



**FINAL REPORT OF
THE VIRGINIA COMMISSION
ON YOUTH**

**TO THE GOVERNOR AND
THE VIRGINIA GENERAL ASSEMBLY**

**Study of Truancy & School Dropout
Prevention**

Commonwealth of Virginia
October 2010



COMMONWEALTH of VIRGINIA
Commission on Youth

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October 30, 2010

TO: The Honorable Robert F. McDonnell, Governor of Virginia

 and

 Members of the Virginia General Assembly

During the 2008 General Assembly Session, the Virginia Commission on Youth was directed to conduct a two-year study of truancy and school dropout prevention in Virginia. At its December 7, 2009, meeting, the Commission on Youth approved the recommendations for this study. Those recommendations are included in our final report, which is enclosed for your consideration.

This final report represents the work of many government and private agencies and individuals who provided input to the study. The Commission gratefully acknowledges their support to this effort.

Respectfully submitted,

A handwritten signature in cursive script that reads "Yvonne B. Miller".

Yvonne B. Miller
Chair

MEMBERS OF THE VIRGINIA COMMISSION ON YOUTH

From the Senate of Virginia

Yvonne B. Miller, Chair
Harry Blevins
R. Edward Houck

From the Virginia House of Delegates

Christopher K. Peace, Vice Chair
Mamye E. BaCote
Robert H. Brink
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I. Authority for Study

Section 30-174 of the *Code of Virginia* establishes the Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." This section also directs the Commission to "...encourage the development of uniform policies and services to youth across the Commonwealth and provide a forum for continuing review and study of such services."

During the 2008 General Assembly Session, Delegate Franklin P. Hall introduced House Bill 1263, which required local school boards to implement school dropout prevention programs and services which emphasize truancy prevention. The House Education Committee reviewed the bill and determined that further study of these issues would be appropriate. The Committee forwarded a letter from Delegate Hall requesting the Commission on Youth, in conjunction with the Virginia Department of Education, to study the provisions set forth in House Bill 1263. As a result, the Commission staff was directed to conduct a two-year study of truancy and school dropout prevention in Virginia.

II. Members Appointed to Serve

The Commission on Youth is a standing legislative commission of the Virginia General Assembly. It is comprised of twelve members: six Delegates, three Senators and three citizens appointed by the Governor.

Members of the Virginia Commission on Youth are:

Senator Yvonne B. Miller, Norfolk, Chair

Senator Harry B. Blevins, Chesapeake

Senator R. Edward Houck, Spotsylvania

Delegate Mamye E. BaCote, Newport News

Delegate Robert H. Brink, Arlington

Delegate Mark L. Cole, Fredericksburg

Delegate Anne B. Crockett-Stark, Wytheville

Delegate Christopher K. Peace, Mechanicsville, Vice Chair

Delegate Beverly J. Sherwood, Winchester

Mr. Gary L. Close, Culpeper

Mr. Anthony Dale, Alexandria

Ms. Joy Meyers, Arlington

III. Executive Summary

This study originated at the Commission on Youth's April 23, 2008, meeting, during which the Commission adopted a two-year plan to study truancy and dropout prevention in Virginia. Specifically, the Commission was to study the provisions set forth in House Bill 1263 (Appendix A), to include a review of policies and procedures that address truancy and dropout prevention, including enforcement of compulsory attendance laws.

As part of the study, the Commission established an Advisory Group consisting of stakeholder representatives, including members of the Commission, the Virginia

Department of Education, law enforcement and court agencies, child and family advocacy groups, and parent organizations. Although students were not official members of the Advisory Group, the Commission sought student input by inviting youth to speak at Advisory Group meetings and roundtables. A full list of the Advisory Group members is included as Appendix B.

At its December 3, 2008 meeting, the Commission on Youth approved the following recommendations from the first year of the study:

Recommendation 1

Request the Virginia Department of Education (VDOE) to offer guidance in the *Student Conduct Policy Guidelines* to school divisions regarding options other than suspension or expulsion for instances of tardiness or attendance.

Recommendation 2

Amend the *Code of Virginia* to prohibit the use of suspension in instances of tardiness or attendance.

Recommendation 3

Monitor the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008 which includes an amendment to strengthen the Deinstitutionalization of Status Offenders (DSO) requirement by eliminating the Valid Court Order exception.

Recommendation 4

Request the Chair of Commission on Youth write a letter to the Executive Secretary of the Supreme Court of Virginia to encourage training for Juvenile and Domestic Relations Judges that addresses their ability to court-order services for families in truancy cases prior to initiation of other remedies.

Recommendation 5

Request Commission on Youth to conduct a study/gap analysis of career and technical educational (CTE) options available in the Commonwealth. This study will also include when it is most effective to identify career and technical options. Potential linkages with the Tobacco Commission, the Virginia Manufacturers Association, the Community College system and the Virginia Workforce Council for workforce training will also be explored, along with the *Jobs for Virginia Graduates* program. Commission on Youth staff will apply for relevant funding opportunities.

Recommendation 6

Request the Virginia Board Of Education (BOE) to issue guidance to school divisions regarding the unintended consequences of attendance policies which may keep students from returning to school.

Recommendation 7

Commission on Youth to meet with both students and parents to request their input in this study effort. These meetings will begin immediately and continue in the second year of the study.

At its December 7, 2009, meeting, the Commission on Youth approved the following recommendations from the second and final year of the study:

Recommendation 1

Support VDOE's efforts in the development of a definition for truancy and request VDOE update Commission on Youth on the status of efforts to address truancy prior to the 2011 General Assembly Session.

Recommendation 2

Request VDOE to provide an update on the development of regulations for reporting of student absences and associated attendance policies. Such an update will occur prior to the 2011 General Assembly Session.

Recommendation 3

Request the Virginia Association of Elementary School Principals, Virginia School Board Association, Virginia Alternative Educators Association, the Virginia Parent-Teacher and Parent-Teacher-Student Associations (PTA/PTSA), Virginia School Counselors Association, the Virginia Education Association and the Virginia Association of Community Services Boards include information on effective programs which reduce truancy of elementary school-aged youth at their annual conferences and trainings.

Recommendation 4

Request the Virginia PTA/PTSA work with its membership and parents of elementary school students to establish approaches, including the development of business partnerships, which are helpful in conveying to parents the benefits of school attendance at the elementary school level.

Recommendation 5

Encourage school divisions to include in all of their truancy prevention programs evidence-based practices for early intervention at the elementary level, with focus on effective school engagement, the establishment of community partnerships and methods to engage students and parents in the school community.

Recommendation 6

Encourage school divisions to develop mechanisms, such as Student Assistance Programming, for identifying students who may need additional school or community supports and direct them and their families to the appropriate services.

Recommendation 7

Encourage stakeholder organizations to contact Virginia's Congressional Delegation to request that the State Grants portion of the Safe and Drug-Free Schools and Communities (SDFSCA) be reinstated in the federal budget.

Recommendation 8

Request that the Department of Juvenile Justice and Department of Criminal Justice Services include in future trainings clarification on information-sharing between school resource officers, court service units and law enforcement.

Recommendation 9

Encourage the Department of Juvenile Justice to establish guidelines for court services units on how best to expedite resolution of truancy matters and to include expectations for Court diversion programs truancy cases.

Recommendation 10

Amend Section 22.1-258 of the *Code of Virginia* to give more flexibility to local school divisions by consistently stating that “the school principal, his designee or the attendance officer” is responsible for notifying the parent; making direct contact with the parent; and developing a student’s attendance plan.

Recommendation 11

Request the School Board Association to work with local school boards and the Virginia Association of School Superintendents to encourage them to review their current practices and policies related to attendance and that they share effective attendance practice and policies.

Recommendation 12

Support alternative education opportunities for students who have been long-term suspended or expelled.

Recommendation 13

Encourage cross-district collaboration to expand alternative education options for students.

Recommendation 14

Support distant and virtual learning programs for remediation efforts or credit recovery that adheres to the provisions of the Virginia Board of Education’s *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.

Recommendation 15

Support paid career or on-the-job training opportunities for high school students which allow students to earn credits for their participation.

Recommendation 16

Support the maintenance and record keeping of those students who are long-term suspended or expelled who are referred to alternative education placements in order to track their success in completing the requirements for graduation.

Recommendation 17

Request the Governor’s Office of Substance Abuse Prevention to collaborate across multiple agencies, including the possibility of a university collaboration, for the purpose of developing a website dedicated to prevention and intervention, as well as school dropout prevention and intervention.

Recommendation 18

Request the Virginia PTA and Virginia Education Association develop parent support materials that could be used to help educate parents about dropout risk factors, early indicators, prevention strategies, and available community resources.

Recommendation 19

Encourage divisions/regions to establish volunteer parent support groups.

Recommendation 20

Request that Virginia’s Parent Resource Centers include information on their websites and in mailings on the factors that place children at-risk of dropping out of school and the options which might be available to help reduce that risk.

Recommendation 21

Request the Department of Education brief the Commission on Youth in the summer of 2010 on its work in addressing truancy and school dropout prevention, to include changes addressed in the Board’s *Regulations Establishing Standards for Accrediting Public Schools in Virginia* and other technical assistance efforts identified by the Department.

Recommendation 22

Encourage on-going professional development to include training on dropout prevention. Training could include early indicators of dropout risk, techniques for developing protective factors in children, classroom and behavior management, and best practices in dropout prevention.

Recommendation 23

Encourage school divisions to provide more cross-training between educators and agencies involved in youth and family services, including agencies that support families in crisis.

Recommendation 24

Encourage school divisions to consider the implementation of evidence-based programs that provide training for classroom and behavior management and that help staff know how to identify and serve students most at-risk of dropping out of school.

Recommendation 25

Encourage school divisions to consider the implementation of student assistance programming which provide wraparound services to students in need.

Recommendation 26

Direct the Commission on Youth to include in its final report on the Study of Truancy and Dropout Prevention information on the Department of Education’s actions in 2009 to inform school divisions of 140-hour seat rule.

IV. Study Goals and Objectives

A. YEAR ONE

At the Commission on Youth’s meeting on April 23, 2008, Commission staff was directed to focus on the following goals and objectives during the first year of the study:

- Review state laws and policies relating to the enforcement of compulsory school attendance, truancy and dropout prevention for consistency and clarity;
- Review current initiatives overseen by the Virginia Board of Education and the Virginia Department of Education addressing truancy, attendance and dropout prevention;

- Evaluate local school division policies regarding enforcement of school attendance and assess the need for conformity, including consistency within school divisions, regarding enforcement of statutory attendance policies;
- Evaluate the new certification data which will be submitted by local school divisions in the Fall of 2008 which demonstrate compliance with compulsory school attendance laws;
- Review existing local practices that are in place which address truancy and dropout prevention in each school division;
- Assess factors related to the causes of academic underachievement, chronic truancy and school dropout and determine whether such students should also be considered “children in need of services” for compulsory school attendance purposes;
- Consider the need and efficacy of defining “truancy” and “chronic truancy” in the Code of Virginia;
- Attempt to ascertain the impact of suspensions, expulsions and other disciplinary actions on school dropout rates and, to the extent possible, ascertain whether disciplined students receive educational, social and community services during their suspension or expulsion from school; and
- Recommend to the General Assembly such changes to state law and public policies and such other initiatives appropriate and necessary to implement a comprehensive approach to chronic truancy and dropout prevention.

B. YEAR TWO

Year Two goals and objectives focused on continuing the efforts of the first year, in addition to addressing any new issues identified during that year. The specific goals and objectives for the second year of the study included the following activities:

- Reconvene Truancy and Dropout Prevention Advisory Group. Invite representatives from the Office of the Executive Secretary of the Supreme Court of Virginia and the Virginia State Crime Commission;
- Meet with selected school division representatives, as needed;
- Meet with judicial representatives;
- Conduct extensive background and literature reviews, to include:
 - Other states’ initiatives and policies, and
 - National study of dropout rates;
- Review federal legislation/statutes, to include:
 - Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008,
 - No Child Left Behind (NCLB),
 - Proposed rule modifying graduation rate formula, and
 - Other initiatives impacting schools;
- Review Virginia laws, to include:
 - Truancy and compulsory education statutes,
 - Child in Need of Supervision (CHINSup) statutes, and
 - Juvenile confidentiality statutes;
- Interview impacted stakeholders, to include:
 - Youth, their parents and/or caregivers,
 - School Superintendents,
 - Attendance Officers,
 - Court Service Unit Staff, and
 - Juvenile Court Judges;
- Analyze Virginia practices, to include:
 - Receive information from Virginia’s overage academy initiatives,
 - Assess school boards’ application of truancy statutes, and
 - Assess judicial application of truancy statutes across the Commonwealth;

- Review cohort dropout data by school division;
- Synthesize findings of statutory review and workgroup recommendations;
- Solicit feedback to recommendations from constituents and Department of Education;
- Solicit feedback from Virginia State Crime Commission;
- Refine findings and recommendations;
- Present findings and recommendations to the Commission on Youth; and
- Prepare the final report.

V. Methodology

The findings of this report are based on the cumulative results from five distinct study activities: research and analysis by the Commission staff, input by the Advisory Group, site visits, roundtable discussions, and invitations for special presentations and guest speakers.

A. RESEARCH AND ANALYSIS

Commission on Youth staff reviewed data, reports, statutes and codes in order to fully research the truancy and dropout problems within Virginia schools. Specifically, staff analyzed sections of the *Code of Virginia* addressing school and judicial powers for dealing with truant students.¹ Virginia Standards of accreditation were also reviewed, in order to assess state graduation rate calculations and graduation requirements.² The staff further analyzed legislative provisions passed to help combat school truancy and dropouts, and to help strengthen the enforcement of existing provisions.³ Data and reports published by the Virginia Department of Education, along with comparable reports from the U.S. Department of Education, were used to understand truancy and dropout from both a state and national level. Finally, research collected by other states and independent organizations or agencies helped present a broader understanding of truancy and dropout problems generally. Section VI of this report provides a summary of study issues discovered as part of the research and analysis activity.

B. ADVISORY GROUP

The Commission established a Truancy and School Dropout Prevention Advisory Group to help identify, refine and prioritize goals and objectives of the study. A complete list of the Advisory Group membership is provided as Appendix A. The Advisory Group met twice in 2008: September 23 and October 14; and five times in 2009: April 20, June 15, July 30, October 27 and November 24.

During the first year of the study, the Advisory Group included representatives from the following agencies and organizations:

- Chesterfield County Public Schools;
- King and Queen County Public Schools;
- Legal Aid Justice Center, JustChildren Program;
- Office of Student Management and Alternative Programs;
- Office of the Secretary of Education;
- Roanoke City Public Schools;

¹ Va. Code § 16.1-292; Va. Code § 22.1-253; Va. Code § 22.1-258; Va. Code § 22.1-262; Va. Code § 22.1-263.

² 8 VAC 20-131-210; 8 VAC 20-131-110.

³ House Bill 1196 (2000); House Bill 19 (2006); House Bill 1263 (2008);

- Rockbridge Area Community Services;
- Virginia Alternative Educators Association;
- Virginia Association of Community Service Boards, Child and Family Services Task Force;
- Virginia Association of Elementary School Principals;
- Virginia Association of School Superintendants;
- Virginia Association of Secondary School Principals;
- Virginia Board of Education;
- Virginia Department of Criminal Justice Services;
- Virginia Department of Education;
- Virginia Department of Juvenile Justice;
- Virginia Education Association;
- Virginia PTA/PTSA;
- Virginia School Board Association;
- Virginia School Counselors Association;
- Dropout Prevention Counselors;
- Juvenile and Domestic Relations District Court Judge;
- Police Officers;
- School Principals; and
- Virginia Commission on Youth Members.

