

# + IN SCHOOL ON TRACK

ATTORNEY GENERAL'S 2013 REPORT ON  
CALIFORNIA'S ELEMENTARY SCHOOL  
TRUANCY & ABSENTEEISM CRISIS



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The recommendations expressed in this report are based on research and input from the staff of the Attorney General's Special Project Team and office. These recommendations should not be considered as representing the views of any agency or organization that contributed to the report.

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**Acknowledgments**

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## EXECUTIVE SUMMARY

The California Constitution provides every child with the fundamental right to an elementary, middle, and high school education. It is our law. Yet across our state, thousands of elementary school children are denied that right because they never make it to the classroom.

California is facing an attendance crisis, with dire consequences for our economy, our safety, and our children. Truancy and chronic absence occurs in elementary schools across the state, at rates that are deeply troubling. According to the California Department of Education, 691,470 California elementary school children, or 1 out of every 5 elementary school students, were reported to be truant in the 2011-2012 school year.<sup>1</sup> Statewide, 38% of all truant students are elementary school children.<sup>2</sup> One school reported that *more than 92%* of students were truant in the 2011-2012 school year.<sup>3</sup>

Estimates of truancy based on a sample of California school districts paint an even more alarming picture than the truancy statistics reported to the California Department of Education.<sup>4</sup> Those estimates indicate that in the 2012-2013 school year, approximately one million elementary school children in California were truant and almost 83,000 were

### KEY TERMS: AT A GLANCE

**Truancy:** In California, a student is truant if he/she is absent or tardy by more than 30 minutes *without a valid excuse* on 3 occasions in a school year.

**Habitual Truancy:** A student is habitually truant if he/she is absent *without a valid excuse* for 5 days during a school year.

**Chronic Truancy:** A student is chronically truant if he/she is absent *without a valid excuse* for at least 10% of the school year.

**Chronic Absence:** In California, chronic absence is typically defined as being absent for *any reason* (excused or unexcused) for at least 10% of the school year. Thus, in a 175- or 180-day school year, a student who misses 18 days of school or more is chronically absent.

**Excused Absence:** Valid excuses may include illness, doctor or dentist appointments, personal reasons justified by a parent or guardian and other reasons within the discretion of school administrators.

<sup>1</sup> California Department of Education, Data Reporting Office, *Elementary School Truancy 2011-2012* (the most current data available); report created June 3, 2013. Under California Education Code section 48260, truancy is defined as incurring three unexcused absences or tardies in excess of 30 minutes without a valid excuse during a school year. All further references to statutory authority herein are to California law unless otherwise stated.

<sup>2</sup> *Ibid.*; 691,470 elementary school truants out of 1,829,421 total truants in California for 2011-2012.

<sup>3</sup> *Ibid.*

<sup>4</sup> Estimates provided by School Innovations & Achievement based on its sample of California school districts. See Appendix B for further information.



chronically truant (missing 10% or more of the school year – calculated from the date of enrollment to the current date – due to unexcused absences).<sup>5</sup>

The same sample reveals that hundreds of thousands of students in California are chronically absent from school. Over 250,000 elementary school students missed more than 10% of the school year (over 18 school days); and a shocking 20,000 elementary school children missed 36 days or more of school in a single school year.

### The Attendance Crisis

Nationwide, approximately **1 in 10 kindergarten and first grade** students miss a **month** of school each year due to absences.

More than **250,000** elementary school students in California are **estimated to miss 10%** or more of the school year.

Almost **83,000** California elementary school students have **more than 3 weeks** of unexcused absences.

**20,000** California elementary school children miss **36 days or more** of school in a year.

Given these disturbing statistics, Attorney General Kamala D. Harris commissioned a study to examine the scope, causes and effects of truancy and absenteeism in California. The study also focused on what law enforcement, parents, educators, non-profits, public agencies and concerned community members can and must do about this problem. The findings are stark. We are failing our children.

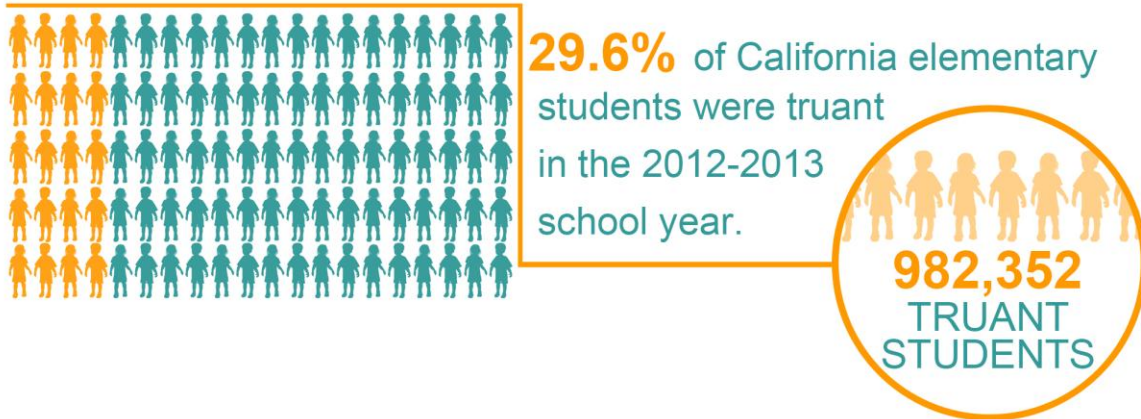
Truancy, especially among elementary school students, has long-term negative effects. Students who miss school at an early age are more likely to struggle academically and, in later years, to drop out entirely. One study found that for low-income elementary students who have already missed five days of school, each additional school day missed decreased the student's chance of graduating by 7%.<sup>6</sup> Lacking an education, these

<sup>5</sup> Education Code section 48263.6.

<sup>6</sup> Ou, S. R., & Reynolds, A. J. (2008). *Predictors of Educational Attainment in the Chicago Longitudinal Study*. *School Psychology Quarterly*, 23(2), 199. Ou and Reynolds attempted to determine the graduation likelihood of a sample of 12 year old students in the Chicago area who were at risk of not completing school due to poverty. Several variables, including number of absences, were significant predictors of high school completion. Absences across the sample ranged from 2 to 17 days missed. Results found that each additional absence above five days missed decreases a student's likelihood of graduation by 7%. If the number of absences of a student is increased from five days missed to 10 days missed, likelihood this student will graduate decreases by 35%. Students with the most absences (17 days absent) thus had a graduation likelihood of only 15% at the age of 12.

children are more likely to end up unemployed and at risk of becoming involved in crime, both as victims and as offenders.<sup>7</sup>

## CALIFORNIA TRUANCY RATES (Based on School Innovations and Achievement Data)



The fiscal and economic impacts of truancy are equally distressing. According to new research conducted for this report, school districts lose \$1.4 billion per year by failing to get students to school because school funding is based on student attendance rates. The cost to the state is far greater. Factoring in the costs of incarceration and lost economic productivity and tax revenues, dropouts cost California an estimated \$46.4 billion per year.

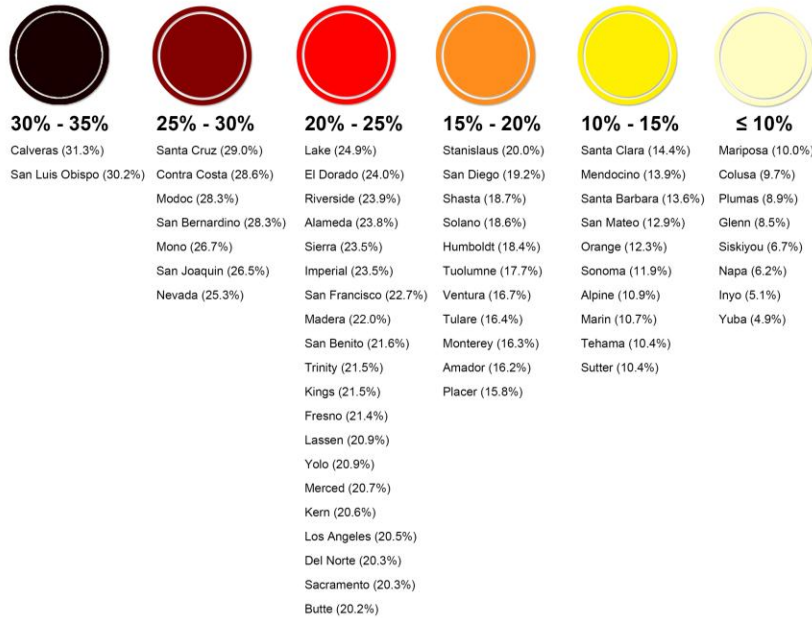
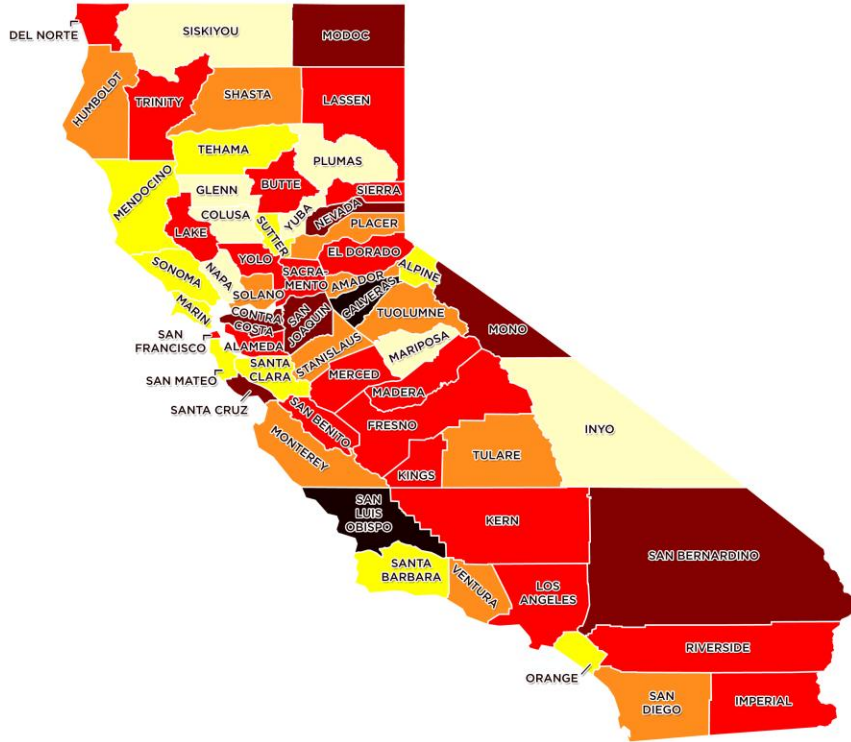
Truancy is also against the law. California's Compulsory Education Law requires every child from the age of 6 to 18 to be in school – on time, every day.<sup>8</sup>

The law also requires that schools and districts track students' attendance, notify parents when their students miss school, and attempt to work with families to improve attendance. The high rate of truancy in California is an issue of accountability that the Department of Justice will prioritize, and that must be prioritized at every level of education and law enforcement. Our laws and our state's future demand no less.

<sup>7</sup> Assem. Comm. on Pub. Safety, Analysis of Sen. Bill No. 1317 ( 2009-2010 Reg. Sess.) as Amended June 16, 2010, pages 7-8.

<sup>8</sup> Education Code section 48200.

# 2011-2012 ELEMENTARY SCHOOL TRUANCY RATES



<sup>9</sup> California Department of Education, Data Reporting Office, *Elementary School Truancy 2011-2012* (the most

## Elementary School Truancy Rates & Numbers by County (2011-2012)

County	Elementary School Enrollment	# of Truant Elementary School Students	Elementary School Truancy Rate	County	Elementary School Enrollment	# of Truant Elementary School Students	Elementary School Truancy Rate
Alameda	117,419	27,906	23.8%	Madera	19,045	4,194	22.0%
Alpine	101	11	10.9%	Marin	17,600	1,884	10.7%
Amador	2,121	344	16.2%	Mariposa	1,153	115	10.0%
Butte	17,366	3,509	20.2%	Mendocino	6,868	955	13.9%
Calaveras	3,184	996	31.3%	Merced	32,191	6,666	20.7%
Colusa	2,238	217	9.7%	Modoc	852	241	28.3%
Contra Costa	86,351	24,685	28.6%	Mono	1,010	270	26.7%
Del Norte	2,448	498	20.3%	Monterey	43,859	7,128	16.3%
El Dorado	15,396	3,699	24.0%	Napa	10,147	625	6.2%
Fresno	133,116	28,551	21.4%	Nevada	5,762	1,456	25.3%
Glenn	2,957	250	8.5%	Orange	263,584	32,300	12.3%
Humboldt	10,858	2,001	18.4%	Placer	34,167	5,405	15.8%
Imperial	21,694	5,093	23.5%	Plumas	1,184	105	8.9%
Inyo	1,581	81	5.1%	Riverside	225,896	53,975	23.9%
Kern	103,111	21,238	20.6%	Sacramento	142,667	28,993	20.3%
Kings	17,319	3,725	21.5%	San Benito	7,191	1,550	21.6%
Lake	5,693	1,417	24.9%	San Bernardino	237,144	67,003	28.3%
Lassen	2,312	483	20.9%	San Diego	273,706	52,520	19.2%
Los Angeles	813,732	166,469	20.5%	San Francisco	29,910	6,798	22.7%

current data available); report created June 3, 2013.

**In School and On Track**  
**Executive Summary**

County	Elementary School Enrollment	# of Truant Elementary School Students	Elementary School Truancy Rate	County	Elementary School Enrollment	# of Truant Elementary School Students	Elementary School Truancy Rate
San Joaquin	99,761	26,450	26.5%	Sonoma	41,604	4,967	11.9%
San Luis Obispo	18,908	5,712	30.2%	Stanislaus	61,398	12,255	20.0%
San Mateo	49,970	6,465	12.9%	Sutter	13,895	1,449	10.4%
Santa Barbara	39,065	5,314	13.6%	Tehama	6,817	712	10.4%
Santa Clara	147,950	21,338	14.4%	Trinity	1,230	265	21.5%
Santa Cruz	19,379	5,626	29.0%	Tulare	62,033	10,171	16.4%
Shasta	16,036	3,004	18.7%	Tuolumne	4,586	813	17.7%
Sierra	230	54	23.5%	Ventura	74,276	12,440	16.7%
Siskiyou	3,376	227	6.7%	Yolo	18,019	3,762	20.9%
Solano	36,032	6,687	18.6%	Yuba	8,159	403	4.9%

This report concludes that, to be smart on crime, combating truancy must be a core goal of state public safety policy. Given the scope of the problem, all stakeholders must focus on prevention first. They must understand *why* students are missing school in order to address the underlying issues that create barriers to attendance.

Accordingly, this report outlines a blueprint for stakeholders across the state – parents, educators, schools, law enforcement, community organizations and local and state legislators and policymakers – to prevent and reduce truancy and chronic absenteeism in California schools. It outlines significant and necessary changes to the implementation of state law and local practices in order to effectively measure and reduce truancy, and also identifies best practices and promising programs that can be modeled at every level of the education system – by parents, schools and school districts statewide.



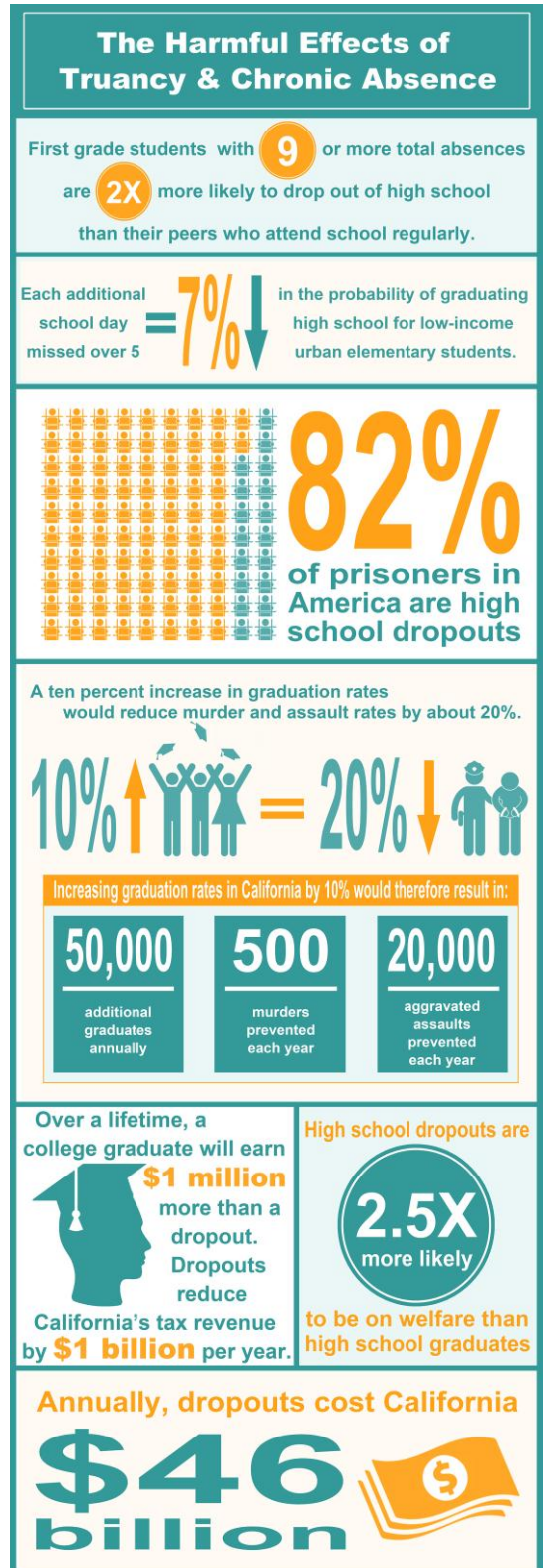
**SUMMARY OF KEY FINDINGS**

- (1) **Truancy and absenteeism in elementary school have far-ranging implications for California’s economy, public safety, and children.**

As discussed above, elementary school truancy and absenteeism impose enormous costs not just on the individual children denied an education, but also on school districts’ budgets, the state’s economic future, and the public’s safety. The following chapters describe these effects in more detail.

- (2) **Student record systems need repair and upgrade to accurately measure, monitor and respond to truancy.**

California is one of only four states in the country that does not collect individualized student attendance records at the state level.<sup>10</sup> Even at the local level, only half of the school districts that responded to our California School District Leadership Survey (“District Leadership Survey”)<sup>11</sup> were able to confirm that they track student absence records longitudinally – that is, they track individual students’ attendance year after year. The failure to collect, report and monitor real-time information about student attendance renders our most at-risk children – including English learners, foster children and low-income free- and reduced-price lunch students – invisible.



<sup>10</sup> Chang, Leong, Fothergill, & Dizon Ross (2013). *How States Can Advance Achievement by Reducing Chronic Absence*, Attendance Works, Policy Paper. (<http://www.attendanceworks.org/policy-advocacy/state/state-policy-brief-the-attendance-imperative/>). The other three states are Colorado, New York, and Illinois. *Ibid*.

<sup>11</sup> See Appendix B for further information on the survey’s methodology.



**(3) Early intervention – even in severe cases – can get young children back on the right track.**

According to our research, even small improvements in a school or district’s truancy reduction efforts – such as phone calls and meetings with guardians – pay dividends in increased attendance.<sup>12</sup> Truant elementary school students whose attendance improves over time are at a much lower risk for dropping out than students whose truancy continues or increases later into their academic careers.<sup>13</sup> These findings underscore the critical importance of intervention at the earliest possible point in a truant student’s academic career.

## **SUMMARY OF RECOMMENDATIONS<sup>14</sup>**

### **For Schools, Districts, & Counties**

**(1) Know who is absent and why by collecting individualized attendance records and using those records to inform real-time intervention strategies.<sup>15</sup>**

Schools and districts should track individualized attendance in real-time. Only with this evidence can officials track who is absent, why and how often. Access to this information in real-time makes it possible for a school to identify, and intervene in, an attendance problem quickly and effectively. Establishing an effective record system is not difficult – districts can turn to nonprofit resources like Attendance Works or private companies like School Innovations & Achievement, among others.

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<sup>12</sup> Indeed, mere compliance with California truancy laws go a long way on their own. For example, statistics from Ventura and Sonoma counties indicate that less than one-third of parents who receive the first notification that their elementary school child is truant require additional interventions.

<sup>13</sup> Schoeneberger, J. A. (2012). *Longitudinal Attendance Patterns: Developing High School Dropouts*. The Clearing House: A Journal of Educational Strategies, Issues and Ideas, 85(1), 7-14.

<sup>14</sup> For the complete description and analysis of recommendations, see Chapter 9.

<sup>15</sup> For a more complete analysis on records collection and intervention strategies see Chapter 7.

A system should have the capacity to:

- (a) Track excused and unexcused absences for individual students;
- (b) Connect individual student attendance records to other personal, academic and behavioral records (e.g., academic achievement merits, race/ethnicity, gender, English learner status, etc.);
- (c) Track interventions for individual students (e.g., notification of truancy letters, truancy meetings, home visits, etc.), and compare a student's attendance before and after the intervention; and,
- (d) Record and track the above information for individual students over time, even after they change schools.

**(2) With the first unexcused absence, intervene with the family by sending letters, making phone calls and conducting home visits.**

Use the attendance records collected to establish connections with students and families, beginning with the first unexcused absence. Research indicates that, not only is there rarely intervention at the first unexcused absence, not all school districts are even complying with state truancy notification laws – which begin with the third unexcused absence or tardy. These notices are required because they are effective at reducing trancies.<sup>16</sup> Moreover, truancy is an early warning that students may face more severe attendance issues, and may have many additional excused absences on top of their unexcused absences.<sup>17</sup> *It is essential to consistently and promptly comply with these legally-mandated truancy notification requirements.* But schools, districts, and counties should go beyond the legal requirements and reach out to families early and often to address a child's attendance problem. Best practices include monitoring and responding every time a child misses school – both excused and unexcused. By focusing on prevention and early intervention like letters, calls, and home visits, schools and districts can help students before referrals to more costly intervention strategies are necessary.

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<sup>16</sup> For example, as noted above statistics from Ventura and Sonoma counties indicate that less than one-third of parents who receive the first notification that their elementary school child is truant require additional interventions.

<sup>17</sup> Estimates from School Innovations & Achievement indicate that 95% of elementary school students who are chronically absent are also truant. Therefore, truancy can be used as an early warning and trigger for necessary intervention before a student's attendance issues worsen.

**(3) Formally collaborate with local agencies and organizations to engage hard-to-reach students and families.**

Formal, ongoing partnerships with other public agencies and community- and faith-based organizations are essential to help families address the underlying factors contributing to truancy.

Creating and maintaining an active local School Attendance Review Board (SARB) is a particularly effective way to develop and maintain formal, institutional collaboration and to maximize scarce resources. An effective SARB functions as the formal nexus between schools, county services and law enforcement, providing an opportunity for stakeholders to collaborate and develop a personalized approach to preventing truancy and chronic absence. Other successful formal programs include robust mediation programs designed to uncover the root issues underlying the truancy and to provide referrals for social services.

A SARB or other formal attendance program should include these essential functions:<sup>18</sup>

- Provide broad and effective collaboration with the SARB representatives from the groups identified in California Education Code section 48321<sup>19</sup> who can combine their expertise and resources on behalf of the students referred to them. County SARBs should work with and encourage collaboration among the local SARBs and agencies in the county.

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<sup>18</sup> Derived from the State of California Model SARB Recognition Program 2012-2013, Instructions & Application. <http://www.cde.ca.gov/ls/ai/sb/modelrecognition.asp>. Additional components of Model SARBs are available on that site.

<sup>19</sup> See Appendix C for excerpts of California statutes.

### COMPOSITION OF COUNTY SARB\*



\*Education Code Section 48321(a)(2)

- Identify a broad base of community resources, such as mental health or social service agencies, to provide applicable referrals for families and students. County SARBs should encourage local SARBs to maintain a continuing and expanding inventory of resources and coordinate and improve county-level services.
- Identify attendance or suspension patterns (including disparities among certain populations within a community) that could be addressed with prevention strategies or interventions prior to a SARB meeting, and ensure that any interventions are carried out at the school level prior to the SARB referral.
- Ensure the school or district provides sufficient documentation of the case that includes the steps already taken to ensure that students who need referrals are identified and referred to the appropriate resources.
- Ensure that SARB leadership follows up on individual cases to make sure families actually received the necessary services.
- Provide the students and families with the opportunity to discuss the case during the SARB conference, and ensure that the family is involved in developing solutions that incorporate the strengths of the family and the assets of the student.

**(4) Design and implement a program to communicate that school attendance is important, and it's the law.**

Many families do not prioritize attendance because they may not appreciate the high marginal value of every school day, the dangers elementary school truancy and absenteeism create for their child's long term success and opportunities, and that school attendance is legally required. Simple, effective communication of these basic messages can often address, or prevent, attendance problems. Successful programs that communicate the importance of attendance and the state's compulsory education laws rely on correspondence with families, partnerships with parenting classes and mentorship programs, public awareness campaigns, clear attendance policies, and attendance incentive programs.

**(5) Prioritize attendance under the new Local Control Funding Formula.**

The Local Control Funding Formula (LCFF) – a change in California law that provides a new system for funding public schools in the state – offers several opportunities for schools and districts to create new, or enhance existing, programs to improve elementary school attendance. These include using LCFF supplemental and concentration funds for attendance-related efforts, and strategies to reduce both truancy and chronic absenteeism in Local Control Accountability Plans (LCAPs) for all sub-groups including by gender.

**(6) Critically assess any school policies that remove students from the classroom.**

Schools and districts should closely examine any policies with an adverse effect on attendance. For example, truancy should not be a basis for suspending a child, as the result is counterproductive. More broadly, school discipline policies should, where possible, keep a child in the classroom or, if necessary, in an alternative learning environment.

**For Law Enforcement & District Attorneys**

**(1) District Attorneys (DAs) should participate on local SARBs or other formal attendance collaborations.**

Early intervention by law enforcement should be supportive, not punitive, and, done effectively, will save significant resources by avoiding the need for greater intervention measures like prosecution. Successful early interventions are rooted in relationships with

school districts as well as with community and faith-based organizations, which offer needed services as well as an additional level of comfort for the families. DA participation on local SARBs, in truancy mediations, or other formal attendance collaborations can be especially effective. Also effective: sending a letter on official DA letterhead to parents about their obligations regarding school attendance.

**(2) After school and county officials have done all of the required intervention and outreach, prosecution may be appropriate in the most severe cases of chronic truancy.**

Truancy is against the law in California, and there must be appropriate consequences and accountability for breaking the law. When all previous intervention steps have failed despite the school and district's best efforts, prosecution of the most severe cases of truancy can provide an effective forum in which to identify and remove barriers to attendance, including mental and physical health challenges, substance abuse, and housing and financial instability.



## TRUANCY INTERVENTION STEPS

### FIRST & SECOND UNEXCUSED ABSENCES OR TARDIES

The **first two** times student is absent without an excuse or is tardy in excess of 30 minutes.

- School should **call student's home** and speak to guardian about the absence or tardy.

### THIRD UNEXCUSED ABSENCE OR TARDY

- The law requires that a **First Notification of Truancy** be (1) provided to guardian, and (2) **reported to the attendance supervisor** or superintendent.
- All additional truancies must be **reported** to attendance personnel as well.

### THREE TO FIVE ABSENCES: SART

Through a School Attendance Review Team (SART), Student Success Team (SST), or "pre-SARB" meeting, districts may:

- Conduct a **home visit**;
- Hold a **meeting** with guardian;
- Determine the **cause** of the truancy;
- Connect families with needed **services**;
- Sign a **contract** with guardian committing to stick to an attendance plan.

### FOURTH UNEXCUSED ABSENCE OR TARDY

- The law requires a **Second Notification of Truancy** be provided to the district attendance supervisor or superintendent.
- Guardian notification is not required but is **recommended**.

### FIFTH UNEXCUSED ABSENCE OR TARDY

- A **Third Notification of Truancy** must be provided to the **attendance supervisor**.
- The district is required to make a **conscientious effort to meet with guardian**.

If district complies with **all above steps**, the student is deemed a "**habitual truant**."

### FIVE-PLUS UNEXCUSED ABSENCES: SARB

After the Third Notification of Truancy, a student may be referred to a **School Attendance Review Board (SARB)**, a multi-agency board that must include representatives from school districts, child welfare and attendance, and local health care personnel.

To identify and address barrier(s) to school attendance, a SARB should:

- Identify available community **resources** (e.g. mental health or social service agencies);
- Provide **referrals** for families to receive **services**;
- Ensure school has completed available **interventions** prior to SARB referral;
- Document **steps already taken** to identify students and refer to appropriate resources;
- **Follow up** on each case to ensure necessary services were received; and
- **Involve family** in developing solutions that work for the family.

Guardians must **comply** with SARB instructions and **commit** to improving attendance.. If they fail to comply, they may be referred to the District Attorney.

## AFTER SARB INTERVENTION

### OPTION A

Attendance improves.

### OPTION B

- SARB may **refer** the guardian to the **District Attorney**.
- If the DA has **adequate record** of the **school district's compliance** with the above steps, DA may prosecute.

**(3) Accept prosecution referrals for parents of chronically truant elementary school children.**

Prosecutors' offices vary as to whether they accept truancy prosecution referrals at all or limit referrals to older students. Given the long-term negative effects of elementary school truancy, we recommend that prosecutors accept referrals for truancy prosecutions of parents when an elementary school child is involved.

**(4) Identify best practices in prosecution.**

The state's prosecutors, working with the Attorney General, should develop and adopt best practices to ensure consistency and effectiveness in preventing and addressing truancy. These practices should include early intervention to address attendance issues so that the bulk of cases can be screened and resolved quickly, leaving only a small number of cases to be prosecuted.

**For Advocates, Community- and Faith-Based Organizations, Foundations, & Private Sector Partners**

**(1) Organizations that provide family-support services should add school attendance campaigns to their existing programs.**

Mental and physical health problems in students and parents, housing and/or financial instability, parental substance abuse, and other family crises all are significant drivers of student absence in elementary schools. Those organizations that provide services to address any of these key factors underlying truancy should incorporate school attendance-improvement messages and strategies into their existing programs that work with families. Examples include parenting classes, mentorship programs, and after-school programs.

**(2) Funders should finance new programs to improve attendance.**

For entities with funding resources, establish sources for public, private and nonprofit attendance-improvement projects. This will help prioritize getting young children to school daily and on time.

**(3) Private-sector partners should contribute to incentive programs.**

Private-sector partners should collaborate with schools to offer incentive programs to encourage and reward improved attendance.

## For Policymakers

**(1) Use the new Local Control Funding Formula (LCFF) to ensure accountability for attendance.**

Attendance-related measures – including measures of truancy, habitual truancy, chronic truancy and chronic absence<sup>20</sup> – should be key components of accountability and the templates for LCAPs for districts under the new LCFF, so that districts have incentives to give attendance the priority attention it deserves.

**(2) Modernize the state’s student records system.**

California does not collect individual student attendance records on a statewide basis. Consequently, the bulk of the information released in this report had to be assembled on a school-by-school, district-by-district, or county-by-county basis. Across the state, we cannot accurately measure first trancies, habitual and chronic truancy, and chronic absence, or their varying effects. To remedy this, California should ensure that student attendance records are included in the California Longitudinal Pupil Achievement Data System (CALPADS),<sup>21</sup> the state’s student database, in a form subject to regular reports at the district, school, and student levels.

**(3) Require more comprehensive reporting of SARB activities.**

SARBs can be an effective forum to address truancy by offering guardians the comprehensive services they need, while holding families accountable for a child’s attendance. But the legally-mandated reporting requirements of a SARB’s activities are minimal and what reporting is required only goes to the county superintendent, *i.e.*, county offices of education.<sup>22</sup> County offices of education are not required to, and generally do not, pass along those reports of SARB activities to the state. California lawmakers should create a mechanism for ensuring that SARBs compile more comprehensive records regarding their activities, membership, and effectiveness; report such information to the state; and make the information publicly available. Only this way will we all benefit from effective local practices and be in a position to offer recommendations to improve less efficient ones.

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<sup>20</sup> See Appendix A for definitions of these terms.

<sup>21</sup> For more information on CALPADS see <http://www.cde.ca.gov/ds/sp/cl/>.

<sup>22</sup> Education Code section 48273.

**(4) Include attendance rates in a school's Academic Performance Index (API) score.**

Policymakers should consider making school truancy and absence rates a factor in the school's API score. A school's score on the API indicates the school's overall performance level. Including truancy and attendance rates as part of the API score will provide a major incentive for localities to prioritize attendance.

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However we examine California's truancy and absenteeism crisis – the economy, public safety or a child's wellbeing – the price of elementary school truancy to our state is far too high. Fortunately, we have identified easy steps schools, districts, parents, law enforcement, policymakers, and private partners can take to get our kids to school. The Attorney General's office looks forward to working with stakeholders across the state to reduce truancy and absenteeism in every elementary school in California.

