlying causes of truant behavior through mediated discussions among

school personnel, parents, and truant youth. Students in grades K-12 who accumulate excessive unlawful absences may participate in the program. Mediators gather information about systemic issues that impact student attachment and attendance and advocate for change at the community level. Students averaged 9.7 unexcused absences prior to mediation and less than one (.9) in post-mediation.

- In Denver, middle school students with poor attendance may attend a “Catch-Up Classroom” as an elective subject during the school day. During that period, they can concentrate on their areas of weakness until teachers feel they are caught up (Finlay, Martinez & Saiz 2004).¹
- Baltimore Public Schools run an evening and Saturday school program for high school students and adults wishing to take high school courses. Classes are also open to students who have been expelled from regular daytime classes. (http://www.bcps.org/offices/alted/eshs_mission.html)

WHY IMPROVE TRUANCY LAWS, POLICIES, AND PRACTICES?

The current laws regarding truancy are not conducive to correcting the problem on a large scale. Although there is now general agreement that truancy is a major contributor to our growing high school dropout problem, we have no means of assessing the extent of truancy; definitions differ state by state, and attendance data are notoriously poor. We cannot know, as a nation, how to target resources to reduce truancy if we do not know where and among which groups of students the problem is most severe. The recent studies of dropout rates have made it clear that data provided by state departments of education present far too rosy a picture of high school accomplishment. It is time to make our data meaningful and functional.

It is an injustice that students experiencing similar difficulties with school attendance face such greatly differing consequences. While some students receive rapid attention and meaningful services that get them back on track, others are barely noticed until their undesirable behavior turns delinquent, or until they are so far behind in school that dropping out seems, to a teenager's short horizon and limited perspective, the only reasonable option.

¹ Although the program has shown excellent results, funding is in danger, and the number of schools offering the elective dropped markedly during the 2004/2005 school year.

LEGAL ISSUES AND PERSPECTIVES

LEGAL ISSUES FACING SCHOOLS

Schools operate under a number of legal restrictions and requirements. They are subject to regulations set forth by three distinct agencies—school district, state government, and federal government. In addition, they (along with their districts) must be aware that they can be named in lawsuits filed by parents and adult students.

District regulations include stipulations for how attendance is taken and recorded, and for how school enrollment is calculated. The latter is of exceptional interest to principals since enrollment generally determines each school's funding.² Districts also set policies regarding grade promotion and retention. Some research shows that students who have been retained may do better in the following year, but in the long run they drop out at higher rates than their counterparts, having completed less schooling by the time they are old enough to drop out (Abrams & Haney, 2004). After such

research became available, most school districts moved toward a policy of social promotion. Social promotion, in turn, came under criticism as it became clear that high schools were graduating students who lacked basic reading and writing skills. The policy pendulum swung back again in Chicago Public Schools and New York City Public Schools; both districts tried a second experiment with grade retention requiring schools to retain students who did not progress adequately. Two studies of the Chicago Public Schools found once again that grade retention is a failure (Roderick, 1995; Herzenhorn, 2004). Yet, in the meantime, schools have been required to follow district regulations.

The National Dropout Prevention Center (NDPC) announced its policy statement on grade retention in its spring 2000 *National Dropout Prevention Center/Network Newsletter* (NDPC Policy Statement, 2000). Since this policy statement was made, there have been many inquiries to expand the discussion regard-

² Connecticut may be the only exception. Connecticut schools are not funded based on attendance; therefore, Connecticut schools may have less incentive to promote good attendance as a means for increasing revenues to the schools.

Schools face a number of legal constraints emanating from...

District regulations:

- How attendance is recorded*
- How enrollment is calculated*
- Grade retention policies*
- Zero-tolerance policies*
- Reintegration of incarcerated students*

State and federal regulations:

- School's responsibility to pursue truants*
- NCLB*

Organization of truancy court

Parents and students can and do file lawsuits

ing the relationship of truancy to the retention issue. Hence, the expanded statement is best captured in the phrase “promotion with purpose.”

The NDPC opposes social promotion and grade retention in the simplest forms. However, the Center does support the need for a comprehensive plan for allowing students, parents, educators, and policymakers to know that a student is making regular progress. Call this a grade promotion plan if needed, but the plan must be comprehensive, viable, and adhered to by all stakeholders. Such a plan should have the following components:

- Policies reflecting all state and local regulations pertinent to attendance and truancy
- Truancy reduction practices representing the best resources the school and community can support
- Professional staff development to understand attendance and truancy issues
- Accountability programs to assess progress
- Opportunities for active parent involvement in policy development and program implementation

The overall goal of “promotion with purpose” is to accelerate the learning process for each student to avoid the need for retention, have the student regain his cohort position in the school or class with the proper credits or units to sustain that position, or have the student secure a positive transition to the next grade or school level without a loss of academic credits or self-esteem (Smink, 2001).

In perhaps the most excessive policy shift in recent memory, district-led zero-tolerance policies on weapons possession have swept across the country. In 1994, Congress made federal funding of schools contingent on the passage of state laws requiring that students who carry firearms to school be expelled. Many school districts carried the policy to the extreme. Zero-tolerance laws have resulted in the “automatic” suspension and expulsion of elementary school children carrying nail clippers, Boy Scouts with pocket knives inadvertently left in coat pockets, and kids carrying Tylenol or cough drops to school (Cauchon, 1999; Axtman, 2005). Unless the school district funds an alternative school that expelled students may attend, those students have no public educational option available for the duration of their expulsion—usually until the end of the school year.

Although state law requires schools to provide free public education to all students, administrators are generally held more strictly accountable for raising standardized test scores than for

retaining low-performing students on their enrollment lists or tracking down truants. Although most district policies require schools to take action to correct truancy after only a few absences, in practice schools may let many absences accumulate before they intervene with a particular student.

A number of specific policies affect a school's willingness to encourage good attendance or file truancy petitions when attendance is poor. The ultimate truancy intervention for most schools is to submit a court case against a student or family. State laws govern the family's options when faced with a court petition. Some states prevent families from initiating homeschooling after a truancy court case has been filed, but in other states, there are no restrictions. Parents, regardless of their own level of education, ability, or interest in educating their children, can claim their right to homeschool their child, even after a court case has been filed.

The way in which the legal system responds to truancy filings greatly influences a school's motivation to file cases. Courts vary widely in their willingness to hear truancy cases; some refuse to hear the cases at all, and others accept them, but with such long delays that schools feel there is no point in filing. Sometimes the regular juvenile court hears truancy cases mixed in randomly with delinquency cases, and sometimes a family court hears the cases. The most effective option, regardless of what kind of court hears the cases, is to create a special truancy docket. When truancy cases are heard all at the same time, the process is much more efficient for schools who must send representatives to wait at court until the truancy cases come up, whether that happens five days a week or one day a week, at ten in the morning or not until four in the afternoon. Having a special docket shortens the lag time between filing and the court date, making the intervention more effective for the student. When the same judge or magistrate hears all of the truancy cases, the magistrate becomes an expert on the issue, and there is consistency of sentencing across cases.

The No Child Left Behind Act (NCLB) has had a profound influence on schools' incentive structure. NCLB requires that states set academic improvement goals based on standardized test scores and graduation rates, with the goal of 100% test proficiency and 100% high school graduation by the year 2014. Schools must achieve Annual Yearly Progress (AYP) goals or face sanctions that range from hiring a consultant, to writing a school improvement plan, to school closure.

However, what constitutes academic “proficiency” and what progress must be made in order to achieve AYP were left largely up to the states. In addition, test score accountability has been enforced much more strictly than graduation rate accountability. School administrators are keenly aware that a school is better off if low-performing students drop out (including most severely truant students) than if they take standardized tests and reduce the school’s chances of earning AYP (Losen, 2004).

As school administrators strive to meet district, state, and federal requirements, they must also be aware that parents (and adult students) can, and sometimes do, initiate lawsuits against schools over a variety of issues. Recent court cases have included:

- A class action suit against New York City public schools on the part of seven students who claim they were denied re-enrollment after being discharged from a juvenile detention center (Saulny, 2004).
- A lawsuit claiming violations of the right to freedom of speech on the part of a girl who was suspended twice for gossiping and verbally threatening another student (Associated Press, 2004).

LEGAL ISSUES FACING TRUANT YOUTH

Young people face both direct and indirect legal consequences of failure to attend school. Direct consequences stem from school rules about class attendance, court appearances, and sanctions resulting from violation of state compulsory attendance laws. Indirect legal consequences include the increased probability of delinquency-related juvenile justice involvement, initiation of dependency and neglect cases, and later adult involvement with the criminal justice system.

Generally a student feels the first consequence of truancy at school. Students in many high schools face mandatory class failure following a certain number of unexcused absences from class. Such limits may discourage a sizable number of students from cutting classes. However, once a student has already exceeded those limits, he has

Truant students face direct and indirect legal consequences of poor attendance.

Direct consequences:

School regulations on automatic class failure

Truancy court appearances

Truancy court sanctions

Indirect consequences:

Increased chances of juvenile justice involvement

Possible initiation of dependency and neglect cases

Increased chances of later involvement with the adult criminal justice system

no further incentive to attend the class or do any assigned work. Some districts have excellent programs that offer students a way to earn back credit for unexcused absences, such as Saturday school or Internet-based credit recovery programs. Whether consequences extend beyond poor grades depends on whether the school district is willing to file a truancy petition in court; school districts have vastly different practices in this regard.

