

Alachua County Juvenile Justice Council Truancy Committee Recommendations

Background:

Completing K-12 education is the first step towards life long self sufficiency. Some students, however, violate compulsory education laws and have a pattern of unexcused absences. School absenteeism is often a red flag for family chaos and dysfunction. Clearly, students who miss school fall behind their peers in the classroom. This, in turn, increases the likelihood that at-risk students will drop out of school. Although truancy and excessive absenteeism are not new problems, they cause costly, long-term problems to the students, school, and the community. When students become truant and do not attend school, *everyone loses*; students lose the benefits of instruction, the district loses income, and the community can suffer from an increase in juvenile crime. Police departments across the nation report that many students not in school during regular hours are committing crimes, including vandalism, shoplifting, and graffiti.¹

The Alachua County Juvenile Justice Council Truancy Sub Committee began meeting in 2003, with the purpose of identifying objectives and recommendations to improve school attendance. In 2004, the Truancy Sub Committee began meeting after each monthly JJ Council meeting and invited speakers to discuss their protocol for responding to unexcused absences. Representatives from DJJ, the Corner Drug Store Truancy Center, the Dropout Prevention Office of the SBAC, a local high school principal, and members of the Marion County Public School Truancy shared truancy information with the committee members. In addition, a truancy survey was administered to 23 youth residing at the Gainesville Juvenile Detention Center on March 28 and 29, 2005. The Truancy committee recognizes what national research has already underscored-- truancy is detrimental to students' achievement, promotion, graduation, self-esteem, and employment potential. Truancy is costly. It costs students an education, resulting in reduced earning capacity. It costs school districts hundreds of thousands of dollars each year in lost Federal and State funds that are based on daily attendance figures. Taxpayers are saddled with larger budgets for law enforcement and welfare costs for dropouts who end up committing crimes, or who are on welfare rolls or chronically under-employed.

After reviewing numerous national resources and truancy websites, six Key elements were identified for the committee to draft recommendations and strategies to increase school attendance. In April 2005, the committee solicited input from all active members of the 8th and 4th Judicial Circuit Juvenile Justice Councils. This document is a comprehensive set of recommendations for reducing truancy in Alachua County. It aims to implement effective truancy reduction efforts that focus on improving procedures and consistently implementing a comprehensive strategy that addresses incentives, and sanctions, for truant youth and their parents. While the recommendations may not reflect all of the individual contributor's views, the Truancy committee members agree that all of the recommendations are worthy of further discussion, consideration, and implementation.

Special Thanks to UF intern Leo Alvarez, a political science graduate student whose work in the summer of 2005 resulted in the publication of these materials.

¹ When Van Nuys, California, officials conducted a three-week sweep for truants on the streets, shoplifting arrests dropped by 60 percent. (<http://www.ncjrs.org/txtfiles/truncy.txt>)

Truancy Figures

This data represents the percentage of Alachua County students from the total enrollment who were absent 21 or more days during the school year (we will refer to this as the *School Absence rate*).

		Absences: Percentage of Students Absent 21 + Days					
		2002 – 2003		2003 - 2004		2004-2005	
		District	State	District	State	District	State
School Type	Elementary	7.2	6.1	7.9	6.2		
	Middle	13.5	10.9	12.5	10.9		
	High	16.2	14.5	17.1	14.8		

Source: <http://info.doe.state.fl.us/fsir/sources.cfm>

The percentage of schools in Alachua County (distinguished by school type) that exhibit a School Absence rate over the district and state rates noted above.

		Percentage of Alachua County Schools with Absence Rates over District and State Rates					
		2002 - 2003		2003 - 2004		2004-2005	
		District	State	District	State	District	State
School Type	Elementary	48% (15 of 31)	61% (19 of 31)	44% (14 of 32)	75% (24 of 32)		
	Middle	40% (4 of 10)	70% (7 of 10)	45% (5 of 11)	64% (7 of 11)		
	High	40% (2 of 5)	80% (4 of 5)	50% (4 of 8)	63% (5 of 8)		

Truancy Definitions and other Statutory Procedures

Compulsory School Attendance (FS. 1003.21 (1) (a)) - All children who have, or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years*, are required to attend school regularly during the entire school term. *except as otherwise provided

Attendance Policy (FS 1003.24) Each district school board shall establish an attendance policy that includes, but is not limited to, the required number of days each school year that a student must be in attendance and the number of absences and tardinesses after which a statement explaining such absences and tardinesses must be on file at the school. Each school in the district must determine if an absence or tardiness is excused or unexcused according to criteria established by the district school board.