## INTRODUCTION

### TRUANCY AND CHRONIC ABSENCE ARE AT CRISIS LEVELS IN CALIFORNIA SCHOOLS

High truancy rates are a serious problem in California elementary schools. During the 2011-2012 school year, close to 30% of all public school students in California were classified as truant. Nearly 40% of these more than 1.8 million truant students were in *elementary* school.<sup>1</sup> That translates to more than 690,000 children in kindergarten through sixth grade who were considered truant due to unexcused absences and tardiness, or roughly 20% of all elementary students.<sup>2</sup>

Truancy rates range from elementary schools who report no truant students, to one school where *more than 92%* of students were truant in the 2011-2012 school year. Almost 2,000, or 30%, of elementary schools in California have a truancy rate between 20 and 40%.<sup>3</sup> As shown in Figure 0.1, nearly 10% of California elementary schools have a truancy rate of more than 40%.

#### KEY TERMS: AT A GLANCE

**Truancy:** In California, a student is truant if he/she is absent or tardy by more than 30 minutes *without a valid excuse* on 3 occasions in a school year.

**Habitual Truancy:** A student is habitually truant if he/she is absent *without a valid excuse* for 5 days during a school year.

**Chronic Truancy:** A student is chronically truant if he/she is absent *without a valid excuse* for at least 10% of the school year.

**Chronic Absence:** In California, chronic absence is typically defined as being absent for *any reason* (excused or unexcused) for at least 10% of the school year. Thus, in a 175- or 180-day school year, a student who misses 18 days of school or more is chronically absent.

**Excused Absence:** Valid excuses may include illness, doctor or dentist appointments, personal reasons justified by a parent or guardian and other reasons within the discretion of school administrators.

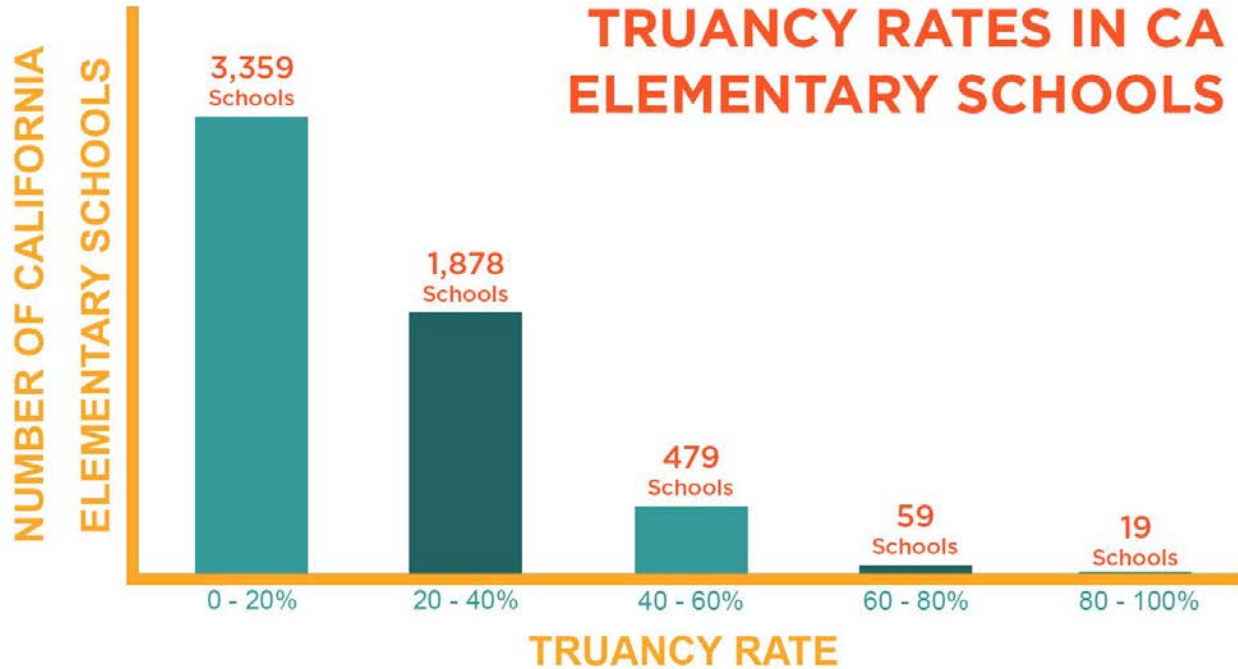
<sup>1</sup> California Department of Education, *Elementary School Truancy 2011-2012*, Data Reporting Office (the most current data available); report created June 3, 2013.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.* See also Chapter 4 below, which discusses records collection, for more information on why truancy rates do not provide a complete picture of school attendance.



Figure 0.1



Source: California Department of Education (CDE). This table includes data for all 5,786 California elementary schools.

Those are just the official numbers that the state is able to currently track. Statistics shared with us by School Innovations & Achievement (SI & A)<sup>4</sup> provide an even more detailed – and troubling – picture of the public elementary school attendance crisis. In a study of 122,297 K-6 students, nearly 30% were *truant* – almost 10 percentage points more than were reported to CDE for the previous year – and 2.5% were *chronically truant* (absent without a valid excuse for 10% or more of the school year) during the 2012-2013 school year.

Elementary school students in California are missing too much school. Truancy is an essential measure of the related and equally destructive problem of chronic absence, which is when a student misses 10% or more of the school year, for any reason. Based on estimates provided by School Innovations & Achievement, the vast majority – 95% – of chronically absent elementary school children are also truant.

<sup>4</sup> For more information about SI&A, see <http://www.sia-us.com/>.



And the number of chronically absent elementary school students is alarming. In 2012-2013, an estimated 7.6% of elementary school students were chronically absent.<sup>5</sup> Additional research indicates that figure can be as high as 10% of elementary school students.<sup>6</sup> To put this into perspective: we are discussing a 6-year-old in the first grade who has stacked up as many as 20, 30, even 80 absences in a 180-day school year. It is estimated that today, there are over 252,000 children in California who, like this hypothetical first grader, are chronically absent from elementary school.

As shown in Figure 0.2, statistics provided by School Innovations & Achievement reveals that more than 700 students in its sample were *severely chronically absent* last year, which means they missed *more than 20%* of the school year for some combination of excused and unexcused absences. These numbers also underscore the severity of the attendance crisis: Severely chronically absent students missed more than 36 days of school in a single 180-day school year.

The epidemic of truancy and chronic absenteeism – and its devastating economic, social and public safety impacts – are not unique to California.<sup>7</sup> This is a serious problem across the United States and one in which California can lead the way in finding innovative solutions.

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<sup>5</sup> Figures provided by School Innovations & Achievement based on records from the 2012-2013 school year. All SI&A statistics are based on a sample of elementary schools in their first year of contract with the company. See Appendix B for more information.

<sup>6</sup>U.C. Davis Center for Regional Change, *The Prevalence of Chronic Absence in SCUSD, Brief #1*, November 2012. ([http://regionalchange.ucdavis.edu/ourwork/publications/chronic-absence-scusd/Brief1\\_ChronicAbsencePrevalence](http://regionalchange.ucdavis.edu/ourwork/publications/chronic-absence-scusd/Brief1_ChronicAbsencePrevalence))

<sup>7</sup> Because state law establishes the definition of truancy, the term's meaning varies from one state to the next. Without a single measure of what defines truancy, it is impossible to determine national truancy rates with complete accuracy. We do know, however, that hundreds of thousands of children are absent from school in the United States every day. Baker, M. L., Sigmon, J. N., & Nugent, M. E. (2001). *Truancy Reduction: Keeping Students in School*. Washington, DC: US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Acknowledging that the limited records can produce only an “educated guess” at the scope of the national problem, a Johns Hopkins University report estimated that an annual national rate of 10% chronic absenteeism “seems conservative and it could be as high as 15%, meaning that 5 million to 7.5 million students are chronically absent.” Balfanz, R. and Byrnes, V. (2012), *The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools*. Johns Hopkins University Center for Social Organization of Schools, Baltimore Md.

**Figure 0.2: High Rates of Truancy and Absenteeism of California Elementary School Students**

	Truant	Chronically Truant	Chronically Absent	Severely Chronically Absent
Definition	Three or more unexcused absences or tardies in one school year	Absent from school without a valid excuse for 10% or more of the school days in one school year	Absent from school for any reason (excused or unexcused) for 10% or more of the school days in one school year	Absent from school for any reason (excused or unexcused) for 20% or more of the school days in one school year
Number of students (Based on a subsample of 122,297 CA elementary students)	36,211	3,064	9,315	716
Percent of Sample	29.6%	2.5%	7.6%	0.6%

*Data includes a subsample of 122,297 elementary school students from California schools.<sup>8</sup>*

The empty desks in our public elementary school classrooms come at a great cost to California. School districts across the state pay the price in the form of slashed budgets and diminished student achievement. Every taxpayer in California picks up the bill for absenteeism as it results in a tremendous burden on social services and the criminal justice system. In fact, one of the major ripple effects of truancy and chronic absence is juvenile crime, which can lead a young person to drop out of high school and put him or her at risk of gang involvement, substance abuse and incarceration. Public safety in California is profoundly compromised by this attendance crisis.

We also know this crisis has a disproportionate impact on low-income students and many students of color.<sup>9</sup>

<sup>8</sup> Source: School Innovations & Achievement, 2013.

<sup>9</sup> Sanchez, M (2012). *Truancy and Chronic Absence in Redwood City*. Stanford, CA: John W. Gardner Center for Youth and Their Communities.

Elementary school provides a brief window in which to teach children the fundamental skills they will need to lead productive and happy lives. It is how we help to ensure that a child is healthy and his or her basic needs are being met. Elementary school is where we determine whether a child is properly immunized against infectious diseases. It is where we diagnose a child for vision, hearing or learning impairments. It is where we spot and stop abuse. Above all, elementary school is where we build a foundation for academic success and set children on a path to good health and economic security.

The next five chapters explore the harmful effects of truancy and chronic absence, as well as factors that create challenges to regular attendance for many California families. They make clear that truancy and chronic absence require prevention and early intervention to avoid long-term, cumulative effects on children and our state.

## CHAPTER 1: THE ECONOMIC IMPACT

The impact of truancy and chronic absence can be measured in terms of dollars lost – both to California’s public school districts and to taxpayers.

### **TRUANCY AND CHRONIC ABSENCE HAVE A HUGE IMPACT ON PUBLIC SCHOOL DISTRICT BUDGETS**

California’s public education system has long been underfunded relative to the national average in spending. The state dropped to 49th in the nation in per pupil spending in 2010, spending just \$8,482 per pupil – 28% below the national average, according to the 2013 edition of Education Week’s Quality Counts report.<sup>1</sup>

For public school districts that are already financially challenged, the impact of truancy and chronic absence is devastating. The state’s attendance-based school funding formula means that districts with low Average Daily Attendance (ADA)<sup>2</sup> lose millions of dollars every year in state funds. According to our estimates, school districts lost approximately \$1.4 billion in the 2010-2011 school year due to student absences.<sup>3</sup>

In order to better understand the extent of revenue losses to districts based on student absences and to get a more complete picture of attendance rates across the state, DOJ analyzed 2010-2011 education finance data publicly available from the Public Policy Institute of California (PPIC).<sup>4</sup> Our analysis of all 962 public school districts in California<sup>5</sup> offers further evidence that student absences come at an enormous cost to school district budgets.

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<sup>1</sup> Matthews, C. (2013). *State and National Grades Issued for Education Performance, Policy; U.S. Earns a C-plus, Maryland Ranks First for Fifth Straight Year*. Bethesda, MD: Education Week. The report examined funding levels in 2010 and thus does not include the impact of higher taxes that voters approved in passing Proposition 30 in November 2012. (<http://www.edsource.org/today/2013/california-drops-to-49th-in-school-spending-in-annual-ed-week-report/25379#.Ug0JaFOoUni>)

<sup>2</sup> According to a definition used by Ed Source, ADA in California is the total number of days of student attendance divided by the total number of days in the regular school year. A student attending every day would equal one ADA. ADA is not the same as enrollment, which is the number of students enrolled in each school and district. (Enrollment is determined by counting students on a given day in October.) ADA usually is lower than enrollment due to factors such as students moving, dropping out, or staying home due to illness. The state uses a school district’s ADA to determine its general purpose (revenue limit) and some other funding. (<http://www.edsource.org/1077.html>).

<sup>3</sup> Calculations are based on 2010-2011 enrollment, ADA and revenue limit data.

<sup>4</sup> PPIC (2013). Data Set: School Finance Model, retrieved from <http://www.ppic.org/main/dataset.asp?i=1229>.

<sup>5</sup> Charter schools and county offices of education were excluded from the sample.

Our calculations estimate total losses of general purpose funds exceeding \$325 million for the top ten districts who lost the most funding due to absences in 2010-2011. When calculated by county, three counties lost over a hundred million dollars in general purpose funds due to absences; Los Angeles County lost almost \$340 million. Moreover, when measured in per pupil funding, **six California school districts – including four elementary school districts – lost over \$1,000 per pupil** in general purpose funds due to absences.

**Figure 1.1: Ten School Districts with the Greatest ADA Loss Per Pupil<sup>6</sup>**

<b>Top Ten Districts with the Greatest General Purpose Funding Losses Per Pupil</b>	<b>Lost ADA Revenue Per Pupil</b>
Taft Union High	\$2,325
Orick Elementary	\$1,232
Feather Falls Union Elementary	\$1,219
La Grange Elementary	\$1,084
Upper Lake Union High	\$1,035
Kashia Elementary	\$1,034
Santa Cruz City High	\$862
Willow Creek Elementary	\$836
Round Valley Unified	\$793
Upper Lake Union Elementary	\$718

Figure 1.2 lists the amount of school funding each county leaves on the table as a result of absenteeism. Due to lack of available records, we were only able to estimate losses due to absenteeism in *all grades*, not just for elementary school attendance.

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<sup>6</sup> Calculations are based on 2010-2011 enrollment, ADA and revenue limit data.

**Figure 1.2: School District Fiscal Loss by County Due to Absenteeism (2010-2011)**

County	Total Enrollment (K-12)	Total Loss to County	Per-Pupil Loss	County	Total Enrollment (K-12)	Total Loss to County	Per-Pupil Loss
Alameda	201,527	\$44,180,683	\$219.23	Madera	28,160	\$8,124,525	\$288.51
Alpine	88	\$0	\$0.00	Marin	29,616	\$2,343,210	\$79.12
Amador	4,049	\$0	\$0.00	Mariposa	2,057	\$884,926	\$430.20
Butte	28,651	\$8,453,104	\$295.04	Mendocino	11,804	\$4,152,976	\$351.83
Calaveras	5,640	\$1,297,496	\$230.05	Merced	54,234	\$13,746,626	\$253.47
Colusa	4,333	\$889,612	\$205.31	Modoc	1,529	\$825,584	\$539.95
Contra Costa	165,135	\$35,840,106	\$217.04	Mono	1,646	\$0	\$0.00
Del Norte	3,716	\$2,153,928	\$579.64	Monterey	69,010	\$19,537,191	\$283.11
El Dorado	26,556	\$6,635,684	\$249.88	Napa	20,110	\$3,826,022	\$190.25
Fresno	188,139	\$56,373,386	\$299.64	Nevada	9,716	\$2,419,202	\$248.99
Glenn	5,369	\$1,315,177	\$244.96	Orange	488,930	\$87,649,830	\$179.27
Humboldt	16,894	\$5,069,621	\$300.08	Placer	63,829	\$13,321,466	\$208.71
Imperial	35,303	\$8,721,568	\$247.05	Plumas	2,081	\$0	\$0.00
Inyo	2,745	\$713,284	\$259.85	Riverside	413,413	\$111,908,777	\$270.69
Kern	168,818	\$53,868,578	\$319.09	Sacramento	225,867	\$55,337,266	\$245.00
Kings	27,246	\$7,983,760	\$293.03	San Benito	11,155	\$3,124,562	\$280.10
Lake	9,174	\$3,823,537	\$416.78	San Bernardino	397,331	\$106,347,544	\$267.65
Lassen	3,903	\$1,548,430	\$396.73	San Diego	449,537	\$94,942,504	\$211.20
Los Angeles	1,480,672	\$339,599,257	\$229.35	San Francisco	52,829	\$19,566,224	\$370.37



**In School and On Track**  
**Ch. 1: The Economic Impact**

County	Total Enrollment (K-12)	Total Loss to County	Per-Pupil Loss	County	Total Enrollment (K-12)	Total Loss to County	Per-Pupil Loss
San Joaquin	127,515	\$31,235,706	\$244.96	Sonoma	64,601	\$14,629,530	\$226.46
San Luis Obispo	33,531	\$6,636,335	\$197.92	Stanislaus	99,796	\$28,714,021	\$287.73
San Mateo	88,518	\$8,939,270	\$100.99	Sutter	17,311	\$4,724,833	\$272.94
Santa Barbara	63,375	\$14,422,070	\$227.57	Tehama	10,554	\$3,006,889	\$284.91
Santa Clara	258,170	\$34,135,157	\$132.22	Trinity	1,698	\$707,882	\$416.89
Santa Cruz	35,879	\$11,347,442	\$316.27	Tulare	96,027	\$25,085,485	\$261.23
Shasta	25,351	\$8,052,438	\$317.64	Tuolumne	5,934	\$1,456,086	\$245.38
Sierra	424	\$167,352	\$394.70	Ventura	136,787	\$32,874,515	\$240.33
Siskiyou	5,573	\$948,268	\$170.15	Yolo	28,839	\$7,432,051	\$257.71
Solano	62,928	\$17,873,593	\$284.03	Yuba	12,946	\$3,410,290	\$263.42

School officials who analyzed the impact of absenteeism on their own district budgets reported sobering losses. Ventura County, for example, loses approximately \$25 to \$40 million in state aid every year because of truancy, according to former Ventura County Superintendent of Schools Charles Weis.<sup>7</sup>

And a study by KPBS and the Watchdog Institute found that public schools in San Diego County lost \$102 million because of absences in 2009-2010.<sup>8</sup>

As shown in Figure 1.2, three local school districts in North Mendocino County collectively lost more than \$500,000 for two consecutive years as a result of chronic absenteeism.<sup>9</sup>

<sup>7</sup> [http://portal.countyofventura.org/portal/page/portal/Grand\\_Jury/Reports/Archived\\_Reports\\_2000-2005/TAB4579523/report\\_hew\\_truancy.pdf](http://portal.countyofventura.org/portal/page/portal/Grand_Jury/Reports/Archived_Reports_2000-2005/TAB4579523/report_hew_truancy.pdf).

<sup>8</sup> Faryon, C., & Crowe, C. (2011). *Chronically Absent Students Cost County Schools Millions*. KPBS. Retrieved from <http://www.kpbs.org/news/2011/jun/27/chronically-absent-students-cost-county-schools-mi/>.

**Figure 1.3: Lost ADA Due to Chronic Absence in Three Mendocino County School Districts**

School District	2010-2011		2011-2012	
	Chronically absent students (18+ days)	Lost ADA	Chronically absent students (18+ days)	Lost ADA
Willits Unified	325 (19.6%)	\$335,020	273 (16.4%)	\$300,930
Laytonville Unified	77 (20.5%)	\$80,570	70 (17.5%)	\$68,110
Round Valley Unified	102* (32.8%)	\$130,550	114 (34.1%)	\$136,185
<b>Total Loss of ADA</b>		<b>\$546,140</b>		<b>\$505,225</b>

\* Data for 12th grade was missing in 2010-2011 query.  
 (Data source: All figures courtesy of “Safe Schools/Healthy Students Initiative: Building Resiliency in the North County (BRONCO)” presentation, 2013)

Willits Unified School District provides a stark example of the toll that absenteeism takes on school district budgets.<sup>10</sup> As shown in Figure 1.4, the absenteeism of elementary school students cost the district more in the last five years than the absenteeism of middle and high school students combined. Over five years, Willits Unified lost more than \$3.2 million to absenteeism.

<sup>9</sup>In each district, the cost per student for chronic absenteeism in 2011-2012 was substantial (Willits, \$160/per student; Laytonville, \$170/per student; Round Valley, \$335 per student). ADA loss due to all absences amounted to more than \$300/per student in the 2011-2012 school year.

<sup>10</sup> Enrollment in Willits was 1,907 students for the 2011-2012 school year. Source: DataQuest (<http://dq.cde.ca.gov/dataquest/>), a website maintained through the California Department of Education.

**Figure 1.4: Annual ADA Losses, Willits Unified School District 2007-2008 through 2011-2012**

	Elementary School Students (Grades K-6)	Middle & High School Students (Grades 7-12)	Total ADA loss
<b>2007-2008</b>	\$586,460	\$294,945	\$ 881,405
<b>2008-2009</b>	\$163,485	\$392,280	\$ 555,765
<b>2009-2010</b>	\$350,210	\$231,280	\$ 581,490
<b>2010-2011</b>	\$396,550	\$266,070	\$ 662,620
<b>2011-2012</b>	\$348,110	\$244,125	\$ 592,235
<b>Total ADA loss</b>	<b>\$1,844,815</b>	<b>\$1,428,700</b>	<b>\$3,273,515</b>

*(Data source: Financial and attendance data courtesy of Willits Unified School District, 2013)*

For some public school districts in California, even a minor fluctuation in ADA can have a tremendous impact. For Santa Rosa City Schools, a district in Sonoma County, a 1% fluctuation in ADA translates to approximately \$837,000 a year. When the district saw a slight uptick in ADA in 2011-2012, it meant \$54,000 in added revenue from the prior year, according to an article in *The Press Democrat*.<sup>11</sup>

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***“There is both academic and financial benefit  
to [improving attendance].  
It’s not rocket science.”***

***– Hedy Chang, Director, Attendance Works<sup>12</sup>***

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<sup>11</sup> <http://www.pressdemocrat.com/article/20130113/articles/130119791>.

<sup>12</sup> Benfield, *Student absences have budget impacts for schools*, *The Press Democrat* (January 13, 2013) <http://www.pressdemocrat.com/article/20130113/articles/130119791>.

When school districts improve their ADA – even by just a half of a percentage point – they recover significant additional state funds. And a Lawndale Elementary School District official noted that, when the attendance of a school in the district improved, not only did the school recover approximately \$200,000 more in ADA revenue, but also, its API score rose by 61 points.<sup>13</sup>

**Figure 1.5: Increased ADA and Recovered Funds in Two California Districts**

	Compton Unified	Livermore Valley Unified
<b>Student population (K-12)</b>	24,781	12,781
<b>% increase in ADA, 2011-2012</b>	1.5%	.47%
<b>Recovered ADA funds</b>	\$2,000,000 <sup>14</sup>	\$302,835 <sup>15</sup>

It is important to note that while ADA is an important variable in discussions of school district funding, it has significant limitations as a measure of student attendance. Indeed, ADA can mask attendance problems such as habitual and chronic truancy, and chronic and severely chronic absenteeism. These limitations are discussed in greater detail later in Chapter 4.

However, ADA does offer one indication that chronic absence is a significant issue in far too many of California school districts. According to Attendance Works, districts with an attendance rate of 93% or less likely have a significant problem with chronic absence.<sup>16</sup>

<sup>13</sup> District Leadership Survey.

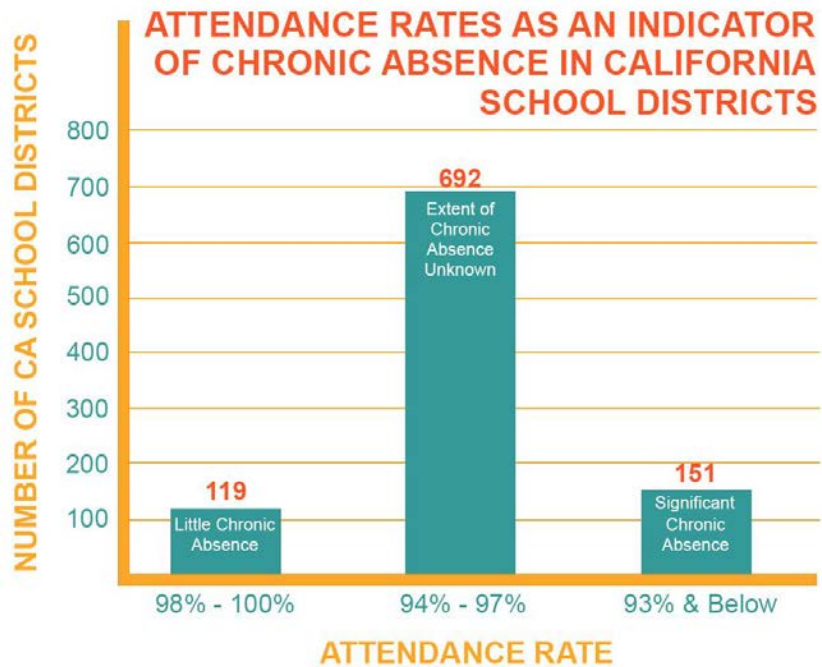
<sup>14</sup> <http://www.siacabinetreport.com/articles/viewarticle.aspx?article=2669>; DataQuest.

<sup>15</sup> Based on projections from the “Livermore Valley Joint Unified School District Executive Summary” by School Innovations and Achievement; DataQuest.

<sup>16</sup> Chang, H. (2013). *Make a Measurable Difference: Improve Student Attendance: Exploring the Role of Health Providers*. Attendance Works. [http://www.attendanceworks.org/wordpress/wp-content/uploads/2013/03/Make-a-Measurable-Difference\\_CSHC\\_3-15-2013.pdf](http://www.attendanceworks.org/wordpress/wp-content/uploads/2013/03/Make-a-Measurable-Difference_CSHC_3-15-2013.pdf).

Applying that benchmark to our attendance rate calculations using PPIC data, **151 school districts or 16% of public school districts in California likely have significant chronic attendance problems.**

Figure 1.6:



Clearly, school attendance has real economic costs for school districts throughout California. But the cost of chronic absence – especially of elementary school students – is much larger and widespread. It is felt in the loss of future opportunities for students who, after early disengagement from school, eventually drop out of school.

## **TRUANT & CHRONICALLY ABSENT ELEMENTARY SCHOOL STUDENTS ARE MORE LIKELY TO BECOME DROPOUTS**

Truancy and chronic absence in elementary school increases the likelihood that a child will later drop out of high school. One landmark study in 1989 used longitudinal absentee records to find that dropouts could be predicted with 66% accuracy based on attendance records in the third grade.<sup>17</sup> A more recent study found that for at-risk elementary students who have already missed five days of school, each additional school day missed decreased the student's chance of graduating by 7%.<sup>18</sup>

Another study conducted in 2012 identified chronic absenteeism as one of the strongest predictors of dropping out, even more so than suspensions, test scores or whether a student is older than his or her classmates.<sup>19</sup>

This relationship between early truancy and chronic absence and dropping out is not unique to California. A 2013 study of early warning indicators at a school district in Maryland shows first grade students with nine or more absences by the school's third marking period are twice as likely to drop out of high school than their peers with fewer absences.<sup>20</sup> By third grade, students with three or more absences in the first marking period are shown to be twice as likely to drop out of high school.<sup>21</sup> As the following section explains, this correlation between chronic absenteeism in elementary school and dropping out of high school is alarming because of the drain high school dropouts have on society.

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<sup>17</sup> Barrington, B. L., & Hendricks, B. (1989). *Differentiating characteristics of high school graduates, dropouts, and nongraduates*. The Journal of Educational Research, 82(6), 309-319.; Chang, H. N., & Romero, M. (2008). *Present, engaged, and accounted for: The critical importance of addressing chronic absence in the early grades*. New York City: National Center for Children in Poverty.; Whitehurst, G. J., & Lonigan, C. J. (2001). *Emergent literacy: Development from prereaders to readers*. Handbook of early literacy research, 1, 11-29.

<sup>18</sup> Ou & Reynolds, 2008. Absences across the sample ranged from 2 to 17 days missed. Results found that each additional absence above five days missed decreases a student's likelihood of graduation by 7%. If the number of absences of a student is increased from five days missed to 10 days missed, the likelihood of this student to graduate will decrease by 35%. Students with the most absences (17 days absent) thus had a graduation likelihood of only 15% at the age of 12.

<sup>19</sup> Byrnes, V. & Reyna, R. (2012). *Summary of State Level Analysis of Early Warning Indicators*. Everyone Graduates Center, Baltimore MD. (final report forthcoming, see [http://new.every1graduates.org/wp-content/uploads/2012/05/FINALChronicAbsenteeismReport\\_May16.pdf](http://new.every1graduates.org/wp-content/uploads/2012/05/FINALChronicAbsenteeismReport_May16.pdf).)

<sup>20</sup> West, T.C. (2013). *Just the Right Mix: Identifying Potential Dropouts in Montgomery County Public Schools Using an Early Warning Indicators Approach*. Office of Accountability, Montgomery County Public Schools, MD. Retrieved May 2013 from [http://montgomeryschoolsmd.org/departments/sharedaccountability/reports/2013/Just%20the%20Right%20Mix\\_MCP\\_S\\_West2013.pdf](http://montgomeryschoolsmd.org/departments/sharedaccountability/reports/2013/Just%20the%20Right%20Mix_MCP_S_West2013.pdf).

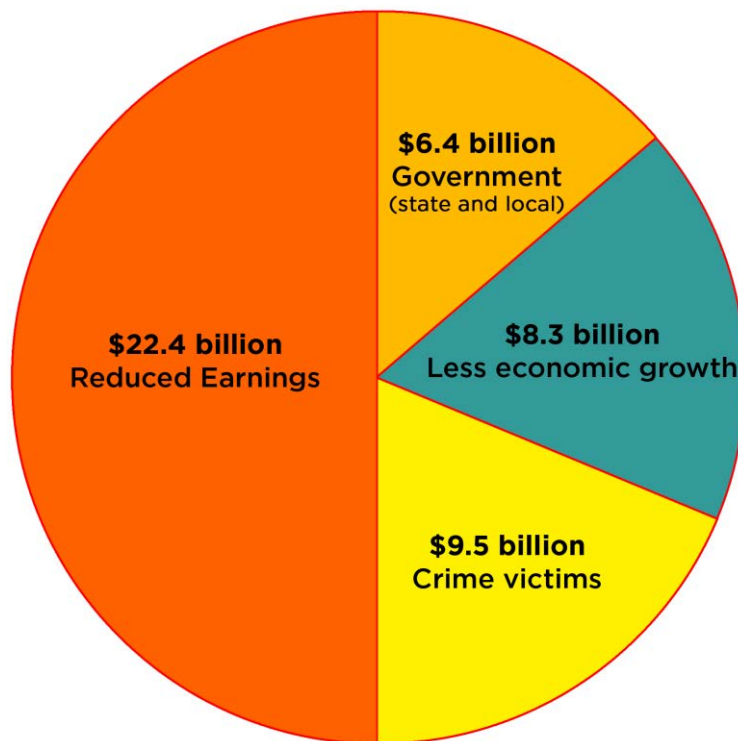
<sup>21</sup> *Ibid.*

## HIGH SCHOOL DROPOUTS COST TAXPAYERS BILLIONS

High school dropouts also account for a disproportionate amount of juvenile crime, which is costly to the state. The juvenile crimes committed by dropouts cost California \$1.1 billion per year, according to the California Dropout Research Project.<sup>22</sup> The report further suggests that “cutting the dropout rate in half would reduce the number of juvenile crimes in California by 30,000 and save the state \$550 million per year.”<sup>23</sup>

All told, high school dropouts cost the state \$46.4 billion every year in criminal justice costs, social and medical costs, lost income taxes and associated economic losses, according to a report from the California Dropout Research Project.<sup>24</sup>

**Figure 1.7: \$46.4 Billion in Annual Losses to California Due to Dropouts**



<sup>22</sup> Belfield, C. & Levin, H. (2009). *High School Dropouts and the Economic Losses from Juvenile Crime in California: Policy Brief*. California Dropout Research Project, University of California at Santa Barbara, Santa Barbara, CA. Retrieved from [http://www.cdrp.ucsb.edu/pubs\\_reports.htm](http://www.cdrp.ucsb.edu/pubs_reports.htm).

<sup>23</sup> *Ibid.*; Because this estimate only addresses economic losses to California, it excludes losses to the federal government including lost federal income taxes.