Once a school files a truancy court petition, a child's experience depends upon local court practices. The most common sanctions used by juvenile magistrates and family court judges include levying fines, assigning community service, restricting driving privileges, and sentencing youth to probation. Almost half of petitioned truancy cases result in spending time on probation (Snyder & Sickmund, 1999). Sometimes judges order mental health evaluations or individual or family counseling. More intensive sanctions include ankle monitoring and highly controversial assignments to juvenile detention. Ankle monitoring is not widely available, at least for status offenders, but is a less expensive and less punitive alternative to detention.

As the numbers of truancy court cases have been increasing across the nation, more and more young people are facing such sanctions. According to juvenile court statistics gathered by the OJJDP, the number of petitioned truancy cases increased 92% from just over 20,000 in 1987 to almost 40,000 in 1996 (Snyder & Sickmund, 1999). The same data show the rate of truancy petitions per 1,000 young people aged 10 or older increased 97% among black students, 70% among white students, and 11% for students of other groups. It is not clear to what extent these trends reflect an increase in the incidence of truancy versus an increase in the propensity of schools to send truants to court.

The most serious consequences of truancy may be indirect—the result of the activities in which many youth engage as an alternative to school attendance. Researchers who conducted a study of the causes and correlates of juvenile delinquency identified three pathways to boys' problem behavior and delinquency. They identified truancy as a key step in what they call the "authority avoidance pathway" (Huizinga, Loeber, & Thornberry, 1994). The longitudinal, multisite randomized survey provides solid quantitative data to support what service providers across the nation know from their own experience. Skipping school, while an indicator of preexisting problems, causes even more troubles and sends young people on a downward spiral of school failure and juvenile justice involvement (Henry, 2005).

The relationship is easy to understand. Truancy often leaves young people with nothing productive to do, and offers ample opportunity for getting into trouble. In fact, several studies show a drop in crime in communities where police have conducted truancy sweeps (Berger & Wind, 2000; Gavin, 1997; Hopkins, 2005; Wilson, 1993).

Unfortunately, youth who serve time in detention for delinquency are not always effectively reintegrated into school. Youth who tend to have poor school attendance prior to spending time in lock-up may simply fail to register in school upon their release, and most schools are not eager to pursue such students. Chicago Public Schools, the fourth largest school district in the U.S., is addressing the problem head-on in its Truancy Prevention and Adjudication Program.

The long-term legal consequences of truancy include the increased propensity for truants to spend time in jail as adults. Data on the relationship between truancy and adult criminal behavior are limited. However, chronic truancy clearly leads to dropping out of high school, and dropouts are greatly overrepresented among the population of prison and jail inmates. Bureau of Justice data from 1997 (Harlow, 2003) show that while 18.4% of the general population had neither a high school degree nor a GED, fully 41.3% of the incarcerated population did not have a degree.³ A GED is the highest level of education attained by 23.4% of the incarcerated population, but only about 4% of the general population. The inverse relationship is also true; individuals with high school degrees are less likely to be incarcerated. One-third of the general population has earned a high school diploma (but no more) while only 22.6% of the incarcerated population had a high school diploma. A three-state recidivism study (Steurer & Smith, 2003) compared recidivism rates between jail inmates who completed educational programs while incarcerated and those who did not complete an educational program. The study shows that in all three states—Maryland, Minnesota, and Ohio—rearrest, reconviction, and reincarceration rates were all significantly lower for those completing a program.

PARENTS' ISSUES AND PERSPECTIVE

State laws define parents' legal responsibility to educate their children. In Colorado, parents may be prosecuted for educational neglect. In response to the recommendations of an Arizona working group on juvenile crime, state compulsory school atten-

³ By 2002, the percent of jail inmates without a degree had risen to 44% (James, 2004).

dance law was modified to include criminal sanctions and fines for parents of truants (Baker, Sigmon, & Nugent 2001). As in other aspects of truancy law, courts vary in how aggressively they pursue parents of truant children. In general, courts are more likely to prosecute the parents of elementary and middle school truants given that high school students have more control over their own school attendance. Typical court sentences given to parents include fines, orders to attend school with their children, or orders to take parenting classes.

Parents' Legal Responsibilities Vary by State

Compulsory attendance laws generally stipulate parental responsibilities

Consequences often vary by age of child

They include:

fines

orders to attend school with their children

orders to attend parenting classes

In the extreme, parents may face dependency and neglect charges, and lose custody of their children

Several jurisdictions have experimented with sentencing parents to jail. Jacksonville, Florida, has sentenced 142 parents to jail since 1995 when they began the practice. The names of the parents are broadcast on the evening news to encourage other parents to send their children to school. School district representatives report that school attendance peaks on the day following these evening news announcements.

On occasion, truancy cases uncover child neglect or abuse. In the most grievous instances, the court may charge parents with neglect. Depending on

the outcome of the case, the child (and possibly siblings) may be removed from the home. However, truancy cases can sometimes call attention to parenting problems before they become so severe as to warrant a neglect case. Providing families with enough help early on can sometimes avert the need to remove children from the home. In such cases, attention to warning signs such as truancy may save the tremendous monetary cost of dependency cases and the emotional trauma of breaking up families.

COMMUNITY AND BUSINESS PERSPECTIVES

In most places, there are no laws restricting businesses from serving school-age children during school hours. Some business owners voluntarily refuse to serve youngsters during the school day and post signs to that effect in their windows. Nonetheless, when daytime curfew laws are proposed, most business owners argue against their passage on the grounds that policing is too difficult, and they will lose business. Gaining more cooperation from small business owners is a venue in which communities

nationwide can make progress toward discouraging truancy.⁴

Regardless of business owners' perspectives, the general public often views groups of young people congregating on street corners as a nuisance, and precedents for daytime restrictions on juveniles do exist. In 1997 the U.S. Conference of Mayors conducted a survey of 347 cities with populations greater than 30,000. Mayors and city officials from 72 of the cities reported they had daytime curfew laws, and each of them said the laws helped to cut down on truancy (U.S. Conference of Mayors, 1997). Washington State law makes it illegal for businesses with "amusement games" to serve minors during school hours. In Houston, Texas, a public advertising campaign encourages store employees to report suspected cases of truancy to the police. Police may question the youth and take them to a truancy center where parents are called to pick their children up. Working adults throughout the community can thus be an effective referral mechanism for truancy since it is difficult for a young person to go completely unnoticed unless he or she remains at home.

Business Viewpoint

- 72 cities have daytime curfews, but rarely are businesses restricted from serving young people during school hours.
- Truants may be viewed as a nuisance if they congregate in public places.
- The greatest effect of truancy on business is economic rather than legal. Truant youth may be customers, but may also be responsible for theft and vandalism.

COURT AND LAW ENFORCEMENT PERSPECTIVES

There is wide variation in the ways in which courts and police respond to truancy, and no dearth of controversy surrounding the issues.

In some places, police are entitled and encouraged to pick up school-age youth who are on the street during school hours. They either take them back to school or to a truancy center where parents are summoned. Such truancy centers operate in New York City; Palm Beach, Florida; Houston, Texas; Tacoma, Washington; Philadelphia, Pennsylvania; and many other cities. As with so many aspects of truancy and juvenile law, the centers are controversial. Opponents argue that picking up young people who are committing no crime is a violation of students' rights. They argue that private schools and public school districts have different schedules and days off, and that home-schooled youth

⁴ The business community has a two-pronged interest in school attendance in terms of retail theft and lack of workforce preparedness, but these issues are discussed in this publication as economic consequences of truancy.

would be penalized unfairly. Schools in neighborhoods where police-run truancy centers are established report a significant improvement in attendance (Berger & Wind, 2000; Gavin, 1997). Particularly considering the fact that the schools with the most severe truancy problems tend to be inner-city schools in neighborhoods where few children attend private schools, the benefits of having police address truancy should be considered.

Courts vary in terms of how seriously they address truancy. Some refuse to hear all but a fraction of truancy petitions filed by school districts; many others have set up a separate truancy docket, distinct from the rest of juvenile court. Holding a “truancy court” allows all truancy cases to be heard by the same judge or magistrate, which leads to consistency in sentencing, and makes the court process much more efficient for the professionals who attend the hearings. Some courts take a social service approach, working to connect truant students

and families with health care professionals, social workers, and tutors. Others take a strong disciplinary approach, revoking drivers’ licenses, assigning youth to probation, and making use of juvenile detention for persistently truant youth.

Despite the intent of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJJPA), many judicial districts send young people to detention for failure to attend school. The practice is common enough to warrant serious reflection.⁵ Data from the *Census of Juveniles in Residential Placement Databook* show that 784 juveniles were being held in a residential facility for truancy on the last Wednesday in October 2001. (Notably, that figure has dropped from 913 in 1999 and 1,307 in 1997.) Multiplying 784 by 365 days in a year yields an estimate of 286,160 total days spent annually in

A Wide Variety of Choices

- *Questions police address:*
To pick up truants, or not, and if so, where to take them?
- *Issues facing courts:*
What court hears the truancy cases?
Is there a separate truancy docket?
How does one achieve consistency across judges within a judicial district?
Should one offer a truancy reduction program, or not, and what kind?
Should one take a punitive or a social service approach?
Use of juvenile detention is hotly debated.