During the second year of the study, the Commission established a new Advisory Group that could specifically address the issues identified during 2008. The 2009 Advisory Group included representatives from the following agencies and organizations:

- Alternative Education Programs;
- Chesterfield County Public Schools;
- City of Richmond Department of Social Services;
- Communities in Schools of Richmond;
- Hopewell City Public Schools;
- JustChildren Program;
- Prince William County Public Schools;
- Roanoke City Public Schools;
- Supreme Court of Virginia;
- Virginia Alternative Educators Association;
- Virginia Association of Elementary School Principals;
- Virginia Association of Secondary School Principals;
- Virginia Beach Mental Health, Mental Retardation, and Substance Abuse Services;
- Virginia Board of Education;
- Virginia Commonwealth University;
- Virginia Department of Criminal Justice Services;
- Virginia Department of Education Office of Student Services;
- Virginia Education Association;
- Virginia PTA/PTSA;
- Virginia School Board Association;
- Virginia School Counselors Association;
- Juvenile and Domestic Relations Judges;
- Commonwealth Attorneys;

- Police Officers;
- Principals;
- Probation Officers; and
- Virginia Commission on Youth Members.

C. SITE VISITS

Another means of researching truancy and dropout prevention employed by the Commission staff was to conduct site visit interviews with personnel in school divisions, police departments, and court systems.

During the first year of the study, the Commission on Youth staff conducted site visits at the following localities:

- Hampton City Public Schools;
- Lee County: Lee County Department of Social Services, Superintendent, Delegate Kilgore, Court Services Unit for Lee, Scott and Wise, Lee County Sherriff, Lee County Juvenile and Domestic Relations Judge;
- Norfolk: Department of Education, Norfolk Public Schools Dept. of Personnel, Norfolk Court Services Unit;
- Pittsylvania County Public Schools: Pittsylvania County School Board;
- Richmond City Public Schools; and
- Roanoke City: Roanoke City Public Schools, Roanoke City Sherriff, Roanoke City Police Department, Roanoke Court Services Unit.

D. ROUNDTABLES

During the first year of the study, the Commission further researched truancy and dropout prevention by hosting roundtables with youth in order to gain student perspectives on the topic. The following localities hosted youth roundtables:

- Danville
- Hampton
- Manassas
- Norfolk
- Richmond City

E. PRESENTATIONS AND GUEST SPEAKERS

During the second year of the study, the Advisory Group invited students, parents, and community representatives to speak on their personal experiences with truancy or dropping out of school. Students spoke of the need for positive relationships with their teachers and the importance of alternative education options. Parents spoke of their lack of understanding of dropout risk factors and the challenges of trying to help a child who has disengaged from school. One parent provided sample early warning checklists (Appendix C) that could be used by parents to determine whether their child might be at risk for dropping out of school. Communities in Schools, a national organization dedicated to reducing the number of students who drop out of school, provided examples of how schools and communities have worked together to help students stay in school.⁴

⁴ Communities in Schools. [Online]. Available: <http://communitiesinschools.org>. [October 2010].

VI. Study Issues

A major part of this study was to develop a clearer understanding of the truancy and dropout problem at the national, state, and local levels. This section summarizes the results of the research and analysis activity conducted by the Commission staff.

A. SCOPE OF TRUANCY AND SCHOOL DROPOUT PROBLEM

Chronic truancy and rising school dropout rates are critical problems nationally⁵ and in the Commonwealth. In a speech before the U.S Chamber of Commerce, President Obama recognized the national problem and noted that dropping out of school is “a problem we can’t afford to accept or ignore. The stakes are too high for our children, for our economy, for our country. It’s time for all of us to come together—parents and students, principals and teachers, business leaders and elected officials—to end America’s dropout crisis.”⁶ Gary Orfield of the Civil Rights Project commented, “There is a high school dropout crisis far beyond the imagination of most Americans, concentrated in urban schools and relegating many thousands of minority children to a life of failure.”⁷ The 2005 national statistics show that, at 22 percent, Hispanic youth have the highest dropout rate, followed by African American youth, at 10 percent, and Caucasian youth, at six percent.⁸ Asian and Pacific Islander youth have the lowest dropout rate – around three percent.⁹

States are also beginning to recognize that truancy and dropout rates for some of their schools are unacceptably high. Appendix D provides a comparison of graduation and dropout rates for all 50 states during the 2006-07 school year (in addition to other comparisons). Although the dropout rate in the Commonwealth is lower than in many states, Virginia schools are still losing approximately 10,000 students each year.¹⁰

Truancy

According to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), truancy is defined as students’ unexcused absences from school.¹¹ Because many students are considered truant at some point in their school career, the greater concern is chronic truancy, or when students have accumulated a certain number of unexcused absences during a school year. In Virginia, truancy can be considered chronic when a student has accumulated six unexcused absences in a school year.¹² As established by the Virginia Department of Education, chronic truancy is measured by recording the number of students with whom truancy conferences were scheduled. The Commonwealth uses this means of measuring chronic truancy because these conferences are typically

⁵ U.S. Department of Education. *Truancy: A Serious Problem for Students, Schools, and Society*. [Online]. Available: http://www2.ed.gov/admins/lead/safety/training/truancy/problem_pg13.html#dropout. [October 2010].

⁶ The Office of the Press Secretary, the White House. *President Obama Announces Steps to Reduce Dropout Rate and Prepare Students for College and Careers*. (March 2010). [Online]. Available: <http://www.whitehouse.gov/the-press-office/president-obama-announces-steps-reduce-dropout-rate-and-prepare-students-college-an>. [October 2010].

⁷ Orfield, G. *Dropouts in America: Confronting the Graduation Rate Crisis*. Civil Rights Project. (2004). [Online]. Available: <http://www.hepg.org/hepg/book/43>. [October 2010].

⁸ U.S. Department of Education Statistics & Trends in Education of Racial and Ethnic Minorities. [Online]. Available: http://nces.ed.gov/pubs2007/minoritytrends/ind_4_17.asp. [October 2010].

⁹ *Ibid.*

¹⁰ Virginia Department of Education Dropout Statistics, [Online]. Available: http://www.doe.virginia.gov/statistics_reports/graduation_completion/dropout_statistics/index.shtml. [October 2010].

¹¹ Office of Juvenile Justice and Delinquency Prevention. *Truancy Prevention*. (n.d.). [Online]. Available: <http://ojjdp.ncjrs.org/truancy/overview.html>. [February 2008].

¹² *Code of Virginia* § 22.1-258. [Online]. Available: <http://leg1.state.va.us/000/cod/22.1-258.htm>. [October 2010].

scheduled only after the student has accumulated six unexcused absences.¹³ According to state data, there were 44,572 such conferences in the 2006-07 school year,¹⁴ increasing from the 41,527 conferences scheduled in the 2005-06 school year.¹⁵ However, this data seems to underreport the number of truants in the state because some divisions do not report scheduling any such conferences.¹⁶ Because the vast majority of Virginia school divisions have reported holding truancy conferences with students, it is readily recognizable that truancy is a problem varying among divisions throughout the state. Truancy conference data for 2006-07 indicated 11 divisions scheduled over 1,000 truancy conferences in 2006-07, as shown in Table 1.

Table 1

**School Districts with Student Truancy Conferences Exceeding 1,000
2006-07 School Year**

School District	Truancy Conferences
Augusta County	2,409
Bristol City	1,452
Chesterfield County	3,470
Fairfax County	1,296
Franklin County	2,715
Lynchburg City	1,189
Newport News City	1,172
Richmond City	5,182
Roanoke City	2,661
Suffolk City	1,280
Tazewell County	1,265

Source: Virginia Department of Education. (n.d.).

Despite the fact that truancy varies by district, these divisions with higher frequencies of truancy conferences are geographically from all around the state, further emphasizing that truancy is not an issue that is present solely in certain areas of the Commonwealth.

Outside of Virginia, however, truancy lacks a universal definition. Because of the number of state laws and local school polices, each qualifying and quantifying truancy differently, truancy is difficult to measure on a national scale.¹⁷ Despite this, anecdotal data

¹³ Office of Student Services, Virginia Department of Education. *Improving school attendance: A resource guide for Virginia schools*. (August 2005). [Online]. Available: http://www.doedev.vi.virginia.gov/info_centers/federal_programs/nclb/title1_improve_academic_achievement/part_h_school_dropout_prevention/improving_attendance_guide.pdf. [July 2008].

¹⁴ Virginia Department of Education. *No. of Students with Whom a Conference Was Scheduled After the Student Had Accumulated Six Absences During the School Year: 2006-2007*.(n.d.). [Online]. Available: <http://www.doe.virginia.gov/VDOE/Publications/> under the “Student Truancy” “2006-2007” link. [July 2008].

¹⁵ Virginia Department of Education. *No. of Students with Whom a Conference Was Scheduled After the Student Had Accumulated Six Absences During the School Year: 2005-2006*. (n.d.). [Online]. Available: <http://www.doe.virginia.gov/VDOE/Publications/> under the “Student Truancy” “2005-2006” link. [July 2008].

¹⁶ Virginia Department of Education. *No. of Students with Whom a Conference Was Scheduled After the Student Had Accumulated Six Absences During the School Year: 2006-2007*. (n.d.). [Online]. Available: <http://www.doe.virginia.gov/VDOE/Publications/> under the “Student Truancy” “2006-2007” link. [July 2008].

¹⁷ Office of Juvenile Justice and Delinquency Prevention. *Truancy Prevention*. (n.d.). [Online]. Available: <http://ojjdp.njcrs.org/truancy/overview.html>. [February 2008].

can adequately demonstrate the significance of the problem. Juvenile court statistics gathered by the OJJDP show that the number of truancy cases taken to Juvenile Court increased from approximately 20,000 in 1987 to about 40,000 in 1996. This represents a 92 percent increase in the number of truancy cases taken to court. Likewise, from 1985 to 1998 there was a 67 percent increase nationwide in status offense cases involving truancy.¹⁸

While these numbers do not directly represent increased occurrences of truancy, increased enforcement, or a combination of the two, they nonetheless demonstrate that chronic truancy is a widespread problem on the rise.¹⁹ Adding to this recognition are school statistics. In the 1996-97 school year, all forms of truancy, including absenteeism, tardiness and skipping class constituted one of three discipline issues cited most often by public school principals.²⁰ Finally, from 1991 to 1997, there was a 13 percent increase in the number of times truancy was reported as a problem by principals.²¹

Truancy affects diverse populations of students that include students of different ages and genders, as well as students from different school divisions. According to the OJJDP, most children who are taken to court on truancy petitions are 15, but some children as young as 10 have been taken to court for truancy issues. Truancy in younger children is equally as problematic as truancy in older children. For example, the OJJDP's Study Group on Very Young Offenders found that chronic truancy in elementary school is linked to serious delinquent behavior at ages 12 and under.²² Boys and girls alike face truancy problems and, according to the National Center for Juvenile Justice, boys made up 54 percent of all petitioned truancy cases between 1990 and 1999, while girls were the remaining 46 percent of cases.²³ Researchers have found that girls are truant most often because they are caring for children, either their own or other family members', while boys are more frequently engaged in gang-activity, playing with peers, or "wandering the neighborhood." In addition, both boys and girls report romantic relationships as a reason for their truant behavior.²⁴

School Dropout

School dropout, like truancy, is defined differently by different entities. As defined by the Commonwealth of Virginia, a dropout is "an individual:

- who was enrolled in school at some time during the previous school year and was not enrolled on October 1 of the current school year; or

¹⁸ Office of Student Services, Virginia Department of Education. *Improving School Attendance: A Resource Guide for Virginia Schools*. (2005). [Online]. Available: <http://www.nnsdfsc.org/files/School%20Attendance%202005.pdf>. [October 2010].

¹⁹ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

²⁰ Office of Student Services, Virginia Department of Education. *Improving School Attendance: A Resource Guide for Virginia Schools*. (2005). [Online]. Available: <http://www.nnsdfsc.org/files/School%20Attendance%202005.pdf>. [October 2010].

²¹ Ibid.

²² Office of Juvenile Justice and Delinquency Prevention. Office of Juvenile Justice and Delinquency Prevention Bulletin: *Truancy Reduction: Keeping Children in Schools*. (September 2001). [Online]. Available: <http://www.ncjrs.gov/pdffiles1/ojjdp/188947.pdf>. [July 2008].

²³ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

²⁴ Finlay, K. *Gender Differences Among Truant Youth*. (October 2005). [Online]. Available: <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=232768>. [July 2008].

- was not enrolled on October 1 of the previous school year although expected to be; and
- has not graduated from high school or completed a state- or district-approved educational program; and
- does not meet any of the following exclusionary conditions:
 - transfer to another public school district, private school, or state- or district-approved education program;
 - temporary school-recognized absence due to suspension or illness; or
 - death.²⁵

However, even when dropout has been defined, there are still a number of recognized ways to calculate dropout rates. Two of the most common methods are the status dropout rate and the event dropout rate. According to the National Center for Education Statistics, a federal entity developed to measure education statistics, the status dropout rate is the percentage of individuals in a particular age range (normally 16-24) who have not earned a high school diploma or a General Educational Development (GED) credential. This rate is useful in determining what percentage of the whole population within the given age range does not have a diploma or GED. The event dropout rate, on the other hand, is an estimate of the percentage of public and private high school students who left school between the beginning of one school year and the next without earning a high school diploma or GED. This rate is useful for tracking yearly changes in school, district, and state dropout rates.²⁶

The National Center for Education Statistics, using results from the Current Population Survey, has estimated national status and event dropout rates. In October 2004, the status dropout rate was calculated to be 10.3 percent. In October 2005, the status dropout rate was 9.4 percent, which means about 3.5 million 16-24 year-olds were not in high school and had not received a high school diploma or GED. Using event dropout rates, a year-by-year analysis shows the problem may be getting worse. The Center calculated from survey data that 3.8 percent of high school students dropped out between October 2004 and October 2005.²⁷ Thus, 540,382 students in grades 9-12 dropped out of public schools from 2004-05.²⁸ In the following school year, 2005-06, 549,149 high school students dropped out, resulting in a 3.9 percent event dropout rate.²⁹ In 2006-07, 617,948 students in grades 9-12 dropped out of public schools, averaging out to a 4.4 percent dropout rate.³⁰

²⁵ Virginia Department of Education. *Data Definitions*. (November 2005). [Online]. Available: http://www.doe.virginia.gov/VDOE/Publications/NCLB/new_data_definitions.html. [July 2008].

²⁶ Laird, J., DeBell, M., Kienzl, G., & Chapman, C. (2007). *Dropout Rates in the United States: 2005* (NCES 2007-059). U.S. Department of Education, National Center for Education Statistics. [Online]. Available: <http://nces.ed.gov/pubsearch>. [July 2008].

²⁷ Ibid.

²⁸ U.S. Department of Education, National Center for Education Statistics. *Dropout Rates in the United States: 2005*. (June 2007). [Online]. Available: <http://nces.ed.gov/pubs2007/dropout05/>. [February 2008].

²⁹ U.S. Department of Education, National Center for Education Statistics. *Public School Graduates and Dropouts from the Common Core of Data: School Year 2005–06*. (January 2009). [Online]. Available: <http://nces.ed.gov/pubs2008/2008353rev.pdf>. [October 2010].

³⁰ U.S. Department of Education, National Center for Education Statistics, *Public School Graduates and Dropouts from the Common Core of Data: School Year 2006–07*. (October 2009). [Online]. Available: <http://nces.ed.gov/pubs2010/2010313.pdf>. [October 2010].