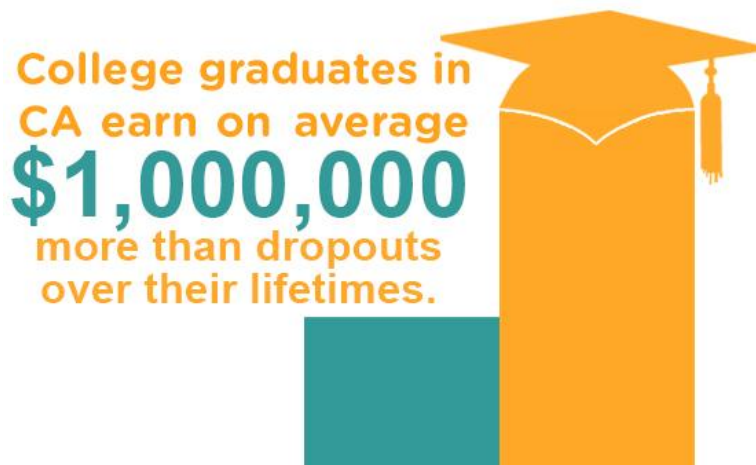
<sup>24</sup> Belfield, C. & Levin, H. (2007). *The Economic Losses from High School Dropouts in California: Policy Brief*. California Dropout Research Project, University of California at Santa Barbara, Santa Barbara, CA. Retrieved from [http://www.cdrp.ucsb.edu/pubs\\_reports.htm](http://www.cdrp.ucsb.edu/pubs_reports.htm). Individual numbers in pie chart have been rounded up.



In this study, net losses to state and local government refers to the amount of money that could be saved from spending on criminal justice, welfare, and healthcare, as well as lost tax revenues, minus public education expenditures saved when students stop attending school.

Many economic elements drive the costs of high school dropouts. For example, in another California Dropout Research Project study, more than a third of dropouts studied were not working or in school two years after they were scheduled to graduate.<sup>25</sup> High school dropouts are also two and a half times more likely to be on welfare than their peers who graduated, according to the 1996 Manual to Combat Truancy published by the U.S. Department of Justice and the U.S. Department of Education.<sup>26</sup>

In past generations, a high school dropout could find a decent-paying job in a factory or in the trades. Today, many factory jobs have increasingly moved overseas and the complexity of technology and engineering involved in the trades require at least a high school education – if not higher training.



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<sup>25</sup> Rumberger, R. W., & Rotermund, S. (2008). *What Happened to Dropouts from the High School Class of 2004?: Statistical Brief*. California Dropout Research Project, University of California at Santa Barbara, Santa Barbara, CA. Retrieved from [http://www.cdrp.ucsb.edu/pubs\\_statbriefs.htm](http://www.cdrp.ucsb.edu/pubs_statbriefs.htm).

<sup>26</sup> <http://www2.ed.gov/pubs/Truancy/index.html>.

<sup>27</sup> Belfield, C. & Levin, H. (2007) *The Economic Losses from High School Dropouts in California*. California Dropout Research Project, University of California at Santa Barbara, Santa Barbara, CA. (This number represents the figures for men. The absolute gains for women who graduate from college versus dropouts are similarly large and can exceed \$705,000.) Retrieved from [http://www.cdrp.ucsb.edu/pubs\\_reports.htm](http://www.cdrp.ucsb.edu/pubs_reports.htm).

## CHAPTER 2: THE IMPACT ON PUBLIC SAFETY

As Chapter 1 demonstrates, truant and chronically absent elementary school students are much less likely to graduate high school.

Students who do not complete high school are more likely to become either perpetrators or victims of crime. When elementary school students are truant or chronically absent, these are early warning signs of their risk to drop out of school and end up in the criminal justice system.

### ***THERE IS A STRONG LINK BETWEEN HIGH SCHOOL DROPOUTS AND CRIME***

Truancy and chronic absenteeism have long been considered serious risk factors for juvenile delinquency.<sup>1</sup> This risk begins in elementary school. Truancy is considered an “early warning sign” that a young person will become a juvenile delinquent by the Office of Juvenile Justice and Delinquency Prevention<sup>2</sup> and is correlated with substance abuse, gang involvement, and other criminal activity.<sup>3</sup> Likewise, the California Department of Education identified truancy as the single most powerful predictor of juvenile delinquent behavior.<sup>4</sup>

Records from San Francisco, Baltimore and San Bernardino County also reveal a shocking trend with respect to failure to complete school. High school dropouts are at risk of getting involved in violent crime – or becoming the victim of violent crime.

Between 1999 and 2007, in Baltimore, Maryland, 92% of juvenile victims of violence were chronically truant.<sup>5</sup> Similarly, a study of murder profiles in San Francisco from 2004 to 2008 revealed that 94% of San Francisco’s homicide victims under the age of 25 were high

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<sup>1</sup> Loeber, R., & Farrington, D. P. (2000). *Young Children Who Commit Crime: Epidemiology, Developmental Origins, Risk Factors, Early Interventions, And Policy Implications*. *Development and Psychopathology*, 12(04), 737-762.

<sup>2</sup> Garrey, E. M. (1996). *Truancy, First Step to a Lifetime of Problems*. US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. *Juvenile Justice Bulletin*. Retrieved from, <https://www.ncjrs.gov/pdffiles/truncy.pdf>.

<sup>3</sup> Baker, Sigmon & Nugent (2001). *Truancy Reduction: Keeping Students in School*. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Juvenile Justice Bulletin*, page 2. Retrieved from, <https://www.ncjrs.gov/pdffiles1/ojjdp/188947.pdf>.

<sup>4</sup> Assem. Comm. on Pub. Safety, Analysis of Sen. Bill No. 1317 (2009-2010 Reg. Sess.) (as Amended June 16, 2010, p. 8.

<sup>5</sup> The Office of Youth Violence Prevention, Baltimore City Health Department, August 2009. Retrieved from [http://www.baltimorehealth.org/info/2009\\_08\\_31\\_YouthViolenceReport.pdf](http://www.baltimorehealth.org/info/2009_08_31_YouthViolenceReport.pdf).

school dropouts.<sup>6</sup> The demographics of the murderers were identical. Finally, in preparing this report, our office conducted a review of homicide victims between the ages of 18-25 in San Bernardino County for the past five years. The analysis revealed that 76% of the homicide victims who attended school in San Bernardino County were high school dropouts.<sup>7</sup>



More broadly, Harvard and University of Washington sociologists looked at national incarceration rates and found that the cumulative risk of death or imprisonment by age 30-34 nearly triples for men who do not finish high school. Based on their research, 14% of white men and a staggering 62% of black men who don't finish high school are dead or have been or are incarcerated in prison or jail by the age of 30-34.<sup>8</sup>

By staying in school – even for one additional year – a young person's risk of becoming involved in criminal activity decreases.<sup>9</sup> An increase of graduation rates by 10 percentage points would result in a 20% drop in violent crime, and prevent 500 murders and more than 20,000 aggravated assaults per year in California.<sup>10</sup>

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<sup>6</sup> Harris, K. (2010). *Pay Attention Now or Pay the Price Later: How reducing Elementary School Truancy Will Improve Public Safety and Save Public Resources*. City and County of San Francisco District Attorney's Office.

<sup>7</sup> Records gathered by the Attorney General's Office in cooperation with the San Bernardino County District Attorney's Office and the San Bernardino County Office of Education, completed on September 9, 2013.

<sup>8</sup> Pettit, B., & Western, B. (2004). *Mass Imprisonment and the Life Course: Race and Class Inequality in US Incarceration*. *American Sociological Review*, 69(2), 151-169.

<sup>9</sup> Lochner, L., & Moretti, E. (2004). *The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self-reports*. *American Economic Review*, 94(1).

<sup>10</sup> Assem. Comm. on Pub. Safety, Analysis of S.B. No. 1317 (2009-2010 Reg. Session) as Amended June 16, 2010, page 8, citing, Fight Crime: Invest in Kids California, *School or the Streets: Crime and California's Dropout Crisis* (2007) page 6.

To scale the impact of a 10% improved graduation rate to a city, we can look to Sacramento. Former Sacramento Police Chief Rick Braziel stated that “[b]eyond the fiscal impact, studies have shown that increasing graduation rates by 10 percentage points would prevent 22 homicides and more than 1,100 aggravated assaults in Sacramento County each year.”<sup>11</sup>

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<sup>11</sup> Braziel, *The Time to Act is Before the Dropouts Get Arrested*, Sac. Bee (Sept. 20, 2009) page 5E.

## **CHAPTER 3: THE IMPACT ON A CHILD'S WELL-BEING AND ACADEMIC SUCCESS**

Both common sense and research show: children who are habitually absent from elementary school will fall behind their classmates. Students who miss a lot of school in the early years are likely to become disengaged from their studies and struggle academically.<sup>1</sup> Children who are not in school are not exposed to critical tools for learning, nor are they screened for potential health issues or abuse. Truant and chronically absent children also fail to gain the social skills and discipline that can lay the groundwork for a productive life.

### **SCHOOL ATTENDANCE IMPACTS ACADEMIC SUCCESS**

In elementary school, students build the foundation for future learning – from reading and writing to math, science and social studies. Once a student is no longer able to keep up with his or her classmates, the student may become disengaged and develop behavior problems.<sup>2</sup>

Attendance in elementary school is critical to building on the school readiness skills that children learn in preschool or Head Start programs. Students who miss too much school in elementary school face a swift rollback of these critical skills. According to a study commissioned by Attendance Works that compared the scores of more than 600 kindergarten students on a school readiness exam and a 3rd-grade reading test, students who arrived at school academically ready to learn – but then missed 10% of their kindergarten and first grade years – scored, on average, 60 points below similar students with good attendance on third-grade reading tests. In math, the gap was nearly 100 points.<sup>3</sup>

Third grade reading level is an especially important barometer of future success because by third grade, students are beginning to “read to learn,” rather than simply “learning to read.” A 2012 study shows that 1 in 6 students who are unable to read

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<sup>1</sup> Gottfried, M. A. (2009). *Excused versus unexcused: How student absences in elementary school affect academic achievement*. Educational Evaluation and Policy Analysis, 31(4), 392-415.

<sup>2</sup> Balfanz, R., Herzog, L., & Mac Iver, D. J. (2007). *Preventing student disengagement and keeping students on the graduation path in urban middle-grades schools: Early identification and effective interventions*. Educational Psychologist, 42(4), 223-235.

<sup>3</sup> <http://www.attendanceworks.org/wordpress/wp-content/uploads/2010/04/ASR-Mini-Report-Attendance-Readiness-and-Third-Grade-Outcomes-7-8-11.pdf>.

proficiently by third grade will fail to graduate from high school on time.<sup>4</sup> For economically disadvantaged students, the consequences of falling behind are even greater. The same study found that 35% (more than a third) of economically disadvantaged students who do not read proficiently by third grade and who live in neighborhoods with high concentrations of poverty fail to graduate. These figures indicate the dire consequences of missing school in the early years – truant students miss valuable learning time, and are at great risk of falling behind and of never catching back up.

Excessive absences also impact students' long-term academic success. Children who miss 10% or more of days in a school year are the most likely to suffer lower academic performance in subsequent school years, according to a 2007 study by the National Center for Children in Poverty.<sup>5</sup>

A study of Redwood City, CA students by the Gardner Center at Stanford University found that chronic absence had a statistically significant negative relationship with California Standards Test (CST) scores in both math and English Language Arts, even when controlling for student background characteristics<sup>6</sup> and prior test performance.<sup>7</sup>

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***Even students with high attendance rates suffer academically  
from attending a school with high absenteeism.***

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<sup>4</sup> Hernandez, D.J.(2012). *Double Jeopardy: How Third-Grade Reading Skills and Poverty Influence High School Graduation*. Hunter College and Graduate Center City University of New York. Retrieved from <http://www.aecf.org/~media/Pubs/Topics/Education/Other/DoubleJeopardyHowThirdGradeReadingSkillsandPoverty/DoubleJeopardyReport030812forweb.pdf>.

<sup>5</sup> Romero, M., & Lee, Y. S. (2007). *A national portrait of chronic absenteeism in the early grades*. New York City: National Center for Children in Poverty.

<sup>6</sup> Researchers controlled for English learner status, students with discipline issues, and those whose parents did not complete high school.

<sup>7</sup> Sanchez (2012).

Poor academic performance is a wide-ranging effect of truancy and chronic absence that also hurts children who are in the classroom. A 2011 study by the Campaign for Fiscal Equity (CFE) that analyzed the attendance records, state assessment scores, and demographics of more than 64,000 4th-graders in 705 New York City public schools in 2007-2008 found that attendance is a statistically significant predictor of student performance.<sup>8</sup> In addition, the study found that even students with high attendance rates suffer academically from attending a school with high absenteeism.

### ***HIGH TRUANCY RATES LEAD TO LOW TEST SCORES***

#### **California Elementary Schools with High Truancy Rates Have Lower Academic Performance**

To further explore the link between truancy and academic performance, DOJ studied a sample of 549 public elementary schools<sup>9</sup> in California and analyzed the impact of school truancy rates on API<sup>10</sup> scores, which measure a school's academic performance on the state's standardized tests.

As shown in Figure 3.1, high truancy rates are associated with lower academic performance as measured by API scores. Specifically, elementary schools with a truancy rate lower than 10% had an average API score of 821.22, while schools with a truancy rate of more than 40% had a significantly lower average API score of 756.08.<sup>11</sup>

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<sup>8</sup> <http://graphics8.nytimes.com/packages/pdf/nyregion/20110617attendancereport.pdf>.

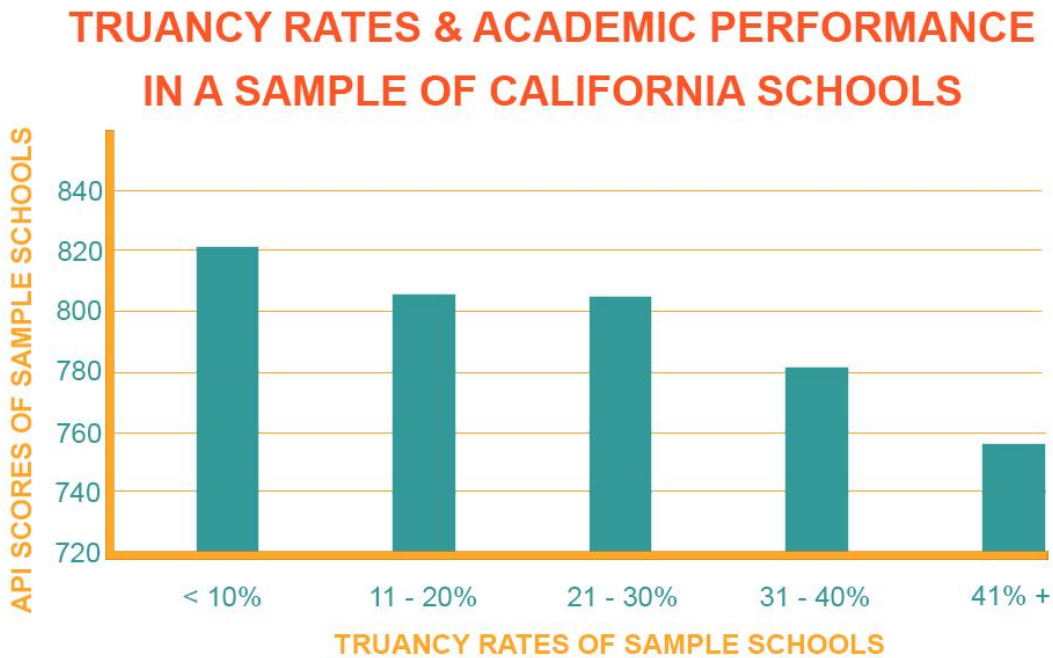
<sup>9</sup> See Appendix B for a description of methodology.

<sup>10</sup> See Appendix A for a definition of API.

<sup>11</sup> API scores range from a low of 200 to a high of 1,000.



Figure 3.1: Elementary School Truancy Rates & Academic Performance  
in a Sample of CA Schools



### National Statistics Support Relationship Between Attendance and Test Scores

For additional support outside California, we turned to a national middle school data set from the Early Childhood Longitudinal Study (ECLS).<sup>12</sup> As shown in Figures 3.2 and 3.3, these statistics underscore the relationship between attendance and test scores.<sup>13</sup> While this report focuses on elementary school truancy and absenteeism, the statistics below underscore the fact that the negative effects of poor attendance continue throughout a child's education.

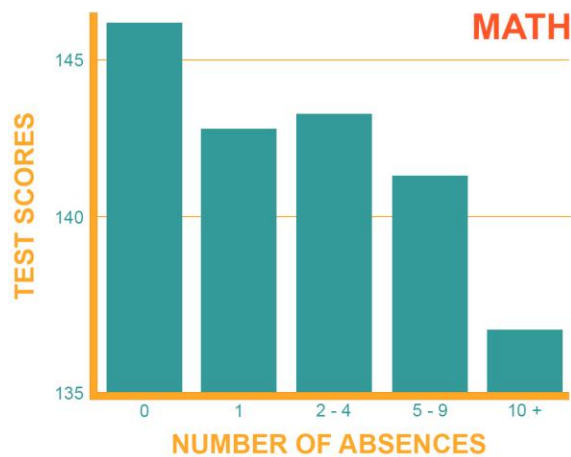
<sup>12</sup> Tourangeau, K., Nord, C., Le, T., Sorongon, A. G., & Najarian, M. (2009). *Early Childhood Longitudinal Study, Kindergarten Class of 1998-99 (ECLS-K): Combined User's Manual for the ECLS-K Eighth-Grade and K-8 Full Sample Data Files and Electronic Codebooks*. NCES 2009-004. National Center for Education Statistics.

<sup>13</sup> See Appendix B for a description of methodology.

Key findings from this study of 6,981 public middle school students include:

- Student absences are negatively associated with reading and math scores.
- Students with 10+ absences had lower reading scores (167.55) than students with no absences (174.96).<sup>14</sup>
- Students with 10+ absences had lower math scores (138.09) than students with no absences (146.70).

**Figure 3.2: Association between Math Scores & Middle School Attendance**



**Figure 3.3: Association between Reading Scores & Middle School Attendance**



<sup>14</sup> As sample sizes increase, the assumption that academic scores will be similar across the sample becomes greater. These scores are statistically significant because of the large sample size.

### **TRUANCY LIMITS ACCESS TO CRITICAL HEALTH SERVICES**

Students' absence from school severely limits their access to vital health services and can delay critical early diagnosis, management and treatment of medical conditions. For example, every year, elementary school students are screened for vision and hearing impairments. They are screened at least once for scoliosis between kindergarten and sixth grade. Children who miss valuable screening and preventative health measures can face serious and long-term negative health consequences.

In addition, schools are often the first place where developmental disorders are identified. For example, one study found that 97% of autistic children are diagnosed either by their school alone, or by their school in combination with other resources.<sup>15</sup> School nurses often educate parents and students about chronic medical conditions and help them to manage health conditions, such as asthma and diabetes.

Research also indicates that well-designed and well-implemented school programs can effectively promote physical activity and a nutritious diet.<sup>16</sup> California public schools require a minimum of 200 minutes of physical exercise for grades 1-6 every 10 schooldays as well as health education to promote healthy eating and regular exercise.<sup>17</sup>

When children are not in school, they can too easily slip through the cracks and not receive vital support and assistance. Conversely, when children are present in school, educators can identify and report, as required by the federal Keeping Children and Families Safe Act of 2003,<sup>18</sup> instances of suspected neglect and physical and sexual abuse.<sup>19</sup>

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<sup>15</sup> Brock, S. (2011). *Identifying, Screening, & Assessing Autism at Schools*. Workshop presented at the fall conference of the Colorado Society of School Psychologists, Beaver Creek, CO (302) [Finding that 57% of children with autism were diagnosed as such in combination with school and non-school resources and 40% were diagnosed with school resources alone.]

<sup>16</sup> <http://www.cdc.gov/Features/ObesityAndKids/>; see also, U.S. Dep't of Health and Human Services (2008). *2008 physical activity guidelines for Americans*. Washington, DC: Author.

<sup>17</sup> Education Code sections 51210, subds. (f) and (g) and 51210.4; Although these physical education requirements do not apply to kindergarten, the California State Board of Education strongly promotes such instruction for grades K through 12 (See Physical Education Model Content Standards for California Public Schools Kindergarten Through Grade Twelve, California Department of Education, 1-4 (2009), available at <http://www.cde.ca.gov/be/st/ss/documents/pestandards.pdf>.)

<sup>18</sup> P.L. 108-36.

<sup>19</sup> <https://www.childwelfare.gov/pubs/usermanuals/educator/educatord.cfm>

**TRUANCY & CHRONIC ABSENCE HAVE A DISPROPORTIONATE IMPACT ON LOW-INCOME STUDENTS, STUDENTS OF COLOR AND ENGLISH LEARNERS**

Truancy and chronic absence disproportionately impact low-income students<sup>20</sup> and students of color<sup>21</sup> and contribute to the academic achievement gap between high- and low-income students.<sup>22</sup> A focus on improving school attendance must be a central component in any effort to address major inequities in academic achievement.<sup>23</sup>

A 2010 study found that even after controlling for socioeconomic status, chronically absent children gain approximately 14% fewer literacy skills during kindergarten as compared to children with average school attendance rates.<sup>24</sup> And that same study suggests that low-income children are 60% more likely to be chronically absent and face greater academic harm as a result of poor school attendance.<sup>25</sup>

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***“Going to school regularly in the early years is especially critical for children from families living in poverty, who are less likely to have the resources to help children make up for lost time in the classroom.”***

***– National Center for Children in Poverty, 2008 report<sup>26</sup>***

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As shown in Figure 3.4, public elementary schools with high truancy rates are likely to have significant numbers of economically disadvantaged students. As poverty rates increase,<sup>27</sup> so do rates of truancy in California's elementary schools.<sup>28</sup>

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<sup>20</sup> Applied Survey Research. (2010). School readiness in Alameda County 2010. Watsonville, CA.; Nauer, K., White, A., & Yemeni, R. (2008). *Strengthening Schools by Strengthening Families*. NY: Center for New York City Affairs, The New School. Retrieved January, 1, 2009.

<sup>21</sup> Chang, H. & Romero, M. (2008). *Present, Engaged and Accounted For: The Critical Importance of Addressing Chronic Absence in the Early Grades*, National Center for Children in Poverty, New York, NY.

<sup>22</sup> Ready, D. D. (2010). *Socioeconomic Disadvantage, School Attendance, and Early Cognitive Development: The Differential Effects of School Exposure*. *Sociology of Education*, 83(4), 271-286.

<sup>23</sup> Chang & Romero, 2008.

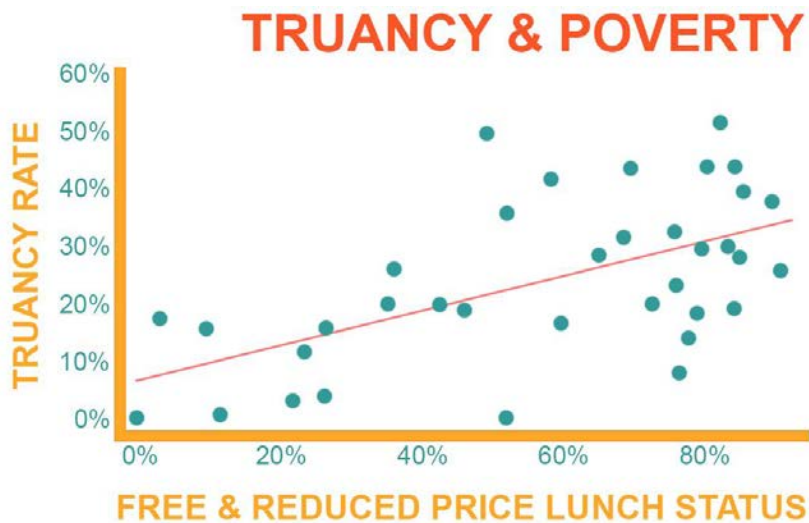
<sup>24</sup> Ready, 2010; see Zhang, D., Katsiyannis, A., Barrett, D. E., & Willson, V. (2007). *Truancy Offenders in the Juvenile Justice System Examinations of first and Second Referrals*. *Remedial and Special Education*, 28(4), 244-256.

<sup>25</sup> Ready, 2010.

<sup>26</sup> Chang & Romero, 2008.

<sup>27</sup> Poverty rates are measured by the number of students who qualify for Free or Reduced Price Lunches.

Figure 3.4



Rates of chronic absence are also much higher for students of color, particularly Native American students.<sup>29</sup> A study from the John W. Gardner Center for Youth and their Communities found that Latino elementary school students in Redwood City, CA were chronically absent at nearly 4.5 times the rate of white students – 76% of Latino students were chronically absent, as opposed to only 17% of white students. Chronically absent students are also more likely to be English learners (57% of the sample).<sup>30</sup>

Chronic absence appears to have a particularly profound negative impact on the academic performance of young Latino students.<sup>31</sup> According to one study, reading scores for chronically absent Latino kindergartners were significantly lower than for their peers of other ethnicities who had missed similar amounts of school. The study's authors, Hedy Chang and Mariajosé Romero, note that Latinos are the largest and fastest growing demographic group, and now make up 1 out of 4 children under five in California. They also suggest the need for schools to have Spanish-speaking personnel who can communicate with Latino families about attendance issues.

<sup>28</sup> The statistics in Figure 2 are taken from a subsample of 36 California school districts with over 500 elementary schools. Data from these 549 schools are representative of elementary schools across the state.

<sup>29</sup> Balfanz & Byrnes, 2012.

<sup>30</sup> Sanchez, 2012.

<sup>31</sup> Chang & Romero, 2008.

## CHAPTER 4: SCHOOL ATTENDANCE RECORDS – KEY TO PREVENTION AND INTERVENTION EFFORTS IN CALIFORNIA

As illustrated in the previous sections, truancy and chronic absenteeism have reached epidemic proportions in California. However, our ability to examine these problems carefully and design thoughtful and effective strategies to solve them is hampered by the lack of statewide reporting of student attendance records.

School attendance records are an essential foundation for efforts to reduce truancy and chronic absence in California and across the United States. This evidence ” is critical to making instructional and programmatic choices targeting student attendance behaviors ... and can guide the design of interventions intended to improve attendance and student achievement.”<sup>1</sup>

These records on attendance, that is, records that track individual students, allows teachers and school administrators to identify students at risk of academic failure or of dropping out of school. Despite the vital role of this empirical evidence in understanding and addressing truancy and chronic absence, the systematic collection and use of school attendance records in California is still a fledgling work-in-progress.

California does not currently require school districts to report student-level attendance records to the state. Rather, California tracks only two measures of attendance statewide:

- 1) Truancy rates: the percent of students with three unexcused absences or three tardies of more than 30 minutes without a valid excuse, or any combination of at least three tardies and absences
- 2) ADA: the percent of students at school on a given day

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<sup>1</sup> National Forum on Education Statistics. (2009). *Every School Day Counts: The Forum Guide to Collecting and Using Attendance Data (NFES 2009–804)*. U.S. Department of Education. Washington, DC: National Center for Education Statistics, 8. Retrieved from <http://nces.ed.gov/pubs2009/attendancedata/>.

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*California is one of only four states in the United States that fails to track individual attendance records in its longitudinal tracking system.*<sup>2</sup>

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Moreover, these two measures (truancy and ADA rates) are incomplete; they mask the scope and severity of habitual and chronic truancy, as well as chronic absence, in California public schools.

### **TRUANCY RATE CAN MASK TRUANCY & CHRONIC ABSENCE PROBLEMS**

Though California’s education records system does not currently track attendance, the state does track information on the number of students classified as “truant” in all California schools. In accordance with the requirements of No Child Left Behind,<sup>3</sup> truancy rates are collected by school districts and then entered into one of the state’s systems, California’s Basic Educational Data System (CBEDS).<sup>4</sup> This requirement acknowledges that these truancy rates provide a key early warning sign when students miss school without a valid excuse. However, the state’s tracking system captures only the *first* truancy offense. The system does not capture records for students who are habitually or chronically truant.<sup>5</sup>

Moreover, the truancy rate, by definition, tracks only *unexcused* absences. The truancy rate thus does not capture when students miss numerous days of school, including for excused absences, even when a student is chronically absent. “Especially, in the early grades, truancy doesn’t capture what is going on since they [students] are often home with an adult who may call in to say they won’t be attending school that day.”<sup>6</sup> The truancy rate therefore cannot give us the full picture about how many students have more severe problems with attendance.

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<sup>2</sup> Chang, Leong, Fothergill, & Dizon Ross (2013) *How States Can Advance Achievement by Reducing Chronic Absence*, Attendance Works, Policy Paper. (<http://www.attendanceworks.org/policy-advocacy/state/state-policy-brief-the-attendance-imperative/>). The other three states are Colorado, New York, and Illinois. *Ibid.*

<sup>3</sup> Public Law PL 107-110, the No Child Left Behind Act of 2001.

<sup>4</sup> For more information on CBEDS see <http://www.cde.ca.gov/ds/dc/cb/>. In addition, information on California’s truancy rates is publicly available through DataQuest (<http://dq.cde.ca.gov/dataquest/>).

<sup>5</sup> For definitions of these terms, see Appendix A.

<sup>6</sup> Chang, *Reporting on Chronic Absence in Your Community*. Attendance Counts. <http://www.attendancecounts.org/wordpress/wp-content/uploads/2010/05/Reporting-on-Chronic-Absence-in-Your-Community-HC-comments.doc>.



## **AVERAGE DAILY ATTENDANCE (ADA) CAN MASK TRUANCY & CHRONIC ABSENCE PROBLEMS**

As with truancy rates, information the state collects on ADA also fail to tell the complete story about truancy and chronic absence in California’s public elementary schools.

*“Schools generally focus on average daily attendance (ADA) figures and mistakenly assume that 95 percent ADA is an indicator of good attendance. This is not necessarily the case. For example, even in a school of 200 students with 95 percent average daily attendance, 30 percent (or 60) of the students could be missing nearly a month of school (i.e., chronically absent) over the course of the school year. It all depends whether absences are due to most students missing a few days or excessive absences among a small but still significant minority of students.”*

- Brunner, Discher, and Chang, Attendance Works and Child and Policy Center <sup>7</sup>

Therefore, ADA records—because it is based on average attendance at a school—do not provide information on the range and variation in attendance rates for individual students. As discussed in Chapter 1, ADA is important for school funding and a school’s focus on improving attendance can yield significant increases in funding through better ADA. However, as currently collected, ADA alone does not provide educators and policymakers with the information they need to fully understand the attendance challenge in our schools and to select effective prevention and intervention strategies.

Moreover, while many school districts track individualized student attendance records at the district level, few track student-level records longitudinally (i.e., year after year). As a result, long-term trends in school attendance in California remain largely unmonitored.

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<sup>7</sup> Bruner, Discher, & Chang (2011). *Chronic Elementary Absenteeism: A Problem in Plain Sight*. A Research Brief from Attendance Works and Child and Policy Center, 2. Retrieved from <http://www.attendanceworks.org/wordpress/wp-content/uploads/2010/04/ChronicAbsence.pdf>.

In response to our District Leadership Survey, only 14 of the 50 districts that responded were able to report chronic absence rates for the past three years. Of those 14 districts, only six were able to report chronic absence rates for the past five years.

Only half of survey respondents confirmed that their school district has the capability to track student-level absence records longitudinally. This lack of records poses a significant challenge to identifying students with a pattern of poor school attendance, and to designing prevention and intervention programs to target individuals and groups of at-risk students, such as English learners, foster children and free and reduced price lunch/low-income students. Moreover, because the survey was voluntary, one would expect respondents to be more advanced than the average district in terms of their attendance intervention strategies.

California public elementary school districts have little information about the long-term attendance patterns of their students – and we have even less information on a statewide basis.

Efforts have been made by state policymakers and advocacy groups to improve the availability of attendance records in California. For example, Senate Bill (SB) 1357, signed into law in September 2010, requires the state to collect records on student absence rates – although without distinguishing between excused and unexcused absences – at the district, school, class and student-level, including rates of chronic absence. This information is to be collected through CALPADS, the state’s student-level education system, *contingent on the availability of federal funds*.<sup>8</sup> To date, federal funds have not been available for this purpose.

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<sup>8</sup> Education Code section 60901.

***DISTRICT-LEVEL RECORDS COLLECTION IS IMPORTANT FOR ACCOUNTABILITY***

Some districts and state policymakers have suggested that attendance records, including both excused and unexcused absences, should be added as an accountability measure for schools – along with graduation rates and other school performance measures beyond California Standardized Test scores. In recognition of the importance of attendance to school health and progress, a group of eight California school districts has recently been approved for an Elementary and Secondary Education Act (ESEA) waiver.<sup>9</sup> This waiver allows the group, the California Office to Reform Education (CORE), to use absenteeism as one of their accountability measures.<sup>10</sup>

Moreover, the new LCFF requires that districts create their own plans to ensure that LCFF funds are allocated to meet the needs of students based on state priorities. These priorities, released in July 2013, include school attendance and chronic absence as outcome measures of student engagement. Districts have discretion to decide what strategies they use to meet the state’s priorities, which they will outline in their LCAPs. The State Board of Education will release a required template for LCAPs by March 31, 2014.