⁵ The JJJPA instituted several regulations designed to reduce the number of juveniles, particularly status offenders, sentenced to detention, and to protect all detained juveniles from exposure to adult criminals. Following the passage of the Act, the number of truants sentenced to detention fell dramatically (Snyder & Sickmund, 1999). However, the Act still allows for juveniles to be detained for failure to obey a court order. That means that a judge may write a truant a court order to attend school, and if he does not obey that order, the child may then be sentenced to juvenile detention without technically violating the JJJPA.

juvenile detention for reason of truancy (Sickmund, Sladky, & Kang 2004).

Some status offenders spend considerable amounts of time in detention. Thirty-six percent (36%) of committed status offenders had been in placement for at least 180 days on the day of the 1997 survey, and about 15% had been in placement for 360 days. That is longer than youth sentenced for property offenses, although not as long as those placed for person offenses (Snyder & Sickmund, 1999).

There are no solid data to show either the effectiveness of detention or the lack thereof in making children return to the classroom. Yet feelings run high on the issue, and those who advocate this strong hand are certain that whether or not detention improves outcomes for those who serve time, the real threat of detention is a significant deterrent for many more youth.

Regardless of how the courts handle truancy cases, they are subject to state laws and budgetary decisions. When budgets are cut, truancy may be first on the chopping block. For example, in 2003 the Colorado Senate narrowly defeated a bill proposing to remove all truancy cases from the juvenile courts as a cost-cutting measure.

ECONOMIC ISSUES AND PERSPECTIVES

COSTS AND BENEFITS

The Costs of Ignoring Truancy

The financial costs of truancy are generally incurred over the long run, and can be measured in terms of forfeited education. These costs are borne by students, business, and society. The short-term exception is the cost of crime committed by young people who should be in the classroom, instead, are shoplifting or vandalizing property. Although no studies to date measure the cost of truancy per se, many studies measure the cost of dropping out of high school, or conversely, the value of education.

The link between truancy and dropout has been made clear by a number of studies that show that dropouts may begin having attendance problems as early as first grade (Epstein & Sheldon, 2002). A recent study of Denver Public Schools' students shows that graduating students missed an average of 14 days over the course of the year, while dropouts missed 53 days (Hubbard, 2005). Poor attendance takes its toll in terms of grades. A study of the class of 2000 in Philadelphia schools found that although most dropouts did not leave until their third year of high school, half of them had not accumulated enough credits even to qualify as sophomores (Neild & Farley, 2004).

A list of the costs associated with the educational failure that chronic truancy generally implies includes the following:

- High school dropouts earn less, on average, and have higher unemployment rates.
- They pay less in income taxes to federal and state governments.
- They cost government more in social service program funds.
- They incur higher criminal justice costs, both as juveniles and adults.
- The victims of crime bear a cost, both monetary and non-monetary.
- A second-generation cost is incurred by the children of high school dropouts.

Researchers from the RAND Corporation analyzed the cost of high school dropout by gender, racial/ethnic group, and immigrant status. They found that for most groups, each high school dropout

costs the government more than \$800,000 over the course of the individual's lifetime, from age 18 to 80. A slightly older analysis that did not break down results by gender or ethnic group presented estimates in terms of a range, estimating the total lifetime cost to fall between \$560,000 and \$900,000 (Cohen, 1995).

Researchers in individual states have undertaken similar analyses. One such study showed that the Iowa state government stands to lose \$107 million in income tax revenue over the course of the lives of the 4,220 dropouts from the 2000-20001 school year, as compared to the \$41 million it would have cost to educate them to high school completion. That amounts to a net loss of \$65 million dollars from just one cohort of students (Veale, 2002). A comparable analysis shows that Kentucky loses an estimated \$114 million annually in tax revenues from dropouts (Settles, no date). A Texas study reported that nearly two million students were lost from public school between 1985-86 and 2002-03 school years. The estimated cost is nearly \$500 billion in lost income and tax revenues, with increased costs for unemployment, job training, welfare, and criminal justice (Johnson, 2003).

The seriousness of these costs can only be understood in terms of the current high school dropout rate. Statistics produced by school districts are notorious for underestimating dropout rates. Unless a student fills out a form to officially withdraw from high school, that student is generally not counted as a dropout. The typical dropout, however, just "disappears" from school. A number of studies have been conducted over the last few years that attempt to present a more realistic picture of high school completion rates, with disturbing results (Barton, 2004, 2005; Greene, 2002; Greene & Winters, 2005). They show that about one-third of our students are failing to graduate from high school on time (in four years) with a regular diploma, as opposed to a general equivalency degree (GED). The studies disaggregate the data looking at graduation rates by gender, race, state, and even county. The data indicate that some students attend school with less than a 30% chance of completing a high school diploma. Highlights from these studies include the following:

- Completion rates by state range from 48% to 88% according to Barton (2004), and from 53% to 89% according to Greene and Winters (2005).
- High school completion rates fell in all but seven states between 1990 and 2000 (Barton, 2004).
- In 1998, the overall graduation rate for whites was 78%

while for blacks it was 56% and for Hispanics it was 54%. Of the 50 largest school districts in the U.S., the district with the lowest overall graduation rate was Cleveland City School District—only 28% completed high school (Greene, 2001).

The magnitude of the high school dropout problem is mind-boggling when coupled with an understanding of the expense entailed. Investment in intervention programs that successfully graduate youth who would otherwise drop out of high school would have a high return on the investment and would be an obvious good use of public resources.

The Costs and Benefits of Providing Truancy Services

Given the profundity of the high school graduation crisis, we must use any effective means available to increase school attachment, attendance, and achievement. The good news is that truancy appears to be a behavior that, in many cases, can be corrected (see Appendix B).

True cost/benefit studies of a broad range of truancy reduction programs have not been conducted yet. However, one study analyzed the costs of three Colorado truancy reduction programs, and the three truancy courts that participants must attend if they fail these programs (Heilbrunn, 2003). The study asked how many students a program must help through graduation in order to recoup its cost. It concluded that the most expensive of the three TRPs must only graduate one of 115 participants in order to pay for itself. The less expensive programs need to graduate one of about 350 participants. The smallest court program, in Pueblo, must encourage one of 115 petitioned truants to graduate, while the Denver truancy court must help only one of 739 truants through school in order to be financially worthwhile. These dramatic results suggest that any program that is demonstrably successful in returning truant students to the classroom is likely to be highly cost-effective.

THE ECONOMIC IMPACT OF TRUANCY ON SCHOOLS

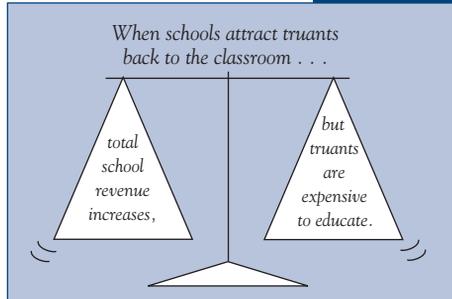
Schools face several conflicting incentives regarding truant students who tend to be low achieving and often have disciplinary issues as well. One clear incentive for schools to get students back in the classroom, however, is per pupil funding. Almost all schools receive funding from their districts based upon

the number of students attending the school. The all-important attendance figure is generally calculated in one of two ways. More commonly, it is the number of students in attendance on count day, (or count week), early in the school year. There are several ramifications to this policy. For the count week, at least, it is in the school's clear interest to have as many

students present as possible. Some schools go to great lengths to hold fun and well-publicized activities during the count period. Such activities likely promote valuable school attachment on the part of students, some of which hopefully carries over to the rest of the school year. (Note that some school districts allow schools to collect per-pupil funding for truant students if the school has already filed a truancy petition in court.) The downside of this method is that schools neither gain nor lose funding regardless of how their student attendance changes *subsequent* to count week. The second option is to use average daily attendance throughout the school year, a policy that holds schools accountable for their attendance efforts all year long.

In some cases, schools and districts have been able to recover significant amounts of funding by actively pursuing truant students. In response to a \$20 million deficit, Oakland Unified School District in 2003 decided to begin prosecuting parents. The effort was specifically designed to regain up to \$19 million in per pupil funding (White & Fiss, 2003). In Tulsa, Oklahoma, county officials created a system in which parents are held legally responsible for truancy on the one hand and are provided with parenting support on the other. They credit the program with increasing school enrollment by 800 students a year and regaining \$300,000 in per capita funding (Gerrard, Burhans, & Fair 2003). The Fort Worth Independent School District in Texas added \$4 million in state money to their 2004-2005 budget after raising their average daily attendance by 1% the year before (Murphy, 2005).

Schools need positive incentives if they are to be expected to aggressively pursue chronically truant students, particularly since they tend to be expensive to educate. They use more counselor time, generate more disciplinary referrals, and require more tutoring help. Annual funding based on average daily attendance would motivate schools to pursue good attendance all year long.



There is no broadly-based source of consistent information on the cost of truancy reduction to schools in terms of personnel time and lawyers' fees if a court filing is needed, but they can be substantial. Schools must be sure that courts will respond quickly and consistently in order to make filing truancy petitions worthwhile.