During the past decade, Virginia has used primarily the event dropout rate to indicate the extent of the problem across the Commonwealth. Virginia's event dropout rate typically remains between 1-2 percent less than the national rate,³¹ but more than 10,000 students still drop out of Virginia schools each year.³² Specifically, there were 8,989 high school dropouts in the Commonwealth during the 2004-05 year,³³ 10,643 total dropouts in 2005-06,³⁴ and 10,535 dropouts in the 2006-07 school year.³⁵ Within the total 2006-07 dropout rate, 2,461 students were 9th graders, 2,206 were 10th graders, 2,443 were 11th graders and 2,873, 12th graders.³⁶ However, this data does not include students who dropped out of private schools, which could mean that the number of high school dropouts in the state is even higher than reported.

The average freshman graduation rate is another statistic that helps to illustrate how well high schools are doing in getting students to graduate. The National Center for Education Statistics explains how they calculate the average freshman graduation rate:

The rate uses aggregate student enrollment data to estimate the size of an incoming freshman class and aggregate counts of the number of diplomas awarded 4 years later. The incoming freshman class size is estimated by summing the enrollment in 8th grade for one year, 9th grade for the next year, and 10th grade for the year after and then dividing by 3. The number of diplomas is the count of all diplomas awarded 4 years after a 9th grade class started 9th grade. Ungraded students were allocated to individual grades proportionally to the enrollments by grade.³⁷

Using this formula, the Center has calculated the national average freshman graduation rate to be 75 percent for the 2003-04 school year. Figure 1 depicts the averaged freshmen graduation rates for public high schools in each state for the 2005-06 school year.

Overall, research shows that about one third of students are not graduating with a regular diploma four years from when they commenced high school.³⁸ The average freshman graduation rates for Latino and African American students are even lower; researchers have found that only a little more than half of these students graduate from high school on time with a regular diploma.³⁹

³¹ U.S. Department of Education National Center for Education Statistics. *High School Dropout and Completion Rates in the United States: 2007 Compendium Report*. (2009). [Online]. Available:

<http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2009064>. [October 2010].

³² Council on Virginia's Future. (August 2008). *Why Students Drop Out. Issue Insight, 2*.

³³ U.S. Department of Education National Center for Education Statistics. *Dropout Rates in the United States: 2005*. (June 2007). [Online]. Available: <http://nces.ed.gov/pubs2007/dropout05/>. [February 2008].

³⁴ Virginia Department of Education. *2005-2006 Dropout Statistics*. (January 2008). [Online]. Available: <http://www.doe.virginia.gov/VDOE/Publications/>. [February 2008].

³⁵ Virginia Department of Education. *Dropout Statistics by School Grades 7-12 2006-2007*. (2010). [Online]. Available: http://www.doe.virginia.gov/statistics_reports/graduation_completion/dropout_statistics/school/2006-2007.pdf. [October 2010].

³⁶ Ibid.

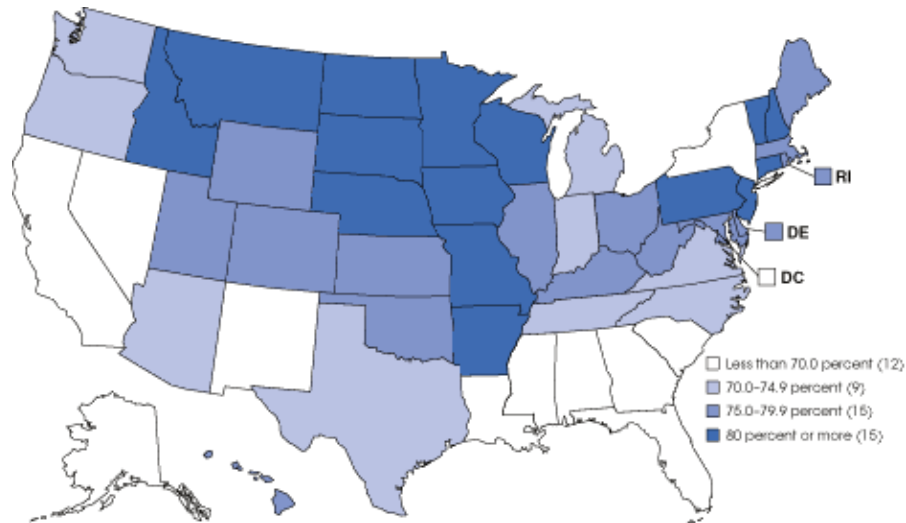
³⁷ Laird, J., DeBell, M., Kienzl, G., & Chapman, C. (2007). *Dropout Rates in the United States: 2005* (NCES 2007-059). U.S. Department of Education, National Center for Education Statistics. [Online]. Available: <http://nces.ed.gov/pubsearch>. [July 2008].

³⁸ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

³⁹ Ream, R., & Rumberger, R. (April 2008). Student Engagement, Peer Social Capital, and School Dropout Among Mexican American and Non-Latino White Students. *Sociology of Education*, 81, 109-139.

Figure 1

**Average Freshman Graduation Rate for Public High School Students
School Year 2005-06**



Source: National Education Center Statistics, 2009.

Virginia dropout rate calculations have undergone changes in recent years in response to No Child Left Behind (NCLB) mandates. Previously, the Commonwealth calculated dropout rates by the number of students who dropped out each year (event dropout rates). In 2006, however, the General Assembly mandated through House Bill 19 that the Virginia Board of Education adopt a formula for cohort graduation and dropout rates recommended by the National Governors Association.⁴⁰ A cohort “on-time” graduation rate is the percentage of students in a cohort who earn a diploma within four years of entering 9th grade. In Virginia, this rate is known as the Virginia On-Time Graduation rate. A cohort dropout rate is the percentage of students in the cohort who drop out during the same period.⁴¹ By 2008, the Commonwealth had compiled four years worth of data in order to report a cohort dropout rate for groups of students who had entered the 9th grade in 2004.⁴² Virginia’s graduation rate for 2009, as determined by the new On-Time cohort calculation, is depicted in Figure 2. Data can also be accessed on-line at www.kidscount.org/datacenter.

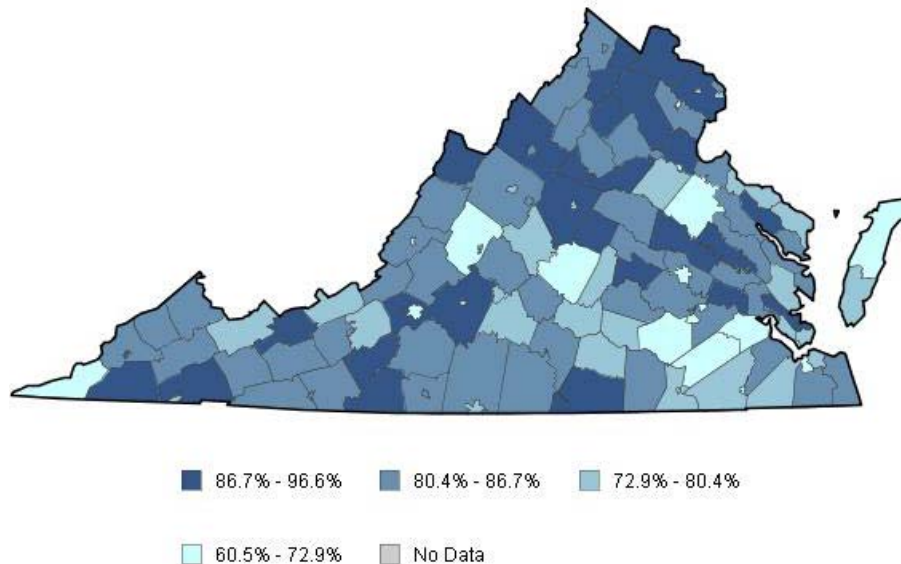
⁴⁰ House Bill 19, 2006 General Assembly, Regular Session. (Va. 2006). [Online]. Available: <http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+CHAP0584+pdf>. [October 2010].

⁴¹ Virginia Department of Education (2009). *Frequently Asked Questions about Virginia High School Cohort Reports: Graduation & Dropout Rates*. [Online]. Available: http://www.doe.virginia.gov/statistics_reports/graduation_completion/cohort_reports/faq.pdf. [October 2010].

⁴² Virginia Board of Education. *Report to the Governor and the General Assembly on The High School Graduation Rate Formula*. (2006). [Online]. Available: http://www.doe.virginia.gov/boe/reports/gradrate_formula.pdf.

Figure 2

**Virginia Localities
On-Time Graduation and Completion Rate 2009
(by percentage)**



Source: Voices for Virginia's Children, KIDS COUNT Data Center.

While the state and federal government data on graduation and dropout rates has been collected from year to year, many researchers question the accuracy of these numbers. According to the "Tool Kit for Creating Your Own Truancy Reduction Program," posted by the National Criminal Justice Reference Service, there are a number of ways that schools try to adjust their dropout rates. The authors of the "Tool Kit" hypothesize that instead of considering all students who stop attending school for an extended period of time dropouts, high schools "generally assume they have transferred rather than dropped out. Dropout rates are counted only in terms of the number of students who take the time to fill out the dropout forms."⁴³

B. CAUSES OF TRUANCY AND SCHOOL DROPOUT

The causes, which are numerous, complex and variable, are discussed in the paragraphs which follow.

Truancy

There are a number of known contributing factors for truancy, which vary for each student. School factors, such as the size, climate, administrators, teachers and peers, can directly impact truant behavior.⁴⁴ However, family, economic and school factors can also indirectly lead to truancy. For example, students may experience family difficulties at

⁴³ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

⁴⁴ Office of Student Services, Virginia Department of Education. *Improving School Attendance: A Resource Guide for Virginia Schools*. (August 2005). [Online]. Available: <http://www.nnsdfsc.org/files/School%20Attendance%202005.pdf>. [July 2008].

home, drug and alcohol abuse, illiteracy, teenage pregnancy, bullying, or boredom in the classroom. Research has established correlations between truancy and crime, substance abuse, and sexual activity. In fact, research links nearly all adolescent behavioral problems with a demonstrable lack of commitment to school.⁴⁵

Unexcused absences, chronic truancy, and school dropout are all interconnected. Generally, students follow a path from unexcused absences to chronic truancy to school dropout. Studies have shown that dropouts can have attendance problems beginning in the 1st grade.⁴⁶ This means that parents, teachers and administrators need to take early attendance problems seriously if they want to avoid later school dropout. Additionally, many truant students and dropouts have poor academic achievement, since they miss important instruction when they are not in school. As the OJJDP Dropout Prevention Bulletin explains, “students with the highest truancy rates have the lowest academic achievement rates, and because truants are the youth most likely to drop out of school, they have high dropout rates as well.”⁴⁷

Researchers John Jones, Eugenia Toma, and Ron Zimmer studied the impact of various school-based factors on average daily attendance rates (ADA), or the percentage of students who attend school. For example, a 95 percent ADA rate means that, on average, 95 percent of students attend school each day. The researchers found that the number of schools in a district, school size and student to teacher ratio had a measurable impact on the ADA rate at high schools. For each additional high school in a district, the ADA decreases by 0.0036 percent. For each additional student who attended a school, the ADA declines 0.02 percent. For each additional student per teacher, the ADA goes down by 0.14 percent. While these decreases may not seem significant, they can add up. Jones, Toma, and Zimmer proposed a hypothetical situation, where one district had a single high school with 1,000 students and 10 students per teacher, and another district had 10 high schools with an average of 2,000 students and 20 students per teacher per school. They determined that the larger district would have an average ADA rate for all of its high schools that would be 1.455 percent lower than the ADA rate for the smaller district.⁴⁸ Multiplied across the 180 days in a school year, this difference would mean that each student in the larger district would miss 2.6 additional days per school year than they would miss if they were a student in the smaller district.

School Dropout

Since youth cannot legally drop out of school until they are in their mid to late teens, depending on the state (see Appendix D for a state comparison of compulsory attendance ages), much of the research that has been conducted on youth who do not attend school on a daily basis has been conducted on truant students. However, since students who

⁴⁵ Ibid.

⁴⁶ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

⁴⁷ Office of Juvenile Justice and Delinquency Prevention. Office of Juvenile Justice and Delinquency Prevention Bulletin: *Truancy Reduction: Keeping Children in Schools*. (September 2001). [Online]. Available: <http://www.ncjrs.gov/pdffiles1/ojjdp/188947.pdf>. [July 2008].

⁴⁸ Jones, J., Toma, E., & Zimmer, R. (2008). School Attendance and District and School Size. *Economics of Education Review*, 27, 140-148.

drop out typically begin as truant students before they eventually dropout, much of the data applies to both students who do not attend school because they are truant and those who do not attend school because they have dropped out.

According to the U.S. Department of Education, chronically truant students typically are at a greater risk of dropping out of school, and five out of every 100 high school students will eventually drop out of school.⁴⁹ Generally, researchers consider four categories when trying to determine what factors cause dropout:

1. family factors;
2. economic factors;
3. student factors; and
4. school factors.

Family Factors

A lack of parental supervision, poverty, substance abuse in the home, domestic violence, lack of knowledge of school attendance laws, and different educational priorities are often linked to an increased risk of dropout.⁵⁰ According to Robert Jantzen, for each 1 percent increase in the poverty rate, the dropout rate in high schools increases 0.3 percent.⁵¹

Economic Factors

According to event dropout data from 2005, students from the lowest 20 percent of all family incomes were almost six times more likely to drop out than students from the highest 20 percent of all family incomes (an 8.9 percent dropout rate versus a 1.5 percent dropout rate).⁵²

A number of specific economic factors have been identified as affecting dropout rates:

- Student employment
- Single parent households
- Parents with multiple jobs
- Families lacking affordable transportation
- Families lacking affordable childcare⁵³

⁴⁹ U.S. Department of Education. *Truancy: A Serious Problem for Students, Schools, and Society*. [Online]. Available: http://www.ed.gov/admins/lead/safety/training/truancy/problem_pg13.html. [February 2008].

⁵⁰ Office of Student Services, Virginia Department of Education. *Improving school attendance: A resource guide for Virginia schools*. (August 2005). [Online]. Available: http://www.doedev.vi.virginia.gov/info_centers/federal_programs/nclb/title1_improve_academic_achievement/part_h_school_dropout_prevention/improving_attendance_guide.pdf. [July 2008].

⁵¹ Jantzen, R. (2008). Improving Public High Schools: Evidence from New York. *International Advances in Economic Research*, 14, 101-108.

⁵² Laird, J., DeBell, M., Kienzl, G., & Chapman, C. (2007). *Dropout Rates in the United States: 2005* (NCES 2007-059). U.S. Department of Education, National Center for Education Statistics. [Online]. Available: <http://nces.ed.gov/pubsearch>. [July 2008].

⁵³ Office of Student Services, Virginia Department of Education. *Improving School Attendance: A Resource Guide for Virginia Schools*. (August 2005). [Online]. Available: http://www.doedev.vi.virginia.gov/info_centers/federal_programs/nclb/title1_improve_academic_achievement/part_h_school_dropout_prevention/improving_attendance_guide.pdf. [July 2008].