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<sup>9</sup> <http://www2.ed.gov/nclb/freedom/local/flexibility/waiverletters2009/cacoreflexrequest22013.pdf>.

<sup>10</sup> According to a report from the Center for Social Organization of Schools at John Hopkins University, one state, Georgia, already “includes chronic absence data in its assessment of average yearly progress (AYP) required under No Child Left Behind” (See Balfanz & Brynes, 2012). That same report discovered that a few states – Georgia, Florida, Maryland, Nebraska, Oregon and Rhode Island – track chronic absence, but the definition of chronic absence varies across these states.

**GOOD RECORD-KEEPING IS JUST THE FIRST STEP**

Record-keeping is a necessary starting point for efforts to improve school attendance and an essential tool to identify students who need help. But good records alone are not enough to address the attendance challenge in California.

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***“You will not reduce dropout rates by [identifying] the students; it’s what you do with them. Early-warning systems are not an intervention strategy; they are part of an intervention strategy.”***

*– Thomas “Chris” C. West, a Montgomery County, MD Evaluation Specialist who built an early warning tracking system that attempts to predict future dropouts, stated in a July 2013 EdWeek article.<sup>11</sup>*

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Although tracking attendance records is a critical starting point for addressing truancy and chronic absence, it is not an intervention on its own. The greatest promise lies in the way in which records are used to help connect students and their families with the resources needed in order to improve school attendance.<sup>12</sup>

For information on best practices for how districts can use attendance records, see Chapter 7.

For information about policy recommendations related to local and state record-keeping, see Chapter 9.

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<sup>11</sup> Sparks (July 29, 2013) *Dropout Indicators for 1<sup>st</sup> Graders*, *Education Week*, Vol. 32, Issue 37. Retrieved from <http://www.edweek.org/ew/articles/2013/07/29/37firstgrade.h32.html?tkn=MLXFm%2FUb9fyfyJtF4%2FWvxbdNwMBp%2BoHth7%2BK&cmp=clp-edweek>.

<sup>12</sup> For a full reporting on how school districts are using attendance records to inform intervention strategies, see Chapter 7.

## **CHAPTER 5: BARRIERS TO REGULAR SCHOOL ATTENDANCE**

Despite the importance of regular elementary school attendance, many of our youngest students face extraordinary challenges that make it difficult for them to attend school on a regular basis.<sup>1</sup> These challenges range from crises and trauma at home and in their community to disengagement or bullying inside the walls of the school building. Other factors that can impact elementary school attendance include transportation issues, physical and mental health issues, and a lack of connection between schools and families.

In order to better understand the barriers to attendance that many California families face, we gathered survey data from parents who had attended a truancy court in Alameda County, a large urban county in Northern California. In addition, we collected survey and interview data from districts and counties representing more than three quarters of California's elementary school age population. We spoke to officials from school districts large and small, urban and rural, and from a variety of socioeconomic backgrounds and diverse demographics. We also spoke to vital stakeholders in the truancy problem, including members of the law enforcement community, district attorneys (DAs), community-based organizations and county and city agencies. From these responses, several consistent themes emerged to answer our questions about why so many elementary school students in California are truant or chronically absent from school.<sup>2</sup>

### ***TRUANCY SIGNALS FAMILIES IN DISTRESS***

When a student is not attending school in the early grades, it is almost always due to an issue grounded in the family, rather than a decision by the child. Family struggles that are part of the reason children are out of school range from the relatively mundane to the truly harrowing.

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<sup>1</sup> Chang & Romero, 2008.

<sup>2</sup> See Appendix B for a description of methodology.

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***“The leading catalyst [for truancy] is deeply rooted in family problems at home,”***

***– California public elementary school district official.***

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In our interviews with district officials, poverty, homelessness, incarceration, evictions and job loss were repeated over and over as obstacles to school attendance.

For some families and caregivers, getting their child to school is overshadowed by financial and emotional problems or physical stress and trauma. To this end, one district official noted that SARBs (Student Attendance Review Boards) are “always very sad. [It’s about] troubled families trying to keep it together.”

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***Families are dealing with unemployment, broken homes, and are, as one district official put it, “in survival mode.”***

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Another district official’s story illustrates the struggles that some families face:

*At a SARB earlier this summer, there was a mother who was 30 years old with three children, the youngest of whom had special needs. The father was incarcerated, but the mother never told her children he was in jail; rather, she just told them he was working. The mother was trying to hold down a job, but had no support system and did not feel safe in her community. Moreover, she did not think it was safe for her kids to walk to school. The mother understood that school was important but reported that she was unable to make the kids go to sleep at night and every morning she had to fight with her three kids to get to school. Some days she just gave up. She did not have the support necessary to address the many challenges in her life. The child who was being SARBed was in third grade, and she had a younger sibling (4-years-old) and a sibling in middle school. The third grader had missed between 30 and 40 days of school due to unexcused absences.*



The lack of basic necessities such as housing was also cited by parents we interviewed as a barrier to getting their children to school. As one parent noted, when asked what things outside of school would help get her child to school, “a permanent place to live...stability, safety and less stress regarding where we are spending the night tonight would be very helpful.”

According to school district officials, some parents also need support to create a schedule that will ensure their children make it to school on time.

In some cases, the issue is as simple as a child who struggles to wake up in the morning and parents who find it difficult to enforce the rules. In other cases, district officials report that parents are not home or awake in the morning to make sure their child gets up in time for school. For example, one caregiver leaves at 4:00 a.m. for work and the other works until 2:00 a.m. and is asleep when it is time for the kids to get up and go to school. In other households, grandparents are the primary caretakers and cannot get the children ready in time, or single mothers are faced with getting one or more child to school on their own. Often, these single parents are young and may lack the tools, support network and/or community resources to get their children to school on time.

### **TRUANCY SIGNALS PHYSICAL HEALTH ISSUES**

According to district officials, chronic health issues are common barriers to regular attendance. In some cases, parents cited their own illnesses as challenges to getting their children to school. More frequently, it is the child’s asthma, diabetes or other chronic health issue that causes truancy or chronic absence.

These reports of health issues impacting school attendance are substantiated by research. Studies have shown that children with asthma tend to perform worse on tests, have more problems with concentration and memory, have their sleep disrupted and miss more days of school. One study blamed the disorder for 12.8 million school absences across the country in a single year.<sup>3</sup>

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<sup>3</sup> Basch, C. E. (2010). *Healthier Students are Better Learners: A Missing Link in School Reforms to Close the Achievement Gap*. New York City: Teachers College, Columbia University.

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***“Daily asthma attacks, strep throat, and other medical issues caused my son’s truancy.”***

***– Parent of 4<sup>th</sup> grade boy whose unexcused absences improved 100% after court referral to an asthma treatment program***

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Chronic health conditions can affect school attendance when parents and caregivers do not have access to resources to help address the conditions and avoid absenteeism, or when parents and caregivers have not received information about where to seek treatment.

*An official in a Southern California school district reported that a first grader in the district missed more than 20 days of school for unexcused and excused absences combined. When the school district intervened, they found out the child missed school because his parents thought he was too ill to go to school, but did not take him to a doctor because they did not have transportation, or health insurance. The family was ultimately referred for insurance through the Healthy Kids Program as part of their SARB contract and the student’s attendance improved.*

Another district shared the following story about a student who was kept home from school for multiple days due to asthma:

*A mother brought her child to the doctor to get an inhaler for her child’s asthma. The doctor gave the parent a note to excuse the absence for that day. After the doctor’s visit, however, the mother decided to keep the child home for multiple days because she was concerned her child might have an asthma attack at school. Moreover, she did not think the child needed to attend school if she had a doctor’s note. The parent was unaware that the district had an asthma program, which involves the school, family and the student’s doctor. As part of this program, school nurses may exchange information with the student’s doctor, with the parent’s approval. The program also has an Asthma Mobile that goes to the schools and even to the students’ homes.*

Some parents keep their child at home because they are understandably worried that he or she will have an asthma attack at school and do not trust the school to intervene appropriately. In these cases, a parent meeting or School Attendance Review Team (SART) meeting offers parents an opportunity to learn about the options to keep a child in school (e.g., establishing an asthma plan). Meetings can also help to inform parents of a range of services, including free family and individual counseling for a depressed student or services required by law for homeless families. These and other types of interventions will be discussed further in Chapter 7.

### **TRUANCY SIGNALS MENTAL HEALTH ISSUES**

Many districts and several parents reported that mental health issues are another reason why students miss school. These issues, whether they are afflicting the child or the parent, can cause students to miss out on important learning opportunities at school.

One parent said: “My children had issues with leaving me, separation anxiety.” Another wrote: “My child has emotional issues. He had a hard time leaving me.” In these instances, parents may require additional information on how to address mental health issues or a referral for services to help them ensure their child attends school regularly.

In other cases, it is the parents who require mental health services. One county official described a student at a SARB meeting who had more than 50 unexcused absences. The official learned that the mother had mental health problems and was scared to let her children go to school. An official in another district similarly recalled the crippling effects of a mother’s mental illness on the school attendance of her twin sons.

*A mother and her third grade twins were at a SARB meeting. The boys both had more than 40 unexcused absences this school year. The mom claimed the kids were sick but there were no verifiable doctors’ notes. At the SARB meeting, the mom talked about her health concerns for her boys – headaches, sinus, runny noses—and the district offered resources to the family. The mom then said that she herself was having challenges and was depressed. As a result, the district referred her to mental health services, and*

*recruited school-based mentors for both boys. One boy really liked flag football and was placed in an afterschool program that offered flag football. The other boy was struggling academically and was assigned a tutor. The boys are now attending school regularly.*

This case speaks to the benefit of communication between the school site and families and how district interventions with qualified professionals who understand when families are in crisis can have a profound impact on school attendance.

### ***TRUANCY SIGNALS CAREGIVERS WHO NEED ADDITIONAL INFORMATION ON THE IMPORTANCE OF CONSISTENT ATTENDANCE***

Many district officials reported that some parents and caregivers need additional information about the benefits of elementary school education, particularly in the earliest grades. Several districts reported that parents take extended trips to visit relatives and do not appreciate the high marginal value of those missed days of school and their potential long-term, cumulative effect.

District officials also observed that some families do not view compulsory education as necessary or even good for young children. Several districts reported that there are families who prefer to keep their young children at home rather than send them to kindergarten or elementary school. For example, one county official spoke of students who were not enrolled in school until the third or even fifth grade.

### ***TRUANCY SIGNALS TRANSPORTATION CHALLENGES***

Several parents reported that transportation issues made it difficult for them to get their child to school, and many district officials noted that transportation to and from school was a significant obstacle for some families.

In some rural districts, students have to travel many miles by bus to attend school. But some districts – like Yucaipa-Calimesa Joint Unified, which serves San Bernardino and Riverside counties – have been forced to cut bus services due to budgetary issues.

Transportation to and from school can be especially difficult for families on a tight budget. One parent identified a problem with gas and parking money. Several other parents cited a lack of bus money or the fact that they did not have their own car as a challenge to getting their children to school. In Los Angeles County, for example, the cost of a student bus/metro pass is \$24 a month. For a low-income parent or guardian with several children, this transportation cost can be a formidable obstacle.

### ***TRUANCY SIGNALS SAFETY CONCERNS***

Several officials and parents noted that safety concerns – both inside and outside the school – are another barrier to school attendance.

Families who live in unsafe neighborhoods are reluctant to allow their children to walk to school. In one district, for example, an administrator noted that in one incident in their community, two high school students and one middle school student were shot and killed in a neighborhood park. According to district officials, when these violent acts occur, attendance is almost always down the next day.

Exposure to violence often causes trauma for the children living in these unsafe environments. To this point, a school district official in one city talked about a young girl in the district who missed a significant number of school days because she was afraid to go outside after witnessing a homicide in her neighborhood.

Bullying was also reported as a significant barrier to attendance, particularly by parents. One parent told us, “[m]y daughter was being bullied and didn’t want to go. The school [principal] refused to address it properly.... Obviously, we had to comply with the courts but seriously if [my daughter] hadn’t changed schools, the truancy may have continued.”

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The challenges to regular attendance facing many students and families are substantial. But regardless of the barriers to attendance, no barrier is a reason to overlook the need to get the child back to school. The negative impact of missed school days can have devastating and long-term effects on individual students, on public safety, on the economy and on society as a whole. It is critical that we identify students early who need additional support and provide them with the tools necessary for academic success.

## CHAPTER 6: THE LEGAL FRAMEWORK OF CALIFORNIA'S TRUANCY LAWS

The California Constitution describes public education as essential and establishes a fundamental right to a free education for all California children in elementary, middle and high school.<sup>1</sup> The basic civil right to an education derives from the “distinctive and priceless function of education in our society.”<sup>2</sup> The California Supreme Court has stated that education plays an indispensable role in our society because it serves as a major determinant of an individual’s chances for economic and social success and has a unique influence on an individual’s development as a citizen and as a participant in political and community life.<sup>3</sup>

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***“Education is the lifeline of both the individual and society.”***  
– California Supreme Court in *Serrano v. Priest*<sup>4</sup>

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In California, every child between the ages of 6 and 18 is required to attend public school full-time,<sup>5</sup> unless subject to an exemption.<sup>6</sup> Every parent of a child ages 6-18 is legally mandated to ensure that his or her child attends school.<sup>7</sup>

In enacting the state’s truancy laws, the California Legislature created an early intervention system with a comprehensive mechanism for dealing with truancy, including community and special mediation programs.<sup>8</sup> The goal of California’s system is to “encourage school districts and county offices of education ... to adopt pupil attendance policies based on the active involvement of parents, pupils, teachers, administrators, other personnel, and community members” in order to, among other goals, provide procedures for

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<sup>1</sup> Cal. Const. Article IX, sections 1, 5; *Butt v. State of California* (1992) 4 Cal. 4<sup>th</sup> 668, 685-686; *Serrano v. Priest* (1976) 18 Cal.3d 728; 766 (*Serrano II*).

<sup>2</sup> *Serrano v. Priest* (1971) 5 Cal.3d 584, 608-09 (*Serrano I*).

<sup>3</sup> *Serrano I, supra*, 5 Cal.3d at p. 605.

<sup>4</sup> *Ibid*.

<sup>5</sup> Education Code section 48200. The terms “parent” and “guardian” are used interchangeably in this chapter to refer to both parents and guardians.

<sup>6</sup> Exemptions to compulsory education can be found in Education Code sections 48220, 48222, 48223, 48224, and 48230. Exemptions include attendance in a private school, programs for mentally gifted children, instruction by a tutor, and children with part-time permits to work.

<sup>7</sup> Education Code section 48200.

<sup>8</sup> See Education Code sections 48263.5, 48320 – 48340.



“[j]oint efforts between law enforcement and schools, such as school level attendance review teams and periodic efforts to return truant pupils to school.”<sup>9</sup>

Like the definition of truancy, which varies between states, the laws governing truancy also vary significantly from state to state.<sup>10</sup> Unlike some states,<sup>11</sup> California's truancy laws are educational, not penal, in nature.<sup>12</sup> Our legislative scheme is geared toward returning the absent student to school, rather than toward punishment or criminal sanctions for children or their parents.<sup>13</sup>

Individual schools are required under the law to report any student who meets the standard for a “truant” to the district attendance supervisor or the district superintendent.<sup>14</sup> Once a student is deemed truant, the school district must immediately notify the student's guardian that the student is truant.<sup>15</sup> These early notification requirements are designed to raise the red flag as soon as possible and help get the student back into the classroom.

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<sup>9</sup> Education Code section 48340.

<sup>10</sup> For example, in Washington State a school district may file a truancy petition with the courts after five unexcused absences in a month, but must file a truancy petition after seven unexcused absences in one month or 10 unexcused absences in a year. (Wash. Rev. Code § 28A.225.030.) In South Carolina, a student is truant when he or she has three consecutive unlawful absences or a total of five unlawful absences – an unlawful absence is one without the knowledge of the parents or without acceptable cause with the knowledge of the parents. (S.C. Code Ann. § 43-2724.) And, in Illinois, a child between ages 7 and 17 must attend public school and can miss no more than 5% of the school year or 9 days. The law previously allowed for 10% or 18 days but was amended in 2011. (105 Ill. Comp. Stats. 5/26-1, 5/26-2, 5/26-2a.)

<sup>11</sup> For example, in 2010 the ACLU filed a lawsuit alleging that the State of Rhode Island's truancy court system was overly penal in nature. (<http://www.riaclu.org/court-cases/case-details/boyer-v.-jeremiah>)

<sup>12</sup> *In re James D.* (1987) 43 Cal.3d 903, 915.

<sup>13</sup> *Ibid.*

<sup>14</sup> Education Code section 48260. In addition, Education Code section 48240 requires that the board of education of any school district and of any county must appoint a supervisor of attendance and any assistant supervisors of attendance as may be necessary to supervise the attendance of students in the district or county. The supervisor of attendance is required to ensure compliance with the state's compulsory education laws which includes truancy.

<sup>15</sup> Education Code section 48260.5. For the full requirements of the notice, see Education Code section 48260.5, subds. (a) to (h).

## Truancy Legal Requirements & Intervention Strategies



### **FIRST NOTIFICATION OF TRUANCY – MANDATORY NOTIFICATION TO PARENT AFTER THIRD UNEXCUSED ABSENCE OR TARDY**

California's truancy process begins with the first notification of truancy. School districts must notify the parent or guardian the first time that a student is designated as truant, *i.e.*, after the student has three combined unexcused absences or tardies during the school year.<sup>16</sup> In addition, the student and parents may be requested to attend a meeting with a school counselor or other school designee "to discuss the root cause of the attendance issue and develop a joint plan to improve the pupil's attendance."<sup>17</sup>

#### **Required Information for T1 Letter:**

- 1) The student is truant;
- 2) The parent is obligated to compel the student's attendance at school;
- 3) If the parent fails to comply with the obligation to send the child to school then the parent may be guilty of an infraction under Education Code section 48290 et seq.;
- 4) Alternative educational programs are available in the district if the student requires one;
- 5) The parent has the right to meet with the school officials to discuss the truancy;
- 6) The student may be subject to prosecution under Education Code section 48264 for truancy;
- 7) The student may be subject to suspension, restriction, or delay of his or her driving privileges under Vehicle Code section 13202.7; and,
- 8) It is recommended that the parent attend school with the student for one day.

The initial truancy notification, colloquially referred to as a "T1" notification, must provide eight pieces of information as listed at left.<sup>18</sup> The objective of the notification is not only to notify the parent that the student is legally truant, but also to inform the parents of their rights and legal requirements, the consequences of truancy and the resources available to help them resolve the problem.

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<sup>16</sup> Education Code sections 48260, 48260.5. The school districts become aware of students' truanancies because individual schools must notify the school district's attendance clerk or superintendent of the district.

<sup>17</sup> Education Code section 48264.5, subd. (a).

<sup>18</sup> Education Code section 48260.5. A sample First Notification of Truancy Letter and a sample Third Truancy Letter (Habitual Truant), in multiple languages, are available on the California Department of Education (CDE) Website at <http://www.cde.ca.gov/ls/ai/sb/sarbhandbook.asp> in the State School Attendance Review Board (SARB) Handbook, at Appendix A, pp. 63-64 and 70.

### ***SECOND NOTIFICATION OF TRUANCY – MANDATORY REPORTING OF TRUANCY AFTER FOURTH UNEXCUSED ABSENCE OR TARDY***

If a student who has once been reported truant is again absent or tardy in excess of 30 minutes from school without a valid excuse one more day after the first report of truancy, *i.e.*, if the student incurs a fourth unexcused absence or tardy within the school year, then the school is legally required to report the student again as a truant to the attendance supervisor or the superintendent of the school district.<sup>19</sup> Although the law requires reporting the second truancy to the attendance supervisor or the superintendent,<sup>20</sup> there is no requirement that the parent or guardian be notified of the second truancy. But, as discussed in this report, many schools and/or districts notify the parent or guardian of the absence in an effort to thwart any future unexcused absences. This practice is highly recommended.<sup>21</sup>

### ***THIRD NOTIFICATION OF TRUANCY – MANDATORY NOTIFICATION AND DESIGNATION AS “HABITUAL TRUANT” AFTER FIFTH UNEXCUSED ABSENCE OR TARDY***

Upon a fifth unexcused absence or tardy in excess of 30 minutes in a school year, the district must give the parent or guardian a mandatory notification of the student's third truancy by making a conscientious effort to hold at least one meeting with the student and his or her parent or guardian.<sup>22</sup> The requirement that the school district make a conscientious effort entails “attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.”<sup>23</sup> After the third report of truancy, if the school and/or district has properly reported the first and second truancy as required under the Education Code sections 48260 and 48261 and made a conscientious effort to meet with the parent at least once, the student will be deemed a “habitual truant.”

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<sup>19</sup> Education Code section 48261. Under Education Code section 48264.5, subd. (b), the second time a truancy report is issued the student may be given a written warning by a peace officer, and the student may be assigned by the school to an afterschool or weekend study program.

<sup>20</sup> Education Code section 48261 requires that all truanancies subsequent to the second truancy be reported to the attendance supervisor or superintendent.

<sup>21</sup> For a full list of recommendations, see Chapter 9.

<sup>22</sup> Education Code section 48262.

<sup>23</sup> *Ibid.*

### ***REFERRAL TO SCHOOL ATTENDANCE REVIEW BOARD (SARB)***

Upon designation as a habitual truant, a student and his or her parent/guardian may be required to attend a SARB hearing after referral by the district supervisor.<sup>24</sup> SARBs function as the intermediate step between schools and prosecuting authorities. A SARB can be formed by the county or by a local jurisdiction, *i.e.*, a school district.<sup>25</sup>

Our review of SARB reports provided us by county offices of education reflected that SARBs at either the district or county level have been maintained in the last three years in at least 43 of the 58 counties in California. Our District Leadership Survey of school districts found that just over half – 56% – of respondents had SARBs that met monthly or more frequently. In elementary school, SARB hearings are often the final opportunity for families to address the student's truancy before parents are referred to the district attorney for possible prosecution.

At a hearing, SARB committee members identify the core problem and its contributing factors through discussion with the parents of the truant student and the student in order to tailor strategies to improve the student's attendance. By doing so, the SARB members can determine if available community resources – such as county health care services, county welfare services, nutritional counseling, or alternative transportation options – can resolve the truancy problem.

If a SARB determines that available community resources *can* resolve the truancy problem, the SARB will refer the student and parent to the relevant services and may require proof of participation in those services.<sup>26</sup> In practice, many SARBs and the parents enter into what is commonly referred to as a SARB "contract," its main goal being to improve student attendance. If a parent fails to respond to the directives of a SARB, either by failing to attend the SARB hearing in the first instance or failing to comply with the SARB contract, then the SARB will generally refer the matter for criminal prosecution.<sup>27</sup>

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<sup>24</sup> Education Code section 48263. A student with irregular attendance may also be referred to a SARB.

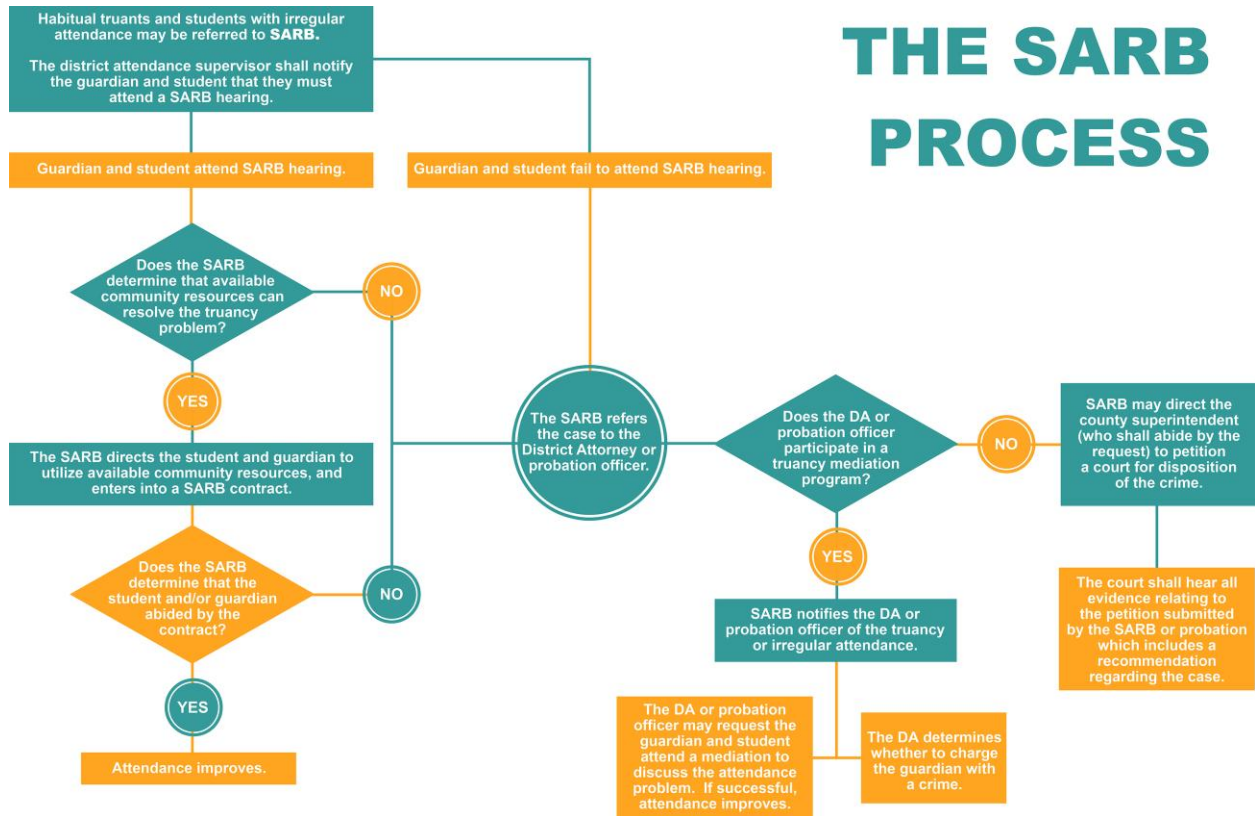
<sup>25</sup> Education Code section 48321.

<sup>26</sup> Education Code section 48263.

<sup>27</sup> Welfare and Institutions Code section 601.2. As outlined in Education Code section 48260.6, subdivision (d) and Welfare and Institutions Code section 601.3, district attorneys' offices and probation departments may elect to participate in an additional truancy mediation program. Under such a program, the district attorney or probation



In the event that the district attorney decides not to prosecute a SARB referral, he or she must provide the SARB with a written explanation of the decision not to prosecute.<sup>28</sup> The flowchart below provides an overview of the SARB process outlined in the Education Code.<sup>29</sup>



If the county or school district does *not* have a SARB or a truancy mediation program, the student may be required to attend a formal program comparable to a truancy mediation program as designated by the district's attendance supervisor.<sup>30</sup> For elementary

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department may request the guardians and student to attend a meeting with the district attorney or probation department to further discuss the possible legal consequences of the minor's truancy and develop a strategy to resolve the problem. (Education Code section 48263.) If the district attorney does not participate in a truancy mediation program, the SARB may direct the county superintendent (who must abide by the request) to petition a juvenile court to take up a case against the parent/guardian or student. (*Ibid.*)

<sup>28</sup> Education Code section 48291.

<sup>29</sup> For a complete description of the SARB process, see the 2012 State School Attendance Review Board's Handbook, <http://www.sbccs.k12.ca.us/stuServe/SARB/StateSARBHandbook.pdf>.

<sup>30</sup> Education Code section 48264.5, subd. (c).

school, if the student does not successfully complete the recommended program, then the parent can be referred for prosecution.<sup>31</sup>

### **LEGAL CONSEQUENCES OF HABITUAL TRUANCY – PROSECUTION OF CRIMINAL INFRACTION UNDER EDUCATION CODE SECTION 48293**

After a student is deemed a habitual truant, any subsequent unexcused absence within the same school year may be criminally prosecuted under Education Code section 48293. Thus, parents of a truant student may be charged and found guilty of a criminal infraction that carries a fine up to \$100 for a first conviction, a fine up to \$250 for a second conviction and a fine up to \$500 for a third conviction.<sup>32</sup> Instead of a fine, a court may – and often does – exercise its discretion and order the guardians to be placed in a parent education and counseling program.<sup>33</sup>

In some cases, legal intervention can be an effective way to get a child back in school.

*Michael and Jennifer Jones<sup>34</sup> were summoned to court by the district attorney for failing to send their 4th grade daughter to school. The child had 50 unexcused absences, a trend that began on and off in kindergarten. She also suffered from severe separation anxiety and had untreated medical issues. Ms. Jones argued with the school district and refused every intervention offered. The next necessary step was to issue a criminal citation for violation of the truancy laws. The court accepted a guilty plea from the Jones family, but stayed the fine pending the family's enrollment in education and counseling programs. After court oversight of the case for a year, the little girl had only one unexcused absence and five days excused absences with medical documentation. Due to her history of absence from school,*

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<sup>31</sup> Education Code sections 48291, 48292, and 48293; Education Code sections 48264 and 48264.5, subd. (d) and Welfare and Institutions Code sections 601 and 602 provide for the prosecution of truant students. Our research has indicated that, understandably, prosecutors rarely, if ever, prosecute elementary school students for truancy; therefore, this report focuses on the laws relating to, and the prosecution of, the parents of truant elementary school students, rather than the prosecution of students themselves.

<sup>32</sup> Education Code section 48293, subd. (a).

<sup>33</sup> *Ibid.*

<sup>34</sup> The names have been changed to protect the family's privacy.



*this past school year – when she was in the fifth grade – was her first full year of school in which she participated.*

**LEGAL CONSEQUENCES OF CHRONIC TRUANCY – PROSECUTION OF A CRIMINAL MISDEMEANOR UNDER PENAL CODE SECTION 270.1**

A student is considered a chronic truant if he or she is absent for 10% or more of the school days in the school year from the date of enrollment to the current date – provided that the school has complied with reporting the first and subsequent trancies to the superintendent or attendance supervisor, has sent the notification of first truancy to the parent and has made a conscientious effort to meet with the parent.<sup>35</sup> As such, a student must first be habitually truant before later being classified as chronically truant.

A District Attorney may exercise his or her authority to charge the parent of a chronically truant<sup>36</sup> student with a criminal misdemeanor, under Penal Code section 270.1, when the guardian has failed to reasonably supervise and encourage the child's attendance. This statute only applies to parents of children who are at least six years old and up to the 8<sup>th</sup> grade.

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***“Parents who allow their young children to have chronic levels of truancy are neglecting their child’s needs, regardless of whether that child demonstrates delinquent behavior. Failing to educate a child is an issue of neglect, just like failing to feed or clothe them.”***

***– California Senate Committee on Public Safety Analysis of S.B. 1317<sup>37</sup>***

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<sup>35</sup> Education Code section 48263.6.

<sup>36</sup> As defined in Education Code section 48263.6.

<sup>37</sup> Sen. Comm. on Pub. Safety, Analysis of Sen. Bill No. 1317 ( 2009-2010 Reg. Sess.) as amended Apr. 8, 2010, page 6.

Although prosecution of a misdemeanor can result in serious fines and even jail time, Penal Code section 270.1 provides a mechanism to offer parents one final opportunity to improve their child's attendance before imposing such legal penalties.<sup>38</sup> Under the statute, the district attorney and the superior court can decide to postpone a judgment (*i.e.*, defer entry of judgment) and enroll the parent/guardian in a program designed to remove the barriers that are keeping a chronically truant child from school. The funding for a program of this kind must be derived solely from non-state sources, such as cities, counties, private grants and non-profit organizations.<sup>39</sup>

As the process outlined above makes clear, there are a multitude of steps school districts and law enforcement must take before anyone is eligible to be prosecuted. This multi-step process allows for early action, but also provides for escalated interventions when initial efforts fail to correct the problem.

It is recommended that parents are imprisoned for truancy violations in only the most extreme cases – it is both traumatic for children and families and costly for taxpayers.<sup>40</sup>

California is a diverse state with school districts with highly divergent demographics. Accordingly, as described above, our truancy intervention mandates allow a certain amount of flexibility in their implementation. However, that discretion cannot be allowed to obscure the legal duty of districts and parents to follow the clear mandate in the law, nor should it justify wide variations in the quality of attendance supervision in California.

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<sup>38</sup> When a parent is found guilty of violating Penal Code section 270.1, then he or she is guilty of a misdemeanor offense punishable by a fine up to \$2,000, or by imprisonment in a county jail not exceeding one year, or by both fine and imprisonment.

<sup>39</sup> Penal Code section 270.1.

<sup>40</sup> Garrey, 1996.

## CHAPTER 7: WHAT WORKS? BEST PRACTICES IN TRUANCY PREVENTION & EARLY INTERVENTION STRATEGIES

Truancy and chronic absence in elementary school must be addressed early and often. If we don't intervene early to learn why a child is missing school and provide support and services to the student and his or her family, the harmful ripple effects can be severe and wide-ranging.

