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legal and legislative issues



Attending School Matters: Policies to Eliminate Chronic Absenteeism

By Carolyn Talbert-Johnson, Ph.D., and Charles J. Russo, J.D., Ed.D.

As education leaders and policy makers debate the merits of intervention strategies, there is growing concern about the rate at which students miss school.

hronic absenteeism is among the most pervasive challenges facing public education in the United States as 1 in 10 students misses a month or more of school annually. Further, approximately 7% of fourth and eighth graders miss at least a week of school per month, whereas an estimated 5.5% to 20% of students are absent every day in some urban schools where absentee rates reach as high as 30% (Balfanz and Byrnes 2012).

As education leaders and policy makers debate the merits of new intervention strategies under the No Child Left Behind Act and Individuals with Disabilities Education Act to enhance learning, there is a growing concern about the rate at which students miss school.

Chronic absenteeism, which occurs as early as the elementary grades, is one of the strongest and most often overlooked indicators of risk factors for students, leading to their becoming disengaged, failing, and dropping out of school. Even though school boards collect attendance data, those data are often not closely monitored. In addition, daily attendance counts that are part of state accountability systems, and that can affect school funding, can hide chronic absenteeism because averages typically do not track individual students.

Student Absenteeism

Student absenteeism is a complex problem of critical magnitude that requires consistent and effective interventions, since chronic absenteeism interferes with student academic achievement.

Chronic absenteeism, which is most pressing among students in regular education from low-income families, increases as children move from middle school to high school. When students are habitually absent, they fail to reap the benefits that education

can provide for their present and future success, thereby increasing costs to school boards and society as a whole.

Students who are frequently absent receive less instruction, which results in poor academic performance, their dropping out of school, an increased likelihood of unemployment, and an increased involvement in the criminal justice system.

Chronic absenteeism, which occurs as early as the elementary grades, is one of the strongest and most often overlooked indicators of risk factors for students.

Students can be chronically absent owing to such factors as parental neglect or disinterest, illness, difficulties with transportation, and a simple disregard or dislike of school. Unfortunately, parents often allow their young children to stay home because they do not understand the academic expectations that exist in the early years of schooling. Data from the National Center for Children in Poverty found that on average, students who missed 10% or more of school in kindergarten scored significantly lower on reading, mathematics, and general knowledge tests at the end of first grade than those who missed 3% or fewer days (Romero and Lee 2007, p. 7).

Chronic Absenteeism and Truancy

Chronic absenteeism differs from truancy insofar as it refers to missing 10% or more of an academic year for any reason. According to Balfanz and Byrnes (2012, p. 3), schools can have average daily attendance rates of 90%, yet still have 40% of their student population chronically absent because not all students are absent on the same days.

Truancy is typically defined as a specified number or frequency of absences—regardless of whether they are excused—that can lead to legal consequences for families, such as being charged with truancy or neglect (Balfanz and Brynes 2012, p. 7). Chronic truancy is often associated with problems in academic achievement, school completion, social adjustment, postschool outcomes, and other social economic problems, such as lower employment opportunities and pay and increased chances of living in poverty.

States and school boards vary in how they define truancy, since it is measured differently from attendance. Unfortunately, comprehensive nationwide truancy statistics do not exist (Kronholz 2011). Complicating attempts to compare statistics are divergent compulsory education laws. For example, students in the District of Columbia must attend school until the age of 18, whereas the age is 16 in Maryland and 17 in Pennsylvania.

Students with Disabilities

Absenteeism is particularly problematic for students with disabilities, especially those with learning difficulties and severe emotional disturbances, since many of these children are absent disproportionately. Consequently, many students in special educational placements miss quality learning experiences, a situation that is exacerbated because they often have skill deficits and lack the self-determination to improve their academic performance. Therefore, it is not surprising that students with special needs are more likely to have poor grades than their peers with high attendance. In fact, on average, students with disabilities miss one and a half days of school per month, or about 15 days per school year (Newman and Davies 2004, p. 33).

As a result of being absent frequently, it is common for students with disabilities to drop out of school because of poor academic

performance, behavioral challenges, and the inability to thrive appropriately in classroom settings. These students may also be bullied and may skip school because of their academic, behavioral, and social development—problems that occur as early as first grade and continue to escalate as they advance through school systems.

Students with disabilities are absent for a variety of other reasons, including school size (larger schools tend to have more absences); attitudes of administrators, teachers, and other students; and dislike of their schools (Zhang et al. 2010). As with their peers in regular education, family and community factors involve the lack of parental support and supervision, domestic violence, poverty, and drug or alcohol use. Individual factors that students with disabilities struggle with the most include poor physical and mental health, lack of social competence, low school attachment, poor relationships with peers, lack of selfesteem, and a lack of ambition.