Student Factors

The student factors that are commonly cited as contributing to dropping out are:

- Substance use;
- Limited social and emotional competence;
- Mental health problems;
- Poor physical health; and
- Lack of familiarity with school attendance laws.⁵⁴

One student factor that is commonly linked to high dropout rates is retention, or not being promoted to the next grade. Jimerson et al. (as cited in Stearns, Moller, Blau, & Potochnick, 2007) reviewed 17 studies on retention and dropout, and identified that “every study found a significant link between prior grade retention and dropping out.”⁵⁵ Stearns, Moller, Blau, and Potochnick found that if students made it to 10th grade, prior retention had a significant impact on whether they dropped out of high school. Students who are over-age for their grade level understandably have a much higher risk of dropping out. In 1995, 13.3 percent of students aged 16-24 who had repeated one or more grades dropped out, as compared to about 10 percent of students who were never held back.⁵⁶

Additionally, when breaking down dropout risks by ethnicity, the effect of retention similarly affects white, black and Latino students. 96 percent of white students who made it to the 10th grade and were never retained, finished high school, while only 83 percent of white students who reached the 10th grade and had been retained finished high school. Similarly, 93 percent of black students who were never retained and reached the 10th grade graduated versus 82 percent who were retained before 10th grade and did not graduate. For Latinos, 93 percent of Latino students who were never retained graduated, while only 78 percent of those who were retained before 10th grade ended up graduating from high school.⁵⁷ This data is illustrated in Chart 1.

Pregnancy is also linked to high school dropout. One study conducted by Kearney found that 27.8 percent of girls who left the 10th grade said one of the major reasons for doing so was pregnancy.⁵⁸ Kearney also found that only 60-80 percent of girls who have children complete high school.⁵⁹ Other studies have grimmer statistics. For example, the Minnesota Organization on Adolescent Pregnancy, Prevention and Parenting cited a study conducted by Maynard in 1996 that found that only 32 percent of teen mothers completed high school by their late twenties.⁶⁰

⁵⁴ Ibid.

⁵⁵ Stearns, E., Moller, S., Blau, J., & Potochnick, S. (2007). Staying Back and Dropping Out: The Relationship Between Grade Retention and School Dropout. *Sociology of Education*, 80, 210-240.

⁵⁶ U.S Department of Education, National Center for Education Statistics. *Dropout Rates in the U.S.: 1995*. [Online]. Available: <http://nces.ed.gov/pubs/dp95/97473-5.asp>.

⁵⁷ Stearns, E., Moller, S., Blau, J., & Potochnick, S. (2007). Staying Back and Dropping Out: The Relationship Between Grade Retention and School Dropout. *Sociology of Education*, 80, 210-240.

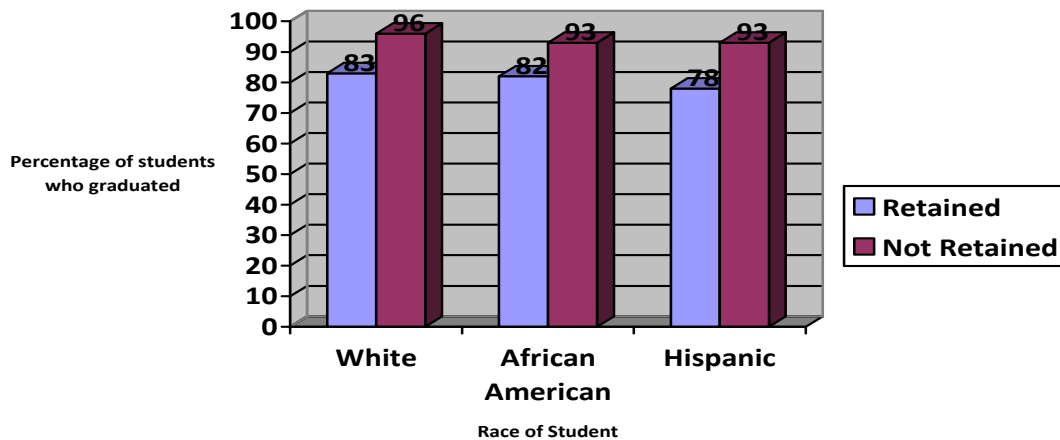
⁵⁸ Kearney, C. A. (2008). School Absenteeism and School Refusal Behavior in Youth: A Contemporary Review. *Clinical Psychology Review*, 28, 451-471.

⁵⁹ Ibid.

⁶⁰ Minnesota Organization on Adolescent Pregnancy, Prevention and Parenting. *Pregnancy, Poverty, School, and Employment*. (April 1998). [Online]. Available: <http://www.moapp.org/Documents/pregnancy-poverty-school-and-employment.pdf>. [September 2008].

Chart 1

Comparison of Graduation Rates for Students Retained Prior to 10th Grade and Students Not Retained Prior to 10th Grade



Source: Sterns, Moller, Blau, & Potochnick. (2007).

School Factors

The major school factors that are generally linked to dropping out are:

- school size;
- attitudes of staff and students;
- how well schools meet the diverse cultural and learning styles of students; and
- how schools respond to truant behavior.⁶¹

Surprisingly, many students who drop out do not complain about the difficulty of their classes. Instead, they complain about being bored. According to a recent survey of dropouts, 47 percent of the students who responded to the survey reported that “a major factor in their decision to leave school was that classes were uninteresting.”⁶²

C. COSTS AND IMPACTS OF TRUANCY AND SCHOOL DROPOUTS

Truants and dropouts create problems and hardships not only for themselves, but for schools and the community at large as well. Unexcused absences from school are typically linked to harmful social and personal consequences, including academic failure, school dropout rates, crime and violence, unemployment, substance abuse, adult criminality and incarceration, unwanted pregnancy and social isolation. Dropouts are much more likely than their peers who graduate to be unemployed, living in poverty, receiving public

⁶¹ Office of Student Services, Virginia Department of Education. *Improving School Attendance: A Resource Guide for Virginia Schools*. (August 2005). [Online]. Available: http://www.doedev.vi.virginia.gov/info_centers/federal_programs/nclb/title1_improve_academic_achievemt/part_h_school_dropout_prevention/improving_attendance_guide.pdf. [July 2008].

⁶² Kearney, C. (2008). School Absenteeism and School Refusal Behavior in Youth: A Contemporary Review. *Clinical Psychology Review*, 28, 451-471.

assistance, in prison, on death row, unhealthy, divorced, and ultimately single parents with children who drop out from high school themselves.⁶³

Truancy

On a societal level, truancy is costly due to court costs, the need for on-the-job training of uneducated individuals and a loss of educational funding. Truancy can be indicative of future criminal, marital and employment problems.⁶⁴

Truancy and unexcused absences are often considered strong indicators of future delinquent and criminal activity, with the correlation particularly prevalent in male students.⁶⁵ Conducted by the researchers Henry & Huizinga (2005) and reported on in the *Tool Kit for Creating Your Own Truancy Reduction Program*, the Rochester Youth Study is one in which students self-reported absences and their criminal activity. The study found a strong link between missing school and committing crimes. Almost half of all truants have a history of corrections.⁶⁶ Specifically, studies show that children who reported occasionally skipping class were four times more likely to report having committed a serious assault, five times as likely to report having committed a serious property crime, and twice as likely to report having been arrested than students who did not report skipping classes. Students who were classified as chronic truants were 12 times as likely to report having committed a serious assault, 21 times as likely to report having committed a serious property crime, and almost seven times more likely to report having been arrested than students who did not report skipping classes.⁶⁷

Several police departments have found that by targeting truant behavior, they have been able to reduce the incidence of daytime crime. The Miami and St. Petersburg, Florida Police Departments found that the crime rates dropped when they conducted truancy sweeps.⁶⁸ For instance, in the neighborhoods that the Miami Police targeted their truancy sweeps in, there was a 22 percent decrease in vehicle burglaries, and a 19 percent decrease in both residential burglaries and criminal mischief.⁶⁹ The Dallas, Texas Police Department was similarly able to reduce gang-related crime by dealing with truant youth.⁷⁰

Truancy has also been linked to substance abuse. The Rochester Youth Study also looked at correlations between truancy and marijuana use. The study found that 14-year-olds who report occasionally skipping classes are four times as likely to try marijuana as students who never skipped class. Students who are 14 years old who skip between one

⁶³ Bridgeland, J., Dilulio, J., & Morison, K. *The Silent Epidemic: Perspectives of High School Dropouts*. (March 2006). [Online]. Available: <http://www.civicenterprises.net/pdfs/thesilentepidemic3-06.pdf>. [October 2010].

⁶⁴ Office of Juvenile Justice and Delinquency Prevention. Office of Juvenile Justice and Delinquency Prevention Bulletin: *Truancy Reduction: Keeping Children in Schools*. (September 2001). [Online]. Available: <http://www.ncjrs.gov/pdffiles1/ojjdp/188947.pdf>. [October 2010].

⁶⁵ Virginia Commission on Youth. 1999. *Study of Truants and Runaways, House Document 57*. Richmond, VA: Virginia Commission on Youth. [Online]. Available: [http://leg2.state.va.us/dls/h&sdocs.nsf/fc86c2b17a1cf388852570f9006f1299/71abc7663e08107c85256721004b8a5b/\\$FILE/HD57_1999.pdf](http://leg2.state.va.us/dls/h&sdocs.nsf/fc86c2b17a1cf388852570f9006f1299/71abc7663e08107c85256721004b8a5b/$FILE/HD57_1999.pdf). [October 2010].

⁶⁶ Office of Juvenile Justice and Delinquency Prevention. 2007. *Tool Kit for Creating Your Own Truancy Reduction Program*. [Online]. Available: http://ojjdp.ncjrs.gov/publications/truancy_toolkit.html. [February 2008].

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

to three days are seven times as likely to try marijuana. Students who skip four to nine days are 12 times as likely, and students who skip more than 10 days are 16 times more likely to try marijuana as age 14 students who never skip school.⁷¹ Substance abuse among truant students involves more than just trying marijuana, according to the *Tool Kit for Creating Your Own Truancy Reduction Program*. The New York State Office of Alcoholism and Substance Abuse Services found that 10 percent of “moderate truants” and 24 percent of “serious truants” need alcohol or drug treatment, compared to only 3 percent of non-truants.⁷²

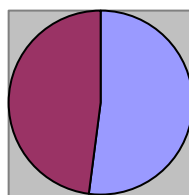
Truancy has also been linked to problematic sexual behavior. According to Christopher Kearney, a psychology professor at the University of Nevada, Las Vegas, absenteeism has been linked to “perilous sexual behavior.”⁷³ The Adolescent Health Survey, reported on by Bloom et al. (2000), and cited in the “Tool Kit for Creating Your Own Truancy Reduction Program,” found that truancy has been linked to early sexual intercourse in adolescents.⁷⁴ Truant students who engage in early and/or unsafe sexual activity are at risk of pregnancy, which then puts them at risk for high school dropout.

School Dropout

School dropouts are equally costly to society. When students become adults, previous truant behavior is typically not considered in studies. Instead, what is measured is whether they received a high school diploma or GED.

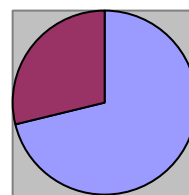
As a consequence of being less educated than graduated peers, high school dropouts are typically less active labor force participants and face higher unemployment rates. Data from the 2000 U.S. census shows that high school dropouts had a 52 percent employment rate, compared to a 71 percent employment rate for high school graduates. These statistics are illustrated in the graphs which follow.

Employment Rates for High School Dropouts



■ Employed
■ Unemployed

Employment Rates for High School Graduates



■ Employed
■ Unemployed

Source: Office of Juvenile Justice and Delinquency Prevention. (2007).

⁷¹ Ibid.

⁷² Office of Juvenile Justice and Delinquency Prevention. 2007. *Tool Kit for Creating Your Own Truancy Reduction Program*. [Online]. Available: http://ojjdp.ncjrs.gov/publications/truancy_toolkit.html. [February 2008].

⁷³ Kearney, C. A. (2008). School Absenteeism and School Refusal Behavior in Youth: A Contemporary Review. *Clinical Psychology Review*, 28, 451-471.

⁷⁴ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

In 2004, high school dropouts were generally over three times more likely than high school graduates to be unemployed.⁷⁵ In October of 2007, 26.9 percent of 2006-07 dropouts were unemployed, as compared to 19.9 percent of 2007 graduates not enrolled in college.⁷⁶ However, the unemployment rate was only 9.8 percent the same month among recent high school graduates in college.⁷⁷ According to studies by Rouse (2005) and Steinberg, Johnson, and Pennington (2006), as cited in Ream and Rumberger, not only are dropouts significantly less likely to be employed than high school graduates, but those who do have jobs often are faced with a lack of health insurance, poor advancement opportunities, and low pay.⁷⁸ Furthermore, dropouts are also twice as likely as high school graduates to slip into poverty from one year to the next.⁷⁹

The dropouts who were able to work full-time year-round in 1999 earned only 65 percent of median earnings for the country.⁸⁰ According to U.S. Department of Education and National Center for Education Statistics, the average income of individuals age 18-65 who did not complete high school was roughly \$20,100 in 2005, compared to the \$29,700 income of a persons with a high school credential or GED.⁸¹ An individual born in the middle of the 20th century in the U.S., United Kingdom, or Canada missed out on the opportunity to increase lifetime spending by over 10 percent by not graduating from high school; the increasing dearth of manufacturing jobs in the U.S. makes it possible that this statistic will be even higher for today's dropouts.⁸²

Additionally, the societal cost of dropouts is great. The General Accounting Office reported that dropouts were three times more likely to receive welfare than high school completers who did not attend college.⁸³ Over the course of a lifetime, an average school dropout will cost society more than \$800,000.⁸⁴ In terms of taxes, the Alliance for Excellent Education reported that a high school dropout contributes \$60,000 less than a high school graduate in federal and state taxes over a lifetime.⁸⁵

High school dropouts are overrepresented among criminals. Statistics from 1997 show that 41 percent of prison inmates and 31 percent of probationers 18 or older lacked a high school diploma or GED, while only 18 percent of the general population lacked these

⁷⁵ Bridgeland, J., Dilulio, J., & Morison, K. *The Silent Epidemic: Perspectives of High School Dropouts*. (March 2006). [Online]. Available: <http://www.civicerprises.net/pdfs/thesilentepidemic3-06.pdf>. [October 2010].

⁷⁶ U.S. Department of Labor Bureau of Labor Statistics. *TED: The Editor's Desk*. (2008). [Online]. Available: <http://www.bls.gov/opub/ted/2008/apr/wk4/art03.htm>. [October 2010].

⁷⁷ Ibid.

⁷⁸ Ream, R., & Rumberger, R. (April 2008). Student Engagement, Peer Social Capital, and School Dropout Among Mexican American and Non-Latino White Students. *Sociology of Education*, 81, 109-139.

⁷⁹ Bridgeland, J., Dilulio, J., & Morison, K. *The Silent Epidemic: Perspectives of High School Dropouts*. (March 2006). [Online]. Available: <http://www.civicerprises.net/pdfs/thesilentepidemic3-06.pdf>. [October 2010].

⁸⁰ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

⁸¹ U.S. Department of Education, National Center for Education Statistics. *Dropout Rates in the United States: 2005*. (June 2007). [Online]. Available: <http://nces.ed.gov/pubs2007/dropout05/>. [February 2008].

⁸² Oreopoulos, P. (2007). Do Dropouts Drop Out Too Soon? Wealth, health and happiness from compulsory schooling. *Journal of Public Economics*, 91, 2213-2229.

⁸³ U.S. General Accounting Office. *School Dropouts: Education Could Play a Stronger Role in Identifying and Disseminating Promising Prevention Strategies*. (GAO Publication No. 02-240). (2002). [Online]. Available: <http://www.gao.gov/new.items/d02240.pdf>. [October 2010].

⁸⁴ Office of Juvenile Justice and Delinquency Prevention. *Truancy Prevention*. [Online]. Available: <http://ojjdp.ncjrs.org/truancy/overview.html>. [February 2008].