Research shows that a focus on the underlying causes of truancy is crucial to eliminating barriers that prevent a child from attending school on a regular basis.<sup>1</sup> Early intervention – addressing the problem in elementary school, and before the problem becomes severe – can help to correct attendance issues and ensure that students graduate from high school.

A 2012 study analyzed records from a large urban school district of the attendance patterns of students in grades 1-8 to predict whether they would complete high school.<sup>2</sup> Students who missed the most school across all grades and students whose truancy problems increased in middle school had a more than 20% likelihood of dropping out of high school. But younger students whose truancy issues were addressed early were shown to have roughly half the likelihood (11%) of dropping out.

### ***Best Practices: Prevention and Intervention***

- 1. Collect, maintain and use attendance records to inform intervention strategies*
- 2. Reach out early to families of at-risk children*
- 3. Establish an active School Attendance Review Board (SARB)*
- 4. Collaborate across the community to connect families with resources*
- 5. Help your community understand: Attendance is important and it's the law*

<sup>1</sup> Nauer, White & Yerneni, R. (2008). *Strengthening Schools by Strengthening Families: Community Strategies to Reverse Chronic Absenteeism in the Early Grades and Improve Supports for Children and Families*. Center for New York City Affairs, The New School.

<sup>2</sup> Schoeneberger, J.A. (2012). *Longitudinal Attendance Patterns: Developing High School Dropouts*. The Clearing House: A Journal of Educational Strategies, Issues and Ideas, 85:1, 7-14

### ***KNOW WHO IS ABSENT AND WHY: RECORDS COLLECTION AND ANALYSIS***

To identify children who are at risk of becoming truant and the reasons why they are missing school, it is essential to collect and analyze attendance records. The ability to spot and track attendance trends over time – of individual students, as well as siblings who attend school in the same district or students in the same neighborhood – is critical to any effective truancy intervention.

When schools or districts rely solely on memory and anecdote to determine which students are missing from the classroom, they can miss the larger patterns. It is critical to understand a student’s attendance in relation to other personal, academic and behavioral factors.

For example, a student may be absent every Friday and Monday or multiple siblings in one district may have excessive absences. When districts are aware of these patterns, they gain critical information and can reach out to families and coordinate the resources that are necessary to get children back in school. Patterns of chronic absence can also reveal issues impacting groups of students – as in the case of a classroom where there has been a lice outbreak and parents are keeping their children at home.

California requires school districts to report to the state the aggregate number of students in attendance each day and the number of truant students, but does not require districts to report the number of excused and unexcused absences for each student or student attendance over time. Many districts do collect this information – including districts who responded to our District Leadership Survey.

Yet, as Chapter 4 described with respect to statewide records, too many districts across the state do not have or do not use the tools available to comprehensively track and monitor student attendance.

School attendance records are typically collected, tracked and analyzed electronically by what is referred to as a “school information system” (“SIS”). Ninety-four percent of the 50 districts who responded to the District Leadership Survey reported that their SIS is linked district-wide so that every school in their district uses the same system.

However, based on our conversations with districts, many districts do not engage in the ongoing review and analysis that transforms a static set of numbers into a powerful tool for reducing truancy and chronic absenteeism.

**Finding:** Districts that regularly monitor records and share them with school sites can identify and address changes in attendance patterns for individual students, siblings and schools in a timely and efficient manner.

For example, Oakland Unified School District produces and posts weekly attendance reports on its intranet. These reports include ADA and chronic absence records individually by school. From the district's database, principals can also obtain attendance records for individual students who are chronically absent. This information can then be used to target specific interventions for those students.<sup>3</sup> Chula Vista Elementary School District likewise reviews its attendance records to assist in its early intervention efforts. Among other things, the district provides student-specific information (including student name, ID number, grade, teacher name and excused and unexcused absences and tardies) to principals on a quarterly basis. The sharing and analysis of such information is critical to early intervention because it helps schools and districts to determine which students are missing school and why, and can help get the child back into the classroom.

In one district, for example, attendance clerks noticed that a student who previously had good attendance began missing a lot of school. The sudden change coincided with the death of the child's mother. Armed with this knowledge, the school provided the student with grief counseling and special attention.

Another district found that absence due to lice was unusually high in its schools. To address this issue, the district provided handouts, tips and videos to school nurses so they could provide parents with information on how to prevent and eradicate lice.

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<sup>3</sup> For more information on strategies implemented in Oakland, visit: <http://www.attendanceworks.org/what-works/oakland/>.

**Finding:** School districts are not uniform in the kind of attendance records they collect, how often they collect it and in the way they review, share and analyze the attendance records collected by their school information system. This hampers their ability to develop targeted strategies to identify and reach out to at-risk students before they become truant.

All but one of the districts that responded to our District Leadership Survey reported that they collect evidence on excused and unexcused absences – but there is not uniformity in terms of how often that evidence is reviewed.<sup>4</sup>

<b>“How often is data on unexcused absences in elementary schools reviewed at the district level?”</b>	<b>16% review daily</b>
	<b>23% review weekly</b>
	<b>39% review monthly</b>
	<b>9% review annually</b>
	<b>13% other</b>

Many districts also do not share truancy and absenteeism records frequently and consistently with individual schools – another critical piece of prevention and intervention so that schools know who to target for outreach in real-time.<sup>5</sup>

<b>“How often does the district communicate with individual schools about their rates of truancy and absenteeism?”</b>	<b>2% communicate daily</b>
	<b>12% communicate weekly</b>
	<b>42% communicate monthly</b>
	<b>10% communicate quarterly</b>
	<b>4% communicate twice a year</b>
	<b>2% communicate annually</b>
	<b>8% communicate only when significant changes occur</b>
<b>4% do not communicate at all</b>	
<b>17% “other”</b>	

<sup>4</sup> “Other” responses include: “every learning period,” “after the first truancy offense,” “as needed” and “twice-monthly.”

<sup>5</sup> Because the number of respondents is rounded up, the sum totals 101%. “Other” responses include: 3x/year, 3x/semester, every 6 weeks and “it varies.”

**Finding:** Along with a wide variation in how school districts track attendance, schools and districts vary in terms of the degree to which they dedicate personnel and tools to track and analyze attendance records.

Careful monitoring of student absences (both excused and unexcused) and outreach to families are valuable tools to prevent truancy. These efforts require an investment of resources. Several districts gave stark examples of how budget cuts hampered their truancy prevention efforts. In some districts, positions have been eliminated, such as full-time attendance clerks, field assistants (who would make phone calls and home visits), school counselors and assistant or vice principals, who are typically tasked with attendance-related responsibilities, including making calls or home visits to families.<sup>6</sup> Yucaipa-Calimesa Unified School District, for example, lost 50% of their elementary school administration in 2008. School resource officers (SROs), who make frequent home visits, were reduced in the district from 3 to 1. Today, there is only one SRO for 14 schools.

As demonstrated in Chapter 1, resources expended on attendance monitoring will often pay for themselves as schools can increase their overall budgets by millions of dollars by improving attendance.

**Finding:** It is important to track every absence – whether it is an unexcused or excused absence. A district-wide policy on excessive excused absences can provide an early warning system to identify children who are at risk of becoming chronically absent and reach out to their families.

Several of the schools and districts that we interviewed for this report collect and analyze excused absences and have developed policies to deal with excessive excused absences and/or chronic absenteeism – for example, some districts send a notification letter to parents after a child misses a certain number of school days (even if the absences are excused).

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<sup>6</sup> Districts that reported the loss or reduction of these positions include Hemet Unified School District, Long Beach Unified School District, and Oceanside Unified School District.



Based on estimates provided by School Innovations & Achievement, the vast majority – 95% – of chronically absent elementary school children are also truant. Therefore, school districts that focus primarily on issuing notifications of truancy (as required under the law) as their first attendance intervention will catch nearly all chronically absent elementary school students in the process. However, not *all* chronically absent children are truant – some will have many excused absences and no unexcused absences. A policy on excessive excused absences can help ensure that districts reach every student with an attendance problem.

Livermore Valley Joint Unified School District, for example, uses attendance records to identify children who are at risk of becoming truant or chronically absent, and then follows up by reaching out to their families:

*At the beginning of the school year, Livermore Valley Joint Unified School District identifies students who missed 10% of the prior school (regardless of whether their absence was excused or unexcused) as well as those in the “Manageable Zone” (those who miss more than 5% of school, for whatever reason, the year before). The district continues to track and update this list during the school year. It uses this data to identify and make contact with students and families to make sure they are supported in their attendance. Child welfare and attendance (CWA) specialists from the district visit every school in the district weekly to review historical attendance data on students, and to identify students in the Manageable Zone. They will then call families or pay a home visit, to discuss the importance of attending school and to identify any issues for which targeted intervention is appropriate.*

Long Beach Unified School District engages in similar analysis and monitoring of students with past attendance issues. At the beginning of the school year, the district identifies students who received multiple truancy letters in the prior year, and asks its schools to closely monitor their attendance and refer to the SART and SARB process where necessary if they continue to have attendance issues.

In addition to monitoring students with a poor attendance history, several districts also send notification letters to parents of students who have missed a certain number of excused absences. Ceres Unified School District, for example, notifies parents after eight excused illness-related absences, and then sends a second letter after nine excused

illness-related absences. Oakland Unified School District sends a chronic absence notification letter to parents after eight absences, whether excused or unexcused.

**Finding:** Schools and districts that track their truancy interventions build a record of their efforts to address the attendance issue, which is essential in serious cases in which law enforcement decides to intervene. These records also make targeted early interventions easier and more effective.

In addition to identifying at-risk students before they become truant, with the hope that early intervention can return the child to the classroom, this careful monitoring and analysis of student-specific attendance records serves another valuable purpose: it creates a trail that schools can use to see how a child's attendance problems have been addressed. In the serious cases where law enforcement and a county's district attorney decide to exercise their authority to address a student's truancy, this trail is essential. School districts, researchers and policymakers can also use this record to refine both their understanding of the causes and effects of truancy, as well as their strategies to combat the problem.

One of our key recommendations for schools and districts is quite simple: know who is absent and why by collecting individualized attendance records and using them to inform intervention strategies in real-time. A robust record system allows a district to target its limited resources more effectively because it focuses on the source and scope of a child's attendance issues. But analyzing the record is just the first step. It must be followed up by a phone call, home visit or meeting with the student and his or her family to address the underlying causes of truancy.

### ***REACH OUT EARLY & OFTEN TO FAMILIES OF AT-RISK CHILDREN***

To prevent a child's truancy or chronic absence from becoming a full-blown crisis, districts and schools should establish relationships with families to address barriers to attendance. Truancy prevention efforts are most effective when they are collaborative, comprehensive and tailored to meet the needs of the student and his or her family.

Successful intervention strategies begin – but do not end – by complying with California truancy laws.

**Finding:** Regular, personal communication with students and their families – including at-risk students such as English learners, foster children and free and reduced price lunch / low-income students – is critical and should start with a student’s first unexcused absence.

Several studies identify interaction with the guardians of a truant child as critical to any effective truancy prevention or intervention effort.<sup>7</sup> This begins, at a minimum, with schools’ legally-mandated truancy notifications and attempts to meet with guardians of truant elementary school students.

Although this report recommends school districts do more than required under California law, mere compliance with the law does yield dividends in increased attendance. In Sonoma County, for example, 1,055 children (grades 1-5) were sent first notifications of truancy (after the third unexcused absence). Of those, only 280 required the next level of intervention.<sup>8</sup>

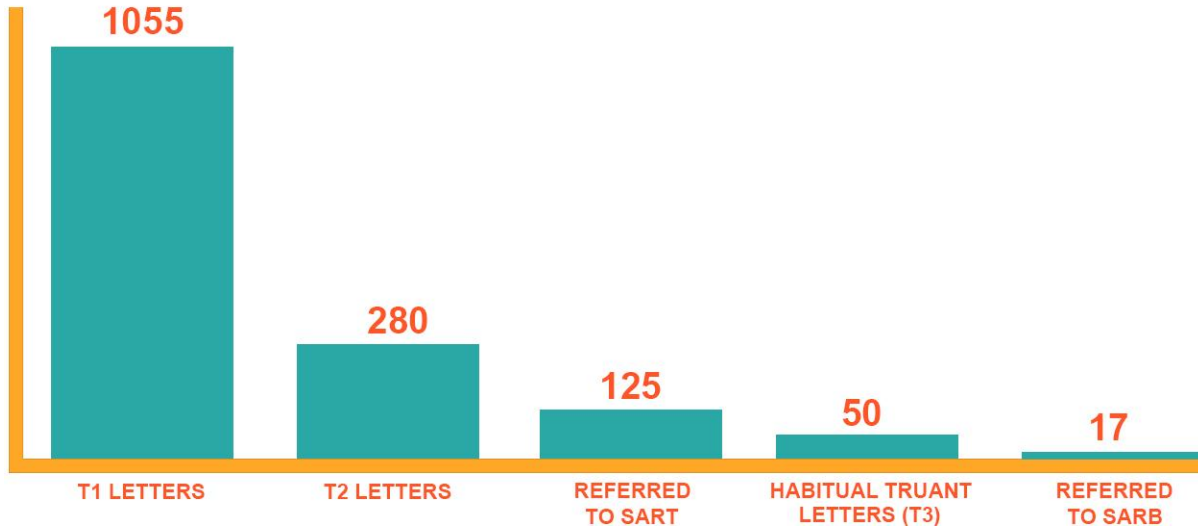
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<sup>7</sup> See Epstein, J. L., & Sheldon, S. B. (2002). *Present and accounted for: Improving student attendance through family and community involvement*. *Journal of Educational Research*, 95, 308-318.

<sup>8</sup> Information retrieved from SARB report provided by Sonoma County Office of Education.

Figure 7.1

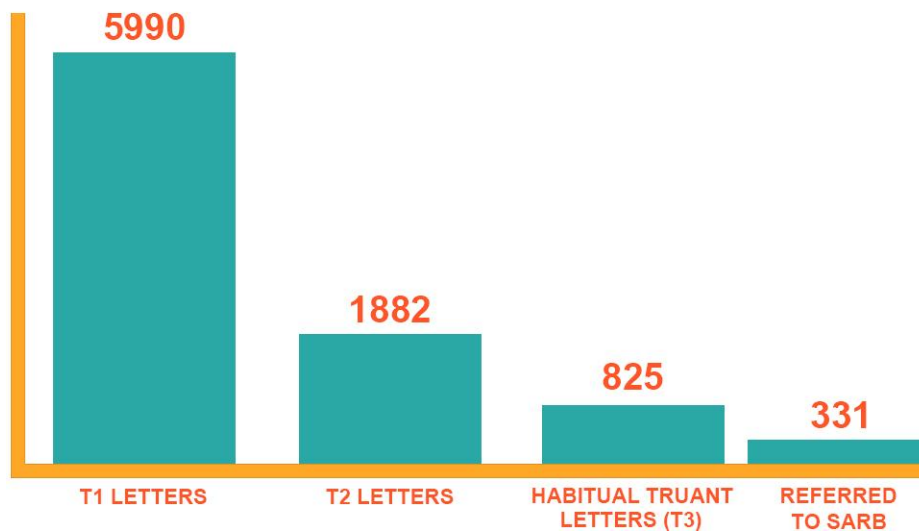
**Sonoma County Truancy Interventions  
Grades K-5 (2012-2013)**



Similarly, in Ventura County, 5,990 elementary school students (K-5) received first notifications of truancy; only 32% (1,882) required additional intervention.<sup>9</sup>

Figure 7.2

**Ventura County Truancy Interventions  
Grades K-5 (2011-2012)**

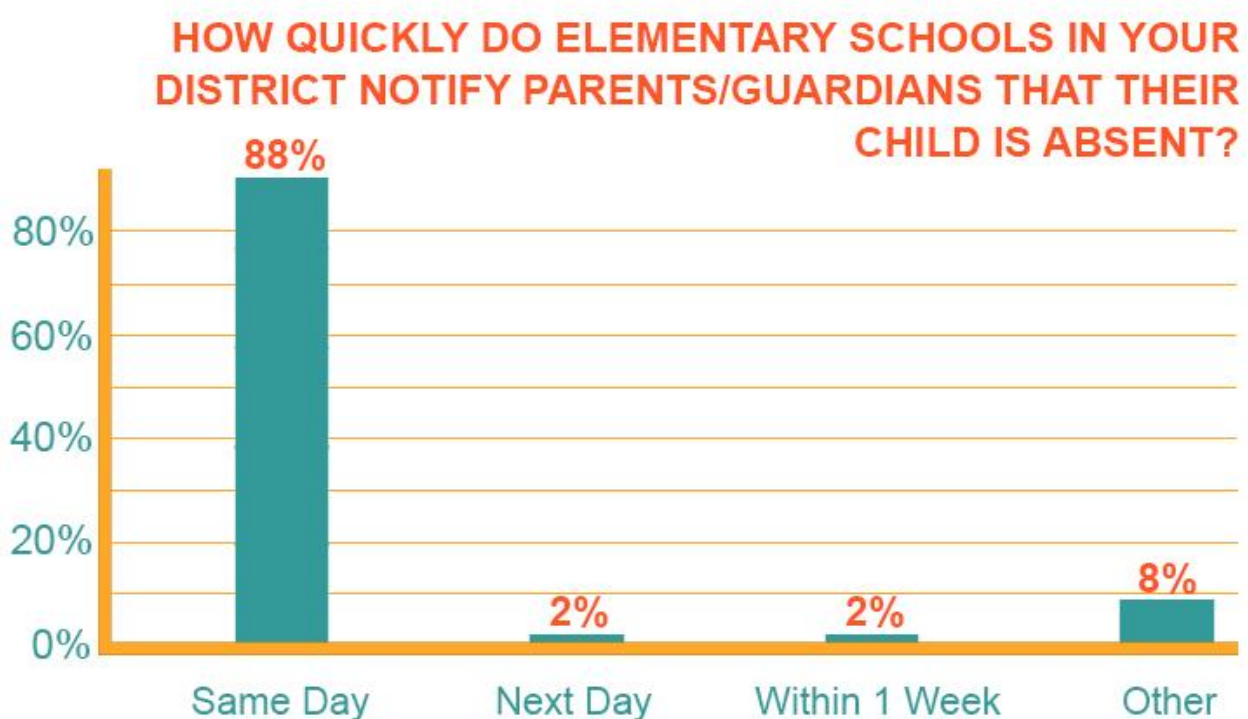


<sup>9</sup> Information retrieved from SARB report provided by Ventura County Office of Education.

Districts overwhelmingly agreed about the importance of going above and beyond what is required under California law. For example, 94% of the 50 districts that responded to our District Leadership Survey reported that, between the third and fifth unexcused absence, the district or school undertakes additional outreach to parents or guardians, even though they are not required to do so.

To engage parents in a dialogue about their child’s absenteeism and uncover its roots, it is important to notify them as soon as possible. As shown in Figure 7.3, the 50 districts who responded to our survey reported that 88% of their elementary schools notify parents on the same day a child is absent. Because our survey was voluntary, we expect that respondents are more advanced than the average district in terms of their attendance-related programs.

**Figure 7.3: Notification Times for Student Absences<sup>10</sup>**



<sup>10</sup> Figure 7.3: “Other” includes: “It varies,” and “Parents notify us.”  
Note: Because the responses are rounded off the totals may not equal 100%.

Districts use a variety of methods to reach out to families, from personal and automated calls to e-mails, letters and home visits.

**More than 50% of the districts surveyed believed that a combination of a personal call and a letter was the most effective way to communicate with guardians.**

**Finding:** Meeting with the parents or guardians of students with attendance issues prior to their referral to SARB enables schools and districts to collaborate with families to find a strategy that meets their needs. While attempts to meet with parents are common, districts' actual completion rate for these meetings is troublingly low.

In addition to letters and phone calls, districts cited the effectiveness of in-person meetings with families. These meetings are commonly referred to as a Student Attendance Review Team (SART) meeting, a Student Success Team (SST) meeting, or a pre-SARB meeting. Districts are legally mandated to make a conscientious effort to meet with families after a child's fifth unexcused absence, but additional meetings beyond bare compliance are also effective.

The majority of the districts surveyed – 78% – reported that most of their schools attempt to hold meetings with parents/guardians to discuss how to improve a child's attendance between the first and third notification of truancy, prior to convening a SARB meeting. However, these meetings were not universal among survey respondents. In addition, 40% of respondents reported that they complete a meeting with the guardian less than half of the time when the district attempts to hold a conference after the third notification of truancy, as required by law. Moreover, 14% of the responses indicated that a meeting is completed *less than 10% of the time*. Less than a quarter of respondents (24%) responded that they are able to complete a meeting over 90% of the time.

For those meetings that take place, school representatives such as the principal, counselor, nurse and attendance clerk meet with the student and family to discuss barriers to attendance and help connect the family to resources, both within the school and in the

community. At the end of the meeting, the school representatives typically work with parents to draw up a “contract” that lays out what each stakeholder (student, parent, and school) will do to improve the student’s attendance. The contract also notes the consequences of breaking the contract or attendance laws.<sup>11</sup>

Districts report that these meetings typically take place after the first truancy notification letter (*i.e.*, after three unexcused absences, tardies or some combination of the two), but before the student and parents are referred to SARB.

Parent meetings at the school provide a vital learning opportunity for both families and schools. Families can discover that there are options other than keeping a child out of school, *e.g.*, an asthma plan, free counseling and services for homeless families. If a child is being kept at home because of asthma or depression following the death of a sibling or parent, the school has an opportunity in these meetings to learn about these underlying obstacles to attendance and connect families to the resources they need.

Information from Los Angeles County’s 2011-2012 SARB report illustrate the effectiveness of parent meetings in preventing referrals to SARB. In 2011-2012, more than 5,624 elementary school students (grades K-6) were referred to SART meetings at their respective schools. Following the participation of their families in SART meetings, almost 80% of these students *did not* end up being referred to SARB. Similarly, Sonoma County reported an 86% success rate with its SART process.<sup>12</sup>

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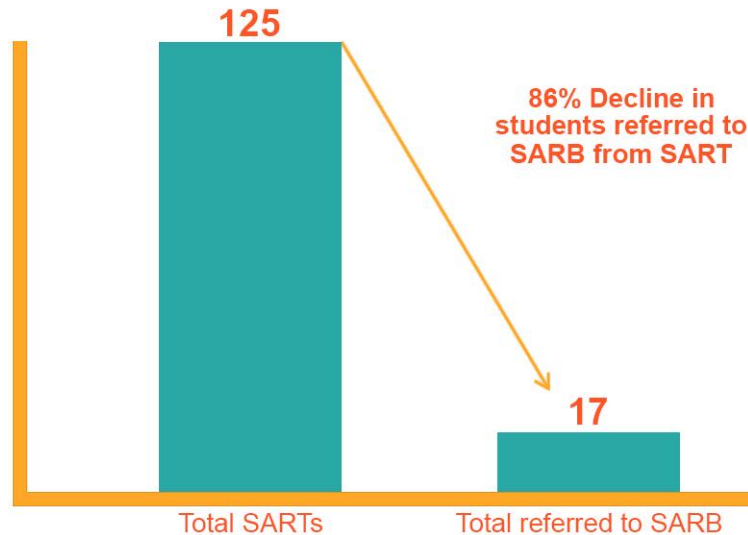
<sup>11</sup> A sample SART contract from Escondido Union School District is available in English and Spanish at <http://www.careyouth.org/?s=TIME>.

<sup>12</sup> Information retrieved from SARB report provided by Sonoma County Office of Education.



Figure 7.4

**Sonoma County: SART to SARB**  
Grades K-5 (2012-2013)



**Finding:** Home visits with students and families are an effective, and sometimes necessary, step in truancy prevention that can help districts and schools to uncover the complex challenges that pose barriers to attendance for the families of chronically absent children. Use of home visits as an intervention strategy varies among survey respondents and interviewees.

One school district official told a story about a third grade student with attendance problems whose family benefitted tremendously from a home visit.

*The child, who was shy and had few friends, seemed to be suffering from depression. Prior to a parent meeting, a district official visited the girl's home to see if he could determine the underlying causes of her absenteeism. He found that she was living in a house with no power, utilities or plumbing. The girl was reluctant to go to school because she did not want to wear dirty clothes. Because of this outreach effort, the school and district were able to link her family with resources available under the federal McKinney Vento Homeless Assistance Act, including new clothes.*

One district has an intervention team made up of representatives from the school, district attorney's office, police department and a faith-based organization. Among other intervention efforts, the team conducts home visits. A district official provided an example of how a home visit by the team uncovered an extremely difficult situation:

*An elementary school principal noticed that three students from the same family were increasingly defiant and disheveled. The children, and their older sibling, had not been to school for an extended period of time. The principal contacted the superintendent and a home visit by the intervention team was planned. The intervention team was familiar with this family and suspected that the children's mother had relapsed into drug use. The intervention team visited the home and found that it was overrun with cockroaches. The mother appeared to be under the influence of drugs and the older student was responsible for taking care of two infants. Through this intervention, the district was able to refer the students and the parent to the services they desperately needed.*

Uncovering the cause of a child's absenteeism through phone calls, home visits or school-site meetings with parents allows school and district officials to link a child's family to the resources and services they need to overcome barriers to attendance. Personal interaction between school officials and parents is key to uncovering the underlying causes of truancy and absenteeism. It is recommended that school districts engage parents with these personal communications throughout the school year.

### ***ESTABLISH AN ACTIVE SCHOOL ATTENDANCE REVIEW BOARD (SARB)***

Multiple districts emphasized the benefits of establishing an active School Attendance Review Board (SARB). According to district officials, a primary benefit of a SARB meeting is that qualified professionals are present to help identify and solve a crisis by connecting families to critical resources.

A robust SARB is a formal mechanism to provide opportunities for families, schools and districts to reduce truancy and chronic absence:

- Families gain knowledge of – and access to – resources and services;
- Schools learn about the underlying causes of a student’s attendance issues; and,
- Districts are able to put families on notice about the scope and gravity of their child’s attendance issues.

**Finding:** An effective SARB functions as the nexus between schools, county services and law enforcement, providing an opportunity for stakeholders to collaborate and develop a pragmatic, tailored approach to preventing truancy and chronic absence.

At one SARB hearing, for example, the Board learned that an elementary school student’s depression was causing her to have trouble attending school. The SARB offered mental health counseling to the student, which her parents did not know was available. District officials reported that the student’s attendance improved.

Officials from a rural school district described a SARB case in which a mother and her two young children walked two miles round-trip to the elementary school because the family could not afford transportation. The children – who were in the first and third grades – had each accumulated more than 30 unexcused absences. After the SARB hearing, the SARB referred her to a program that provided free bus passes.

Another school district official told the story of a SARB meeting where a mother said she was struggling to wake her children and get them ready for school in the morning:

*The mother said she tried to get the kids to school on time, but they always woke up sluggish and tired. The SARB explored the family’s nutritional habits and discovered that they were consuming unhealthy food and drinks late at night. The SARB referred the mother to a school nurse, who provided nutritional counseling. When the mother changed her children’s diets, their attendance improved.*

**Finding:** In addition to providing needed services, SARBs can be effective in improving attendance when parents are aware of the real consequences – both for their child and for themselves – of continued truancy. To improve attendance and compliance, some districts hold SARB hearings at a police department, district attorney’s office, or in a courtroom.

Putting the weight of the court and district attorney behind truancy prevention can help to improve parental compliance with mandatory attendance requirements. Several districts reported that making SARBs distinct from school- and district-only intervention programs serves to underscore for parents and guardians that there will be serious consequences if their child’s attendance does not improve, and that attendance is critical to their child’s success.

Districts report that conducting SARB hearings at police departments or the local courthouse is an effective strategy to ensure that parents understand the gravity of the SARB process and the consequences for not complying.

**Finding:** The amount of SARB records collected and reported by districts and counties varies widely across the state, and is largely inadequate. Reporting comprehensive SARB records annually provides critical information for both school districts and county offices of education to better understand the scope of truancy within their district or county. Also, by collecting more complete records on absences, districts and counties are better able to identify the effectiveness of truancy programs at intervening in severe attendance cases.

Currently, the reporting requirements for SARBs are minimal. State law requires school districts that maintain SARBs to report to their county superintendent of schools the number and types of referrals to SARBs and the number of requests to petitions to the juvenile court.<sup>13</sup> The California Department of Education provides both basic and extended

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<sup>13</sup> Education Code section 48273.

annual SARB report templates for school districts to use in reporting this information.<sup>14</sup> The basic template captures:

- Number of SARB referrals classified by grade level and gender;
- Reason for the SARB referral (irregular attendance, behavior, or habitual truant); and
- Number of cases that were referred to the court system.

Although not legally required, records collected using the more comprehensive and recommended extended SARB report template published by California Department of Education captures the above information, as well as:

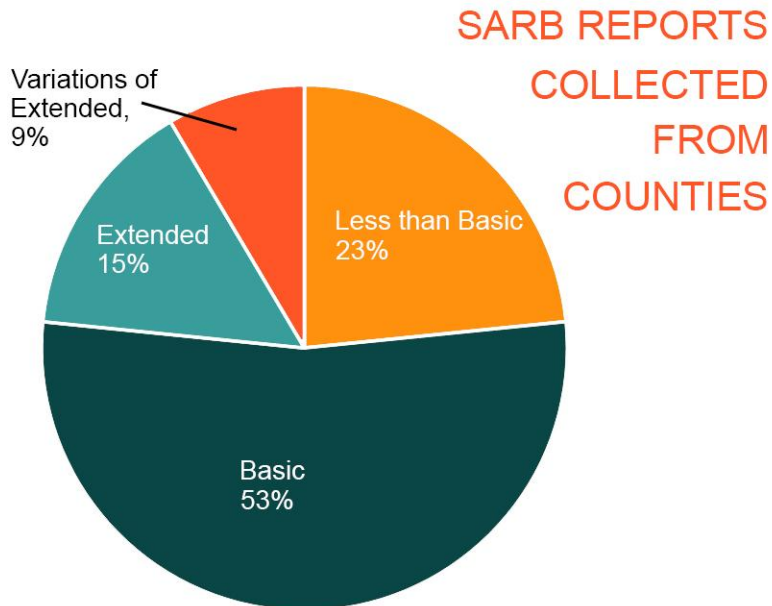
- Number of students identified as a chronic absentee;
- Percent of students identified as a chronic absentee;
- Student Attendance Review Team (SART) or Student Success Team (SST) meeting;
- Number of students who improved their attendance;
- Number of students who improved their behavior; and
- Number of students who were eventually referred to the court system, an outside agency, or to an alternative school.

To better understand the kind of information SARBs are reporting, we contacted all 58 county offices of education in California requesting that they send us copies of the SARB reports they had received from districts within their county for the past three school years. Of the 58 county offices of education, 43 provided our office with district or county SARB reports. The remainder confirmed that either there were no SARBs within their jurisdiction and/or they did not collect district SARB reports. The SARB reports received indicate that the amount and type of information collected across the state is highly variable, with the vast majority of the SARBs only reporting the level of information requested in the Department of Education's basic SARB template. Some SARBs, however, report more comprehensive statistics using the California Department of Education's extended SARB form or a variation of that form.

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<sup>14</sup> These SARB report templates are available on the California Department of Education's Website at <http://www.cde.ca.gov/ls/ai/sb/outcomereport.asp>.

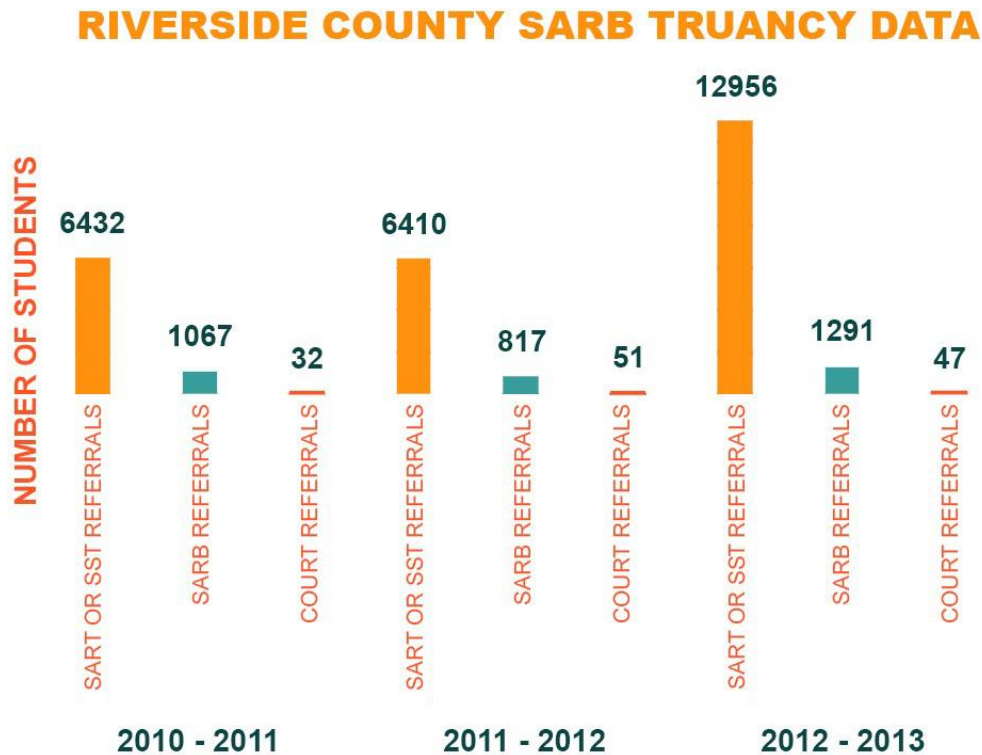
**Figure 7.5: Most SARB Reports Collected from Counties Meet Only Basic Requirements<sup>15</sup>**



Below are a series of examples from SARB reports county offices of education provided us that track comprehensive statistics on elementary school attendance over multiple years. These statistics indicate that the majority of attendance problems can be and are resolved with early interventions such as a SART or SARB process, without resorting to further discipline measures.