In summary, an increase in student attendance, particularly in the early grades, has a tremendous impact on schools in several ways far beyond the simple increase of revenues. This increase of financial resources should allow prudent school leaders to increase counseling programs and enhance instructional programs for all students. These actions should have numerous positive results in schools. Examples would be having less discipline issues and increasing higher test schools, all leading to other positive recognitions to the school, school district, and community. The moral of the story is that the leadership in schools, school districts, courts, and the lawmakers need to work together to see the relationship of how attendance incentives leads to better instructional programs and how both lead to increased academic achievements for all students.

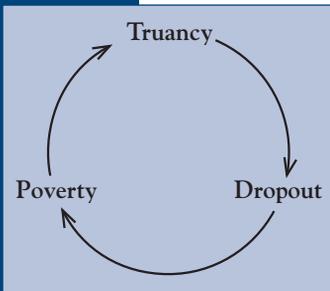
THE ECONOMIC IMPACT OF TRUANCY ON STUDENTS AND FAMILIES

Economic hardship can both contribute to and be exacerbated by children's truancy. When parents must work long hours, leaving home before their children go to school and returning long after children should come home, it is difficult to monitor school attendance. Often, parents do not know their child has been skipping classes until the child has missed considerable amounts of school.

Warning phone calls and letters from school may be received by the student and discarded.

Families that have trouble paying their housing bills tend to move frequently, and children may switch schools often. Research shows that multiple changes of school diminish school attachment and are a risk factor for high school dropout.⁶ Social ostracism can combine with poverty to make children ashamed to go to school. Children living in poverty often lack clean, well-

fitting clothing, and if utilities are cut off, students who cannot shower or wash their clothes may refuse to attend classes. In these cases, small amounts of financial help may be all that is needed to get a student back in school.



⁶ For a brief review of some of this research see Conger & Rebeck, 2001.

Truancy can exacerbate these difficulties for parents who must take time off from work without pay, and perhaps against their employer's wishes. In addition, some courts hold parents financially responsible for the cost of court operations so that every visit to court results in another bill.

If truancy is expensive for families, it is devastating for young people when it leads to school failure. The earnings gap between high school dropouts and graduates has been widening. Census Bureau data show that in 1990, male high school graduates earned on average \$5,751 more than dropouts, while for women the figure was \$3,890. By the year 2001 those differences had climbed to \$8,514 and \$6,147, respectively. In 11 years the earnings gap had increased by 48% for men, and by 58% for women (Snyder, Tan, & Hoffman 2004).

Economists remind us that these differences are due not just to the value of education, but also to differences in underlying ability that lead some people to continue their education longer than others, and that have independent effects on earnings, regardless of education. A number of approaches have been used to disentangle the effects of education versus ability in order to estimate the return to an additional year of schooling. One study looks at education and earnings differences among 700 sets of identical twins who presumably have the same innate ability levels and are raised in the same family environment (Ashenfelter & Rouse, 1997). The authors conclude that each additional year of schooling adds an average of 9% to annual income, but the return is slightly greater for low-ability than high-ability individuals. The implication, therefore, is that completing high school is economically most important for precisely that group of students for whom academic success is the most difficult.

The effect of high school completion decisions are not simply felt by the individual students; they are likely intergenerational as well. Parents' education levels and family income are greater predictors of children's educational achievement than race, ethnicity, or immigrant status (Lara-Cinisomo et al., 2004).

THE ECONOMIC IMPACT OF TRUANCY ON BUSINESSES

Business owners have a stake in school attendance for a number of reasons that differ depending on the business. All businesses benefit from a well-educated workforce. At times, employers have difficulty finding adequate numbers of employees with even the basic skills needed to do the job. Big businesses

Business Has a Dual Interest in School Attendance

In the short run,

- *truants may be customers of local businesses,*
- *but may also be responsible for shoplifting.*

In the long run,

- *business benefits from a more educated workforce.*

have tackled the issue of education in a number of ways. Some employers provide not only job-related training, but remedial education as well, at company expense. Others have made significant investments in research and implementation of sweeping high school reform programs, with an eye to creating the kind of workforce needed for innovative businesses of the future.⁷

The owners of small businesses that surround schools may have mixed feelings about fighting truancy. Local shop owners may feel they benefit from sales made to neighborhood students, and may be reticent to turn down sales during school

hours or to alienate the students in general. On the other hand, such small shops may be the frequent target of shoplifting and even robbery by students who are skipping school, are bored, and can find nothing better to do. Truancy sweeps have resulted in measurable reductions in petty crime.

Truancy reduction program staff members would do well to educate local business owners about the seriousness of truancy and to solicit their cooperation in getting young people back into the classroom.

THE ECONOMIC IMPACT OF TRUANCY ON COURT AND LAW ENFORCEMENT

Police and court investment in school attendance today will be offset by savings in the cost of handling delinquency tomorrow.

Minimize the cost of handling truancy to:

police by setting up truancy drop-off centers

courts by choosing sentences other than juvenile detention.

The economic impact of truancy on courts and law enforcement is a story of trade-offs. Experts agree that if students' needs are not met in truancy court, the students often turn up later in juvenile court. Likewise, if police do not question youth on the street about their school attendance, they might interact with them about being a public nuisance or even later confront them about criminal behavior.

Police officers can be instructed to question school-age youth on the street during school hours and take them back to school where they belong. However, many police officers

say it is difficult to know what school a child attends, and time consuming to drive young people to school each day. The cost of police intervention can be minimized if they can take truants

⁷ See the Web site for the New American Schools Corporation, a private school reform agency funded primarily by business: www.naschools.org.

to centralized drop-off centers. At the centers, attendants can notify parents of their child's behavior, and either parents or designated drivers can return the children to school.

Truancy courts incur two types of costs: the operational cost of hearing the cases, and the cost of sentences handed out. In Colorado, a study of three truancy courts estimated these combined per truant costs to be between \$292 in Denver and \$716 in Pueblo; the difference probably is due to economies of scale that accrue to larger courts.

The most expensive sentencing option is that of juvenile detention. The average daily cost of a juvenile detention bed nationwide in 2001 was \$135.40.⁸ The total cost of providing those beds, given an estimated 286,160 juvenile detention days dedicated to truants, comes to more than \$38.7 million nationwide. That sum could fund 387 small- to medium-sized truancy reduction programs at \$100,000 per year. To put these figures in terms of state budgets, the cost of detention amounts to \$760,000 for the average state plus the District of Columbia. The money could fund seven \$100,000 TRPs per state.

All of the options open to judges and magistrates, including the ability of the court to hear truancy cases, are constrained by resources. Most states have faced severe budget cuts in recent years, and every branch of government has felt the pinch. When courts are pressured to reduce their caseloads, truancy court is likely to be the first to go despite its long-term economic benefits.

⁸ Data are from the American Correctional Association's "2003-2005 National Juvenile Detention Directory" as reported in personal communication from askSBB@aspensys.com at the National Criminal Justice Reference Service (2005).

TRUANCY PREVENTION AND REDUCTION PROGRAMS

TYPES AND COMPONENTS OF EFFECTIVE PROGRAMS

Truancy reduction programs (TRPs) are being initiated across the country due to increased awareness of the serious implications of skipping school and the related cost for truancy actions (see Appendix B for a listing of programs with positive results). The programs take a wide variety of forms. They may operate in just one school, or may cover an entire county or school district. Some, even, are statewide. Various agencies may run these programs, but most are organized either by schools, a court, or a community coalition.

Best Practices and Model Truancy Programs by Mary S. Reimer and Kaki Dimock, another publication in this series, describes in detail effective programs, policies, and practices that work. Additionally, two Web-based databases are good public sources of information on a wide range of TRPs. The National Center for School Engagement maintains a growing online database of truancy reduction programs at www.schoolengagement.org. At this writing, over 100 program directors have entered information about their approaches to truancy reduction and their accomplishments. The National Dropout Prevention Center maintains a similar database that includes programs with a range of goals. Searching the database for “truancy” currently yields dozens of programs. These databases are good places to begin research when thinking about initiating a truancy reduction program in your area. In addition, the National Center on Secondary Education and Transition has published a manual for implementing dropout prevention programs (Lehr, Johnson, Bremer, Cosio, & Thompson, 2004). The manual reviews 11 programs, most of which also specifically address attendance issues, and measure improved attendance as a desired outcome.

School-Based Programs

Truancy prevention always begins with schools. When a school-based TRP is available, filing a truancy petition in court is a last resort. The most common aspects of school-based programs include the following practices.

Case managers are often key to school-based TRPs. They are typically housed in the school, and are readily available to

students. A good case manager gains the confidence of family and student, mediates between families and the school administration, and helps families fill unmet needs that impede the child's ability to attend school. They make frequent referrals to community agencies such as health clinics or substance abuse programs, and follow up on the referrals.

School attendance review boards bring together families, school representatives, and community representatives that may include mental health specialists, department of human services staff, and other community members. Often, a contract is written that identifies specific student, parent, and school responsibilities.