⁸⁵ Alliance for Excellent Education. *The High Cost of High School Dropouts: What the Nation Pays for Inadequate High Schools*. (2007). [Online]. Available: <http://all4ed.org/files/HighCost.pdf>. [October 2010].

credentials in 1997.⁸⁶ Dropouts are generally eight times as likely to be imprisoned as a high school graduate.⁸⁷ The prevalence of individuals without high school diplomas or GEDs in the corrections system is often linked to the lack of opportunity that these individuals face in society, as they have more trouble finding stable employment than high school graduates do. Increasing the graduation rate would not only help reduce the likelihood that individuals would be involved in criminal activity, but also would result in crime-related economic benefits for society. In an article in *The American Economic Review*, economics professors Lance Lochner and Enrico Moretti reported that a mere 1 percent increase in the high school completion rate for males ages 20-60 would save the U.S. up to \$1.4 billion a year in costs. This results in a social benefit between \$1,170 and \$2,100 a year per additional male high school graduate. Likewise, a 5 percent increase in male high school graduation rates would result in \$49 billion savings in annual crime-related costs.⁸⁸ Over a lifetime, this far outweighs the provisional costs to the local, state, and federal government of paying for the additional years of schooling that these students would receive if they stayed in high school until they graduated.⁸⁹

D. PREVENTATIVE STEPS TO TRUANCY AND SCHOOL DROPOUT

A number of states and localities have employed tactics to prevent truancy and school dropouts. Virginia has implemented the new On-Time Graduation Rate in order to present a more accurate dropout calculation by accounting for transfer students, taking into consideration policy and instructional practices, and by not basing the rate solely on dropouts nor implying that a student can only graduate or transfer.⁹⁰ Further, Virginia school divisions have utilized a wide variety of different strategies to try to reduce truancy. While each district's methods are unique, there are several commonly used strategies. In a survey of the attendance officers, researchers found that the most commonly-used strategy in dealing with attendance cases was referring the student with attendance problems for additionally school-sponsored services, such as tutoring. Some other frequently utilized options were alternative education, referral for community based services, and special education evaluations. Strategies commonly used by school divisions in the Commonwealth are listed in Table 2. Each number represents the number of attendance officers who responded that their school district utilized a particular strategy with a certain frequency.⁹¹

⁸⁶Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>. [July 2008].

⁸⁷ Bridgeland, J., Dilulio, J., & Morison, K. *The Silent Epidemic: Perspectives of High School Dropouts*. (March 2006). [Online]. Available: <http://www.civicenterprises.net/pdfs/thesilentepidemic3-06.pdf>. [October 2010].

⁸⁸ Alliance for Excellent Education. *The High Cost of High School Dropouts: What the Nation Pays for Inadequate High Schools*. (2007). [Online]. Available at: <http://all4ed.org/files/HighCost.pdf>. [October 2010].

⁸⁹ Lochner, L. & Moretti, E. (2004). The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self-Reports. *The American Economic Review*, 94(1), 183-184.

⁹⁰ Hampton City Public Schools. *Presentation on Student Graduation Rates*. (2008).

⁹¹ Virginia Department of Education. *A Study of Truancy Intervention Practices in Virginia*. (June 2006). [Online]. Available:http://www.doedev.vi.virginia.gov/info_centers/federal_programs/nclb/title1_improve_academic_achievemt/part_h_school_dropout_prevention/study_truancy-intervention.pdf. [July 2008].

Table 2

Strategies to Resolve Emerging Attendance Problems

Strategies Used to Resolve Emerging Attendance Problems	Used Regularly	Used Occasionally	Rarely/ Never Used
Referral for additional school-sponsored services, e.g., tutoring, Lunch Buddies	71.64% (96)	19.40% (26)	5.97% (8)
Alternative education program/placement at same/other school	49.25% (66)	35.07% (47)	12.69% (17)
Referral for community-based services for student/family	41.04% (55)	47.01% (63)	7.46% (10)
Comprehensive assessment for special education eligibility determination	39.55% (53)	47.01% (63)	10.45% (14)
Change teacher/class schedule within same school/program	30.60% (41)	42.54% (57)	23.88% (23)
Educational assessment for possible regular education program modification	28.36% (38)	37.31% (50)	31.34% (42)
Referral for substance abuse assessment of student	11.94% (16)	51.49% (69)	28.36% (38)

Source: Virginia Department of Education. (June 2006)

These school divisions also utilized different community resources in their efforts against truancy at different rates: 24.6 percent regularly involved community-based organizations; 47.8 percent occasionally involved community-based organizations; 16.4 percent rarely or never involved community-based organizations in dealing with truant students. School resource officers were involved in dealing with truancy even less often. 19.4 percent of divisions regularly involved school resource officers; 46.3 percent occasionally involved school resource officers; and 30.6 percent of divisions rarely or never involved school resource officers in attendance cases.⁹²

Legislation has been introduced in a several states to curb the rise of truancy. For example, a Maryland task force recommended raising the age requirement for compulsory public attendance from age 16 to 18.⁹³ However, critics believe raising the age range will not deter high school dropouts and will in turn increase spending due to more students. In addition, critics assert there is little evidence to support the age increase. This quandary adds to the complexity of dealing with truancy.

⁹² Ibid.

⁹³ The Baltimore Sun. Kumar, Rumma. *Dropout Rate Targeted: Panel Recommends Raising the Minimum Age to Quit School to 18*. (February 11, 2008). [Online]. Available: http://www.redorbit.com/news/education/1249650/dropout_rate_targeted_panel_recommends_raising_minimum_age_to_quit/index.html. [February 2008].

Outside of state legislation, a number of departments and organizations have researched effective approaches and strategies to combat the rising truancy and dropout rates. The National Dropout Prevention Center/Network has identified 15 effective strategic approaches to dropout that fall into four categories: school and community perspectives; early intervention; basic core strategies; and effective instruction.⁹⁴

Research shows that the “most promising [dropout prevention practices] are efforts that combine more personalized education with enhances academic supports and college and career ready curricula.”⁹⁵ Wraparound supports from families and communities also play a critical role. Specifically, the Virginia Department of Education (DOE) has identified seven groups of strategy types effective in dropout prevention programs that Virginia schools should use to support students:

- Academic (e.g., study skills, reading lab, tutoring);
- Mentoring (e.g., volunteer adults, peer buddy system, teacher-as-advisor);
- Monitoring children as they progress through school;
- Psych-Social Skills (e.g., conflict resolution, anger management);
- School/Classroom Structure (e.g., reduced class size, adjusted schedules, cooperative learning);
- Teacher/Parent Training (e.g., behavior management, home visits); and
- Vocational/Work (e.g., vocational exploration, work release).⁹⁶

On the whole, truancy and dropout prevention programs can be classified in several different ways. First, they are typically considered to be school-based, community-based, or court-based programs. While there is definitely overlap between the three, and often multiple agencies are involved in a single effort, the effort is often based in one of these three arenas. An example of a school-based program is Denver, Colorado Public School’s efforts to turn around truancy patterns in middle school students. Other school divisions have begun to develop overage academies, aimed at helping overage students graduate. In Lancaster, Pennsylvania, Phoenix Academy was developed for overage students, successfully increasing Lancaster’s graduation rate by three to four percentage points.⁹⁷ Likewise, Roanoke, Virginia developed Forest Park Academy, a school aimed specifically at helping overage or under credited middle and high school students to graduate.⁹⁸ Further, an example of a community-based program is Communities in Schools, Inc., a national organization that provides community-based support to help prevent dropout and improve school attendance.⁹⁹

⁹⁴ Smink, J. & Reimer, M.S. National Center for Dropout Prevention, *Fifteen Effective Strategies for Improving Student Attendance*. (2005). [Online]. Available: http://www.dropoutprevention.org/pubs/show_pub.php?pubID=00024. [October 2010].

⁹⁵ America’s Promise Alliance. *Grad Nation: A Guidebook to Help Communities Tackle the Dropout Crisis*. (February 2009). [Online]. Available: http://education.vermont.gov/new/pdfdoc/dept/transformation/commission/readings/reading_041309/apa_grad_nation_020509.pdf. [October 2010].

⁹⁶ Virginia Board of Education. *Study of High School Dropout and Graduation Rates in the Commonwealth (SJR 329)*. (October 2007).

⁹⁷ The Roanoke Times. Harrison, D. *Proposal Targets ‘Overage’ Students*. (November 29, 2007).

⁹⁸ The Roanoke Times. Harrison, D. *School Switch*. (April 19, 2008).

⁹⁹ National Center for School Engagement. *Facts on truancy*. [Online]. Available: <http://www.ojjdp.ncjrs.gov/truancy/pdf/FactsonTruancy.pdf>. [July 2008].

Court-based programs, such as the one run by the Ramsey County, Minnesota Attorney's Office, try to better structure the resources of the court system to reduce truancy. This program is described in detail below.

Another way that dropout prevention and truancy reduction programs are categorized is by who they serve and how they serve them. There are three main approaches that are utilized: supplemental services, such as after-school tutoring, for at-risk students, alternative education, either within the student's current school or in a special alternative school, for students who are struggling in regular classrooms, and school-wide restructuring for all students in schools that have a number of dropouts, such as changing the number of classes students take at once or how the school is organized.¹⁰⁰

As noted above, the Ramsey County's Attorney's Office Truancy Intervention Program (TIP) is considered to be very successful. In this three-step process, first, students who have three or more unexcused absences are referred by their administrator to a large-scale meeting conducted by an Assistant County Attorney for the purposes of explaining truancy laws to students and parents. If students continue to have unexcused absences after attending this meeting, they are referred to the Student Attendance Review Team (SART) for a hearing. The three-person SART team—made up of a school social worker, an Assistant County Attorney, and a probation officer—works with the student and parent to create a contract for school attendance. These plans can include referrals to agencies in the community for services such as counseling, mental health evaluations, and chemical dependency evaluations. The student is required to attend school each day, and parents are required to take steps to make sure that their child attends school.¹⁰¹ If students still continue to have attendance problems after the SART contract, the Ramsey County Attorney's Office files a court petition, and holds an expedited hearing in Juvenile Court; if a student is found to be a "habitual truant," they can face court sanctions and interventions, such as probation, fines, losing their driver's license, and/or being placed outside of their home.¹⁰² In the ten years since TIP was implemented, the largest school district in the county—St. Paul City Schools—have had its graduation rates increase over 50 percent and the number of students missing at least 15 days of school a year decrease by over 50 percent.¹⁰³

Some localities have developed special courts to deal with truancy such as Houston, Texas, Jacksonville, Florida and the King County Juvenile Court in Washington state. In 2000, Rhode Island implemented its Truancy Court program to hold court sessions with one magistrate, one court aide, guidance counselors, teachers, mental health treatment providers, truancy officer, as well as the juvenile and their parents.¹⁰⁴ As a result, the program has observed 60-80 percent improvement in class attendance and grades.¹⁰⁵

¹⁰⁰ U.S. General Accounting Office. *School dropouts: Education could play a stronger role in identifying and disseminating promising prevention strategies*. (GAO Publication No. 02-240). (2002). [Online]. Available: <http://www.gao.gov/new.items/d02240.pdf>. [October 2010].

¹⁰¹ Richtman, K. *The Truancy Intervention Program of the Ramsey County Attorney's Office: A Collaborative Approach to School Success*. 45 Fam. Ct. Rev. 421 (2007). Approach to School Success. *Family Court Review*.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Office of Juvenile Justice and Delinquency Prevention. *Truancy Prevention Success Stories*. [Online]. Available: http://ojjdp.ncjrs.org/truancy/success_1.html. [February 2008].

¹⁰⁵ *Ibid.*

VII. Findings and Recommendations

A. YEAR ONE

Truancy and Attendance

Findings

The unfortunate consequence of Virginia disciplinary laws is that students are allowed to be on the street when suspended or expelled.

Suspensions are frequently utilized for students with attendance problems. As reported in the Virginia Department of Education's Annual Report on Discipline, Crime and Violence, in 2006-07 there were 18,530 instances of attendance suspensions of Virginia students.¹⁰⁶ That constitutes over 8 percent of short-term suspensions and is the fourth most frequently reported offense resulting in a short-term suspension.¹⁰⁷ In 2007-08, there were 16,372 instances of attendance suspensions of Virginia students, constituting 12 percent of short-term suspensions per student offender. Further, 16,138 of the suspensions in 2007-08 were instances where attendance was the sole offense and thus the sole reason for suspension.

Suspensions for attendance issues actually reinforce undesired behaviors and make it easier for that student to drop out of school. Students who are suspended or expelled are prevented from receiving further educational services, causing these students to fall further behind, become increasingly disengaged from school and less motivated to return. Since it is known that the time out of school increases the likelihood of both future misbehavior and school dropouts, it is particularly important to keep those students exhibiting attendance problems in school. Time out of school increases antisocial acts, school vandalism, chronic truancy and the school dropout rate.¹⁰⁸ Suspending or expelling students for truancy is counterintuitive because schools are rewarding the students' desire to avoid school.

Recommendation 1

Request the Department of Education to offer guidance in the *Student Conduct Policy Guidelines* to school divisions regarding options other than suspension or expulsion for instances of tardiness or attendance.

Recommendation 2

Amend the *Code of Virginia* to prohibit the use of suspensions in instances of tardiness or attendance.

Findings

Judicial involvement in truancy cases is inconsistent among localities.

The Code of Virginia §22.1-258 outlines the enforcement of attendance laws through the filing of a Child in Need of Supervision petition (CHINsup) or through proceedings against parents. However, these provisions are not uniformly applied across school divisions.

¹⁰⁶ Virginia Department of Education. *Annual Report on Discipline, Crime and Violence*. (2008). [Online]. Available: http://www.doe.virginia.gov/statistics_reports/school_climate/discipline_crime_violence/06_annual_report.pdf. [October 2010].

¹⁰⁷ Ibid.

¹⁰⁸ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: http://ojjdp.ncjrs.gov/publications/truancy_toolkit.html. [July 2008].

Disagreements exist among jurisdictions about whether truancy belongs in the Courts. In some jurisdictions, there is a close involvement between schools and the Courts. In these jurisdictions, Juvenile Court Judges exhaust every remedy and frequently include school attendance in the Court Order. In other jurisdictions, however, schools are discouraged from filing petitions for attendance issues. Docket space was identified as a problem by participants interviewed on the site visits, as well as by members of the Advisory Group. Accordingly, not all truant students are actually referred to the Court for truancy. There may be attempts to “piggyback” on other charges.

Differences further exist in the use of detention as a method of enforcing court ordered attendance, pursuant to § 16.1-292(E) of the Code of Virginia. Some judges find detention effective and use it as a first alternative for violation of court order petitions to enforce attendance. Other judges, however, use detention as a last resort. These judges find detention inconsistent with Virginia law, specifically § 16.1-292(A), and ineffective in promoting the student’s future participation in school.

Recommendation 3

Monitor the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008 which includes an amendment to strengthen the Deinstitutionalization of Statute Offenders (DSO) requirement by eliminating the Valid Court Order (VCO) exception.

Findings

Punitive measures may be imposed prior to referral of services.

When proceedings are instituted against a parent according to § 22.1-258 of the Code of Virginia, the parent may be found guilty of a Class 2 or Class 3 misdemeanor, pursuant to § 22.1-263. While some judges may first order the parent or family to receive services, such as counseling or substance abuse treatment, or refer parents to the Department of Social Services, others may not prior to the imposition of jail or fines. Service referral is typically appropriate because truancy is usually a symptom of other serious problems. Potential underlying problems contributing to truancy include domestic violence, substance abuse, lack of clean clothes or a ride to school, or having to babysit.