<sup>15</sup> As described above, the terms Basic and Extended refer to the two types of SARB report templates offered by CDE. The chart lists “variations of extended” to refer to several instances in which officials used a similarly comprehensive template, but collected different types of information.

**Figure 7.6<sup>16</sup>**



An effective SARB helps to increase school attendance, which, in turn, improves public safety and saves taxpayer dollars. Recognizing the importance of SARBs, the California Department of Education annually honors the work of model SARBs across the state.<sup>17</sup> And comprehensive reporting of SARB statistics helps districts build on their successes.

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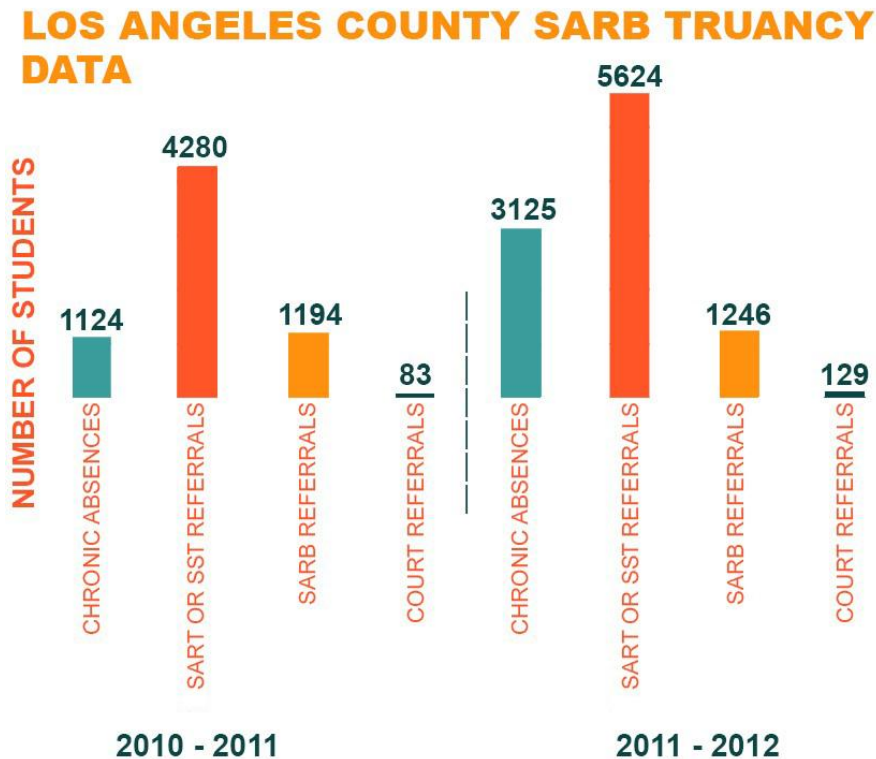
<sup>16</sup> Figure 7.6 is based on information from district SARB reports provided by the Riverside County Office of Education. Because the number of district SARB reports varied from year to year, Figure 7.6 is not intended to reflect a year-to-year trend, only the success rate of the SART and SARB process within each year.

<sup>17</sup> Each year, the California Department of Education honors Model SARBs. These model SARBs serve as useful examples for ideas about how to create or improve a local SARB. More information is available at <http://www.cde.ca.gov/nr/ne/yr13/yr13rel38.asp>.



Our recommendations to create and maintain a robust SARB and report comprehensive SARB statistics are driven by a single goal: to provide opportunities for families, schools and districts to reduce truancy and chronic absenteeism.

Figure 7.7



**COLLABORATE WITH COMMUNITY ORGANIZATIONS TO CONNECT FAMILIES WITH RESOURCES**

Effective attendance strategies do not rely solely on the resources of an individual school or district. By establishing formal partnerships with other public agencies and community-based organizations, schools and districts can better address the root causes of truancy and connect families with the resources they need to solve the underlying problem. It is not enough to simply refer a family for services; effective partnerships ensure the family actually receives the intended services.

**Finding:** Affordability and accessibility are common barriers to providing resources to families of truant elementary school children, but community partners are an underutilized resource. Some districts have leveraged partnerships with community-based organizations to help districts provide wrap-around services at the school site.

Several districts surveyed for this report have partnered with community organizations and agencies to bring mental health services directly to the school (on campus, during or after school hours). These services are offered at little or no cost to schools or families.

For example, Alhambra School District’s Gateway to Success program linked more than 2,000 children to school-based services in 2012-2013. Gateway to Success – which includes the participation of nearly a dozen mental health agencies and over 100 clinical interns from eight accredited universities – focuses on prevention and intervention related to safety, mental health, alcohol and drugs. The program also offers early education services.<sup>18</sup>

Other districts have similarly worked with graduate schools to find social work and psychology interns, which allows them to offer counseling at little or no cost at the school site. These strategies have enabled districts to reach out to a greater number of students and their families and provide much-needed counseling to help with underlying issues that contribute to truancy and chronic absence.<sup>19</sup> For graduate students, this work is an opportunity to fulfill their necessary clinical hours in a meaningful setting.

Other districts that offer “one-stop” services directly to students and families or that link families with resources include:

- ❖ San Francisco City and County Unified School District: Truancy Assessment & Resource Center

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<sup>18</sup> The Los Angeles County School Attendance Task Force (SATF) recently published an extensive manual entitled “How to Improve School Attendance: A Practical Guide for Schools and School Districts.” [http://educationcoordinatingcouncil.org/H2ISA/H2ISA\\_Bkgrd.html](http://educationcoordinatingcouncil.org/H2ISA/H2ISA_Bkgrd.html). This manual highlights Alhambra Unified School District’s Gateway to Success Program. See [http://educationcoordinatingcouncil.org/H2ISA/H2ISAM2\\_8.html](http://educationcoordinatingcouncil.org/H2ISA/H2ISAM2_8.html).

<sup>19</sup> Districts and county offices of education that have used graduate interns include Alhambra Unified School District, Cypress Unified School District, Glendale Unified School District, Hemet Unified School District, San Francisco Unified School District and Mono and Inyo County Offices of Education.

- ❖ Willits, Laytonville and Round Valley school districts (Mendocino County): Building Resiliency Opportunities for the North County
- ❖ Long Beach Unified School District: Mental Health Collaborative
- ❖ Escondido Unified School District: Collaborative Agency Resources for Escondido (CARE) Youth Project
- ❖ Chula Vista Elementary School District: Chula Vista Community Collaborative operates a network of Family Resource Centers on school campuses.

Leveraging outside resources by partnering with community-based organizations allows schools and districts to better support students and families and improve school attendance. It is recommended that districts form these partnerships to provide wrap-around services and ensure that children stay in the classroom.

**Finding:** Pairing students with mentors by tapping into the resources and expertise of outside agencies – as well as the assistance of volunteers drawn from school staff and community- and faith-based organizations – is an effective, and underutilized, way for districts to support the needs of elementary school students and families at no- or low-cost.

Elementary school students who are truant or at risk of becoming truant often benefit from the focused support of a mentor, and school districts can build mentoring programs by finding volunteers in the community, as well as their own schools.

For example, the Gang Reduction Intervention Program (GRIP) in Orange County is a public-private collaboration of law enforcement agencies, educators and volunteers from community- and faith-based organizations. As part of the countywide program, at-risk students are paired with teachers who volunteer to mentor at-risk children and meet with them at lunch or after school.

Other districts find volunteers willing to donate their time to support at-risk children in community- and faith-based organizations. A local non-profit organization called Youth for Christ of Central Valley, for example, provides mentors for students within Ceres Unified School District.

Several programs in other states have targeted truancy prevention and drawn on resources within the community, with proven success. As part of a larger effort to combat truancy and absenteeism, the New York City Mayor’s Interagency Task Force on Truancy, Chronic Absenteeism & School Engagement engages volunteers from non-profit organizations, as well as teachers and staff, to work with at-risk students.<sup>20</sup> Mentors, who commit to volunteering 15 hours per week, speak to students every day by phone or at school. They also serve as a liaison between the child’s school and home and, working with the child’s parents/guardians, identify the problems that have led to truancy. In the first half of the 2010-2011 school year, 22 of the 25 schools that participated in the Success Mentors program reduced their absentee rates. Ten elementary schools made the greatest strides, with a collective 24% decline in the percentage of students who were chronically absent.<sup>21</sup>

The University of Minnesota’s Minneapolis Check & Connect Program connects disengaged students with mentors who monitor their attendance, academic performance and behavior, and offer individualized intervention with school personnel, families and service providers.<sup>22</sup> The mentor works with students and families for at least two years, operating at the district level to continue to work with the same students even if they move schools.

Check & Connect is one of 27 dropout prevention programs reviewed by the U.S. Department of Education’s What Works Clearinghouse.<sup>23</sup> In a study of 147 elementary school students who were absent or tardy to school and participated in the program, about 40% were engaged and regularly attending school after two years – an improvement of 135% from when they joined the program.<sup>24</sup> Tardiness also declined. About 86% of the students included in the study were engaged and arriving to school on time (the equivalent

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<sup>20</sup> <http://www.attendanceworks.org/what-works/new-york-city/success-mentors>;

<http://www.mikebloomberg.com/index.cfm?objectid=89CDE971-C29C-7CA2-FDDB6902FA1F03C9>.

<sup>21</sup> Musser, (2011). *Taking Attendance Seriously: How School Absences Undermine Student and School Performance in New York City*, The Campaign for Physical Equity.

<sup>22</sup> <http://checkandconnect.umn.edu/email/2012.11.29.html>.

<sup>23</sup> [http://ies.ed.gov/ncee/wwc/pdf/intervention\\_reports/WWC\\_Check\\_Connect\\_092106.pdf](http://ies.ed.gov/ncee/wwc/pdf/intervention_reports/WWC_Check_Connect_092106.pdf).

<sup>24</sup> <http://checkandconnect.umn.edu/research/findings.html>.

of 0-1 day tardy per month), an improvement of 104% since the start of their involvement with the program.<sup>25</sup>

The School Every Day campaign in Baltimore is another example of a successful mentoring program that uses community-based volunteers to mentor and encourage chronically truant students.<sup>26</sup> An information campaign aims to improve understanding about the importance of attending school and volunteers go door-to-door to hand out alarm clocks and information on school vaccines, sickness and oversleeping.<sup>27</sup> To send the message directly to children, School Every Day also distributes letters of encouragement by community members and a peer-to-peer messaging system in which older students write to younger kids to let them know they are missed when they're absent.<sup>28</sup>

### **SPREAD THE MESSAGE THAT SCHOOL ATTENDANCE IS VITAL**

Schools and districts need to work to help students and families understand the value of every day of school, the dangers of truancy and absenteeism and a parent's legal obligations under California's Compulsory Education Law. Schools and districts must also communicate to at-risk students and families that the student is valued and wanted in school.

**Finding:** Parents and guardians do not always have complete information about the benefits of regular attendance and their legal obligation to ensure their children are in the classroom every day.

It is important for parents to understand what defines truancy and chronic absence. A clear policy on what constitutes an excused absence that is distributed to parents early in the school year can be helpful.

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<sup>25</sup> *Ibid.*

<sup>26</sup> <http://www.attendanceworks.org/what-works/baltimore/school-every-day-volunteer-initiative/>

<sup>27</sup> <http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-ci-schools-attendance-campaign-20110919,0,5749435.story>

<sup>28</sup> <http://www.attendanceworks.org/what-works/baltimore/school-every-day-volunteer-initiative/>

Several districts, such as Alpaugh Unified School District, send letters to parents/guardians at the beginning of every school year and close to vacation periods to remind them of what does – and does not – constitute an excused absence.

Parents and guardians also benefit from information about the importance of regular attendance to a child’s personal and academic development and the adverse consequences of chronic absence. A general understanding that education is important may not translate into knowledge about the harm that each day of absence can cause for an elementary school child. A deputy district attorney described a case in which a father – who had the best intentions – kept his three children out of school.

*The father worked evenings and weekends, and had three children (ages 7, 9 and a teenager in high school). Eager to spend time with his children, he took them to the park or the movies on school days. The two elementary school students had poor attendance starting in kindergarten, while their sibling in high school started missing school in the second grade. The man, who thought he was being a good father, wept when he was told he was committing a misdemeanor and negatively impacting his children’s education. The father said he did not realize how much damage he was doing by taking his children out of school.*

**Finding:** Parenting classes can be effective means of providing parents with simple tools to help to get their children in the classroom.

Parental influence is especially important when it comes to the attendance of elementary school students.<sup>29</sup> In addition to the strategies discussed above, districts report that formal parenting classes can be highly effective. Indeed, studies show that effective and clear communication to families has a significant impact on improving attendance and reducing chronic absence.<sup>30</sup>

In response to a Joint Survey from the Attorney General’s Office and the California Department of Education (Joint County Survey) inviting all county offices of education to

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<sup>29</sup> Zhang, Wilson, Katsiyannis, Barret, Ju & Wu (2010). *Truancy Offenders in the Juvenile Justice System: A Multicohort Study*. Behavioral Disorders (3), 229-242.

<sup>30</sup> Chang & Romero 2008, citing Epstein & Sheldon.

answer a series of questions relating to their SARB and truancy-related practices, half of the 22 responding counties noted that parenting classes for parents of students with poor attendance are offered in their counties.

For example, as part of its Gateway to Success program, Alhambra Unified School District has a community outreach program for parents of truant and disruptive children. The Parent Project is a free, 10-week course to teach parents strategies to prevent and address their children’s destructive behavior, including truancy. The Parent Project aims to empower parents with new skills and an understanding of how to reach out for help – even after completing the program. The Parent Project courses are taught in the parents’ native language and culminate in a graduation ceremony that offers the parents community recognition for their engagement; these are two critical contributors to the program’s success.

Chula Vista Elementary School District engages in parent outreach through its Promotora program, in which parents connect other parents to health information, parenting classes and other resources. The district also created a parent engagement class to encourage parents to become partners in their child’s education, by teaching them how to navigate through the educational process, including expectations regarding attendance.

And in Stockton Unified School District, every school site has a parent council. There is also a parent involvement coordinator in the district who organizes parent meetings. In addition, the district holds weekly group meetings for parents of truant students, to educate them about the laws related to truancy and recommend resources to assist them in getting their kids to school.

**Finding:** Events, as well as marketing and social media campaigns, are underutilized tools to highlight the importance of good attendance and engage students and their families. Fostering a “school culture” of good attendance is a powerful prevention strategy.

The message of good attendance is most effective when it comes from the top and is included in the goals of a district’s strategic plan. Oakland Unified School District, for example, with assistance from Attendance Works, used its chronic absence records to



include the promotion of better attendance in its strategic plan.<sup>31</sup> Likewise, Cajon Valley Unified School District has also included attendance goals in its strategic plans for the last few years.<sup>32</sup> This approach sends a strong message that attendance is important. The message is most powerful when it comes from the top – from the superintendent to principals, administrators and teachers. It also helps to describe the positive impact of good attendance, rather than focusing only on how chronic absence can lead to truancy court.

Many districts in California and elsewhere have launched marketing campaigns to raise awareness about the importance of attendance. And 14 out of 22 counties that responded to the Joint County Survey reported that media campaigns to promote attendance have either been developed or have been planned in their counties.

In 2012, for example, the Los Angeles County Board of Supervisors named September as “School Attendance Month.” Thirteen districts joined in the campaign to encourage schools to promote attendance awareness through parent workshops, contests, announcements, awards/recognitions and attendance incentives.<sup>33</sup>

This year, 30 school districts are participating in School Attendance Month, and have devised several creative programs to raise attendance awareness. For example, Los Angeles Unified School District, Pomona Unified School District, Baldwin Park Unified School District, and Covina Valley Unified School District are all participating in Student Recovery Day. Initially launched by the Los Angeles Unified School District in 2009, Student Recovery Day provides an opportunity for districts to reach out to students – literally, with phone calls and home visits on a designated day in September – who have a poor attendance history, or who are enrolled in school but have not yet been to class.<sup>34</sup>

Other initiatives as part of Student Recovery Day include an “On Time, In Class, Every Day!” attendance campaign with rallies and rewards for attendance (Baldwin Park Unified School District), “I’m In” days, when schools try for 100% attendance and classes are rewarded for achieving that goal (Covina-Valley Unified School District), and a “Power of 1%” campaign to increase ADA, including home visits to students who have not reported

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<sup>31</sup> See <http://www.attendanceworks.org/what-works/oakland/>.

<sup>32</sup> See e.g., <http://www.cajonvalley.net/Board.cfm?subpage=620884>.

<sup>33</sup> [http://pupilservices.lausd.net/school-attendance-review-board-sarb](http://pupilservices.lausd.net/school-attendance-review-board-sarb;);  
<http://www.lacoe.edu/Portals/0/StudentServices/SARB.pdf>.

<sup>34</sup> <http://losangeles.cbslocal.com/2012/09/14/2-former-dropouts-lausd-to-launch-fifth-annual-student-recovery-day/>

to school within the first two weeks of school, and personal phone calls to parents of students with excessive absences due to illness (Burbank Unified School District).<sup>35</sup>

Oakland Unified School District recently released a music video to promote school attendance that features students and former Oakland student and NFL player Marshawn Lynch.<sup>36</sup>

Several districts and other organizations have published manuals, flyers and “attendance toolkits” with marketing materials designed to promote regular school attendance. Among others, Oakland Unified School District, in collaboration with community partners, as well as the Los Angeles Student Attendance Task Force and Attendance Works have all published toolkits.<sup>37</sup>

Outside of California, New York City’s anti-truancy campaign teamed with Viacom to create a program to stress the importance of school attendance. As part of Wake Up NYC!, chronically absent and at-risk students receive wake-up calls from celebrities like Magic Johnson and singer John Legend, who encourage them to attend school.<sup>38</sup>

**Finding:** Some districts have developed creative incentives and rewards to recognize good or improved attendance – on the part of students and schools.

Many districts provide incentives and rewards for good or improved attendance – ranging from recognizing individual students at an assembly to giving out district-wide trophies to schools. In fact, 19 of the 22 counties that responded to the Joint County Survey reported that incentive or award programs to promote attendance have been developed in their counties. For some districts, the incentives are special events, recognition or prizes. These methods are particularly effective for elementary school children, who – as district officials report – are often thrilled to be recognized for good or improved attendance.

Chula Vista Elementary School District recognizes students with improved attendance with award tags, Wii game events after school and lunch parties for classes with good attendance.

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<sup>35</sup> See [http://www.publiccounsel.org/press\\_releases?id=0073](http://www.publiccounsel.org/press_releases?id=0073).

<sup>36</sup> <http://www.youtube.com/watch?v=gcH6kBNH2FQ>.

<sup>37</sup> See <http://www.ousd.k12.ca.us/Page/536>; [http://www.educationcoordinatingcouncil.org/SATF\\_Tools.html](http://www.educationcoordinatingcouncil.org/SATF_Tools.html);  
<http://www.attendanceworks.org/tools/>.

<sup>38</sup> <http://wakeupnyc.org/>.

Stockton Unified School District's website features a rolling photo exhibit called "Caught You in Class," in which a local radio personality and motivational speaker recognizes students with improved or perfect attendance during "Caught You In Class!" visits.<sup>39</sup>

Alhambra Unified School District and Alpaugh Unified School District recognize improved attendance at an assembly or in school-wide announcements. In Hemet Unified School District, the class with the greatest improvement in attendance at each elementary school is awarded with an attendance flag to hang in their room.

Several districts also award schools that have improved their attendance record. In Hemet Unified, for example, schools with improved ADA can receive up to \$3,500 in additional discretionary funds. And as part of the 2012-2013 "I'm In" School Attendance Challenge, six LAUSD schools won cash prizes of \$3,000 for improved or excellent attendance.<sup>40</sup> LAUSD students were also rewarded for coming to school on time every day with more than 3,000 monthly prizes, gift cards, bicycles, amusement park and movie tickets and more. The event was sponsored and funded by various private donors.<sup>41</sup> Finally, the Los Angeles County SARB awards SARB monetary scholarships to students who have participated in the SARB process, graduated from high school and are pursuing post-secondary education.<sup>42</sup>

Along with fostering a culture of good attendance, it is recommended that schools and districts acknowledge and reward students who have good and, most importantly, improved attendance.

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<sup>39</sup> <http://susd-ca.schoolloop.com/cwa>

<sup>40</sup> [http://home.lausd.net/apps/news/show\\_news.jsp?REC\\_ID=315554&id=0](http://home.lausd.net/apps/news/show_news.jsp?REC_ID=315554&id=0)

<sup>41</sup> *Ibid.*

<sup>42</sup> <http://www.lacoe.edu/Portals/0/StudentServices/SARB%20Scholarship%20Application%20-%20Shirley%20Abrams%20Award%202013.pdf>; <http://www.lacoe.edu/Portals/0/StudentServices/SARB.pdf>

**Finding:** Some school district policies or practices hinder, rather than help, the goal of keeping children in class every day.

Many barriers to attendance originate with the student or family. In some cases, however, schools and districts can create a barrier through their suspension and expulsion policies. Schools and districts should design their discipline policies to maximize a child's ability to remain in school. In addition, truancy should not be a basis for suspending a child, as the result is counterproductive to goal of having the child in the classroom.<sup>43</sup>

Statewide, far too many students in California are missing school due to suspensions. Approximately 85,000 elementary school students were suspended in the 2011-2012 school year.<sup>44</sup> These suspensions represent the loss of critical learning time for far too many of the state's most at-risk students. Moreover, referrals for suspensions disproportionately impact students of color, particularly African-Americans and students with disabilities.<sup>45</sup> For example, a recent study showed that in Los Angeles, California, African-American students are suspended at more than twice the rate (6% versus 2.7%) of the general elementary school student population.<sup>46</sup> Similarly, Latino and African American elementary school students with disabilities were suspended at a higher rate than those without disabilities.<sup>47</sup> We recommend positive approaches to school discipline that hold students accountable but ensure that they remain in school.

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<sup>43</sup> National School Boards Association (2013). *Addressing The Out-Of-School Suspension Crisis: A Policy Guide For School Board Members*. Retrieved from <http://www.nsba.org/Board-Leadership/Surveys/Out-of-School-Suspension-Policy-Guide/Out-of-School-Suspension-Report.pdf>.

<sup>44</sup> Date provided by the California Department of Education.

<sup>45</sup> UCLA Civil Rights Project, 2010-2011 California data; retrieved from [http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/summary-reports/out-of-school-off-track-reports-by-district/LosAngelesCA\\_OutofSchool-OffTrack\\_UCLA\\_2013.pdf](http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/summary-reports/out-of-school-off-track-reports-by-district/LosAngelesCA_OutofSchool-OffTrack_UCLA_2013.pdf) on September 18, 2013.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

## **CHAPTER 8: THE ROLE OF DISTRICT ATTORNEYS IN REDUCING TRUANCY**

This chapter presents findings from interviews with district attorneys' offices across California to offer a statewide overview of the practices prosecutors use to combat truancy. District attorneys incorporate truancy reduction programs into their law enforcement portfolios in a variety of ways. However, the following key underlying principles are especially effective in combating truancy: 1) early intervention and an approach that favors providing support over prosecution; 2) a consistent and distinct role for district attorneys; and 3) collaboration with the school district and outside agencies.

**Finding:** District attorneys can prevent a truancy problem from escalating to the point of prosecution by educating students and parents about available resources, as well as California's truancy laws and the consequences of breaking them.

For example, to reach out to the families of chronically truant students, the Sacramento District Attorney's Office launched Partners Against Chronic Truancy (PACT) in 2010.<sup>1</sup> The district attorney sends the attendance record of a truant student to his or her guardians, along with an invitation to attend a PACT meeting where a deputy district attorney, assistant public defender, superior court judge and others discuss how truancy and chronic absence impact a child's future and the legal requirements of school attendance. At the meeting, families are also provided with information on available resources, such as mentoring programs, parenting classes and school nurses.<sup>2</sup> In 2012, PACT held 31 meetings in four school districts with about 200 families in attendance at each event. Participating PACT schools report that students whose families receive a letter showed a dramatic improvement in attendance – and even more so when they attended a PACT meeting. PACT program costs are minimal and speakers are unpaid volunteers.<sup>3</sup>

To make families comfortable – and not nervous about the involvement of law enforcement – some district attorneys' offices find it helpful to develop partnerships with community- or faith-based organizations. The Gang Reduction and Intervention Partnership (GRIP) program is an example – a collaborative effort of the Orange County District

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<sup>1</sup> Interview with Sacramento County District Attorney's Office, June 17, 2013.

<sup>2</sup> <http://www.sacda.org/assets/pdf/pr/advisories/NACo%20PACT.pdf> (last visited 7/17/2013).

<sup>3</sup> *Ibid.*

Attorney's office, the Buena Park Police Department and a faith-based organization called the Way Fellowship.<sup>4</sup> The GRIP team focuses on truant students in grades 4-8 and works with the schools directly (rather than being coordinated through the district). In an effort that is separate from the SARB process, the GRIP team performs early intervention by making home visits to at-risk families. Often, a principal will call the GRIP team and request a home visit after noticing that a student is chronically late, or looks as if he or she is having problems. This type of collaboration by law enforcement, schools and community- and faith- based organizations allows for early intervention for children and families who need support to fix an attendance problem.

**Finding:** Sending a letter to parents at the outset of the school year on official district attorney letterhead can be an effective way of reminding them of the importance of regular attendance and their responsibility to ensure their children get to class every day.

Several district attorneys reported that they send a letter to parents on official letterhead to do any or all of the following:

- Inform parents/guardians that their child is truant;
- Inform parents/guardians of their legal requirement to send their child to school;
- Inform parents/guardians that if they do not send their child to school, they may be prosecuted by the district attorney; and,
- Inform parents/guardians of programs run by the district attorney or school district, as well as the availability of referrals for help to improve attendance.

At the beginning of each school year, the San Francisco District Attorney's office sends a truancy letter to the parents/guardians of every child in the public schools to remind them of their obligation to get their children to school. San Francisco Unified School District

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<sup>4</sup> Interview with Orange County District Attorney's Office, June 16, 2013. See also, March 29, 2013 press release, *OCDA and OC GRIP Kick Off Spring With 10th Annual Soccer Camp To Encourage Healthy And Positive Choices For Students*. Retrieved from [http://www.orangecountyda.com/home/index.asp?page=8&recordid=3457&returnurl=index.asp%3Fpage%3D8%26pagenumber%3D1%26pagesize%3D30000%26deptid%3D%26archive%3D0%26sl\\_month%3D12](http://www.orangecountyda.com/home/index.asp?page=8&recordid=3457&returnurl=index.asp%3Fpage%3D8%26pagenumber%3D1%26pagesize%3D30000%26deptid%3D%26archive%3D0%26sl_month%3D12).

reinforces this message in its parent-teacher manuals by including a letter from the district attorney's office that explains the truancy laws and requirements.<sup>5</sup>

**Finding:** Not all district attorneys participate in a SARB or mediation process. The voluntary participation by a district attorney's office in a SARB or mediation process is highly effective at reducing prosecutions for truancy and chronic absenteeism.

Many of the district attorneys' offices that were interviewed for this report participate in SARB meetings or truancy mediation programs – and this participation by a deputy district attorney or district attorney investigator helps to ensure that students return to the classroom.

Deputy district attorneys from Ventura County attend all SARB meetings and mediate between the parties.<sup>6</sup> Approximately 80% of the truancy team's duties involve attending SARB meetings, which occur on a regular basis and are designed to allow the deputy district attorney and other SARB members to uncover the roots of a student's truancy and make appropriate referrals – for public health services, parenting classes and, in the case of abuse, child protective services.<sup>7</sup>

Ventura County deputy district attorneys attended SARB meetings for over 2,300 students in 2012-13. Attendance records for 26 of the 28 participating SARB schools/districts showed a significant improvement within two months of a meeting. Prior to attending a SARB meeting, on average students missed 20% of the days they were enrolled. In the 60 days following a SARB meeting, those same students missed less than 12% of the days they were enrolled.<sup>8</sup> There was also a dramatic decrease in unexcused absences after participation in the SARB process.<sup>9</sup>

The Santa Barbara County and the Nevada County district attorneys' offices similarly focus on prevention through the participation of a deputy district attorney in pre-SARB and

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<sup>5</sup> Interview with San Francisco District Attorney's Office, May 24, 2013.

<sup>6</sup> Interview with the Ventura County District Attorney's Office, June 7, 2013.

<sup>7</sup> *Ibid.*

<sup>8</sup> information provided by the Ventura County DA's Office, July 25, 2013.

<sup>9</sup> *Ibid.*



SARB meetings.<sup>10</sup> The Nevada County District Attorney's office also meets monthly with each of the school districts in the county.<sup>11</sup>

And in Siskiyou County, a member of the district attorney's office sits on the SARB, which is tailored to address the unique needs of the community – comprised of a significant population of Native American students – by including tribal officers and tribal representatives as well as other law enforcement officials and health and human services representatives.<sup>12</sup>

Some counties that do not have a SARB process – like Monterey County – have developed robust mediation programs instead. The Monterey County District Attorney's office runs the Truancy Abatement Program (TAP), which is fully funded by the county's 25 school districts.<sup>13</sup> As part of TAP, a representative from the district attorney's office holds a formal meeting with the truant student, his or her parents/guardians and a school representative. The purpose of the meeting is to uncover the root issues underlying the truancy and provide referrals for social services. The parties enter into a mediation contract, which typically involves parenting classes. One month after the truancy meeting, a follow-up meeting is scheduled with the district attorney to review and evaluate the student's attendance. If attendance has improved, no further action is necessary; however, if attendance has not improved, the parents are issued a citation to appear in truancy court for violation of the truancy laws. The Monterey County District Attorney estimates that its program has an annual cost of \$89 per program participant.

Many school district officials in counties where the district attorney does not participate in the SARB process regretted this lack of participation. It is recommended that DAs participate in SARBs.<sup>14</sup>

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<sup>10</sup> Interview with Santa Barbara County District Attorney's Office June 21, 2013; Nevada County DA's Office response to Fight Crime Invest in Kids California Violence Prevention Survey, June 2013.

<sup>11</sup> Nevada County DA's Office response to Fight Crime Invest in Kids California Violence Prevention Survey, June 2013.

<sup>12</sup> Siskiyou County DA's Office response to Fight Crime Invest in Kids California Violence Prevention Survey, June 2013. Follow-up interview on July 31, 2013 and September 16, 2013.

<sup>13</sup> Interview with Monterey County DA's Office, July 3, 2013.

<sup>14</sup> For a complete list of recommendations, see Chapter 9.

**Finding:** Beyond SARB participation, close collaboration between school districts, law enforcement and the courts is necessary in a student's elementary school years to intervene early and address truancy and chronic absence.

In Los Angeles, the district attorney's office has created a program entitled Abolish Chronic Truancy or A.C.T., which focuses on elementary school truancy. A.C.T. places district attorney staff in elementary schools to work with administrators, teachers, parents and students to intervene at the very beginning of the truancy cycle. District attorney staff members inform parents that it is their legal responsibility to ensure their children attend school and that education is essential, and students and families are directed to school and community resources to overcome the source of the attendance problem.<sup>15</sup>

The Los Angeles District Attorney's office, among others, shares the view that intervention at the elementary level is critical because truant behavior is not as ingrained at this age as it may later become. The parents and guardians of the elementary school child still have control over the child's attendance and can, therefore, be held accountable. Later intervention, by contrast would allow the child to fall so far behind academically as a result of the truancy that getting the pupil back in school will be more difficult.<sup>16</sup>

While prosecution can result from A.C.T. intervention, the focus of the program is not to punish parents, but to get truant students back in the classroom.