(FS 1003.26 (1) (b)) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, the student's primary teacher shall report to

the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine if early patterns of truancy are developing.

Alachua County Conduct Code Student Attendance Definition:

When a student has accrued more than six (6) unexcused absences or tardy's in a semester, the school will request from the parent/guardian a statement explaining such absences or tardy's. Documentation of the request and the parent/guardian statement will be maintained at the school. A student who has fifteen (15) unexcused absences within ninety (90) calendar days shall be considered truant.

Cooperative Agreements FS 1003.27 (4) The circuit manager of the Department of Juvenile Justice or the circuit manager's designee, the district administrator of the Department of Children and Family Services or the district administrator's designee, and the district school superintendent or the superintendent's designee must develop a cooperative interagency agreement that:

- Clearly defines each department's role, responsibility, and function in working with habitual truants and their families.
- Identifies and implements measures to resolve and reduce truant behavior.
- Addresses issues of streamlining service delivery, the appropriateness of legal intervention, case management, the role and responsibility of the case staffing committee, student and parental intervention and involvement, and community action plans.
- Delineates timeframes for implementation and identifies a mechanism for reporting results by the circuit juvenile justice manager or the circuit manager's designee and the district school superintendent or the superintendent's designee to the Department of Juvenile Justice and the Department of Education and other governmental entities as needed.
- Designates which agency is responsible for each of the intervention steps in this section to yield more effective and efficient intervention services.

Habitually Truant (FS 984.03 (27)) - (a) The child has 15 unexcused absences within 90 calendar days with or without the knowledge or justifiable consent of the child's parent or legal guardian, *is subject to compulsory school attendance* under s. 1003.21(1) and (2)(a), *and is not exempt* under s. 1003.21(3), s. 1003.24, or any other exemptions specified by law or the rules of the State Bd. of Education.

Truancy Petition - If a school finds that a student, subject to compulsory school attendance, is habitually truant, the superintendent of schools *may* file a truancy petition (F.S. 984.151 (1)).

- If the district school superintendent chooses not to file a truancy petition, procedures for filing a child-in-need-of-services petition *shall* be commenced (F.S. 1003.27 (3)).
 - The Circuit Court *shall* have exclusive original jurisdiction of proceedings in which a child is alleged to be a child in need of services (F.S. 984.04 (5)).
 - The Department of Juvenile Justice *shall* be responsible for all non-judicial proceedings involving a family in need of services (F.S. 984.04 (2)).
- Once a petition is filed, the Circuit Court *shall* hear the petition within 30 days.
- The student and the student's parent or guardian *shall* attend the hearing.

- If the court determines that the student did miss any of the alleged days, the court *shall* order the student to attend school and the parent to ensure that the student attends school, and *may* order any of the following:
 - Alternative sanctions: mandatory attendance at alternative classes to be followed by mandatory community service hours for up to 6 months. Student or student’s parent/guardian to participate in:
 - a. *Homemaker or parent aide services*
 - b. *Intensive crisis counseling*
 - c. *Community mental health services if available and applicable*
 - d. *Services provided by voluntary or community agencies as available*
 - e. *Vocational, job training, or employment services*

Parental Prosecution - A parent who refuses or fails to have a minor student who is under his or her control attend school regularly commits a misdemeanor of the second degree.