Alternative schools can be highly effective in meeting the needs of students who feel lost or threatened by large neighborhood high schools. They often serve suspended or expelled students in addition to truant students. Alternative schools take a wide range of formats. Some are highly structured, but some are more flexible than neighborhood schools. Some offer counseling sessions as part of the regular curriculum. In some, students work at their own pace until they master the course content so there is no failing that is so detrimental to a student's self-esteem. In general, they are smaller, have smaller class sizes, and students receive more individual attention than in mainstream high schools (Aron, 2003; Richards, 2003). During the 2000-2001 school year, 39% of all public school districts operated almost 11,000 alternative schools for over 600,000 students (Kleiner, Porch, & Farris, 2002). Many states have a listing of alternative schools in each district or those available in the state. For example, alternative schools in South Carolina, along with links to Web sites, are listed at http://www.myscschools.com/offices/ssys/alternative_education/alt_schools/Alternative-SchoolLinks.htm.

Distance-learning and e-learning may be excellent options for students who dislike the atmosphere of large schools, feel bullied in school, or who need a flexible schedule to accommodate work needs. The National Center for Education Statistics surveyed

Alternative Schools **Rebound Alternative School,** **Pickens County, SC**

This alternative school serves mainly expelled students, but incorporates the services of "truancy interns"—college student interns from Clemson University and Tri-County Technical College. (www.pickens.k12.sc.us/rebound)

Boulder PREP, CO

The school offers private tutoring to help students catch up to grade level, distance learning to expand the course selection, community internships for credit, concurrent enrollment in a local community college, daily breakfasts, and requires students to be accepted into at least one college or university as a condition of graduation. (www.boulderprep.org)

**Distance Learning
Rock Hill School District #3
Virtual High School, SC**

Rock Hill offers nine classes during the 2004/2005 school year. However, the school charges \$150 per course credit and students must provide their own computer, texts, and supplies. The school's mission is more to offer extra enrichment for successful students than to retain at-risk students. Their Web site is www.rock-hill.k12.sc.us/departments/vhs.

over 15,000 school districts regarding their options for distance education. As of 2002-2003, 60% of all public school districts had students who took online education courses from home. About 25% of the districts financed the computer and Internet connection for the students. Eighty-one percent (81%) of district administrators indicated that “meeting the needs of specific groups of students” was a somewhat or very important reason for offering distance education classes, while 32% indicated that “permitting students who failed a course to take it again” was somewhat or very important. Almost three-fourths of the districts had plans to increase the offerings of distance education courses (Setzer & Lewis, 2005). The Educa-

tion Commission of the States compiled a state-by-state list of 103 public cyber schools operating in 2004.⁹ Web sites for each school are included (Long, 2004).

Some examples of school-based truancy reduction programs are described below.

- **Check & Connect, Minneapolis Public Schools, Minnesota**—Check & Connect was designed to promote student engagement in school, reduce truancy, and increase high school completion rates. Ten years of research in various school settings has demonstrated Check & Connect to be an effective attendance improvement and dropout prevention program. The program is structured to maximize personal contact with students using monitors as mentors and advocates. It is being implemented in several high schools in the Minneapolis Public Schools.
- **Cherokee County School District in Gaffney, South Carolina**—This program targets truant ninth graders with a standardized approach. The district has implemented Absentee Make-Up Days that allow students to erase absences from their record. Teachers take attendance using SASIxp during the first 10 minutes of each class period. Attendance letters are sent for absences of three, five, and 10 days. Attendance Intervention Plans are implemented with a success rate of approximately 45%.

⁹ The authors note that the number of cyber schools is expanding rapidly, so the list may no longer be complete.

- **Dallas Independent School District Attendance Improvement and Truancy Reduction Program, Dallas, Texas**—The program provides prevention and intervention services to students and their parents prior to court filing and throughout the court process including participation in Parent Information Forums, parent conferences, and providing appropriate social service intervention referrals as needed. As a result of the higher attendance rate, the district received an increase of over eight million dollars on a yearly basis.
- **Project Respect in Pueblo, Colorado**—School-based Community Advocates identify children with any of a number of issues including poor academic performance and behavioral problems, but primarily truancy. Advocates run a family-focused program that includes outreach to families and family activities. Students participate in a wide range of fun activities at school and out of school, but must have perfect attendance in order to join the fun. Mental health and other social services are available through the program.
- **Los Angeles County School Attendance Review Board (SARB)**—California law requires that schools offer assistance from SARBs to help students with attendance problems. The LA County SARB is an advisory board for other SARBs throughout the county. They provide training on how to implement an effective SARB to improve student attendance.

Court-Based Programs

Courts are involved in truancy reduction in a variety of ways, but those that operate TRPs generally take a social service approach rather than a punitive one. After a child receives an initial truancy citation, participation in a court run program may be offered to families as an alternative to the standard court proceeding. Programs in which court is held at the school itself are common among court-based TRPs, but a number of other programs take individualized approaches. Sometimes the courts will help schools set up their own hearings even if the judge does not attend. Some schools, inspired by the formal courts, hold peer courts to address truancy.

Court-At-School—The key common feature of court-at-school programs is the involvement of a judge who holds truancy hearings in the school buildings. Courts-at-school typically serve 10 to 15 children per school and primarily target elementary and

middle schools. Weekly hearings, often attended by family members, typically occur for 10 to 12 weeks every semester. Teachers provide weekly feedback to the judges on each child to ensure effective hearings. In general, the programs avoid using sanctions or punishment. A variety of community services, tutoring, and other activities such as family nights, field trips, etc. are integral to these programs.

Some examples of court-based truancy reduction programs follow.

- **Louisville, Kentucky**—Judge Joan Byer began the first court-at-school program here. Her program has been replicated in Texas, California, Nevada, Missouri, Oklahoma, North Carolina, and elsewhere. A Web search yields many references to her program.
- **Bridger Middle School Youth Court, Nevada**—is an example of a court-at-school program that focuses on truancy intervention. The judge stresses personal responsibility with a proactive, positive intervention process that is not punitive in nature and includes components such as court-appointed after-school tutoring, assignment of special advocates and social workers, and extended use of outside services. Not only has the program had a very positive impact on truancy within the school, but also a residual effect has been the increase in academic achievement and the decline of discipline problems for students served by the program.
- **Lac du Flambeau, Wisconsin**—The Truancy Reduction Program (TRP) intervenes with family and children between the time that they receive a truancy citation and their court hearing. The Truancy Tribal Court allows students to work with the TRP. If students and parents agree to the provisions of the program, the court drops the citation. The tribal court aids the TRP by providing a copy of the attendance record and citation report. In addition, the tribal court can mandate the TRP as a sanction if students initially refuse to participate in the TRP but are found guilty of truancy in the court.
- **Boulder, Colorado**—The juvenile magistrate runs an alternative high school, called Justice High School, in the court building. Students who have trouble with truancy, as well as expelled students, may be sentenced by the court to attend the school, generally for the remainder of the school year. The magistrate is the principal of Justice High.

- **King County Superior Court At-Risk Youth Program, Seattle, Washington**—This program uses multiple approaches. Community-based attendance workshops allow youth with few unexcused absences and no other major concerns to avoid formal court by creating an attendance contract. Community truancy boards allow youth and families a facilitated way to create an agreement with the school district to improve school attendance. Formal court and short-term case management provide a legal forum to resolve truancy and other issues for youth with more absences or multiple concerns. The program also provides technical assistance to schools and other agencies responding to youth in trouble.

Youth Courts—Youth courts were introduced into our schools about ten years ago as a peer-based court-like system allowing students to serve in various court roles to review selected student infractions and offer sanctions to the student offenders. Under adult leadership, the youth courts have flourished and have proven to be useful to the participating students serving in court-related roles and to the student offenders and their families. Over 250 of the 940 youth courts active nationwide accepted truancy referrals as of May 2004. A recent review of these programs lists strategies for addressing truancy in youth courts, along with its benefits and challenges (Gonzalez & Mullins, 2004).¹⁰ The strategies include:

- Recognize that youth courts are part of a comprehensive approach to truancy reduction and cannot address the problem alone.
- Identify the root of the truancy problem by gathering information about each case from a variety of sources.
- Involve and provide support for families of truant.
- Provide services that engage youth in their school and community by connecting them to people, places, and activities.
- Link youth to mentors.
- Monitor compliance.
- Offer positive incentives to reinforce compliance.
- Train youth volunteers on the unique, and often private, issues that arise in truancy cases.

¹⁰ The Evaluation of Teen Courts project run by the Urban Institute and OJJDP reports on the scope and effectiveness of teen courts and is an excellent resource. The study focuses on delinquency, however, and does not discuss teen courts and school attendance (Butts, Buck, & Coggeshall, 2002).

- Work toward making the school climate healthier by advocating for truant students and families with the school when necessary.

Community-Based Programs

Many communities have found that the most effective way to address truancy is through a communitywide effort. When an entire community understands the implications of truancy, many resources can be brought to bear to correct the underlying problems that cause truancy. Having more partners creates a broader resource base available to support the program and promotes funding security.

Examples of community-based programs are included below.