**Chronically truant students who are referred to the A.C.T. Program in Los Angeles County are improving their school attendance by eight full days within one year of referral.<sup>17</sup>**

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<sup>15</sup> Interview with Los Angeles District Attorney's Office, May and September 2013.

<sup>16</sup> See Los Angeles District Attorney's Office website discussing its truancy program, retrieved from <http://da.co.la.ca.us/cr/act.htm#act>.

<sup>17</sup> RAND Corporation Justice, Infrastructure, and Environment Division, Los Angeles County Juvenile Justice Crime Prevention Act: Fiscal Year 2011-2012 Report, at 46 (2013) (available at [www.rand.org](http://www.rand.org)).

**Finding:** District attorneys who do prioritize truancy rely on the school district to provide them with timely and sufficient records and evidence to prosecute a truancy case.

Without an adequate record of a student's attendance or documentation of the district's efforts to meet with parents, including a copy of the mandatory truancy notification letters, district attorneys cannot prosecute a case.

District attorneys' offices also noted the need for consistency in how schools designate an absence as excused or unexcused. When attendance coordinators do not use a clear system, it is difficult for a district attorney's office to determine whether a student meets the legal criteria for habitual truancy (if prosecuting an infraction) or chronic truancy (if prosecuting a misdemeanor). This limits a district attorney's ability to assist families and get them back on the path to regular attendance.

Through close and regular contact, school districts and district attorneys can also avoid issues of timeliness in addressing truancy. School districts need to refer truancy cases to the district attorney's office in a timely manner in order to minimize the number of school days missed. Likewise, some district officials interviewed for this report noted that by the time the district attorney took a case, the student had already left school.

**Finding:** Some district attorneys set minimum age limits for the truancy cases they will accept from a SARB. This creates an impediment to intervening when a child is still young, the stage where intervention efforts can be particularly effective.

As discussed above, in many counties, district attorneys play an active role in SARBs and other truancy intervention programs. However, district officials interviewed for this report suggested that clarifying the district attorney's role in the SARB process would improve its effectiveness. In some counties, the district attorney does not accept SARB referrals for parents whose children are under the age of 11 or 14. Such policies fail to support truant elementary school children who might be in the best position to get back on a path to success with an early intervention.

It is critical that district attorneys play an active role in truancy prevention. Given the long-term negative effects of elementary school truancy, it is recommended that

prosecutors accept referrals for truancy prosecutions when an elementary school child is involved.<sup>18</sup>

### **A Child's Success Story After District Attorney Referral**

Caleb missed 24 full days of school and was tardy an additional 68 days during the fourth grade. After school district officials referred his case to the district attorney, Caleb received counseling from a non-profit community-based organization. From the date of his referral to the district attorney to the end of the school year, Caleb improved his unexcused absences by 82%. As a result of his improved attendance and participation in the classroom, Caleb scored very highly on academic tests and is now receiving instruction for gifted and talented students.

**Finding:** The courts play a vital role in reducing truancy and – through a dedicated judge who hears these cases on a regular basis – can ensure a measured legal response to truancy cases. The courts can also use their authority and discretion to increase pressure on parents/guardians to fulfill their legal obligations related to school attendance.

School district officials noted that – in serious cases that are brought to court – there is often not a dedicated truancy judge, which can prevent equal outcomes and equal treatment for families. If a court alternates judges in the truancy court on a weekly basis, then the judge may not fully understand the issues and obstacles facing the families of truant students. As a result, the penalties issued by the court can be inconsistent – a parent before Judge X gets a dismissal with a warning while a parent in similar circumstances who committed the same offense but appears before Judge Y gets fined \$250.

The Alameda County Parent Truancy Court is an example of a truancy program with a dedicated court that uses prosecution of Education Code section 48293 infraction cases as a tool to bring families to the table and find solutions to their attendance problems.<sup>19</sup>

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<sup>18</sup> For a complete list of recommendations, see Chapter 9.

The process typically begins when the Alameda County District Attorney's office reviews a truancy case referred by the school district and, if appropriate, files an infraction against the parent(s) of a truant student.<sup>20</sup> These truancy cases are heard weekly by a dedicated superior court judge. In Alameda County, after the parent pleads guilty to the infraction, the matter is stayed so that the court can monitor the case while the family is referred to any necessary services that will assist the family get the child back to school.

Alameda County also has developed partnerships with community and county organizations in order to identify and meet the needs of each family facing truancy issues.<sup>21</sup> Some examples include the Lincoln Child Center (LCC), which has counselors in the courtroom who are assigned upon entry of the guilty plea, to assist families with the obstacles they face in getting a child to school. For families dealing with an asthma-related issue, Asthma Start provides nurses from the Alameda County Health Department who create an asthma treatment plan for families. Similarly, Health Education and Attendance for Life can send a nurse to a family's home to evaluate a truant student's medical condition to ensure he or she obtains any health-related treatment needed to return to school. Parents are required to return to the Alameda County Parent Truancy Court for status hearings. If the student's attendance improves, the case will be dismissed at the end of the year.

In 2011-2012, the guardians of 55 students appeared in the Alameda County Parent Truancy Court.<sup>22</sup> Of those 55 families, 89% showed an improvement in attendance, while 21% showed a 100% increase in attendance.<sup>23</sup> To recognize children and parents who have turned around a truancy problem, the Alameda County District Attorney's Office secures grant funds to purchase backpacks filled with school supplies, which are given out at the court dismissal hearing at the end of the school year.

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<sup>19</sup> Interview with Alameda County District Attorney's Office, May 7, 2013 and June 14, 2013.

<sup>20</sup> If after prosecution of the infraction the matter is not resolved, the district attorney could potentially bring a Penal Code section 270.1 misdemeanor count, but in Alameda they have only brought that charge a few times.

<sup>21</sup> *Ibid.*

<sup>22</sup> [http://www.atschool.alcoda.org/truancy\\_referrals](http://www.atschool.alcoda.org/truancy_referrals).

<sup>23</sup> *Ibid.*



*Alameda County Parent Truancy Court*

Of the 25 Alameda County Truancy Court parents surveyed for this report, 100% described it as a beneficial experience either for them or their children. One boy's father had passed away, making regular attendance in second grade difficult for the family. After visiting the truancy court and being referred to counseling services, not only did the boy's attendance improve, but also his grades improved substantially. Many parents said they were grateful to the district attorney and the judge for "sticking by them" and working to help them get their children to school on a regular basis.

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***"I just would like to say that this program is very successful, and it does help the parents and children stay on task.***

***And I thank you very much."***

***– Mother of two 3rd graders***

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**Finding:** Successful district attorney truancy programs use prosecution only in the most severe cases of chronic truancy to identify and remove barriers to attendance, including mental and physical health challenges, substance abuse and housing and financial instability.

California law provides district attorneys with broad discretion whether to investigate, charge, and prosecute any type of case in his or her county.<sup>24</sup> As a public prosecutor, this discretionary power also includes the ability to seek alternative methods to resolve a matter—even in a situation in which a crime has been committed.<sup>25</sup> After prosecutorial proceedings have begun, district attorneys can pursue many options to achieve their goal of getting a child back into the classroom on a full-time basis.

Nearly all of the district attorneys surveyed for this report said they rarely prosecute violations of Penal Code section 270.1. On average, district attorneys reported prosecuting 3-6 Section 270.1 cases per year. This low number of prosecutions is due to the fact that early intervention strategies like assemblies, SART meetings and SARB hearings, and mediation programs are highly successful.<sup>26</sup>

There may be extreme cases in which every effort to get a child back to school has been exhausted that are appropriate for prosecution. For example, using Penal Code 270.1, the Kings County District Attorney's office prosecuted a mother whose two elementary school children had a combined 116 absences in a single school year. The mother had disregarded and failed to respond to 15-20 previous outreach efforts.<sup>27</sup> However, the district must engage in multiple intervention steps before a parent is prosecuted to provide extensive opportunities for families to correct attendance problems.

District attorney participation is key to any effective effort to reduce truancy. It is recommended that district attorneys reach out to families to ensure they understand their obligations related to school attendance and work closely with school districts to develop a coordinated response to truancy and chronic absence.

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<sup>24</sup> Government Code section 26500. A prosecutor ordinarily has sole discretion to determine whom to charge, what charges to file and pursue, and what punishment to seek. (*People v. Eubanks* (1996) 14 Cal.4th 580, 588.)

<sup>25</sup> District attorney's pre-charge discretion to investigate and decide whether to file charges includes discretion to determine that, despite evidence of a criminal violation, the matter may be sufficiently addressed without prosecution. (*People v. Parmar* (2001) 86 Cal.App. 4<sup>th</sup> 781, 807.)

<sup>26</sup> For a description of California truancy law, see Chapter 6.

<sup>27</sup> <http://www.educationnews.org/parenting/california-mother-sentenced-to-180-days-for-abetting-truancy/#sthash.mKcheaNe.dpuf> (visited July 16, 2013); <http://www.foxnews.com/us/2012/10/03/california-mom-jailed-for-kids-truancy/> (visited July 16, 2013).



## TRUANCY INTERVENTION STEPS

### FIRST & SECOND UNEXCUSED ABSENCES OR TARDIES

The **first two** times student is absent without an excuse or is tardy in excess of 30 minutes.

- School should **call student's home** and speak to guardian about the absence or tardy.

### THIRD UNEXCUSED ABSENCE OR TARDY

- The law requires that a **First Notification of Truancy** be (1) provided to guardian, and (2) **reported to the attendance supervisor** or superintendent.
- All additional truanancies must be **reported** to attendance personnel as well.

### THREE TO FIVE ABSENCES: SART

Through a *School Attendance Review Team (SART), Student Success Team (SST), or "pre-SARB" meeting*, districts may:

- Conduct a **home visit**;
- Hold a **meeting** with guardian;
- Determine the **cause** of the truancy;
- Connect families with needed **services**;
- Sign a **contract** with guardian committing to stick to an attendance plan.

### FOURTH UNEXCUSED ABSENCE OR TARDY

- The law requires a **Second Notification of Truancy** be provided to the district attendance supervisor or superintendent.
- Guardian notification is not required but is **recommended**.

### FIFTH UNEXCUSED ABSENCE OR TARDY

- A **Third Notification of Truancy** must be provided to the **attendance supervisor**.
- The district is required to make a **conscientious effort to meet with guardian**.

*If district complies with **all above steps**, the student is deemed a "**habitual truant**."*

### FIVE-PLUS UNEXCUSED ABSENCES: SARB

After the Third Notification of Truancy, a student may be referred to a **School Attendance Review Board (SARB)**, a multi-agency board that must include representatives from school districts, child welfare and attendance, and local health care personnel.

To identify and address barrier(s) to school attendance, a SARB should:

- Identify available community **resources** (e.g. mental health or social service agencies);
- Provide **referrals** for families to receive **services**;
- Ensure school has completed available **interventions** prior to SARB referral;
- Document **steps already taken** to identify students and refer to appropriate resources;
- **Follow up** on each case to ensure necessary services were received; and
- **Involve family** in developing solutions that work for the family.

Guardians must **comply** with SARB instructions and **commit** to improving attendance. If they fail to comply, they may be referred to the District Attorney.

## AFTER SARB INTERVENTION

### OPTION A

Attendance improves.

### OPTION B

- SARB may **refer** the guardian to the **District Attorney**.
- If the DA has **adequate record** of the **school district's compliance** with the above steps, DA may prosecute.

## **CHAPTER 9: RECOMMENDATIONS TO REDUCE TRUANCY & ABSENTEEISM IN CALIFORNIA**

By implementing a few key strategies, educators, community organizations, law enforcement and policymakers can make real and lasting improvements to elementary school attendance. We are at a critical turning point for public education in California. The new Local Control Funding Formula (LCFF) will provide opportunities for state and local stakeholders to restore funding and focus to programs designed to improve attendance. We must seize this moment to turn the tide on elementary school truancy and absenteeism in California and ensure that every child obtains the education guaranteed by our state constitution.

To leverage the momentum of these new funding opportunities, this chapter offers recommendations to dramatically reduce truancy and chronic absenteeism in our elementary schools. Many of these recommendations do not require a change in current law or additional resources. However, some changes will require state-level coordination and adjustments to implementation of policy. They fall into four categories of stakeholders: 1) schools, school districts, and county offices of education; 2) community-based organizations and foundations; 3) law enforcement and district attorneys; and, 4) policymakers.

### ***SCHOOLS, SCHOOL DISTRICTS, & COUNTY OFFICES OF EDUCATION***

- (1) Know who is absent and why by collecting individualized attendance records and using that information to inform real-time intervention strategies.<sup>1</sup>**

As described in Chapter 4, an integrated tracking system is necessary for schools and districts to identify and address truancy and chronic absenteeism. It is critical to understand a student's attendance in relationship to other personal, academic and behavioral factors. Actively reviewing and analyzing attendance records allows a district to spot trends – in an individual student's attendance over time, as well as within families and schools. Such record-keeping also makes it possible to spot attendance trends related to a

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<sup>1</sup> For a more complete analysis on records collection and intervention strategies see Chapters 4 and 7.

time period, demographics, a particular neighborhood or a health issue like asthma or a lice outbreak. Without this critical information, educators cannot easily identify and address the challenges that our most vulnerable and at-risk face in getting to school. In essence, the children most desperately in need of help can remain invisible.

A comprehensive tracking system allows schools and districts to target their limited resources more effectively by focusing on the source and scope of an attendance problem. It also allows a school or district to build a complete record of the child's attendance issues and the school's efforts to address them. This record is important to determine what form of intervention is most effective, and to identify the serious cases in which law enforcement and district attorneys should exercise their authority to address a student's attendance issue. Finally, a tracking system can yield vital information for researchers and policymakers to better assess the causes and effects of truancy and chronic absence, and refine our strategies to combat the problem. Establishing an effective system is not difficult – districts can turn to nonprofit resources like Attendance Works or private companies like School Innovations & Achievement, among others.

An effective system has the capacity to:

- (a) Track excused and unexcused absences for individual students;
- (b) Connect individual student attendance records to other personal, academic and behavioral records (*e.g.*, academic achievement merits, race/ethnicity, gender, English learner status, special needs status, free and reduced price lunch status, foster status, zip code and suspension and expulsion information);
- (c) Track interventions for individual students (*e.g.*, notification of truancy letters, truancy meetings, home visits, SART and SARB referrals, district attorney referrals, etc.), and compare a student's attendance before and after the intervention; and,
- (d) Record and track the above information for individual students over time, even after they change schools.

For example, a school or district should be able to identify that a fourth grader was chronically absent in the first and second grades, and that the student's attendance improved in third grade after being referred to the SARB – even if the student transferred to a different school or district. It should also be possible to track that student's academic achievement over time.

Equally as important as the capabilities of a tracking system is how a school or district uses the information that it collects. To have an impact, an effective tracking system must be updated in real-time. Schools and districts need to monitor the records on a daily, weekly and monthly basis to identify at-risk students and promptly address any emerging problems leading to absenteeism (for example, a lice outbreak or an uptick in violence in a particular neighborhood). Some districts choose to build their own systems to monitor the results, while others contract with private companies to provide those services.

**(2) With the first unexcused absence, intervene with the family by sending letters, making phone calls and conducting home visits.**

As noted above, a good record-keeping system is merely a means to an end. The information collected and monitored by schools and districts should be used to establish new connections with students and families who are in need of services or support to improve attendance. This communication should start with the student's first unexcused absence. We recommend early, personal and persistent interaction with families to prevent a child's early attendance issues from becoming a full-blown crisis.

Research indicates that, not only is there not intervention at the first absence, not all school districts are even complying with state truancy notification laws – which begin with the third unexcused absence or tardy. These notices are required because they are effective at reducing trancies. Moreover, truancy is an early warning that students may face more severe attendance issues, and may have many additional excused absences on

top of their unexcused absences.<sup>2</sup> *It is essential to consistently and promptly comply with these legally-mandated truancy notification requirements.*

But schools, districts, and counties should go beyond the legal requirements to reach out to families early and often to address a child's attendance problem. Best practices include monitoring and responding every time a child misses school and focusing on prevention and early intervention like letters, calls, and home visits before making referrals to more costly intervention strategies.

Chapter 7 includes several best practices for engagement with families.

**(3) Formally collaborate with local agencies and organizations to engage hard-to-reach students and families.**

Effective attendance strategies do not rely solely on the resources of an individual school or district. By establishing partnerships with other public agencies and community- and faith-based organizations, schools and districts can better address the root causes of truancy and connect families with the resources they need to solve the underlying problem. In particular, the following strategies are recommended:

- (a) Offer wrap-around services to families in a setting that maximizes their ability to take advantage of those services. For example, many districts offer counseling and healthcare services on-site to give families the benefit of “one-stop shopping.” When possible, some districts even provide mobile, at-home services.
- (b) Leverage available resources to provide low-cost, high-quality services. Schools cannot solve the problem of truancy and chronic absence alone and must depend on the resources and expertise of outside agencies to ensure that families receive the appropriate services at no- or low-cost. For example, as Chapter 7 noted, some districts have connected with graduate schools to find social work and psychology interns who offer counseling at reduced or no

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<sup>2</sup> Estimates from School Innovations & Achievement suggest that 95% of elementary school students who are chronically absent are also truant. Therefore, truancy can be used as an early warning that intervention is needed before a student's attendance issues worsen.



- cost at the school site. These interns can provide much-needed counseling to families while fulfilling their necessary clinical hours in a meaningful setting.
- (c) Consider establishing formal inter-agency agreements to allow for information-sharing about at-risk children and break down walls between government entities. For example, in Baltimore, the foster care agency has access to attendance records and information on the child's Emergency Notification card for students coming into the system. The agency attempts to place the child with people he/she knows and to help ensure the child can stay in the same school.<sup>3</sup> In addition, the city uses attendance information to trigger school nurse screenings for various health conditions in chronically absent children.<sup>4</sup> Similarly, in San Diego County, the county's 42 school districts and various county agencies (including the Department of Probation, Juvenile Court, the Health and Human Services, Child Welfare agency, and others) share information such as grades, attendance, last school attended, immunization records, and the like. This information is shared via a secure web-based database called the Foster Youth Student Information System (FY-SIS). With a formal inter-agency agreement, this seamless transfer of information protects children's privacy and ensures that districts and county agencies can work together to keep foster care children from falling through the cracks.

Formal, ongoing partnerships with other public agencies and community- and faith-based organizations can help families address the underlying factors contributing to truancy.

Creating and maintaining an active local School Attendance Review Board (SARB) is a particularly effective way to develop and maintain formal, institutional collaboration and to maximize scarce resources. An effective SARB functions as the formal nexus between schools, county services and law enforcement, providing an opportunity for stakeholders to

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<sup>3</sup> <http://www.attendanceworks.org/what-works/baltimore/data-sharing-with-child-welfare-system/>. For a detailed examination of Baltimore's truancy program see <http://www.baltimorecityschools.org/attendance>.

<sup>4</sup> <http://www.attendanceworks.org/wordpress/wp-content/uploads/2013/06/Attendance-Best-Practices-Brochure.pdf>.

collaborate and develop a personalized approach to preventing truancy and chronic absence. Other successful formal programs include robust mediation programs designed to uncover the root issues underlying the truancy and to provide referrals for social services.

A SARB or other formal attendance program should include these essential functions:<sup>5</sup>

- Provide broad and effective collaboration with the SARB representatives from the groups identified in California Education Code section 48321 who can combine their expertise and resources on behalf of the students referred to them. County SARBs should work with and encourage collaboration among the local SARBs and agencies in the county.

**COMPOSITION OF COUNTY SARB\***



\*Education Code Section 48321(a)(2)

- Identify a broad base of community resources, such as mental health or social service agencies, to provide applicable referrals for families and students. County SARBs should encourage local SARBs to maintain a continuing and expanding inventory of resources and coordinate and improve county-level services.

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<sup>5</sup> Derived from the State of California Model SARB Recognition Program 2012-2013, Instructions & Application. <http://www.cde.ca.gov/ls/ai/sb/modelrecognition.asp>. Additional components of Model SARBs are available on that site.



- Identify attendance or suspension patterns (including disparities among certain populations within a community) that could be addressed with prevention strategies or interventions prior to a SARB meeting, and ensure that any interventions are carried out at the school level prior to the SARB referral.
- Ensure the schools or districts provide sufficient documentation of the case that includes the steps already taken to ensure that students who need referrals are identified and referred to the appropriate resources.
- Ensure that SARB leadership follows up on individual cases to make sure families actually received the necessary services.
- Ensure that the tone of the SARB process is positive – rather than punitive or remedial – so that students and families feel welcomed and comfortable with the process.
- Provide the students and families with the opportunity to discuss the case during the SARB conference, and ensure that the family is involved in developing solutions that incorporate the strengths of the family and the assets of the student.
- Comprehensively report SARB records on an annual basis to assist in identifying the scope of the truancy problem and the effectiveness of intervention programs.

**(4) Design and implement a program to communicate that school attendance is important, and it's the law.**

Many families do not prioritize attendance because they may not appreciate the high marginal value of every school day, the dangers elementary school truancy and absenteeism create for their child's long term success and opportunities, and that school attendance is legally required under California's Compulsory Education Law. So simple, effective communication of these basic messages can often address, or prevent, attendance problems. Schools and districts should also communicate to at-risk students and families that every student is valued and wanted in school, from the first day of kindergarten to the last day of high school. Below are several recommended ways to communicate these messages to families and help them build a culture of attendance:

- (a) Parenting classes about the importance of regular school attendance and outreach so that parents know how to meet their obligations and understand the policies on excused and unexcused absences;
- (b) Mentorship programs for young students;
- (c) Public awareness campaigns about the importance of regular attendance; and
- (d) Incentives and rewards for improved attendance

**(5) Prioritize attendance under the new Local Control Funding Formula.**

The Local Control Funding Formula (LCFF) – a change in California law that provides a new system for funding public schools in the state – offers several opportunities for schools and districts to create new programs or enhance existing ones to improve elementary school attendance. In addition to using the restored funding to reinstate attendance programs or personnel that were eliminated, schools and districts should consider the following:

- (a) Use LCFF supplemental and concentration funds for attendance-related efforts. A focus on improving attendance has a well-documented and substantial benefit for at-risk children, such as English learners, foster children and low-income students (those who receive free and reduced price

lunch). It is important to focus resources to help students who are most at-risk and impacted by truancy and chronic absenteeism.

- (b) Include best practices for reducing truancy and chronic absenteeism in Local Control Accountability Plans (LCAPs). These plans should include strategies for tracking and reducing both excused and unexcused absences for all sub-groups, including by gender, and should use multiple measures of attendance to trigger interventions (*i.e.*, truancy, habitual truancy, chronic truancy and chronic absenteeism).

**(6) Critically assess any school policies that remove students from the classroom.**

Schools and districts should closely examine any policies with an adverse effect on attendance. For example, truancy should not be a basis for suspending a child, as the result is counterproductive. More broadly, school discipline policies should, where possible, keep a child in the classroom or, if necessary, in an alternative learning environment.<sup>6</sup>

For a complete list of best practices, see Chapter 7.

**LAW ENFORCEMENT & DISTRICT ATTORNEYS**

**(1) District attorneys (DAs) should participate on local SARBs or other formal attendance collaborations.**

Law enforcement and district attorneys should not wait to get involved until a child's truancy is severe enough to warrant prosecution. Instead, they should establish relationships with school districts and families to encourage attendance and avoid the need for later prosecution. Early intervention by law enforcement should be supportive and educational. To that end, representatives from the district attorney's office should actively participate in truancy assemblies, in early truancy mediation programs and on local SARBs.

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<sup>6</sup> NSBA, 2013. Retrieved from <http://www.nsba.org/Board-Leadership/Surveys/Out-of-School-Suspension-Policy-Guide/Out-of-School-Suspension-Report.pdf>.

Done effectively, this involvement can save significant resources by avoiding the need for greater intervention measures, like prosecution. Successful early interventions are rooted in relationships with school districts as well as with community and faith-based organizations, which offer needed services as well as an additional level of comfort for the families.

- (2) After school and county officials have done all of the required intervention and outreach, prosecution may be appropriate in the most severe cases of chronic truancy.**

Truancy is against the law in California, and there must be appropriate consequences and accountability for breaking the law. When all previous intervention steps have failed despite the school and district's best efforts, prosecution of the most severe cases of truancy can provide an effective forum in which to identify and remove barriers to attendance, including mental and physical health challenges, substance abuse, and housing and financial instability. In all cases, district attorneys and law enforcement should maintain a focus on finding and addressing the root causes of truancy and getting children back to school.

- (3) Accept prosecution referrals for parents of chronically truant elementary school children.**

Prosecutors' offices vary as to whether they accept truancy prosecution referrals at all or limit referrals to older students. Given the long-term negative effects of elementary school truancy, prosecutors should accept referrals for truancy prosecutions of parents when an elementary school child is involved. The goal is to convene families to develop solutions to the underlying problem so that children can stay in school and on track from kindergarten through high school.

- (4) Identify best practices in prosecution.**

The state's prosecutors, working with the Attorney General, should develop and adopt best practices to ensure consistency and effectiveness in addressing truancy. These practices should include early intervention to address attendance issues so that the bulk of

cases can be screened and resolved quickly, leaving only a small number of cases to be prosecuted.

***ADVOCATES, COMMUNITY- AND FAITH- BASED ORGANIZATIONS, FOUNDATIONS AND PRIVATE SECTOR PARTNERS***

**(1) Organizations that provide family-support services should add school attendance campaigns to their existing programs.**

Mental and physical health problems in students and parents, housing and/or financial instability, parental substance abuse, and other family crises all are significant drivers of student absence in elementary schools. Those organizations that provide services to address any of these key factors underlying truancy should incorporate school attendance-improvement messages and strategies into their existing programs that work with families. Examples include parenting classes and parent engagement programs; child welfare and early learning programs; mentorship programs; education policy reform efforts; after-school programs; and grant programs for at-risk children and families.

**(2) Funders should finance new programs to improve attendance.**

For entities with funding resources, establish sources for public, private and nonprofit attendance-improvement projects. This will help prioritize getting young children to school daily and on time.

**(3) Private-sector partners should contribute to incentive programs.**

Private-sector partners should collaborate with schools to offer incentive programs to encourage and reward improved attendance (e.g., donate prizes to be awarded to students and families).

## **POLICYMAKERS**

**(1) Use the new Local Control Funding Formula to ensure accountability for attendance.**

Attendance-related measures – including measures of truancy, habitual truancy, chronic truancy and chronic absence – should be key components of the templates for LCAPs under the new LCFF. This will ensure that districts and schools have incentives to dedicate sufficient resources and time to improving attendance.

**(2) Modernize the state’s student records system.**

California is one of only four states in the nation that fails to collect individual student attendance records on a statewide basis.<sup>7</sup> The lack of statewide evidence on this important issue hampers our ability to assess the scope of the problem, and to understand how it affects students. It prevents us from identifying key turning points between minor and more severe consequences of truancy and chronic absence, and most importantly, from developing solutions. To foster greater transparency and accountability across the state, California should ensure that student attendance records are included in CALPADS. Maintaining student-level attendance records on excused and unexcused absences on a statewide basis will allow accurate measures of a first truancy offense, habitual and chronic truancy and chronic absence, along with their varying effects – including the connection between attending and dropping out of high school. Such records should be maintained for the same student over time to allow for research on the effects of truancy and absenteeism throughout a student’s academic career.

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<sup>7</sup> Chang, Leong, Fothergill, & Dizon Ross (2013) *How States Can Advance Achievement by Reducing Chronic Absence*, Attendance Works, Policy Paper. <http://www.attendanceworks.org/policy-advocacy/state/state-policy-brief-the-attendance-imperative/>. The others are Colorado, New York and Illinois.

**(3) Require more comprehensive reporting of SARB activities.**

SARBs can be an effective forum to address truancy by offering parents/guardians the comprehensive services they need, while holding families accountable for their child's attendance. However, the legally-mandated reporting requirements of a SARB's activities are minimal, and there is no mechanism for ensuring compliance with the law. Counties are not required to, and generally do not, pass along reports of SARB activities to the state. This minimal reporting requirement and lack of enforcement makes it difficult to track SARB activities, SARB-related records and best practices.

California lawmakers should create a mechanism for ensuring that information about how SARBs operate and their effectiveness are reported to the state and publicly available. Only this way will we all benefit from effective local SARBs and be in a position to offer recommendations to improve less effective practices.

**(4) Include attendance rates in a school's Academic Performance Index (API) score.**

Although state law supports the inclusion of attendance rates in API scores,<sup>8</sup> such information has not yet been added. Policymakers should consider making school truancy and absence rates a factor in the school's API score. A school's score on the API indicates the school's overall performance level and including truancy and absence rates as part of that score will provide a major incentive for localities to prioritize attendance.

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<sup>8</sup> Education Code section 52052, subd. (a)(4)(A).



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There are countless worthwhile education policy debates taking place at dinner tables, in schoolhouses, in district and county education board meetings, at rallies and in statehouses across the country. Yet any effort to improve the quality of our nation’s public schools will be ineffective if students are not present to receive that education.

California’s truancy and absenteeism crisis is a call to action for us to do more to ensure all of our state’s children attend school on time, every day, in compliance with state law and priorities. The Attorney General’s office looks forward to working with stakeholders across the state to reduce truancy and absenteeism in every elementary school in California. Our economy and public safety – and the future of every public school student in the state – depend on what we do today.

***“Achievement begins with attendance. Improved test scores and increased graduation results all begin when students are in class, on task and ready to learn. By improving our student attendance rates we have seen many by-products such as: happy and socially confident children, increased self-esteem, a decrease in discipline incidents and increased ADA revenue.”***  
***– Livermore Unified School District official***

## APPENDIX A: GLOSSARY

**Attendance Officers (Attendance Clerks)**: The board of education of each school district or county is required to appoint a supervisor of attendance, as well as an assistant supervisor of attendance, as necessary to supervise the attendance of students in that district or county. California Education Code section 48240 provides that the duties of the attendance officers will include duties related to compulsory full-time education, truancy, work-permits, compulsory continuing education, and opportunity schools, classes, and programs.

**Analysis of Covariance (ANCOVA)**: ANCOVA is a statistical linear model that tests whether averages of a dependent variable vary across different levels of an independent variable. A covariate is included in the analysis in order to control for any variables that are not of primary importance.

**Academic Performance Index (API)**: In California, API is a single number, ranging from a low of 200 to a high of 1000, used to measure school performance based on the results of statewide testing (California Standardized Test scores). The state has set a score of 800 as its target score for all schools. Any schools whose score falls below 800 are not performing at a level that the state considers acceptable.

**Average Daily Attendance (ADA)**: ADA is the number of days a student attends school, divided by the total number of days of instruction. For example, if a student attends school every day of the school year their ADA would be 1. If a student attends only half of the school days in a school year, their ADA would be 0.5. In California, ADA is used to determine a school district's general purpose funding.<sup>1</sup>

**CALPADS**: California's student-level information system, which allows the state to track students and their academic achievement over time. CALPADS collects records on statewide assessments, enrollment and other demographic information required by federal No Child Left Behind Legislation (NCLB).

**California Basic Educational Data System (CBEDS)**: The purpose of CBEDS is to collect information on schools, students, teachers and school staff in California public schools (K-

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<sup>1</sup> <http://www.edsource.org/1077.html>.

12). CBEDS is used by the California Department of Education (CDE) to collect information from schools each fall on school enrollment, graduates, dropouts, vocational education, alternative education, adult education, course enrollment, classified staff, certificated staff, technology, teacher shortage, and demand (<http://www.cde.ca.gov/ds/dc/cb/>).

**California Department of Education (CDE):** The CDE is a department within the State government created by statute which oversees California’s education system. The State Superintendent of Public Instruction leads the CDE.

**California State Board of Education (SBE):** The SBE is the K-12 policy-determining body for the State of California. The State Superintendent of Public Instruction, who heads the CDE, also serves as SBE’s executive officer and secretary. The SBE has 11 members, all of whom are appointed by the Governor and serve four-year, staggered terms, with the exception of the student member, who serves a one-year term. The SBE sets K-12 education policy in the areas of standards, curriculum, instructional materials, assessment, and accountability. The SBE also adopts regulations (Title 5) to implement a wide variety of programs created by the Legislature, such as charter schools and special education. In addition, the SBE has the authority to grant local education agency requests for waivers of certain provisions of the state Education Code.

**California Standards Test (CST):** CSTs are part of California’s Standardized Testing and Reporting (STAR) system. CSTs, taken in grades 2-11, are based on the state’s content standards. Students are tested in English Language Arts and mathematics in grades 2-11, in history/social science in grades 8, 10 and 11, in science in grades 5, 8, 10.

**Chronic Absence:** Chronic absence is defined as missing 10% or more of the school year for any reason, excused or unexcused. In California, 10% of the school year equals about 18 days of missed school, or two days a month based upon the typical 180 day school year. Chronic absence is distinct from truancy because truancy concerns only *unexcused* absences and tardiness.