Recommendation 4

Request that the Chair of the Commission on Youth write a letter to the Executive Secretary of the Supreme Court of Virginia to encourage training for Juvenile and Domestic Relations Judges that addresses their ability to court-order services for families in truancy cases prior to initiation of other remedies.

School Dropout Prevention

Findings

Career and technical education is an overlooked component in dropout prevention.

Students commonly leave school due to disengagement. Many students lose interest and motivation because the curriculum does not appear to have a real-world application. Students frequently do not understand the link between education and career development. Different education strategies that connect school and the real world would help bridge this gap. In order to reduce the dropout rate, apathetic and disengaged students must be reconnected to education.

Career and technical education options can help students remain in and be successful in high school. High-risk students are 8 to 10 times less likely to drop out in the 11th and 12th grades if they enroll in career and technical programs instead of a general education program.¹⁰⁹ Disabled students are also less likely to drop out after participating in a CTE program. Research shows that disabled students who have participated in secondary CTE programs are more likely to be employed, to have paid jobs, and to work full time after high. A quality career and technical program can reduce a school's dropout rate by as much as six percent.¹¹⁰

Furthermore, career and technical education programs help prepare truant students for postsecondary education and the workplace. These programs provide truant youth with the specific skills needed in the workplace in order to offset the decreasing demand for unskilled labor.¹¹¹ Because job growth in skilled trades is expected to surpass employment growth in other occupations, a career and technical education can provide current students with the tools necessary to participate in the growing workplace. Career and technical education provides relevance to students and creates a strong relationship between students and the education environment in order to engage students and keep them in school.¹¹²

Recommendation 5

Request the Commission on Youth to conduct a study/gap analysis of career and technical education (CTE) in the Commonwealth. This study will also identify when it is most effective to introduce students to CTE. Potential linkages with the Tobacco Commission, the Virginia Manufacturer's Association, the Community College System and the Virginia Workforce Council for workforce training will also be explored, along with *Jobs for Virginia Graduates* program. The Commission on Youth staff will apply for relevant funding opportunities.

Findings

School divisions' attendance policies create unintended consequences.

Typically, passing a class is tied to attendance. Section 22.1-259 of the Code of Virginia requires schools and teachers to keep daily attendance records. School attendance policies may dictate that students can pass a class only if they do not exceed a certain number of unexcused absences. In the instance where a student exceeds the limit for absences, the grade they earn would have no impact on the awarded grade, giving that student no chance of catching up or passing. For example, if the student had six or more unexcused absences in the first grading period, they may have already failed the class, regardless of what happens during the remainder of the year. If there is no hope for passing the class, the student may stop attending school altogether.

¹⁰⁹ Association for Career and Technical Education. *Career and Technical Education's Role in Dropout Prevention*. (2007). [Online]. Available: http://www.acteonline.org/uploadedFiles/Publications_and_Online_Media/files/Dropouts.pdf. [October 2010].

¹¹⁰ Ibid.

¹¹¹ Smink, J., & Reimer, M. National Center for Dropout Prevention, *Fifteen Effective Strategies for Improving Student Attendance*. (2005). [Online]. Available: http://eric.ed.gov/ERICDocs/data/ericdocs2sql/content_storage_01/0000019b/80/1b/ac/a5.pdf. [October 2010].

¹¹² Association for Career and Technical Education. *Career and Technical Education's Role in Dropout Prevention and Recovery*. (2007). [Online]. Available: www.acteonline.org/uploadedFiles/Publications_and_Online_Media/files/Dropouts.pdf. [October 2010].

Recommendation 6

Request Board of Education to issue guidance to school divisions regarding the unintended consequences of attendance policies which may keep students from returning to school.

Findings

Truancy and dropout studies necessarily require an understanding of family challenges.

A recurring issue associated with school dropout is family involvement. A family's participation in their child's education is viewed as one of the most important factors that influences the success or failure of the child in the classroom. Specifically, a parent's involvement with homework and school can positively affect a student's attendance patterns. Other family factors may also impact a student's decision to drop out of school. Students may have to work to help support their family, have young children of their own to support or must care for a family member. More harmful family factors that contribute to truancy might include domestic violence or substance abuse. An understanding of these variables is needed in order to develop effective dropout prevention strategies.

Recommendation 7

The Commission on Youth is to meet with both students and parents to request their input in this study effort. These meetings will begin immediately and continue in the second year of the study.

B. YEAR TWO

Truancy and Attendance

Findings

There is no statewide definition for truancy.

In Virginia, the law does not specifically define a truant; it only defines a child who is habitually and without justification absent from school as a "child in need of supervision" when certain other conditions are met.¹¹³ Beginning with the 2005-06 school year, federal requirements of the No Child Left Behind Act require states to report to the U.S. Department of Education truancy rates on a school-by-school basis. Currently, because of the absence of a legal definition of truancy, Virginia's Department of Education uses a proxy measure to report truancy, i.e., the number of students with whom a conference was scheduled after the student had accumulated six unexcused absences during the school year, in accordance with § 22.1-258 of the Code of Virginia.

Even though truancy is typically defined as an unexcused absence from school, problems arise when counting those students who miss full days, as opposed to those who skip individual classes. Further, truancy is distinguishable from chronic truancy in that chronic truants are those students who have surpassed a certain limit of unexcused absences. Because of the variety of local statutes, policies and regulations, each attempting to qualify and quantify truancy, many discrepancies exist throughout the state.¹¹⁴ This lack of consistency across

¹¹³ Va. Code § 16.1-228 (2010).

¹¹⁴ Office of Juvenile Justice and Delinquency Prevention. *Tool Kit for Creating Your Own Truancy Reduction Program*. (February 2007). [Online]. Available: http://ojjdp.ncjrs.gov/publications/truancy_toolkit.html. [July 2008].

*school divisions in truancy rate reporting is preventing the development of strategies to increase school engagement.*¹¹⁵

Recommendation 1

Support the Department of Education's efforts in the development of a definition of truancy and request the Department of Education update the Commission on Youth on the status of efforts to address truancy prior to the 2011 General Assembly Session.

Findings

School divisions' reports on truancy do not provide enough detail on actual truancy practices and intervention efforts.

While a procedure is currently in place in § 22.1-258 of the Code of Virginia, school divisions' accounting and reporting on truancy to the Virginia Department of Education does not provide enough detail on actual school practices to assess compliance with the graduated approach to truancy outlined in § 22.1-258. Department staff has indicated that the Board of Education is currently developing regulations for reporting student absences and associated attendance policies.

There have been anecdotal reports of inconsistencies with school compliance with § 22.1-258 of the Code of Virginia. For instance, although the Code requires schools to create an attendance plan for any student having five unexcused absences and to schedule a conference with the parent following a sixth unexcused absence, this may not always occur. The Code also stipulates that the parent conference is to precede any court action; therefore, if the school does not initiate the parent conference, none of the subsequent steps set forth in the Code may be taken.

Recommendation 2

Request the Department of Education to provide an update on the development of regulations for reporting of student absences and associated attendance policies. Such an update will occur prior to the 2011 General Assembly Session.

Findings

There needs to be greater focus for truancy reduction efforts at the elementary school level.

*Truancy in elementary school is an indicator of impending truancy issues in middle and high school, a warning sign of future delinquent activity, and a risk factor that increases the likelihood that the student will drop out of school. Typically, elementary students with low achievement, high absenteeism, and low self esteem are most at risk. Researchers have found that given these warning signs, students at risk of dropping out can be retrospectively identified as early as 3rd grade.*¹¹⁶

¹¹⁵ National Center for School Engagement. *Guidelines for a National Definition of Truancy and Calculating Rates*. (2006). [Online]. Available:

<http://www.schoolengagement.org/TruancyPreventionRegistry/Admin/Resources/Resources/GuidelinesforaNationalDefinitionofTruancyandCalculatingRates.pdf>. [October 2010].

¹¹⁶ Bridgeland, J., Dilulio, J., & Morison, K. *The Silent Epidemic: Perspectives of High School Dropouts*. (March 2006). [Online]. Available: <http://www.civicenterprises.net/pdfs/thesilentepidemic3-06.pdf>. [October 2010].

Early identification of students developing patterns of non-attendance can provide students and families with the guidance and/or service to address the problem and increase the likelihood that students will be successful in later grades and careers. Further, identifying low-achieving students early on helps provide students with a foundation for effective and engaged learning in the future.¹¹⁷ Because the reasons for truancy vary by student, early intervention of identified at-risk students allows school officials to track and continually monitor the student in order to ensure that they remain committed to school.

Recommendation 3

Request the Virginia Association of Elementary School Principals, Virginia School Board Association, Virginia Alternative Educators Association, Virginia PTA/PTSA, Virginia School Counselors Association, the Virginia Education Association and the Virginia Association of Community Services Boards include information on effective programs which reduce truancy of elementary school-aged youth at their annual conferences and trainings.

Recommendation 4

Request the Virginia PTA/PTSA work with its membership and parents of elementary school students to establish approaches, including the development of business partnerships, which are helpful in conveying to parents the benefits of school attendance at the elementary school level.

Recommendation 5

Encourage school divisions to include in all of their truancy prevention programs evidence-based practices for early intervention at the elementary school level, with focus on effective school engagement, the establishment of community partnerships and methods to engage students and parents in the school community.

Recommendation 6

Encourage school divisions to develop mechanisms, such as Student Assistance Programming, for identifying students who may need additional school or community supports and direct them and their families to the appropriate services.

Findings

The Safe and Drug-Free Schools and Communities Act (SDFSCA) funding has not been reinstated by Congress.

In Virginia, there is already a shortage of school-based prevention programs to address violence prevention, anger management, conflict resolution and other behavioral health needs relevant to youth at-risk of dropping out of school. Compounding this problem is the lack of designated state funding for school-based prevention programs. Existing programs have already been negatively impacted by SDFSCA reductions and there is the likelihood that there will be zero funding in 2010.

¹¹⁷ Smink, J., & Reimer, M. National Center for Dropout Prevention, *Fifteen Effective Strategies for Improving Student Attendance*. (2005). [Online]. Available: http://eric.ed.gov/ERICDocs/data/ericdocs2sql/content_storage_01/0000019b/80/1b/ac/a5.pdf. [October 2010].

SDFSCA supports programs that prevent violence in and around schools, prevent the illegal use of alcohol, tobacco, and drugs, involve parents and communities and foster a safe and drug-free learning environment that supports student academic achievement. However, funding for the State Grants portion of the SDFSCA was not included in President Obama's budget and was not reinstated by the House of Representatives.

Recommendation 7

Encourage stakeholder organizations to contact Virginia's Congressional Delegation to request that the State Grants portion of the SDFSCA be reinstated in the federal budget.

Findings

Court service units (CSUs) and School Resource Officers (SROs) would benefit from clarification on information-sharing.

Law enforcement plays an important role as a partner with local school divisions to help promote education and safety for students and the community. Many local school divisions partner with local law enforcement to provide Student Resource Officers (SROs) in the school. As stated by the Department of Criminal Justice Services,

the primary purpose of the SRO is to reduce and prevent crime by and against students, committed primarily in or in connection with the assigned school. The SRO performs other roles in addition to enforcement: the SRO conducts crime-prevention programs, functions as an additional educational resource, acts as a referral agent to help students obtain community resources not otherwise available, and guides students in solving problems.

SROs provide a valuable resource to schools in working with students and family members to help resolve non-attendance issues.

Federal and state law provides certain confidentiality protections for youth involved with the criminal justice system; however, certain information-sharing is allowed to help assist those in law enforcement and others involved in a student's case. Clarification on this permitted information sharing would increase the effectiveness of this exception to confidentiality protections.

Recommendation 8

Request that the Departments of Juvenile Justice and Criminal Justice Services include in future trainings clarification on information-sharing between SRO's, CSU's and law enforcement.

Findings

There are statewide inconsistencies with the intake process for truancy cases, particularly with filing CHINSup petitions.

Section 16.1-260 of the Code of Virginia requires the intake officer to file a petition with the Court if the attendance officer has provided documentation to the intake officer that the school division has complied with the provisions § 22.1-258 of the Code of Virginia.

However, the law allows the intake officer to defer filing the complaint for 90 days and proceed informally by developing a truancy plan. This truancy plan must be agreed upon

by the student and parent. In addition, § 16.1-260 gives the intake officer the authority to refer the student to the appropriate public agency for the purpose of developing a truancy plan using an interagency interdisciplinary team. The team may include qualified personnel who are reasonably available from the appropriate department of social services, community services board, local school division, Court Service Unit (CSU) and other appropriate and available public and private agencies. If the juvenile has not successfully completed the truancy plan or the truancy program at the 90-day period, then the intake officer shall file the petition with the Court.

The use of this informal diversion varies among CSUs and is sometimes influenced by different judicial practices.

Recommendation 9

Encourage the Department of Juvenile Justice to establish guidelines for Court Service Units on how best to expedite resolution of truancy matters and to include expectations for Court diversion programs truancy cases.

Findings

School divisions would appreciate consistency regarding the steps for notifying parents concerning students' nonattendance.

Localities need more flexibility in the current mandated procedure of pupils who fail to report to school for a total of five scheduled school days for the year. Although § 22.1-258 of the Code of Virginia provides for the steps of student non-attendance, there exist inconsistencies. Currently, § 22.1-258 switches between requiring action from the principal and his designee and the attendance officer, or both (underlined for emphasis):

Whenever any pupil fails to report to school for a total of five scheduled school days for the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has failed, the school principal or his designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued non-attendance. The attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's non-attendance. Such plan shall include documentation of the reasons for the pupil's non-attendance. If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the attendance officer shall schedule a conference within ten school days with the pupil, his parent, and school personnel, which conference may include other community service providers, to resolve issues related to the pupil's non-attendance. The conference shall be held no later than fifteen school days after the sixth absence. Upon the next absence by such pupil without indication to the attendance officer that the pupil's parent is aware of and supports the pupil's absence, the school principal or his designee shall notify the attendance officer or the division superintendent, as the case may be, who shall enforce the provisions of this article by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision as defined in § 16.1-228 or (ii)

instituting proceedings against the parent pursuant to § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of this section. In the event that both parents have been awarded joint physical custody pursuant to § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Consistently granting local school divisions the option of allowing “the principal, his designee or the attendance officer” the authority to perform each of the mandated and crucial truancy intervention functions will provide clarity to schools. Uniformity among steps of non-attendance would also provide localities with flexibility in meeting the statutory requirements.

Recommendation 10

Amend § 22.1-258 of the Code of Virginia to give more flexibility to local school divisions by consistently stating that “the school principal, his designee or the attendance officer” is responsible for notifying the parent; making direct contact with the parent; and developing a student’s attendance plan.

Findings

Local attendance practices may be inconsistent with the Code of Virginia.

Some schools divisions also employ policies where they may fail a student after a certain number of absences. This policy also may have an adverse affect on students who would like to return to school after experiencing a certain number of absences. A student who exceeds the limit has no hope of catching up or passing. For example, if the student had six or more unexcused absences in the first grading period, they may have already failed the class, regardless of any future performance. If there is no hope for passing the class, the student may stop attending school altogether.

Recommendation 11

Request the School Board Association to work with local school boards and the Virginia Association of School Superintendents to encourage them to review their current practices and policies related to attendance and to share effective attendance practice and policies.

School Dropout Prevention

Findings

Not all at-risk students who may benefit from non-traditional or alternative educational services have access to those services.

One of the purposes of Virginia’s alternative education programs is to reduce the dropout rate. Alternative education programs are typically established for students who have been removed from regular school programs, either through expulsion or suspension, or who may not perform as well in a traditional school setting. Unfortunately, students who do not have access to these alternative education programs fall farther behind and may become involved in the criminal justice system.