- The case is handled by the County Court.
- While the continued and habitual absence of a minor is construed as a violation punishable by a misdemeanor of the second degree, a showing that the parent has made a bona fide and diligent effort to control and keep the student in school shall be an affirmative defense to any criminal or other liability.
- The court shall order a parent who has committed this violation to:
 - a. *Send the minor student to school;*
 - b. *To participate in an approved parent training class;*
 - c. *Attend school with the student unless this would cause undue hardship;*
 - d. *Perform community service hours at the school; or*
 - e. *Participate in counseling or other services, as appropriate.*

**Key Element Number 1:
Improve Community, Parental and Student awareness of school attendance
policies and Truancy consequences
Possible Theme: “Attendance Matters”**

Strategy	Assigned to	Time line:
Improve Notification through/at schools: Development of SBAC website, Policy listed on Front Office bulletin board, school brochures, Principal’s Corner’s, Student Code of Conduct, Emergency Cards	PIO Jackie Johnson	Develop by August 2005 ongoing
Solicit Gainesville Sun Article, submit guest editorial, seek Sun co-sponsorship of School Attendance PSA’s.	SAO	August 2005
Ensure uniform policy on what constitutes valid Unexcused absence, Implement district wide	PIO Jackie Johnson	
Determine if responsibility for attendance	Individual School	Begin during Welcome

issues is clearly delineated at each school, and that reports and referrals are submitted in a timely manner, per school board policy	Principals	Back Planning days for Teachers
Work with students and families to intervene early and often when students are absent without an excuse.	SBAC and CDS Interface, Attendance Officers, Computer Dept. and Student Services	
Publicize School Year Attendance data at JJ Council Meetings and on SBAC website		
Goal: Improve awareness of School attendance requirements		

**Key Element Number 2:
Require annual training on Truancy Prevention efforts and SBAC Truancy Policy Information to Teachers, Substitute Teachers and School Resource Officers**

Strategy	Assigned to	Time line:
Conduct an audit of the practices throughout the district to assure consistency and equity, and identify needs for staff training	SBAC Administration	Ongoing
Ensure proper instructions for tracking attendance are communicated to appropriate school personnel	SBAC Administration	ongoing
Ensure truancy process/policy is communicated and procedures are followed by school personnel	SBAC Administration	Ongoing
Request that SBAC separate student suspension data from Truancy data collection	Truancy Committee	Immediately
Offer LE SRO annual training on responsibilities as it relates to truancy	SBAC/SAO/CDS Interface	Yearly
Distinguish responsibilities between parental prosecution and truancy petition options	SAO	Yearly & Ongoing
Goal:		

**Key Element Number 3:
Improve Information sharing within School system and with other Critical
Service Providers**

Strategy	Assigned to	Time line:
Improve attendance information sharing to DJJ , for students who are on probation	JJ Council & All Agencies	Immediately & Ongoing
DJJ staff will record unexcused school absences in juvenile files and bring to the attention of the presiding judge for violation of probation hearings	DJJ	Immediately & Ongoing
Improve accurate attendance information sharing from DJJ , for students who are on probation (DJJ to generate monthly list of youth on probation: name, DOB, School, and JPO)	DJJ	
Implement school attendance data access at SAO	SBAC and SAO	July 25, 2005
Encourage monthly, multi-agency Truancy sweeps	JJ Council, CDS & Law Enforcement	
Improve early identification efforts in K-5 truancy cases	SBAC, Truancy Committee & JJ Council	Beginning in Sept, and monthly thereafter
Strengthen current attendance monitoring systems	SBAC	
Goal: Increase accountability and utilize existing Educational Planning Team (EPT) policy		

**Key Element Number 4:
Develop a School Attendance Review Board* (SARB) to review implementation
strategies and Truancy Prevention efforts for Elementary, Middle and High
School students, utilizing SAO, DJJ, CDS, Judiciary, SBAC Student Support
Services, DCF, and LEO**

Strategy	Assigned to	Time line:
School Board Superintendent approves SARB pilot/concept	SBAC & Truancy Committee	
Implement a County level SARB to review cases exhibiting irregular attendance	SBAC & Truancy Committee	Begin reviewing cases by no later than Jan 2006
Seek appropriate SARB representation <i>and</i> appointment by SBAC Supt. from the following groups or agencies: Parents Corner Drug Store	SBAC & Truancy Committee	

Department of Children and Families Probation Law enforcement Judiciary Community-Based Organizations School Administrators and attendance officer(s)		
Provide school/district/county inservice programs to assist site administrators, attendance clerks, counselors, nurses, teachers and others know how to utilize SARB resources to combat excessive absenteeism.	Truancy Committee, CDS Interface	
Track attendance before and after utilizing SARB to determine if school attendance improves	SBAC	
Goal: Increase accountability and reduce truancy; ensure appropriate referrals and resources are extended to students and families at the earliest stage possible once the attendance policy is violated		