**Chronic Truant:**<sup>2</sup> A student is deemed a chronic truant if they are absent from school without a valid excuse for 10% or more of the school days, calculated from the date of

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<sup>2</sup> California Education Code section 48263.6.

enrollment to the current date, provided that the appropriate school district officer or employee has complied with sections 48260, 48260.5, 48261, 48262, 48263, and 48291 of the Education Code.

**County Office of Education (COE):** All 58 counties in California have a county office of education. Most COEs oversee multiple school districts. The COE is responsible for the oversight of district finances; many provide certain centralized services to school districts. COEs also run special schools and education programs.

**DataQuest:** The State of California’s online, public, searchable database maintained by the California Department of Education which contains data collected about California schools and districts. (<http://data1.cde.ca.gov/dataquest/>)

**Early Childhood Longitudinal (ECLS) Program:** ECLS data, collected by the National Center for Education Statistics (NCES), provides a national and publicly available dataset on a sample of children from birth to eighth grade. This widely-used and extensive dataset provides information on a large sample of students over time, and allows researchers to examine the relationships among a wide range of family, school, community, and individual variables as well as variables related to a child's development, their early learning, and school performance.

**Habitual Truant:**<sup>3</sup> After the third report of truancy, a student may be deemed a “habitual truant” if the school and/or district has properly reported the first and second truancy as required under Education Code sections 48260 and 48261 and made a conscientious effort to communicate with the parent at least once.

**Local Control Accountability Plan (LCAP):** Each district is required to create their own LCAP to outline how they will allocate base, supplemental and concentration funds under the new Local Control Funding Formula (LCFF) based on the state’s eight priorities. The State Board of Education is expected to release a template for the Local Control Accountability Plans (LCAP) in March 2014. Local districts and county offices of education will need to adopt an LCAP by July 2014. They are required to update their plans annually.

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<sup>3</sup> California Education Code section 48262.

**Local Control Funding Formula (LCFF):** LCFF is the new formula for funding California schools adopted by the Governor and Legislature in 2013. LCFF gives every school district a base funding amount according to the number of students in the district. Additional funds are allocated to districts based on the number of economically disadvantaged students, number of English Language learners, and number of foster youth. Schools where more than 55 percent of the students are English learners, economically disadvantaged, or foster youth qualify for additional “concentration” funds. The new funding formula also gives school district more control over how the funds are spent.

**School Attendance Review Board (SARB):** SARBs are used by many districts and counties to collaboratively address attendance issues. SARBs can be formed at the school district or county level, though neither counties nor districts are required to form or utilize a SARB. SARBs were established by the state legislature to bring together the school district, law enforcement, public agencies and other key stakeholders to develop methods for combating truancy and absenteeism. The relationships built through SARBs help agencies and schools identify and implement personalized intervention strategies for at-risk students and their families. For more information on SARBs, see <http://www.cde.ca.gov/ls/ai/sb/>

**School Attendance Review Team (SART):** A SART is a team formed at the school site (rather than the district level) that generally includes the parent and the student, the principal, the teacher and the SARB Chairperson. The goal of this team is to identify ways to improve the students' attendance and/or behavior without having to engage the district-level SARB or, later, law enforcement.

**Student Success Team (SST):** As a school-based team, the student, parent, teacher, and school administrator identify the strengths of students as well as assets that can be improved upon to insure student success. SSTs are sometimes used to address attendance issues, similar to a SART.

**State School Attendance Review Board (SARB):** The State SARB, established under Education Code Section 48325, oversees and assists the county and local SARBs across California. Its purpose is statewide policy coordination and personnel training to divert students with serious attendance and behavior problems from the juvenile justice system and to reduce the number of dropouts in the state public education system. The

State SARB makes annual recommendations to the State Superintendent of Public Instruction (SSPI) regarding the needs of high-risk youth.

(<http://www.cde.ca.gov/ls/ai/sb/sarbmembers.asp>)

**State Superintendent of Public Instruction (SSPI):** The State Superintendent of Public Instruction (SSPI) is a state official elected by the people on a nonpartisan ballot for a four-year term. The Superintendent of Public Instruction is responsible for the well-being of all of the schools in the state, serves as the executive officer and secretary of the SBE, and is responsible for preparing an annual estimate of the amount of education funding that will be apportioned to each county.

**Student-level attendance records:** Attendance records tracked by individual students.

**Tardy:** The term tardy is not specifically defined in the California Education Code, but Education Code section 48260 subdivision (a) renders a student tardy if they are absent without an excuse for more than a 30-minute period.

**Truancy:** Truancy generally refers to a student's accumulation of unexcused absences and/or tardies during the school year. In California, a student who is tardy or absent from school for more than a 30-minute period during the school day without a valid excuse on three occasions within the same school year is deemed a truant. (See Education Code section 48260.) Different states define truancy differently. For example, South Carolina defines a truant as a child, at least 6 but not yet 17 years old, who has accumulated three consecutive unlawful absences or a total of five unlawful absences. However, Mississippi defines a truant as a student that has accumulated five (5) or more unlawful absences in a school year, excluding suspension and expulsion days.

**(First) Truancy Notification letter (T1):** The first notification of truancy, commonly called a T1 letter, is a notice that is legally mandated by California law sent by the school district which notifies a student's parent or guardian of the student's first truancy. The notification must include the following information:

(a) That the pupil is truant; (b) That the parent or guardian is obligated to compel the attendance of the pupil at school; (c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6

(commencing with Section 48290) of Chapter 2 of Part 27; (d) That alternative educational programs are available in the district; (e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy; (f) That the pupil may be subject to prosecution under Section 48264; (g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the Vehicle Code; and (h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day..

**(Second) Truancy Notification Letter (T2):** If a student who has once been reported as a truant is again absent or tardy in excess of 30 minutes from school without a valid excuse one or more days after the first report of truancy, the school district must report the student as a truant to the attendance supervisor or the superintendent of the school district.

Although not legally required to send a letter to the family of a truant student, many districts send a second notification of truancy letter (T2) to inform parents that their child continues to have an attendance problem. Education Code section 48261 requires that all truanancies after the first notice of truancy must be reported to the attendance supervisor or superintendent of schools.

**(Third) Truancy Notification Letter (T3):** Upon the fifth unexcused absence or tardy in excess of 30 minutes, parents must be notified of the truancy, which is usually accomplished by sending out what is commonly called by school districts a T3 letter. Additionally, once a student is reported as truant three or more times in a school year, a school district officer or employee must make a “conscientious effort” to hold at least one meeting with the student’s parent or guardian and the student. The requirement that the school district make a conscientious effort means “attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible.”



## APPENDIX B: RESEARCH METHODOLOGY

On May 1, 2013, Attorney General Kamala D. Harris sent a letter<sup>4</sup> to every school district in California outlining California's truancy mandates. The letter also invited districts to contact our office with information about their efforts to reduce truancy. Approximately two dozen districts contacted our office to discuss their anti-truancy efforts. Our office reached out to and received information from approximately three dozen additional districts, in order to ensure a representative sample of school districts from across California – large and small, rural and urban with diverse student populations.

In addition, we reached out to district attorneys from across the state who have been engaged in anti-truancy work. We also contacted representatives from community- and faith-based organizations, non-profits and for-profit companies and public agencies all engaged in truancy prevention work.

### Interview Methodology

We conducted over 60 interviews for the report, logging hundreds of hours of in-depth discussion with our partners in education, law enforcement and with a range of service providers.

For this report, we interviewed approximately:

- 36 school district leaders
- 11 representatives from county offices of education
- 12 district attorneys
- 5 representatives from government agencies, and
- 5 non-profit community partners

The first round of interviews was conducted with school district leaders who responded to the Attorney General's May 1, 2013 letter. Subsequent interviews were conducted with school districts and district attorneys, and county offices of education either because they

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<sup>4</sup> [http://oag.ca.gov/sites/all/files/agweb/pdfs/advisory\\_panels/truancy\\_mandates\\_school\\_letter.pdf](http://oag.ca.gov/sites/all/files/agweb/pdfs/advisory_panels/truancy_mandates_school_letter.pdf).

have been recognized for their exemplary work to address attendance issues in their district or jurisdiction, or because they were located in a California county that were not yet represented by our surveys and interviews. Most of the interviews took place by phone and lasted approximately an hour. A few in-person interviews were also conducted.

### **Survey Methodology**

We drafted and conducted five distinct surveys with five distinct audiences to gather information about prevention and intervention strategies for truancy and chronic absence, and to better understand the impact of attendance issues on student outcomes. Because these surveys were voluntary, one would expect respondents to be more advanced than average in terms of their attendance intervention strategies.

California District Attorney’s Association Survey. Our partners at Fight Crime: Invest in Kids invited district attorneys at the CDAA Summer Conference in June 2013 to respond to paper copies of a five-question survey we created. Nine district attorneys responded to our voluntary “Violence Prevention Survey.”

Youth Adult Awareness Program (YAAP) Participant Survey. We conducted a survey of inmates at Avenal State Prison who participate in the YAAP program to gather information on the experience of incarcerated adults with truancy and any suggestions they have for strengthening truancy prevention efforts. 27 YAAP participants responded to our 10-question paper survey that was distributed on our behalf by the program facilitator.

Truancy Court Parent Survey. In order to better understand the experience of parents who have gone through truancy court, we conducted a short survey of parents from the Alameda County Truancy Court. 24 parents responded to our eight-question paper survey. The survey was distributed to parents at the truancy court “graduation,” the day when the court met with all of the parents who had successfully completed the Alameda County truancy court program.

California School District Leadership Survey. Our largest survey was conducted among school district leaders in California. 50 school district leaders responded to our extensive survey about their district’s processes for tracking attendance and their prevention and intervention strategies. Our survey was circulated electronically to all districts who

responded to the Attorney General’s May 1, 2013 letter. We called and emailed additional school districts to invite them to participate in our survey to ensure that a representative sample of districts responded. Table 1 demonstrates the representativeness of the sample. We also asked county offices of education to distribute the survey to districts in their county.

**Table 1: Demographics of students represented by California School District Leadership survey respondents (data compared to state demographics)**

<b>Student Characteristics</b>	<b>Percent of Student Population</b>	
	Survey Data	Statewide Data
<b>Latino</b>	52.68%	52.71%
<b>White</b>	31.04%	25.52%
<b>Asian</b>	4.28%	8.62%
<b>African-American</b>	5.56%	6.34%
<b>Multiracial</b>	2.87%	2.41%
<b>FRPL Participation</b>	66.35%	57.50%
<b>English Language Learners</b>	22.29%	21.67%
<b>Truancy Rate</b>	21.80%	28.50%

*\*Percentages have been rounded off*

Joint County Survey. To obtain further information about State Attendance Review Boards (SARBs) and other attendance-improvement programs, Attorney General Kamala D. Harris and State Superintendent Tom Torlakson sent a joint letter to all county offices of education inviting them to complete a survey regarding SARB and other attendance programs developed in their counties. As of September 18, 2013, 22 counties had responded to the survey. In addition, the Attorney General requested that each of the 58 counties in California send us copies of the SARB reports, if any, submitted to them by their respective districts for the last three school years. All 58 counties responded and either provided our

office with SARB records or a confirmation that there were either no SARBs in their jurisdictions for the requested time period and/or that they did not have the requested SARB records.

### **Quantitative Analysis of Truancy and Chronic Absence**

In order to get a better understanding of truancy in the State of California and the differences between students with excessive absences and students with no absences, we conducted quantitative analyses using two distinct datasets: 1) data from a subsample of school districts in California using CBEDS data ([link to glossary](#)); and 2) data from ECLS ([link to glossary](#)).

California school district subsample. Data were collected from a sample of 549 California public elementary schools, representing 36 California public school districts. These data included the variables District Free or Reduced Lunch Status, Proportion of Students Classified as an English Language Learner, Truancy, Truancy Rate, Suspensions, Suspension Rate, Expulsions, Expulsion Rate, and the Academic Performance Index (API) of each school. Table 2 demonstrates the representativeness of our subsample of “target” California school districts.

**Table 2: Demographic characteristics of California Subsample**

- 549 public elementary schools
- 36 public school districts
- Representative sample (data compared to state demographics)

Student Characteristics	Percent of Student Population	
	Quantitative Sample	Statewide Data
<b>Latino</b>	55%	53%
<b>White</b>	26%	26%
<b>Asian</b>	7%	9%
<b>African-American</b>	5%	6%
<b>Multiracial</b>	3%	2%
<b>Free &amp; Reduced Price Lunch Participation</b>	58%	58%
<b>English Language Learners</b>	24%	22%
<b>Truancy Rate</b>	26%	29%

*\*Percentages have been rounded off*

In order to evaluate the relationship between API and truancy, a Pearson-*r* correlation was conducted to determine the magnitude of this relationship. Due to the negative effect of poverty on academic achievement (Lacour & Tissington, 2011), Free and Reduced Lunch Status was included in the analysis as a control variable to determine whether poverty mediated any effects of truancy on API in the sample. Furthermore, an Analysis of Covariance (ANCOVA) was also conducted to determine whether a difference exists within API scores based upon school level truancy rates. Similar to the Pearson-*r* correlation previously conducted, Free and Reduced Lunch Status was included as a covariate in the analysis.

ECLS. A nation-wide data set (N = 6,981) was used for further analysis of truancy and chronic absence (Tourangeau, Nord, Le, Sorongon, & Najarian, 2009). Analysis of this data

set explored the relationship between attendance and test scores. Analysis of the ECLS data set was limited to only 8<sup>th</sup> grade truancy and academics.

A Pearson-*r* correlation was conducted to determine the magnitude of the relationship between truancy and math and reading tests. Again, poverty level was included as a controlling variable within the correlation. Due to the inclusion of student-level absence data to the ECLS data set, it was possible to determine whether students with excessive absences had lower math and reading test scores than students with no absences. To evaluate this question, a Multiple Analysis of Covariance (MANCOVA) was conducted to determine whether differences exist between students with excessive absences and students with no absences after including poverty as a covariate.

### **School District Revenue Calculations**

To explore the revenues school districts forgo due to student absences, we examined enrollment, ADA and revenue limit data for the 2010-2011 school year publicly available in the PPIC School Finance Model.<sup>5</sup> The PPIC School Finance Model includes data on school district demographics and revenues for all 1,663 local education agencies in California. However, we focused solely on the 962 public school districts in California for this report, excluding charter schools and county offices of education from our analysis. For our calculations we subtracted ADA from enrollment for each school district, and then multiplied that figure by each district's base revenue limit amount in order to estimate a total loss of general purpose funds by district. For Basic Aid districts, which do not lose state dollars due to absences, we included a zero for their total loss amount. The figures on the total losses were divided by the total enrollment in each district to determine the per pupil losses by district. Data by districts was also collapsed by county in order to show the same figures for all 58 counties in California.

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<sup>5</sup> PPIC School Finance Model, 2013.

## **School Innovations & Achievement (SI & A) Records**

School Innovations & Achievement is a for-profit company that contracts with school districts to provide support for their attendance efforts under a program called “Attention 2 Achievement” or A2A. According to information provided by SI & A, the company tracked 458,999 California elementary students in their database in the 2012-2013 school year. These students represent all of their clients for the past six years and 7.6% of the 3,318,758 elementary (k-6) students reported on the CDE website for 2012-2013.

The percentages provided to us by A2A represent students who were first year A2A districts. First year A2A students were used as the population of interest, rather than all elementary school students in the sample, because they have only been in a school with the A2A intervention for a year, and therefore, according to A2A, are more representative of students across the state. 122,297 elementary school students used A2A for the first time in 2012-2013 or 3% of the total California elementary school population (grades K-6). The percentages generated from this sample population are used to project attendance figures for the total population of California elementary school students.



**Table 3: Demographic characteristics of California Subsample**

- 302 public elementary schools
- 18 public school districts
- Representative sample (data compared to state demographics)

Student Characteristics	Percent of Student Population	
	SI&A	Statewide Data
Latino	<b>51%</b>	53%
White	<b>32%</b>	26%
Asian	<b>10%</b>	9%
African-American	<b>6%</b>	6%
Multiracial	%	2%
Free & Reduced Price Lunch Participation	%	58%
English Language Learners	%	22%
Truancy Rate	<b>34%</b>	29%

*NOTE: SI & A does not currently track students based on multiracial, free & reduced lunch, or English learner.*

## APPENDIX C: RELEVANT TRUANCY STATUTES

### **California Education Code § 48260. Definition; legislative intent; valid excuse**

(a) A pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, shall be classified as a truant and shall be reported to the attendance supervisor or to the superintendent of the school district.

(b) Notwithstanding subdivision (a), it is the intent of the Legislature that school districts shall not change the method of attendance accounting provided for in existing law and shall not be required to employ period-by-period attendance accounting.

(c) For purposes of this article, a valid excuse includes, but is not limited to, the reasons for which a pupil shall be excused from school pursuant to Sections 48205 and 48225.5 and may include other reasons that are within the discretion of school administrators and, based on the facts of the pupil's circumstances, are deemed to constitute a valid excuse.

### **California Education Code § 48260.5. Notice to parent or guardian; contents**

Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent or guardian using the most cost-effective method possible, which may include electronic mail or a telephone call:

(a) That the pupil is truant.

(b) That the parent or guardian is obligated to compel the attendance of the pupil at school.

(c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.

(d) That alternative educational programs are available in the district.

(e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.

(f) That the pupil may be subject to prosecution under Section 48264.

(g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the Vehicle Code.

(h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

**California Education Code § 48260.6. Counties not having school attendance review board; notice to district attorney or probate officer participating in truancy mediation program; notice to parents or guardians; meeting to discuss consequences of failure to compel attendance**

(a) In any county which has not established a county school attendance review board pursuant to Section 48321, the school district may notify the district attorney or the probation officer, or both, of the county in which the school district is located, by first-class mail or other reasonable means, of the following if the district attorney or the probation officer has elected to participate in the truancy mediation program described in subdivision

(d):

(1) The name of each pupil who has been classified as a truant.

(2) The name and address of the parent or guardian of each pupil who has been classified as a truant.

(b) The school district may also notify the district attorney or the probation officer, or both, as to whether the pupil continues to be classified as a truant after the parents have been notified pursuant to subdivision (a) of Section 48260.5.

(c) In any county which has not established a county school attendance review board, the district attorney or the probation officer of the county in which the school district is located

may notify the parents or guardians of every truant, by first-class mail or other reasonable means, that they may be subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27 for failure to compel the attendance of the pupil at school.

(d) If the district attorney or the probation officer, or both, are notified by a school district that a child continues to be classified as a truant after the parents or guardians have been notified pursuant to subdivision (a) of Section 48260.5, the district attorney or the probation officer in any county which has not established a county school attendance review board may request the parents or guardians and the child to attend a meeting in the district attorney's office or at the probation department pursuant to Section 601.3 of the Welfare and Institutions Code to discuss the possible legal consequences of the child's truancy. Notice of the meeting shall be given pursuant to Section 601.3 of the Welfare and Institutions Code.

**California Education Code § 48261. Subsequent report of truancy**

Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

**California Education Code § 48262. Habitual truant; conscientious effort**

Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261. For purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

**California Education Code § 48263. Referral to attendance review board or probation office; notice to district attorney or probation officer participating in truancy mediation program**

If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services if the probation department has elected to receive these referrals. The supervisor of attendance, or any other persons the governing board of the school district or county may designate, making the referral shall notify the minor and parents or guardians of the minor, in writing, of the name and address of the board or probation department to which the matter has been referred and of the reason for the referral. The notice shall indicate that the pupil and parents or guardians of the pupil will be required, along with the referring person, to meet with the school attendance review board or probation officer to consider a proper disposition of the referral.

If the school attendance review board or probation officer determines that available community services can resolve the problem of the truant or insubordinate pupil, then the board or probation officer shall direct the pupil or the pupil's parents or guardians, or both, to make use of those community services. The school attendance review board or probation officer may require, at any time that it determines proper, the pupil or parents or guardians of the pupil, or both, to furnish satisfactory evidence of participation in the available community services.

If the school attendance review board or probation officer determines that available community services cannot resolve the problem of the truant or insubordinate pupil or if the pupil or the parents or guardians of the pupil, or both, have failed to respond to directives of the school attendance review board or probation officer or to services provided, the school attendance review board may, pursuant to Section 48263.5, notify the district attorney or the probation officer, or both, of the county in which the school district is located, or the probation officer may, pursuant to Section 48263.5, notify the district attorney, if the district attorney or the probation officer has elected to participate in the truancy mediation program

described in that section. If the district attorney or the probation office has not elected to participate in the truancy mediation program described in Section 48263.5, the school attendance review board or probation officer may direct the county superintendent of schools to, and, thereupon, the county superintendent of schools shall, request a petition on behalf of the pupil in the juvenile court of the county. Upon presentation of a petition on behalf of a pupil, the juvenile court of the county shall hear all evidence relating to the petition. The school attendance review board or the probation officer shall submit to the juvenile court documentation of efforts to secure attendance as well as its recommendations on what action the juvenile court shall take in order to bring about a proper disposition of the case.

In any county which has not established a school attendance review board, if the school district determines that available community resources cannot resolve the problem of the truant or insubordinate pupil, or if the pupil or the pupil's parents or guardians, or both, have failed to respond to the directives of the school district or the services provided, the school district, pursuant to Section 48260.6, may notify the district attorney or the probation officer, or both, of the county in which the school district is located, if the district attorney or the probation officer has elected to participate in the truancy mediation program described in Section 48260.6.

**California Education Code § 48263.5. Attendance review board or probation officer; notice to district attorney or probation officer participating in truancy mediation program; notice to parents or guardians; meeting to discuss consequences of failure to compel attendance**

(a) In any county which has established a county school attendance review board pursuant to Section 48321, the school attendance review board may notify the district attorney or the probation officer, or both, of the county in which the school district is located, or the probation officer may notify the district attorney, by first-class mail or other reasonable means, of the following if the district attorney or the probation officer has elected to participate in the truancy mediation program described in subdivision (b):

(1) The name of each pupil who has been classified as a truant and concerning whom the school attendance review board or the probation officer has determined:

(A) That available community services cannot resolve the truancy or insubordination problem.

(B) That the pupil or the parents or guardians of the pupil, or both, have failed to respond to directives of the school attendance review board or probation officer or to services provided.

(2) The name and address of the parent or guardian of each pupil described in paragraph (1).

(b) Upon receipt of notification provided pursuant to subdivision (a), the district attorney or the probation officer may notify the parents or guardians of each pupil concerning whom notification has been received, by first-class mail or other reasonable means, that they may be subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27 for failure to compel the attendance of the pupil at school. The district attorney or the probation officer may also request the parents or guardians and the child to attend a meeting in the district attorney's office or at the probation department pursuant to Section 601.3 of the Welfare and Institutions Code to discuss the possible legal consequences of the child's truancy. Notice of the meeting shall be given pursuant to Section 601.3 of the Welfare and Institutions Code.

### **California Education Code § 48263.6. Chronic truant**

Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291.



**California Education Code § 48264.5. First through fourth truanancies; penalties**

A minor who is classified as a truant pursuant to Section 48260 or 48261 may be required to attend makeup classes conducted on one day of a weekend pursuant to subdivision (c) of Section 37223 and is subject to the following:

(a) The first time a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the pupil's attendance.

(b) The second time a truancy report is issued within the same school year, the pupil may be given a written warning by a peace officer as specified in Section 830.1 of the Penal Code. A record of the written warning may be kept at the school for not less than two years or until the pupil graduates or transfers from that school. If the pupil transfers from that school, the record may be forwarded to the school receiving the pupil's school records. A record of the written warning may be maintained by the law enforcement agency in accordance with that law enforcement agency's policies and procedures. The pupil may also be assigned by the school to an afterschool or weekend study program located within the same county as the pupil's school. If the pupil fails to successfully complete the assigned study program, the pupil shall be subject to subdivision (c).

(c) The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant, as defined in Section 48262, and may be referred to, and required to attend, an attendance review board or a truancy mediation program pursuant to Section 48263 or pursuant to Section 601.3 of the Welfare and Institutions Code. If the school district does not have a truancy mediation program, the pupil may be required to attend a comparable program deemed acceptable by the school district's attendance supervisor. If the pupil does not successfully complete the truancy mediation program or other similar program, the pupil shall be subject to subdivision (d).

(d) The fourth time a truancy is issued within the same school year, the pupil may be within the jurisdiction of the juvenile court that may adjudge the pupil to be a ward of the court pursuant to Section 601 of the Welfare and Institutions Code. If the pupil is adjudged a ward of the court, the pupil shall be required to do one or more of the following:

(1) Performance at court-approved community services sponsored by either a public or private nonprofit agency for not less than 20 hours but not more than 40 hours over a period not to exceed 90 days, during a time other than the pupil's hours of school attendance or employment. The probation officer shall report to the court the failure of the pupil to comply with this paragraph.

(2) Payment of a fine by the pupil of not more than fifty dollars (\$50) for which a parent or legal guardian of the pupil may be jointly liable. The fine described in this paragraph shall not be subject to the assessments of Section 1464 of the Penal Code or any other applicable section.

(3) Attendance of a court-approved truancy prevention program.

(4) Suspension or revocation of driving privileges pursuant to Section 13202.7 of the Vehicle Code. This subdivision shall apply only to a pupil who has attended a school attendance review board program, a program operated by a probation department acting as a school attendance review board, or a truancy mediation program pursuant to subdivision (c).

### **California Education Code § 48293. Penalties against parents**

(a) Any parent, guardian, or other person having control or charge of any pupil who fails to comply with this chapter, unless excused or exempted therefrom, is guilty of an infraction and shall be punished as follows:

(1) Upon a first conviction, by a fine of not more than one hundred dollars (\$100).

(2) Upon a second conviction, by a fine of not more than two hundred fifty dollars (\$250).

(3) Upon a third or subsequent conviction, if the person has willfully refused to comply with this section, by a fine of not more than five hundred dollars (\$500). In lieu of imposing the fines prescribed in paragraphs (1), (2), and (3), the court may order the person to be placed in a parent education and counseling program.

(b) A judgment that a person convicted of an infraction be punished as prescribed in subdivision (a) may also provide for the payment of the fine within a specified time or in specified installments, or for participation in the program. A judgment granting a defendant time to pay the fine or prescribing the days of attendance in a program shall order that if the defendant fails to pay the fine, or any installment thereof, on the date that it is due, or fails to attend a program on a prescribed date, he or she shall appear in court on that date for further proceedings. Willful violation of the order is punishable as contempt.

(c) The court may also order that the person convicted of the violation of subdivision (a) immediately enroll or reenroll the pupil in the appropriate school or educational program and provide proof of enrollment to the court. Willful violation of an order under this subdivision is punishable as civil contempt with a fine of up to one thousand dollars (\$1,000). An order of contempt under this subdivision shall not include imprisonment.

**California Education Code § 48321. County and local school attendance boards; creation, membership, and powers**

- (a) (1) A county school attendance review board may be established in each county.
- (2) The county school attendance review board, if established, shall include, but need not be limited to, all of the following:
- (A) A parent.
  - (B) A representative of school districts.
  - (C) A representative of the county probation department.
  - (D) A representative of the county welfare department.
  - (E) A representative of the county superintendent of schools.
  - (F) A representative of law enforcement agencies.
  - (G) A representative of community-based youth service centers.
  - (H) A representative of school guidance personnel.
  - (I) A representative of child welfare and attendance personnel.
  - (J) A representative of school or county health care personnel.
  - (K) A representative of school, county, or community mental health personnel.

- (3) The school district representatives on the county school attendance review board shall be nominated by the governing boards of school districts and shall be appointed by the county superintendent of schools. All other persons and group representatives shall be appointed by the county board of education.
- (4) If a county school attendance review board exists, the county superintendent of schools shall, at the beginning of each school year, convene a meeting of the county school attendance review board for the purpose of adopting plans to promote interagency and community cooperation and to reduce the duplication of services provided to youth who have serious school attendance and behavior problems.
- (b) (1) Local school attendance review boards may include, but need not be limited to, all of the following:
- (A) A parent.
  - (B) A representative of school districts.
  - (C) A representative of the county probation department.
  - (D) A representative of the county welfare department.
  - (E) A representative of the county superintendent of schools.
  - (F) A representative of law enforcement agencies.
  - (G) A representative of community-based youth service centers.
  - (H) A representative of school guidance personnel.
  - (I) A representative of child welfare and attendance personnel.
  - (J) A representative of school or county health care personnel.
  - (K) A representative of school, county, or community mental health personnel.
- (2) Other persons or group representatives shall be appointed by the county board of education.
- (c) The county school attendance review board may elect, pursuant to regulations adopted pursuant to Section 48324, one member as chairperson with responsibility for coordinating services of the county school attendance review board.
- (d) The county school attendance review board may provide for the establishment of local school attendance review boards in any number as shall be necessary to carry out the intent of this article.
- (e) In any county in which there is no county school attendance review board, a school district governing board may elect to establish a local school attendance review board,

which shall operate in the same manner and have the same authority as a county school attendance review board.

(f) The county school attendance review board may provide consultant services to, and coordinate activities of, local school attendance review boards in meeting the special needs of pupils with school attendance or school behavior problems.

(g) When the county school attendance review board determines that the needs of pupils as defined in this article can best be served by a single board, the county school attendance review board may then serve as the school attendance review board for all pupils in the county, or, upon the request of any school district in the county, the county school attendance review board may serve as the school attendance review board for pupils of that district.

(h) Nothing in this article is intended to prohibit any agreement on the part of counties to provide these services on a regional basis.

**California Penal Code § 270.1. Parent or guardian of chronic truant; failure to reasonably supervise and encourage school attendance deemed misdemeanor; punishment; deferred entry of judgment program; funding; punishment under other provisions; declaration of eligibility or ineligibility for program**

(a) A parent or guardian of a pupil of six years of age or more who is in kindergarten or any of grades 1 to 8, inclusive, and who is subject to compulsory full-time education or compulsory continuation education, whose child is a chronic truant as defined in Section 48263.6 of the Education Code, who has failed to reasonably supervise and encourage the pupil's school attendance, and who has been offered language accessible support services to address the pupil's truancy, is guilty of a misdemeanor punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment. A parent or guardian guilty of a misdemeanor under this subdivision may participate in the deferred entry of judgment program defined in subdivision (b).

(b) A superior court may establish a deferred entry of judgment program that includes the components listed in paragraphs (1) to (7), inclusive, to adjudicate cases involving parents

or guardians of elementary school pupils who are chronic truants as defined in Section 48263.6 of the Education Code:

- (1) A dedicated court calendar.
- (2) Leadership by a judge of the superior court in that county.
- (3) Meetings, scheduled and held periodically, with school district representatives designated by the chronic truant's school district of enrollment. Those representatives may include school psychologists, school counselors, teachers, school administrators, or other educational service providers deemed appropriate by the school district.
- (4) Service referrals for parents or guardians, as appropriate to each case that may include, but are not limited to, all of the following:
  - (A) Case management.
  - (B) Mental and physical health services.
  - (C) Parenting classes and support.
  - (D) Substance abuse treatment.
  - (E) Child care and housing.
- (5) A clear statement that, in lieu of trial, the court may grant deferred entry of judgment with respect to the current crime or crimes charged if the defendant pleads guilty to each charge and waives time for the pronouncement of judgment and that, upon the defendant's compliance with the terms and conditions set forth by the court and agreed to by the defendant upon the entry of his or her plea, and upon the motion of the prosecuting attorney, the court will dismiss the charge or charges against the defendant and the same procedures specified for successful completion of a drug diversion program or a deferred entry of judgment program pursuant to Section 851.90 and the provisions of Section 1203.4 shall apply.
- (6) A clear statement that failure to comply with any condition under the program may result in the prosecuting attorney or the court making a motion for entry of

judgment, whereupon the court will render a finding of guilty to the charge or charges pled, enter judgment, and schedule a sentencing hearing as otherwise provided in this code.

(7) An explanation of criminal record retention and disposition resulting from participation in the deferred entry of judgment program and the defendant's rights relative to answering questions about his or her arrest and deferred entry of judgment following successful completion of the program.

(c) Funding for the deferred entry of judgment program pursuant to this section shall be derived solely from non-state sources.

(d) A parent or guardian of an elementary school pupil who is a chronic truant, as defined in Section 48263.6 of the Education Code, may not be punished for a violation of both this section and the provisions of Section 272 that involve criminal liability for parents and guardians of truant children.

(e) If any district attorney chooses to charge a defendant with a violation of subdivision (a) and the defendant is found by the prosecuting attorney to be eligible or ineligible for deferred entry of judgment, the prosecuting attorney shall file with the court a declaration in writing, or state for the record, the grounds upon which that determination is based.

View the complete report online:  
[oag.ca.gov/Truancy](https://oag.ca.gov/Truancy)

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