- **Jacksonville United Against Truancy**—This program results from collaboration between the State Attorney’s Office, Duval Public Schools, the Jacksonville Sheriff’s Office, and others. A pre-court diversion program requires Attendance Intervention Team meetings between truant students, their families, a school attendance social worker, and a hearing officer at which an attendance contract is signed. Case managers monitor attendance and make referrals to social services paid for by the program. If all other efforts at encouraging good attendance fail, parents face the possibility of sanctions that include a night in jail.
- **Truancy Reduction and Intervention Program**—Truant students in Broward County, Florida, are picked up by law enforcement and transported to a juvenile intervention facility. They receive counseling by case managers and are transported back to school by family or law enforcement. Habitual truant students receive case management during the summer. Referrals are made to appropriate agencies based on findings during counseling, by the case manager, and by student request.
- **Hennepin County School Success Project**—This project in Hennepin County, Minnesota, provides the coordination for all systems that are involved in intervening to improve school attendance. They facilitate initiatives that involve a wide range of partners. The emphasis has been on developing a balance of early intervention and prevention strategies while maintaining a judicial presence.

MONITORING AND REPORTING

Evaluation is an important component of effective truancy reduction programs, and indeed of any social service program. Without evaluation, it is nearly impossible to know how much the benefits a program provides. Even when those involved have an intuitive sense that their program is making a good contribution, asking a more sophisticated set of questions may help improve program effectiveness. For example, what components of a program are most successful? If the budget shrinks, can part of the program be cut or scaled back with little detriment? Is there a subset of youth who are better served by the program than others, and should some special attention be paid to marginalized groups? When the results of evaluation are used to improve program operations, effectiveness can be maximized. Finally, having a rigorous evaluation that convincingly shows program effectiveness is essential to attracting ongoing funding.

Several types of evaluation can be helpful in achieving different goals.

- **Process Evaluation** assesses the degree to which a program is replicated with fidelity to the original design. Unless a program is implemented correctly, it cannot be expected to achieve the same results as the model from which it is copied.
- **Outcome Evaluation** measures the benefits of a program in terms of program objectives such as improved attendance, better grades, or increased commitment to school on the part of participants. The best outcome evaluations are longitudinal—they follow the same group of youth over an extended period of time to determine lasting outcomes.
- **Cost-Benefit Analysis** is a specific type of evaluation that measures the benefits of a program as compared to its costs. It is useful for evaluating whether funding is being used as effectively as it could be.

Although most evaluations have not followed youth long enough to know how the programs have effected high school graduation rates, the encouraging news is that many evaluations show short-term success at getting young people back into the classroom. For a more thorough review of evaluation guidelines, see another publication in this series, *Guidelines for Evaluating Truancy Programs*, by Ted Wesley and Patricia Cloud Duttweiler.

SUMMARY AND RECOMMENDATIONS

WHY SCHOOL ATTENDANCE AND TRUANCY REDUCTION PROGRAMS ARE IMPORTANT

Truancy is both a cause of legal and economic problems, and an effect of those problems. Research shows that compared to the general population, truants are relatively likely to come from low-income families, to have parents who lack high school degrees, to have been victims of abuse or neglect, and to come from homes where parents have histories of criminality or substance abuse. They are also more likely than average to have mental health problems such as depression, suicide ideation, and aggressive behavior among others. Some are highly intelligent and bored with school.

Regardless of a child's circumstances, large amounts of unstructured time provide opportunities for young people who have yet to learn good judgment, and who by virtue of adolescence feel indestructible, to get into serious trouble. They may experiment with drugs and alcohol; experiment with shoplifting either out of necessity or for fun; join the "wrong crowd"; or, in the worst case, become victims of crime themselves. Society has a responsibility to ensure these young people gain the tools necessary for successful adult life. Otherwise, we perpetuate the cycle of low education and low opportunity; problems not solved among this generation will likely surface again in the next. Education can help break the cycle of poverty, and most of the problems that poverty causes, such as high mobility, inadequate health care, and the inability to supervise and care for young children.

Young people have very short time horizons. If they fail to earn enough high school credits to graduate with their class, they may become overly discouraged. From an adult perspective, it matters little whether a student needs one or even two more years to graduate from school. But from a teenager's viewpoint, another year is an eternity, and graduation may look hopeless. For that reason, it is essential to address truancy early and to provide opportunities for students to make up lost credits. All efforts should be made to help students stay on grade throughout their school careers.

BENEFITS OF TRUANCY REDUCTION PROGRAMS

Tangible benefits accrue from well-implemented truancy reduction programs. Some lend themselves to being quantified; others are harder to measure but are important nonetheless. The potential for achieving these benefits offers compelling reason to initiate a truancy reduction program (TRP) and should be considered when planning a program evaluation.

Truancy programs can accomplish the following:

- **Promote educational success**—TRPs promote high school graduation. The trend among marginal students to drop out of school and focus only on getting a GED is disturbing since equivalency degrees are widely perceived as being less valued than a regular high school diploma. Every year, every semester, every class a student passes, brings the student closer to that goal.
- **Reduce juvenile crime**—Young people who are in school are not causing trouble in the community. Neighborhoods where truancy has been aggressively combated have experienced drops in crime, particularly during school hours.
- **Provide financial benefits to society**—Education brings higher rates of employment at higher rates of pay. Higher income reduces dependence on taxpayer-funded social services and generates higher income tax contributions.
- **Reduce adult criminality**—The least educated individuals are greatly overrepresented in our jails and prisons. They account for the greatest share of our criminal justice expenditures.
- **Generate tangential family benefits**—Most TRPs identify problems within families and make referrals to services designed to ameliorate those problems. Examples include addiction recovery programs or mental health services. Although such services hopefully ameliorate truancy, they also provide many other benefits to the recipients. Obviously, the value of family counseling that ends or reduces domestic violence can not be measured solely in terms of children's school attendance.
- **Lead to intergenerational benefits**—What will be the value of truancy reduction programs to the children of today's struggling truants if the programs can keep their parents in high school, and even make college an option? The next generation of children will grow up in higher income

households and be less likely to experience economic hardship. They will have parents who will likely value education more for having received a hard-won degree and reaped the benefits of that degree.

- **Achieve successful attitude**—Programs that have been evaluated show improvements in self-esteem and continued academic achievements.

POLICY AND PROGRAM RECOMMENDATIONS

The onus of preventing and correcting truancy cannot be borne by any single entity if we expect to effectively handle the problem. Truancy must be understood to be both a symptom and a cause of multifaceted difficulties in a young person's life—difficulties that tend to multiply as the child enters adulthood. A broad range of agencies and groups must take responsibility for making structural, systemic changes in order to improve the life chances of our sons and daughters.¹¹ An excellent review of planning and collaborative activities by different agencies is offered in another publication in this series, *Planning, Collaboration, and Implementation Strategies for Truancy Programs* by Terry Cash and Patricia Cloud Duttweiler.

Recommendations for State Laws

Every state has a different set of laws under which students and schools operate. It is notoriously easy to pass laws that have unintended consequences and equally difficult to change those rules once they have been made. The only way to know what is working well or poorly is to support a panel of education and child services experts to review the laws that affect school attendance—and then listen to what they have to say. Areas in which many state laws can be improved include those surrounding the reporting of attendance data, laws that determine the incentive structure within which schools attempt to retain or push out low-performing students, and those that affect funding allocations for truancy reduction and alternative education. Specific recommendations include:

- **Expand data reporting laws and regulations.**

Require accurate reporting of attendance data, and fund schools to be able to collect the data.

¹¹ The Manual to Combat Truancy, published in 1996 by the U.S. Departments of Education and Justice, is another excellent source of recommendations for communities seeking to reduce truancy, and of information regarding several specific programs.

Correct loopholes in state laws that allow schools to underreport dropouts.

- **Eliminate push-out practices and get school incentives right.**

Reward schools for high graduation rates, as much as they reward schools for high test scores.

Do not penalize schools for poor attendance among enrolled children without recognizing efforts to improve attendance and progress in reducing truancy rates.

Do not penalize schools for students who take more than four years to complete high school. English language learners in particular may require more time to earn the credits needed for graduation.

- **Invest in truancy prevention and reduction.**

Direct funding toward well-planned truancy reduction programs.

Direct funding toward alternative education programs in both high school and middle school. Small school districts might consider joint alternative programs.

Maximize funding of social services that help to keep youth in school. Examples include health clinics, mental health, and substance abuse services.

Fund after-school programs of all kinds.

- **Develop regulations and programs** to encourage consistency in the educational experiences of children removed from their homes by the court. Multiple school transfers, particularly midyear, contribute to truancy and dropout.¹²

Recommendations for Schools and School Districts

School and school district staff are on the front line in the fight to ensure good school attendance. Prevention efforts must focus on creating a welcoming climate and increasing school attachment. When it comes to program interventions, there is no alternative to early detection and aggressive support of the student and family. Several prevention and intervention strategies are offered:

- **Prevention strategies.**

Make accurate attendance reporting a priority.

Ensure that every child in the school has at least one adult who cares.

Keep schools as small as possible.

Consider reforms, such as school-within-a-school, that

¹² Several excellent studies illuminate the poor educational outcomes of youth in the foster care system (Pecora et al., 2005; Courtney et al., 2005; Conger & Rebeck, 2001).

minimize the feeling of anonymity engendered by large schools.

Actively address problems of bullying.

Minimize the use of out-of-school suspensions for disruptive students.

Offer many extracurricular activities, and encourage participation among all students, especially those deemed to be at risk.

Offer day-care options for teen parents.

- **Intervention strategies.**

Never assign out-of-school suspension as a punishment for truancy.