Students who have been long-term suspended or expelled may be referred to an alternative education placement, either to one of Virginia's 29 regional alternative education programs or to a local program. In addition, students can voluntarily request placement for reasons other than those of a disciplinary nature at some local alternative education programs. At the regional level, a total of 116 school divisions worked in collaboration to form the 29 programs, and some of the divisions have multiple subprograms and sites. The Department of Education reported in 2007-08 that 4,002 students were served by regional programs. 1,882 of those slots are fully funded.¹¹⁸ Locally, there are 160 independent programs in Virginia to meet the diverse needs of the students and the community.

The Code of Virginia requires the Board of Education to establish educational alternatives for those students whose needs are not met in the traditional school setting.¹¹⁹ While the programs vary, all use best practices. A Department of Education report addressing the success of these programs in 2007-08 indicated that students attending these programs experienced improved academic performance, decreased disciplinary issues and increased parental involvement. The low student teacher ratios give needed support to truant students. Therefore, because of the benefits of a non-traditional alternative education program, limited access and delayed entry into these programs can be a significant detriment to at-risk students.

Recommendation 12

Support alternative education opportunities for students who have been long-term suspended or expelled.

Recommendation 13

Encourage cross-district collaboration to expand alternative education options for students.

Recommendation 14

Support distant and virtual learning programs for remediation efforts or credit recovery that adhere to the provisions of the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.

Recommendation 15

Support paid career or on-the-job training opportunities for high school students which allow students to earn credits for their participation.

Recommendation 16

Support the maintenance and record keeping of those students who are long-term suspended or expelled who are referred to alternative education placements in order to track their success in completing the requirements for graduation.

¹¹⁸ Virginia Board of Education. *2007-2008 Annual Report on Regional Alternative Education Programs*. (2008). [Online]. Available: http://www.doe.virginia.gov/instruction/alternative_ed/reports/annualreport_07_08.pdf. [October 2010].

¹¹⁹ Va. Code § 22.1-253. 13:1 (2010).

Findings

There is no single source of information regarding dropout prevention efforts across Virginia.

Dropout prevention requires comprehensive planning across multiple service agencies that do not share resources, like education, family and youth agencies. Virginia, however, does not have a single source of information regarding dropout prevention efforts across the state. Having one state source for dropout prevention information would be beneficial in both reducing Virginia dropout rate and increasing the efficiency of prevention efforts on the whole.

However, despite the lack of a single source of information, the Governor's Office for Substance Abuse Prevention (GOSAP) awards and administers federal prevention grant funds to state, local and community organizations. GOSAP administers the federal grant funds apportioned to Virginia under the Governor's discretionary portion of the Safe and Drug-Free Schools and Communities Act (SDFSCA) under the No Child Left Behind Act of 2001. GOSAP's mission is "to support positive youth development by providing strategic statewide leadership, fostering collaboration and the sharing of resources at all levels and providing tools and training to practice evidence-based prevention so that Virginia's youth will develop into productive citizens free from substance abuse, violence, delinquency, school drop-out, criminal gang participation and related risky behaviors."¹²⁰ GOSAP could be used to create a single source of information regarding Virginia's dropout prevention efforts.

Recommendation 17

Request GOSAP to collaborate across multiple agencies, including the possibility of a university collaboration, for the purpose of developing a website dedicated to prevention and intervention, as well as school dropout prevention and intervention.

Findings

Parents are not always aware of the factors that may put their child at-risk of dropping out of school or which options might be available to help reduce that risk.

Research consistently finds that family engagement has a direct, positive effect on children's achievement and is the most accurate predictor of a student's success in school. This positive correlation exists regardless of socioeconomic, racial, ethnic or educational backgrounds of students.¹²¹ However, parents may not know how to recognize signs of risk or what to do if these signs appear. Most parents want to do what is right for their child, but they may lack the knowledge or resources they need to intervene. Therefore, schools and communities need to be more proactive in reaching out to educate and support families whose children may be at risk of dropping out of school.

Recommendation 18

Request the Virginia PTA and Virginia Education Association develop parent support materials that could be used to help educate parents about dropout risk factors, early indicators, prevention strategies and available community resources.

¹²⁰ Virginia Governor's Office for Substance Abuse Prevention. *About the GOSAP*. (2010). [Online]. Available: <http://www.gosap.virginia.gov/aboutgosap.htm>. [October 2010].

Recommendation 19

Encourage divisions/regions to establish volunteer parent support groups.

Recommendation 20

Request that Virginia's Parent Resource Centers include information on their websites and in mailings on the factors that place children at-risk of dropping out of school and the options which might be available to help reduce that risk.

Findings

Not all school divisions have a mechanism for identifying and monitoring early indicators of dropout risk.

In 2006, House Bill 19 (Fralin) required the Board of Education to collect, analyze and report high school graduation and dropout data using a formula prescribed by the Board. As a result of this legislation, along with the Board's action, the Department of Education developed Education Information Management System (EIMS) that uses a unique student identifier to track students from school to school.

Beginning with the graduating class of 2008, the Department of Education has sufficient data to report accurate calculations of cohort graduation rates. With this data, the Department of Education was able to develop an on-time graduation tool pilot which is operating in four localities: Franklin City, Lee County, Richmond City and Pulaski County. This data collection tool allows school divisions to identify, monitor and provide interventions to students who are at-risk of dropping out of school.

Recognizing the importance of improving graduation rates in Virginia, in February 2009, the Board of Education approved final regulations governing accreditation, including incorporating graduation rates into Virginia's accountability system.¹²² A "graduation and completion index" was developed, requiring that schools meet a minimum benchmark to be fully accredited. The index recognizes successful efforts to prevent students from dropping out, awarding a hierarchy of points to students depending on whether they graduate with a diploma, earn a GED, stay in school for four or more years, or finish high school with a certification of program completion. Effective the 2011-12 school year, high schools must earn a minimum of 85 points on the index, as well as achieve the required pass rates on state tests for full accreditation.¹²³

Additionally, efforts have been made in response to the recognition that the transition to middle school puts many students at risk of dropping out, especially due to the loss of close contacts with teachers, separation from friends, and increased emphasis on testing.¹²⁴ The Board of Education now requires schools to develop an Academic and Career Plan for every middle and high school student, beginning with students entering the 7th grade during the 2010-11 school year. Academic and Career Plans require students, beginning with students entering the 9th grade in 2010, to successfully complete a one

¹²² Virginia Department of Education. *Fact Sheet: Graduation Completion Index*. (2009). [Online]. Available: http://www.doe.virginia.gov/boe/accreditation/2009_proposed_changes/factsheet_point_values.pdf. [October 2010].

¹²³ Ibid.

¹²⁴ Office of Student Services, Virginia Department of Education. *Improving School Attendance: A Resource Guide for Virginia Schools*. (August 2005). [Online]. Available: http://www.doedev.vi.virginia.gov/info_centers/federal_programs/nclb/title1_improve_academic_achievement/part_h_school_dropout_prevention/improving_attendance_guide.pdf. [July 2008].

*credit course in economics and personal finance to earn the Standard, Advanced Studies, Standard Technical or Advanced Technical Diploma.*¹²⁵

Recommendation 21

Request the Department of Education to brief the Commission on Youth in the summer of 2010 on its work in addressing truancy and school dropout prevention, to include changes addressed in the Board's *Regulations Establishing Standards for Accrediting Public Schools in Virginia* and other technical assistance efforts identified by the Department.

Findings

School staff may not know how to identify and serve students most at-risk of dropping out of school.

Classroom and behavior management is a professional studies requirement for teacher licensure in Virginia (8 VAC 20-22-120 & 180), but not all school staff, including administrators, teachers, and support staff, know how to identify and serve students most at-risk of dropping out of school, with and without classroom behavior problems.

A number of risk factors contribute to truancy, and these risks can be separated into categories of family, school, economic and student factors and variables. Specifically, the Department of Education has found that students who repeated grades, attended multiple schools, and were frequently absent were more likely to drop out.

Recommendation 22

Encourage on-going professional development to include training on dropout prevention. Training could include early indicators of dropout risk, techniques for developing protective factors in children, classroom and behavior management and best practices in dropout prevention.

Recommendation 23

Encourage school divisions to provide more cross-training between educators and agencies involved in youth and family services, including agencies that support families in crisis.

Recommendation 24

Encourage school divisions to consider the implementation of evidence-based programs that provide training for classroom and behavior management and that help staff know how to identify and serve students most at-risk of dropping out of school.

Recommendation 25

Encourage school divisions to consider the implementation of student assistance programming which provide wraparound services to students in need.

¹²⁵ 8 VAC 20-131-140. [Online]. Available: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+8VAC20-131-140>.

Findings

The 140-hour seat rule may be a barrier to graduation. Guidance is needed on how this rule may be waived for students who can demonstrate course mastery.

Typically, a standard unit of credit is awarded for a course in which the student successfully completes the object of the course over 140 clock hours of instruction. This requirement can serve as a barrier to graduation for some students, especially if they have been retained and are over-age and under-credited. In 2000, House Bill 1196 (Hargrove) was introduced to allow exemptions the 140 hour rule in certain occasions, which was enacted into § 22.1-253 13:4 of the Code of Virginia. This legislative provision allows schools to establish procedures to promote students without completing the 140-hour class so long as there is a demonstration of mastery of the course.¹²⁶

The Virginia Board of Education then adopted this exemption along with guidance for implementation in the Virginia Standards of Accreditation (SOA). Under the SOA, a standard unit of credit can be earned through completion of a 140 hour class. However, if the content of the course for which credit is awarded is comparable to 140 clock hours of instruction, and the student met the objectives of the course upon completion of the course, a standard unit can be awarded despite having not met the 140 hour requirement.¹²⁷ Verified credits can be earned through completing the 140 hour requirement and by passing the corresponding end of course SOL test. However, as established by House Bill 1196, verified credits can be earned despite failing to meet the 140 hour requirement if the division superintendent, upon a demonstration of mastery, recommends that the student sit for the SOL test and earn credit, or through a substitute assessment approved by the Board of Education.¹²⁸ The Board even promulgated guidance to division superintendents that stated, "division superintendent shall be responsible for identifying the manner in which students demonstrate mastery of course content and objectives for the purposes of this standard. Documentation of such mastery shall be maintained in the student's permanent record."¹²⁹ Unfortunately, not all division superintendents were aware of this provision.

Recommendation 26

Direct the Commission on Youth in its final study report information on the steps the Department of Education has taken to inform school divisions of 140-hour seat rule and well as the guidelines for waiving this requirement.

¹²⁶ Va. Code § 22.1-253 (D) (5) (2010).

¹²⁷ 8 VAC 20-131-110 (A) (2000).

¹²⁸ Ibid.

¹²⁹ Virginia Department of Education. *SOA Guidance*. [Online]. Available: <http://www.doe.virginia.gov/VDOE/Accountability/soa-guidance-doc.pdf>. [October 2010].

Appendix A

HOUSE BILL NO. 1263

Offered January 9, 2008

Prefiled January 9, 2008

A BILL to amend and reenact §§ 16.1-278.4, 16.1-278.5, 22.1-209.1:1, 22.1-258, 22.1-260, 22.1-261, 22.1-262, 22.1-265, 22.1-267, 22.1-279.3, and 22.1-279.6 of the Code of Virginia, relating to truancy and school dropout prevention.

Patron-- Hall

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-278.4, 16.1-278.5, 22.1-209.1:1, 22.1-258, 22.1-260, 22.1-261, 22.1-262, 22.1-265, 22.1-267, 22.1-279.3, and 22.1-279.6 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-278.4. Children in need of services.

A. If a child is found to be in need of services or a status offender, the juvenile court or the circuit court may make any of the following orders of disposition for the supervision, care and rehabilitation of the child:

1. Enter an order pursuant to the provisions of § 16.1-278.
2. Permit the child to remain with his parent subject to such conditions and limitations as the court may order with respect to such child and his parent.
3. Order the parent with whom the child is living to participate in such programs, cooperate in such treatment or be subject to such conditions and limitations as the court may order and as are designed for the rehabilitation of the child and his parent.
4. Beginning July 1, 1992, in the case of any child fourteen years of age or older, where the court finds that the child is not able to benefit appreciably from further schooling, the court may excuse the child from further compliance with any legal requirement of compulsory school attendance as provided under § 22.1-254 or authorize the child, notwithstanding the provisions of any other law, to be employed in any occupation which is not legally declared hazardous for children under the age of eighteen.
5. Permit the local board of social services or a public agency designated by the community policy and management team to place the child, subject to the provisions of § 16.1-281, in suitable family homes, child caring-institutions, residential facilities, or independent living arrangements with legal custody remaining with the parents or guardians. The local board or public agency and the parents or guardians shall enter into an agreement which shall specify the responsibilities of each for the care and control of the child. The board or public agency that places the child shall have the final authority to determine the appropriate placement for the child.

Any order allowing a local board or public agency to place a child where legal custody remains with the parents or guardians as provided in this section shall be entered only upon a finding by the court that reasonable efforts have been made to prevent placement out of the home and that continued placement in the home would be contrary to the welfare of the child, and the order shall so state.

6. Transfer legal custody to any of the following:

a. A relative or other individual who, after study, is found by the court to be qualified to receive and care for the child;

b. A child welfare agency, private organization or facility that is licensed or otherwise authorized by law to receive and provide care for such child. The court shall not transfer legal custody of a child in need of services to an agency, organization or facility out of the Commonwealth without the approval of the Commissioner of Social Services; or

c. The local board of social services of the county or city in which the court has jurisdiction or, at the discretion of the court, to the local board of the county or city in which the child has residence if other than the county or city in which the court has jurisdiction. The local board shall accept the child for care and custody, provided that it has been given reasonable notice of the pendency of the case and an opportunity to be heard. However, in an emergency in the county or city in which the court has jurisdiction, the local board may be required to accept a child for a period not to exceed fourteen days without prior notice or an opportunity to be heard if the judge entering the placement order describes the emergency and the need for such temporary placement in the order. Nothing in this subdivision shall prohibit the commitment of a child to any local board of social services in the Commonwealth when the local board consents to the commitment. The board to which the child is committed shall have the final authority to determine the appropriate placement for the child.

Any order authorizing removal from the home and transferring legal custody of a child to a local board of social services as provided in this subdivision shall be entered only upon a finding by the court that reasonable efforts have been made to prevent removal and that continued placement in the home would be contrary to the welfare of the child, and the order shall so state.

7. Require the child to participate in a public service project under such conditions as the court prescribes.

B. In the case of any child subject to compulsory school attendance as provided in § 22.1-254, where the court finds that the child's parent is in violation of § 22.1-254, 22.1-255, 22.1-265, or 22.1-267, in addition to any penalties provided in § 22.1-263 or 22.1-265, the court shall order the parent with whom the child is living to participate in such programs, cooperate in such treatment, or be subject to such conditions and limitations as the court shall order and as are designed for the rehabilitation of the child or the parent, or both. Upon the failure of the parent to so participate or cooperate, or to comply with the conditions and limitations that the court orders, the court shall impose a fine of not more than \$100 for each day in which the person fails to comply with the court order.

If the court finds that the parent has willfully disobeyed a lawful process, judgment, decree, or court order requiring such person to comply with the compulsory school attendance law, in addition to any conditions or limitations that the court has ordered or any penalties provided by §§ 16.1-278.2 through 16.1-278.19, § 22.1-263 or 22.1-265, the court shall impose the penalty authorized by § 18.2-371.