* Refer to appendix for summary of SARBs

**Key Element Number 5:
Implement Parental Prosecution, CINS/FINS Petitions, and Truancy Petitions
in appropriate cases, utilizing SAO, DJJ, CDS, Judiciary, SBAC and LEO**

Strategy	Assigned to	Time line:
The district school superintendent is authorized to file a truancy petition, as defined in FS 984.03. If the district school superintendent chooses not to file a truancy petition, procedures for filing a child-in-need-of-services petition shall be commenced pursuant to this subsection and ch. 984. In accordance with procedures established by the district school board, the designated school representative shall refer a student who is habitually truant and the student's family to the children-in-need-of-services and families-in-need-of-services provider		
Review existing petition formats to determine adequacy		
Continue meetings with Clerk, Judge, SAO, DJJ, and LEO to address questions and concerns, and develop court process for addressing truancy petitions		
Develop Administrative Order for Petition Process	Court Administration	

Appendix

School Attendance Review Board (SARB): An Overview

What is a SARB?

- ❖ SARB seeks to understand why students are experiencing attendance problems and serves as a vehicle to correct those problems.
- ❖ SARB is specifically charged with finding solutions to unresolved student attendance issues by bringing together representatives from the community.
- ❖ The purpose of SARB is to enhance the enforcement of compulsory education laws and to ensure available community resources are utilized.
- ❖ SARB's determine the appropriateness of their coordinated services to meet the needs of referred students.
- ❖ SARB's avoid unnecessary duplication of resources to resolve attendance problems.
- ❖ SARBs are typically created at the county level.
- ❖ SARBs work to coordinate activities to meet the special needs of pupils with attendance problems. They maintain a continuing inventory of community resources, including alternative educational programs.

SARB Composition

- ❖ To achieve its goals, SARBs seek appropriate representation from the following multidisciplinary groups or agencies:

Parents	Corner Drug Store
Department of Children and Families	Probation
Law enforcement	Judiciary
Community-Based Organizations	School Administrators and attendance officers

Who is referred to SARB?

- ❖ Students with excessive absences resulting from the student's or parent's actions which have not improved through school interventions.
- ❖ Once a referral is made, SARB will screen student referrals to determine if appropriate guidance and community services have been utilized on behalf of the student prior to scheduling a SARB hearing.

What does SARB do for students?

- ❖ Requires student to attend school every day. *May direct parents to escort student to school daily.*
- ❖ Introduces an array of social and community services for the family.
- ❖ Strives to effect real change in attendance with the full cooperation of the student's parents.
- ❖ Recommend changes in the student's program that may be unusual but necessary.
- ❖ Directs the student and/or family to counseling.
- ❖ Arranges parenting classes for parents.
- ❖ May coordinate assistance from volunteers to help student's get to school.
- ❖ Requiring that a doctor or school health aide verify the student's future absences.
- ❖ Arranges for tutoring when needed.

Qualities of an effective SARB

- ❖ The SARB process sets expectations for schools and families that help improve actual attendance for every child missing too much school regardless of the reason.
- ❖ SARBs continually review and monitor student's attendance and behavior; their work incorporates a *feedback mechanism*.
 - This applies to individual cases and includes monitoring the student's attendance and following through on family referrals.
 - They also monitor the responsiveness of agencies to which they refer cases and identify any barriers to obtaining services.
- ❖ SARBs prepare *progress reports* that list the outcomes of cases they have acted upon over the school year.
- ❖ Successful SARBs are those that work collaboratively with stakeholders; as well as identify gaps in service.
- ❖ SARB has the power to refer cases for parental prosecution and CINS/FINS petitions, as a last resort.

Work Cited

School Attendance Review Boards. Available at <http://www.cde.ca.gov/ls/ai/sb/documents/sarb02.pdf>

SARB Handbook. Available at <http://www.edcoe.k12.ca.us/manilagems/sarb/Intro.definitions1.pdf>

School Attendance Review Board (SARB). Available at http://ose.mpls.k12.mn.us/sites/bf60a4c3-21a1-447e-b50b-7ca4399ad482/uploads/SARB_Brochure_3.pdf

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