Eliminate automatic “Fs” for students who miss a certain number of class periods. Alternatively, allow students to earn back attendance credit for unexcused absences by attending Saturday school.

Reach out to parents and respect them. Assume they want the best for their children.

Offer flexibility to youth with attendance difficulties.

Examples might be permitting part-time status for working students or allowing emergency cell-phone calls to teen parents.

Recommendations for Courts

Juvenile and family courts can be leaders in tackling truancy, and they have a vested interest in doing so. Courts that wish to take action can either initiate truancy reduction programs or improve the way they handle standard truancy cases. Regardless of which route the court chooses, consider these recommendations:

- **Court organization.**

Create a truancy docket within the juvenile or family court so that all truancy cases are heard on the same day.

This saves schools significant resources in terms of personnel time, making schools more willing to file cases.

Develop a system to have one judge or magistrate who understands the importance of truancy hear all the truancy cases. This ensures consistency in sentencing and expertise on the part of the presiding judge.

- **Take a social service approach.**

Always involve parents or guardians in the proceedings.

Plan for every youth to have an advocate who may be a lawyer, a guardian ad litem, or a social service worker.

Learn about families’ strengths and needs, and connect families to community services that meet those needs.

Work to improve access to services for truant children, particularly mental health, substance abuse, tutoring, transportation, and others.

- **Reevaluate sentencing options.**

Follow up on attendance of petitioned truants. Issue rewards for good attendance.

Provide for truancy court judges to have flexibility in sentencing options, including alternatives to juvenile detention for even the most difficult cases.

- **Do not forget dependency cases.**

Routinely review the child's academic and behavioral records as part of each case.

Consider the educational and social needs of the child and provide for consistency of educational experience.

Recommendations for Researchers

The research community is responsible for providing practitioners with the background information they need to promote educational achievement for our children. Research on juvenile delinquency vastly outpaces research on truancy. As a result, most of what we know about truants is based on the testimony of experts and on anecdotal experiences rather than a broad base of reliable research. There is a significant body of literature on school climate and attachment, yet few studies directly link changes in climate to high school retention and graduation. In short, there is much room for additional research on the truant population, and the impediments to school achievement. Research needs to be directed to the following questions.

- Why do truants skip school, and what do they do when they are not in school?
- What are the demographic and psychological traits of youth with persistent attendance problems?
- Are there different typologies among truants? In other words, are there subsets of truants with different characteristics, motivations, and likely outcomes?
- What roles do race, ethnicity, and immigrant status play in shaping school attendance patterns, and how does gender interact with these characteristics?
- Not all truants are delinquent, and not all delinquents are truant. What is the interaction between truancy and delinquency? What characteristics are predictive of the truant-only, delinquent-only, and truant-delinquent populations?
- Above all, how can we best motivate students with poor attendance problems to return to class, stay there, and graduate?

ADDITIONAL RESOURCES

- **National Web Sites**

Center for Comprehensive School Reform and Improvement: www.csrclearinghouse.org

Center for Law and Education: www.cleweb.org

Center for Research on the Education of Students Placed at Risk: www.csos.jhu.edu/crespar

Correctional Education Association: www.ceanational.org

Education Commission of the States: www.ecs.org

National Center for School Engagement: www.schoolengagement.org

National Council of Juvenile and Family Court Judges: www.ncjfcj.org

National Dropout Prevention Center/Network: www.dropoutprevention.org

Office of Juvenile Justice and Delinquency Prevention's truancy Web site: <http://ojjdp.ncjrs.org/truancy>

U.S. Department of Education: www.ed.gov

- **South Carolina Web Sites**

Directory of South Carolina's Education Associations: <http://www.sciway.net/org/education.html>

South Carolina Department of Education: www.myschools.com

South Carolina Education Association: www.thescea.org

APPENDIX A: SOUTH CAROLINA TRUANCY LAW

http://www.myschools.com/offices/ssys/safe_schools/truancy/FinalRevisedRegulation.pdf
reproduced from Web site on 9/1/05

Title of Regulation: Regulation No.: R 43-274
STUDENT ATTENDANCE Effective Date: 4/22/05

Constitutional and Statutory Provisions:

S. C. Code Ann. Sections:

59-5-65 (2004)	Powers and responsibilities of State Board of Education
59-65-90 (2004)	Rules and regulations
20 U.S.C. § 7112 (2002)	No Child Left Behind Act of 2001
42 U.S.C. § 5601 <i>et seq.</i> (2002)	Juvenile Justice and Delinquency Prevention Act of 1974

Descriptor Code: JBD, JBA, JBE

State Board Regulation:

43-274. Student Attendance

I. Lawful and Unlawful Absences

School districts must adopt policies to define and list lawful and unlawful absences.

(A) Lawful absences include but are not limited to

- (1) absences caused by a student's own illness and whose attendance in school would endanger his or her health or the health of others,
- (2) absences due to an illness or death in the student's immediate family,
- (3) absences due to a recognized religious holiday of the student's faith, and
- (4) absences due to activities that are approved in advance by the principal.

(B) Unlawful absences include but are not limited to

- (1) absences of a student without the knowledge of his or her parents, or
- (2) absences of a student without acceptable cause with the knowledge of his or her parents.

(C) Suspension is not to be counted as an unlawful absence for truancy purposes.

II. Truancy

The State Board of Education recognizes that truancy is primarily an educational issue and that all reasonable, educationally sound, corrective actions should be undertaken by the school district prior to resorting to the juvenile justice system.

(A) Truant

A child ages 6 to 17 years meets the definition of a truant when the child has three consecutive unlawful absences or a total of five unlawful absences.

(B) Habitual Truant

A “habitual” truant is a child age 12 to 17 years who fails to comply with the intervention plan developed by the school, the child, and the parent(s) or guardian(s) and who accumulates two or more additional unlawful absences. This child may need court intervention and an initial truancy petition may be filed. The written intervention plan, and documentation of non-compliance, must be attached to the truancy petition asking for court intervention.

(C) Chronic Truant

A “chronic” truant is a child ages 12 to 17 years who has been through the school intervention process, has reached the level of a “habitual” truant, has been referred to Family Court and placed on an order to attend school, and continues to accumulate unlawful absences. Should other community alternatives and referrals fail to remedy the attendance problem, the “chronic” truant may be referred to the Family Court for violation of a previous court order. All school intervention plans existing to this point for this child and family must accompany the Contempt of Court petition as well as a written recommendation from the school to the court on action the court should take.

III. Intervention Plans

(A) Each district must develop a policy relating to requirements for intervention.

The district plan for improving students’ attendance must be in accordance with any applicable statutes.

(B) Once a child is determined to be truant as defined in Section II(A), school officials must make every reasonable effort to meet with the parent(s) or guardian(s) to identify the reasons for the student’s continued absence. These efforts should include telephone calls and home visits, both during and after normal business hours, as well as written messages and e-mails. School officials must develop a written “intervention plan” to address the student’s continued absence in conjunction with the student and parent(s) or guardian(s).

(C) The intervention plan must include but is not limited to

- (1) Designation of a person to lead the intervention team. The team leader may be someone from another agency.
- (2) Reasons for the unlawful absences.
- (3) Actions to be taken by the parent(s) or guardian(s) and student to resolve the causes of the unlawful absences.
- (4) Documentation of referrals to appropriate service providers and, if available, alternative school and community-based programs.
- (5) Actions to be taken by intervention team members.
- (6) Actions to be taken in the event unlawful absences continue.
- (7) Signature of the parent(s) or guardian(s) or evidence that attempts were made to involve the parents(s) or guardian(s).
- (8) Documentation of involvement of team members.
- (9) Guidelines for making revisions to the plan.

- (D) School officials may utilize a team intervention approach. Team members may include representatives from social services, community mental health, substance abuse and prevention, and other persons the district deems appropriate to formulate the written intervention plans.

IV. Referrals and Judicial Intervention

At no time should a child ages 6 to 17 years be referred to the Family Court to be placed on an order to attend school prior to the written intervention planning being completed with the parent(s) or guardian(s) by the school. A consent order must not be used as an intervention plan from any local school or school district. Should the parent(s) or guardian(s) refuse to cooperate with the intervention planning to remedy the attendance problem, the school district has the authority to refer the student to Family Court in accordance with S.C. Code Ann. § 59-65-50 (1990), and a report shall be filed against the parent(s) or guardian(s) with the Department of Social Services in compliance with S.C. Code Ann. § 20-7-490 (2)(c)(Supp. 2002).

(A) Petition for a School Attendance Order

If the intervention plan is not successful and further inquiry by school officials fails to cause the truant student and/or parent(s) or guardian(s) to comply with the written intervention plan or if the student and/or parent(s) or guardian(s) refuses to participate in intervention and the student accumulates two or more additional unlawful absences, the student is considered an “habitual” truant. Each referral must include a copy of the plan and specify any corrective action regarding the student and/or the parent(s) or guardian(s) that the district recommends that the court adopt as well as any other available programs or alternatives identified by the school district. The intervention plan must be attached to the petition to the Family Court and served on the student and the parent(s) or guardian(s).