Absenteeism is particularly problematic for students with learning disabilities.

A national study of 17,000 children found that an elevated rate of absenteeism was linked to a higher prevalence of mental health problems later in adolescence (Wood 2011). The study reported that between grades two and eight, students with mental health symptoms, such as antisocial behaviors or depression, missed more days over the course of a year than they had in the previous year when compared with peers with few or no mental health symptoms. The study added that middle and high school students who were chronically absent in one year tended to have more depression and antisocial problems.

It is disheartening to note the strong link between and among chronic truancy, school failure, and delinquency, particularly among students with special needs. When students are not in school, they often participate in antisocial and criminal behavior, such as drug and alcohol abuse, gang activity, sexual activity, and adult criminal activity that frequently leads to their being placed in the juvenile justice system.

The Law and Student **Absenteeism**

Courts generally uphold compulsory attendance laws regardless of whether children attend public or nonpublic schools, because they are designed to provide states and the nation with an educated citizenry. Even so, the courts intervene in disputes where parents and students claim that education officials intrude on their personal rights when they are charged with being absent or truant. Whether parents meet their duty of sending their children to school or whether students who are absent without justification should be classified as truant and punished accordingly (G.N. v. State 2005) is a responsibility shared by school officials and state courts. As such, courts often give parents the benefit of the doubt when dealing with the chronic absenteeism and truancy of their children.

In the first of three cases illustrative of judicial attitudes, a mother successfully challenged her conviction for failing to comply with a compulsory attendance law. Since school officials were unable to prove that the mother knowingly or purposefully failed to send her daughter to school, a key element of the statute under which she was charged, the Missouri Supreme Court reversed her conviction for allegedly violating the state's compulsory attendance law (State v. Self 2005).

Similarly, in vacating a mother's conviction for violating the state's compulsory attendance law, Maryland's highest court held that after she dropped her daughter off at school, educators had the duty

to ensure that the child was present in her classes (In re Gloria H. 2009). Further, a court in New York dismissed charges of educational neglect against a mother who detailed the efforts that she took, including disciplining him at home, to ensure that her son attended school (In re Jamol F. 2009).

It is vital that education agencies keep consistent records to monitor absenteeism.

Viewed together, these cases stand for the rule that even when sound policies and laws are in place, the courts are reluctant to render parents liable for the actions of their children who are absent if the adults made reasonable efforts to ensure their school attendance.

Policy Recommendations

Board policies should be designed to work with parents and possibly students, to identify sound, legally defensible strategies to improve school attendance. Education leaders may wish to consider doing the following:

- 1. Assemble broad-based teams to develop and update attendance policies. Teams should include administrators, teachers, counselors, parents, staff, students (as age appropriate), and community members. To the extent that boards can develop such broadbased support, they are more likely to benefit from community buy-in.
- 2. Build strong relationships and develop partnerships with students and families .Send and post information to parents highlighting the value of attendance and the consequences of poor attendance.
- 3. Establish effective monitoring and tracking systems to recognize patterns of absence that could lead to early identification of students in need of help. This

- endeavor can help reduce or prevent students from engaging in risky behaviors that can lead to chronic absenteeism, truancy, and other difficulties.
- 4. Acknowledge the role of key stakeholders in bringing health, law enforcement, and education agencies together to organize coordinated efforts to help students attend school regularly. It is vital that education agencies at the national, state, and local levels work to keep consistent records to monitor and report rates of chronic absenteeism for all schools (Balfanz and Byrnes 2012) so that plans can be developed to stem this growing problem.
- 5. Consider rewarding individual students and entire classes for good or perfect attendance. In New York City, where more than 200,000 students are chronically absent, a campaign to keep students in school ensures that more than 30,000 children receive wake-up calls from celebrities such as Michael Jordan and Whoopi Goldberg (Kronholz 2011).
- 6. Develop student peer-mentoring programs to promote attendance (Balfanz and Byrnes 2012). Peers can often have more of an effect than educators.
- 7. Review and revise policies regularly, typically between academic years so that they can be updated with recent changes in federal and state law. Another value of reviewing policies regularly is that doing so can help convince courts that educators are doing their best to keep abreast of changes in the law and can earn judicial support if they charge students or their parents with truancy or neglect.

To the extent that school business officials, their boards, and other education leaders work together to help the young develop an appreciation for school, the greater the chances

are that students will remain in school and reach their full potential.

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