(B) Petition for Contempt of Court

Once a school attendance order has been issued by the Family Court and the student continues to accumulate unlawful absences, the student is considered to be a “chronic” truant and school officials may refer the case back to Family Court. The school and district must exhaust all reasonable alternatives prior to petitioning the Family Court to hold the student and/or the parent(s) or guardian(s) in contempt of court. Any petition for contempt of court must include a written report indicating the corrective actions that were attempted by the school district and what graduated sanctions or alternatives to incarceration are available to the court in the community. The school district must include in the written report its recommendation to the court should the student and/or parent(s) or guardian(s) be found in contempt of court.

V. Coordination with the South Carolina Department of Juvenile Justice

Each school district should coordinate with the local office of the South Carolina Department of Juvenile Justice to establish a system of graduated sanctions and alternatives to incarceration in truancy cases.

VI. Transfer of Plans

If a student transfers to another public school in South Carolina, intervention plans shall be forwarded to the receiving school. School officials will contact the parent(s) or guardian(s) and local team members to review the plan and revise as appropriate. Court ordered plans may be amended through application to the court.

VII. Approval of Absences in Excess of Ten Days and Approval of Credit

(A) Approval or Disapproval of Absences

The district board of trustees, or its designee, shall approve or disapprove any student's absence in excess of ten days, whether lawful, unlawful, or a combination thereof, for students in grades K–12.

For the purpose of awarding credit for the year, school districts must approve or disapprove absences in excess of ten days regardless as to whether those absences are lawful, unlawful, or a combination of the two.

(B) High School Credit

In order to receive one Carnegie unit of credit, a student must be in attendance at least 120 hours, per unit, regardless of the number of days missed. Students whose absences are approved should be allowed to make up any work missed in order to satisfy the 120-hour requirement. Local school boards should develop policies governing student absences giving appropriate consideration to unique situations that may arise within their districts when students do not meet the minimum attendance requirements.

Therefore, districts should allow students, whose excessive absences are approved in part 1 of this section, to make-up work missed to satisfy the 120-hours requirement.

Examples of make-up work may include

- (1) after-school and/or weekend make-up programs that address both time and academic requirements of the course(s), or
- (2) extended-year programs that address both time and academic requirements of the course(s).

All make-up time and work must be completed within thirty days from the last day of the course(s). The district board of trustees or its designee may extend the time for student's completion of the requirements due to extenuating circumstances as prescribed by State Board of Education Guidelines.

VIII. Reporting Requirements

The State Department of Education will develop and implement a standard reporting system for the adequate collection and reporting of truancy rates on a school-by-school basis.

IX. Guidelines

Additional information relating to the implementation of this regulation will be contained in State Department of Education Guidelines. The State Department of Education will review and update these guidelines as needed.

APPENDIX B:

This table lists the results of a sample of truancy program evaluations. Taken as a whole, it shows that *thoughtful attendance interventions have a good chance of success.*

Program	Location	Target Grade/Age	Evaluation	Comparison Group
12 'National Network of Partnership Schools' at Johns Hopkins U.	MD, CA, MN, PA	Elementary	External	No
ACT (Abolish Chronic Truancy) Now	Pima County, AZ	K-12	External	No
Big Brothers Big Sisters	N/A	10 to 16 years old	External	Yes
Communities In Schools	Multistate, including, SC		External	
Fulton County Truancy Intervention Project	Atlanta, GA	Unclear	Unclear	No
Jacksonville United Against Truancy	Jacksonville, FL	Elementary	External	Comparison results not yet available
Project Helping Hand	Atlantic City, NJ	K-3	Unclear	No
Project Respect	Pueblo, CO	Middle and High Schools	External	No

TRUANCY PREVENTION PROGRAMS ARE OFTEN SUCCESSFUL

Program selection was not based on effectiveness or rigor of evaluation.

	Results	Citation
	Family and community activities designed to improve attendance reduced the percent of chronically truant students from 8% to 6% over 2 years, and increased the average attendance rate.	Epstein & Sheldon, 2002
	Truancies decreased by a minimum of 4%, and up to 64% in the largest school district with the worst problem prior to program initiation. The largest decreases in truancy were accompanied by the largest decreases in dropouts. However, individual level data on program participants was not available.	Baker, Sigmon, & Nugent, 2001
	Program participants were 52% less likely to skip a day of school than the control group.	Promising Practices Network, 2005
	80% of students served remained in school or had graduated 3 years after program initiation. 70% improved their attendance, and 60% improved their grades.	Cantelon & LeBoeuf, 1997
	70% of participants remain in school, and 75% have had no further contact with juvenile justice system.	Mogulescu & Segal, 2002
	Unexcused absences decreased from 15 in the 3 months prior to program participation, to 3 in the first 3 months after program initiation. For students who participated for at least 9 months, unexcused absences decreased from over 24 in the 3 months prior to program participation, to 3 in months 7-9 following program initiation.	Note: Preliminary data from the TRAIN database provided by the National Center for School Engagement in 2005.
	83% of the 290 children served in 1994/95 experienced no recidivism.	Garry, 1996
	58% of children served in the 04/05 school year improved their attendance from an average of 13 unexcused days in 03/04 to 2.3 days in 04/05. GPAs of 61% of students who began with significant academic problems improved by over one letter grade. Suspensions dropped by 50%.	Baker & Steven, 2005

APPENDIX B

Program	Location	Target Grade/Age	Evaluation	Comparison Group
School Attendance Demonstration Project	San Diego Unified School District	16-18-year olds	External	Yes
Seattle Weed and Seed	Seattle, WA	Middle School	External	Comparison results not yet available
St. Louis County Truancy Court	St. Louis, MO	K-8	External	No
Tates Creek Truancy Prevention Program	Lexington, KY	Elementary	External	No
THRIVE	Oklahoma City, OK	K-12	Unclear	No
Truancy Diversion Social Work Program	Parkersburg, WV	Jr. High	Unclear	No
Truancy Intervention Program	Ramsey County, MN	High School	Unclear	No
Truancy Prevention Through Mediation	Ohio	K-8	External	No
Wisconsin Learnfare	Wisconsin	Teenagers	External	No

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	Results	Citation
	Experimental group students were 3-9% more likely to meet attendance goals. No significant difference in graduation rates.	Jones, Harris, & Finnegan, 2002
	Unexcused absences decreased from 20 in the three months prior to program participation, to 1 during the first three months after program initiation. Students who participated for at least 6 months had 5 unexcused absences between the 4th and 6th month following program participation.	Note: Preliminary data from the TRAIN database provided by the National Center for School Engagement in 2005.
	60% of the 626 participants improved their attendance, decreasing their absences by 44%. But once the program ended, only 1/3 (20% of the whole) maintained their improved attendance.	Tennell, 2004
	Attendance among program participants increased to 93% from 90%.	Sutphen & Ford, 2003
	1.7% increase in daily attendance at OK City schools, and a 1.3% reduction in dropout rate. 33% reduction in daytime burglaries.	Garry, 1996
	In '02-'03 and '03-'04 respectively, 88% and 62% of participating students improved their GPA, and 88% and 66% had fewer absences following program participation. Average school-wide daily attendance increased significantly.	Alliance for Children 2003, 2004
	82% of participants improved their attendance. Number of students who missed 15 days of school dropped from 73% to 42%.	Mogulescu & Segal, 2002
	In each county, absences dropped significantly for participants after the mediation. Kindergarteners' absences fell from an average of 15 before the mediation to 4 afterward. 1st graders' absences fell from 13 to 2.	Mogulescu & Segal, 2002
	Withholding welfare payments to families of truant teens resulted in no improvement in attendance in any of 6 school districts studied.	Quinn, 1995

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ABOUT THE AUTHORS

Joanna Zorn Heilbrunn is a Senior Research and Policy Analyst at the Colorado Foundation for Families and Children (CFFC), which houses the National Center for School Engagement. Jodi, as she is usually called, has worked in the field of education research for almost a decade with a current focus on truancy prevention and school success. She has completed a cost-benefit analysis of model truancy prevention programs in Colorado and has examined the effectiveness of sending young people to detention for skipping school. She is currently involved in a separate study of alternatives to detention and a longitudinal evaluation of model truancy programs funded by the OJJDP.

Prior to joining CFFC, Jodi was affiliated with the RAND Corporation for 12 years. At RAND, she contributed to numerous health care, immigration policy, and military manpower studies, prior to turning her full attention to education in a longitudinal evaluation of New American Schools.

Jodi holds a master's degree in sociology from UCLA and an undergraduate degree in economics from Boston University.

Jay Smink has been the Executive Director of the National Dropout Prevention Center at Clemson University since 1988. He is a Professor of Education in the College of Health, Education, and Human Development. He also serves as the Executive Director of the National Dropout Prevention Network, a professional organization of 2,000 individual and institutional members representing education, business, and community leaders who are concerned with school dropout issues. He earned his M.Ed. in Industrial Education and D.Ed. in Educational Administration from Penn State. His B.S. is in Industrial Arts from Millersville State College (PA). His career experiences range from teaching at the local school level to research at the university level.

Dr. Smink is recognized as a national leader and authority on dropout prevention, school reform, mentoring, service-learning, alternative schools, school-to-work, and program evaluation. He is a frequent guest on radio, television, and on national media presentations regarding the dropout issue including how schools and communities use any of the 15 most effective strategies to reduce the dropout rate in local schools. He also is respected as a keynote speaker for major national and state conferences and is a skilled workshop leader on numerous topics including mentoring, alternative schooling, and student attendance and truancy.