C. Any order entered pursuant to this section shall be provided in writing to the child, his parent or legal custodian, and to the child's attorney and shall contain adequate notice of the provisions of § 16.1-292 regarding willful violation of such order.

§ 16.1-278.5. Children in need of supervision.

A. If a child is found to be in need of supervision, the court shall, before final disposition of the case, direct the appropriate public agency to evaluate the child's service needs using an interdisciplinary team approach. The team shall consist of qualified personnel who are reasonably available from the appropriate department of social services, community services board, local school division, court service unit and other appropriate and available public and private agencies and may be the family assessment and planning team established pursuant to § 2.2-5207. A report of the evaluation shall be filed as provided in § 16.1-274 A. In lieu of directing an evaluation be made, the court may consider the report concerning the child of an interdisciplinary team which met not more than ninety days prior to the court's making a finding that the child is in need of supervision.

B. The court may make any of the following orders of disposition for the supervision, care and rehabilitation of the child:

1. Enter any order of disposition authorized by § 16.1-278.4 for a child found to be in need of services;

2. Place the child on probation under such conditions and limitations as the court may prescribe including suspension of the child's driver's license upon terms and conditions which may include the issuance of a restricted license for those purposes set forth in subsection E of § 18.2-271.1;

3. Order the child and/or his parent to participate in such programs, cooperate in such treatment or be subject to such conditions and limitations as the court may order and as are designed for the rehabilitation of the child;

4. Require the child to participate in a public service project under such conditions as the court may prescribe; or

5. ~~a. Beginning July 1, 1992, in~~ *In* the case of any child subject to compulsory school attendance as provided in § 22.1-254, where the court finds that the child's parent is in violation of §§ 22.1-254, 22.1-255, 22.1-265, or § 22.1-267, in addition to any penalties provided in § 22.1-263 or § 22.1-265, the court ~~may~~ *shall* order the parent with whom the child is living to participate in such programs, cooperate in such treatment, or be subject to such conditions and limitations as the court ~~may~~ *shall* order and as are designed for the rehabilitation of the child and/or the parent. Upon the failure of the parent to so participate or cooperate, or to comply with the conditions and limitations that the court orders, the court ~~may~~ *shall* impose a fine of not more than \$100 for each day in which the person fails to comply with the court order.

~~b.~~ If the court finds that the parent has willfully disobeyed a lawful process, judgment, decree, or court order requiring such person to comply with the compulsory school attendance law, in addition to any conditions or limitations that the court ~~may order~~ *has ordered* or any penalties provided by §§ 16.1-278.2 through 16.1-278.19, 22.1-263 or § 22.1-265, the court ~~may~~ *shall* impose the penalty authorized by § 18.2-371.

C. Any order entered pursuant to this section shall be provided in writing to the child, his parent or legal custodian, and to the child's attorney and shall contain adequate notice of the provisions of § 16.1-292 regarding willful violation of such order.

§ 22.1-209.1:1. School dropout prevention programs.

With such funds as are appropriated for this purpose, the Board of Education shall establish a program for the prevention of school dropout. All school divisions shall be eligible to receive such *noncompetitive grants under the following conditions. Effective July 1, 2010, local school boards shall implement school dropout prevention programs that include the following components:*

1. ~~The local school dropout prevention program includes components which emphasize~~ *An emphasis on prevention, intervention, retrieval, and parental and community involvement;*
2. ~~The program includes a component specifically~~ *Instructional programs and services designed to eliminate the poor academic achievement among disadvantaged students in the school divisions;*
~~and~~
3. *Truancy prevention services that are supported through the collaboration, cooperation, and communication of a consortia of representatives of the school division, local law enforcement, business and industry, parents and the community, the faith community, and juvenile and domestic relations judges and court services personnel.*
- 3-4. ~~The program includes a component for oversight~~ *Oversight and evaluation of program effectiveness.*

The Board of Education shall establish a full-time dropout prevention unit and shall employ such professional and support staff as may be necessary to ~~implement the grants program~~ *assist school divisions in truancy and dropout prevention efforts*, provide coordination for the statewide dropout prevention program ~~and~~ *provide* technical assistance to school divisions, and ~~to monitor such~~ *local* dropout prevention programs to ensure compliance and uniformity in the interpretation and application of such rules and regulations as may be adopted by the Board.

§ 22.1-258. Appointment of attendance officers; notification when pupil fails to report to school.

Every school board shall have power to appoint one or more attendance officers, who shall be charged with the enforcement of the provisions of this article. Where no attendance officer is appointed by the school board, the division superintendent shall act as attendance officer.

Whenever any pupil fails to report to school on a regularly scheduled school day and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, a reasonable effort to notify by telephone the parent to obtain an explanation for the pupil's absence shall be made by the attendance officer, other school personnel, or volunteers organized by the school administration for this purpose. Any such volunteers shall not be liable for any civil damages for any acts or omissions resulting from making such reasonable efforts to notify parents and obtain such explanation when such acts or omissions are taken in good faith, unless such acts or omissions were the result of gross negligence or willful misconduct. This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law or to affect any claim occurring prior to the effective date of this law. School divisions are encouraged to use noninstructional personnel for this notice.

Whenever any pupil fails to report to school for a total of ~~five scheduled~~ *three consecutive* school days ~~for during any part of~~ the school year and no indication has been received by school personnel that the pupil's parent is aware of and supports the pupil's absence, and a reasonable effort to notify the parent has failed, the school principal or his designee shall make ~~a reasonable effort to ensure that direct contact is made,~~ *to the extent possible,* with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The attendance officer, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

If the pupil is absent an additional day after direct contact with the pupil's parent and the attendance officer has received no indication that the pupil's parent is aware of and supports the pupil's absence, the attendance officer shall schedule a conference within ~~ten~~ *five* school days with the pupil, his parent, and school personnel, which conference may include other community service providers, to resolve issues related to the pupil's nonattendance. The conference shall be held no later than ~~fifteen~~ *10* school days after the ~~sixth~~ *fourth* absence. Upon the next absence by such pupil without indication to the attendance officer *or other school personnel* that the pupil's parent is aware of and supports the pupil's absence, the school principal or his designee shall notify ~~the attendance officer or the division superintendent, as the case may be,~~ who shall enforce the provisions of this article by either or both of the following: (i) filing a complaint with the juvenile and domestic relations court alleging the pupil is a child in need of supervision *or a child in need of services, or both,* as defined in § 16.1-228 or (ii) instituting proceedings against the parent pursuant to § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide *the division superintendent* written documentation of the efforts to comply with the provisions of this section. In the event that both parents have been awarded joint physical custody pursuant to § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Nothing in this section shall be construed to limit in any way the authority of any attendance officer or division superintendent to seek immediate compliance with the compulsory school attendance law as set forth in this article.

Attendance officers, other school personnel or volunteers organized by the school administration for this purpose shall be immune from any civil or criminal liability in connection with the notice to parents of a pupil's absence or failure to give such notice as required by this section.

§ 22.1-260. Reports of children enrolled and not enrolled; nonattendance; social security numbers required.

A. Within 10 days after the opening of the school, each public school principal shall report to the division superintendent:

1. The name, age and grade of each student enrolled in the school, and the name and address of the student's parent or guardian; and
2. To the best of the principal's information, the name of each child subject to the provisions of this article who is not enrolled in school, with the name and address of the child's parent or guardian. *Upon receiving the list from the principal containing the names of students who are subject to the provisions of this article and who are not enrolled in school, the division superintendent shall*

commence proceedings in accordance with the provisions of § 22.1-258 to enforce compliance with the compulsory school attendance law.

B. At the end of each school year, each public school principal shall report to the division superintendent the number of students by grade level for whom a conference was scheduled as required by § 22.1-258. The division superintendent shall compile such grade level information for the division, *including information pertaining to proceedings instituted to enforce compliance with the compulsory school attendance law*, and provide such information to the Superintendent of Public Instruction annually.

C. For the purposes of this section, each student shall present a federal social security number within 90 days of his enrollment. The Board of Education shall, after consulting with the Social Security Administration, promulgate guidelines for determining which students are eligible to obtain social security numbers. In any case in which a student is ineligible, pursuant to these guidelines, to obtain a social security number or the parent is unwilling to present such number, the superintendent or his designee may assign another identifying number to the student or waive this requirement.

§ 22.1-261. Attendance officer to make list of children not enrolled; duties of attendance officer.

The attendance officer or the division superintendent shall check the reports submitted pursuant to subsection A of § 22.1-260 with the last school census and with reports from the State Registrar of Vital Records and Health Statistics. From these reports and from any other reliable source the attendance officer or the division superintendent shall, within five days after receiving all reports submitted pursuant to subsection A of § 22.1-260, make a list of the names of children who are not enrolled in any school and who are not exempt from school attendance. It shall be the duty of the ~~attendance officer, on behalf of the local school board,~~ *division superintendent or his designee* to investigate all cases of nonenrollment and, when no valid reason is found therefor, to notify the parent, guardian or other person having control of the child to require the attendance of such child at the school within three days from the date of such notice.

§ 22.1-262. Complaint to court when parent fails to comply with law.

A list of persons notified pursuant to § 22.1-261 shall be sent by the attendance officer *or division superintendent* to the appropriate school principal. If the parent (i) fails to comply with the provisions of § 22.1-261 within the time specified in the notice; or (ii) fails to comply with the provisions of § 22.1-254; or (iii) refuses to participate in the development of the plan to resolve the student's nonattendance or in the conference provided for in § 22.1-258, it shall be the duty of the ~~attendance officer, with the knowledge and approval of the~~ *division superintendent*, to make complaint against the pupil's parent in the name of the Commonwealth before the juvenile and domestic relations district court. If proceedings are instituted against the parent for failure to comply with the provisions of § 22.1-258, the ~~attendance officer is to~~ *division superintendent shall* provide documentation to the court regarding the school division's compliance with § 22.1-258. In addition thereto, such child may be proceeded against as a child in need of services or a child in need of supervision as provided in Chapter 11 (§ 16.1-226 et seq.) of Title 16.1.

§ 22.1-265. Inducing children to absent themselves.

Any person who induces or attempts to induce any child to be absent unlawfully from school or who knowingly employs or harbors, while school is in session, any child absent unlawfully shall be

guilty of a Class 3 misdemeanor and may be subject to the penalties provided by subdivision 5 ~~a~~-of subsection B of § 16.1-278.5 or § 18.2-371. Upon a finding that a person knowingly and willfully violated the provisions of this section and that such person has been convicted previously of a violation of this section, such person shall be guilty of a Class 2 misdemeanor.

§ 22.1-267. Proceedings against habitually absent child.

Any child permitted by any parent, guardian, or other person having control thereof to be habitually absent from school contrary to the provisions of this article may be proceeded against as a child in need of supervision *or a child in need of services, or both*, as provided in Chapter 11 (§ 16.1-226 et seq.) of Title 16.1.

§ 22.1-279.3. Parental responsibility and involvement requirements.

A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and compulsory school attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property, and supportive of individual rights.

B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section; (ii) a copy of the school board's standards of student conduct; and (iii) a copy of the compulsory school attendance law. These materials shall include a notice to the parents that by signing the statement of receipt, parents shall not be deemed to waive, but to expressly reserve, their rights protected by the constitutions or laws of the United States or the Commonwealth and that a parent shall have the right to express disagreement with a school's or school division's policies or decisions.

Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the school board's standards of student conduct, the notice of the requirements of this section, and the compulsory school attendance law. Each school shall maintain records of such signed statements.

D. The school principal may request the student's parent or parents, if both parents have legal and physical custody of such student, to meet with the principal or his designee to review the school board's standards of student conduct and the parent's or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress.

E. In accordance with the due process procedures set forth in this article and the guidelines required by § 22.1-279.6, the school principal ~~may~~*shall* notify the parents of any student who violates a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed a petition. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior and ensuring compulsory school attendance compliance; (iii) that, if the student is suspended, the parent may be required to accompany the student to meet

with school officials; and (iv) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision *or a child in need of services*.

F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that readmission, without parent conference, is appropriate for the student.

G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance, as follows:

1. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order, and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or

2. If the court finds that a parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student's receiving a second suspension or being expelled, it ~~may~~*shall* order the student or his parent, or both, to participate in such programs or such treatment, including, but not limited to, extended day programs, summer school, other educational programs and counseling, as the court deems appropriate to improve the student's behavior or school attendance. The order may also require participation in a parenting, counseling or a mentoring program, as appropriate or that the student or his parent, or both, shall be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent. In addition, the court may order the parent to pay a civil penalty not to exceed \$500.

H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in subdivision G 2. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.

I. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court.

§ 22.1-279.6. Board of Education guidelines and model policies for codes of student conduct; school board regulations.

A. The Board of Education shall establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies. The guidelines and model policies shall include, but not be limited to, (i) criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension and expulsion and exclusion, and the procedures to be followed in such cases, including (i) proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals

processes; (ii) *proceedings for enforcing compliance with the compulsory school attendance law*; (iii) standards, consistent with state, federal and case laws, for school board policies on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, bullying, and dissemination of such policies to students, their parents, and school personnel; and ~~(iii)~~-(iv) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies.

In accordance with the most recent enunciation of constitutional principles by the Supreme Court of the United States of America, the Board's standards for school board policies on alcohol and drugs and search and seizure shall include guidance for procedures relating to voluntary and mandatory drug testing in schools, including, but not limited to, which groups may be tested, use of test results, confidentiality of test information, privacy considerations, consent to the testing, need to know, and release of the test results to the appropriate school authority.

In the case of suspension and expulsion, the procedures set forth in this article shall be the minimum procedures that the school board may prescribe.

B. School boards shall adopt and revise, as required by § 22.1-253.13:7 and in accordance with the requirements of this section, regulations on codes of student conduct that are consistent with, but may be more stringent than, the guidelines of the Board. School boards shall include, in the regulations on codes of student conduct, procedures for suspension, expulsion, and exclusion decisions and shall biennially review the model student conduct code to incorporate discipline options and alternatives to preserve a safe, nondisruptive environment for effective teaching and learning.

Each school board shall include, in its code of student conduct, prohibitions against bullying, hazing, and profane or obscene language or conduct. School boards shall also cite, in their codes of student conduct, the provisions of § 18.2-56, which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations, i.e., confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.

A school board may regulate the use or possession of beepers or other portable communications devices and laser pointers by students on school property or attending school functions or activities and establish disciplinary procedures pursuant to this article to which students violating such regulations will be subject.

Nothing herein shall be construed to require any school board to adopt policies requiring or encouraging any drug testing in schools. However, a school board may, in its discretion, require or encourage drug testing in accordance with the Board of Education's guidelines and model student conduct policies required by subsection A and the Board's guidelines for student searches required by § 22.1-279.7.

C. The Board of Education shall establish standards to ensure compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), as amended, in accordance with § 22.1-277.07.

This subsection shall not be construed to diminish the authority of the Board of Education or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government.

**Study of Truancy & School Dropout Prevention
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Sample Indicators for Parents (Example 1)¹³⁰

	Grade 3	Grade 7	Grade 10
Attempted suicide during past year			
Used drugs or engaged in substance abuse			
Has been drug "pusher" during past year			
Sense of self esteem is negative			
Was involved in pregnancy during the past year			
Was expelled from school during the past year			
Consumes alcohol regularly			
Was arrested for illegal activity			
Parents have negative attitudes toward education			
Has several brothers or sisters who dropped out			
Was sexually or physically abused last year			
Failed two courses last year			
Was suspended from school twice last year			
Student was absent more than 20 days last year			
Parent drinks excessively and is an alcoholic			
Was retained in grade			
One parent attempted suicide last year			
Scored below 20 th percentile on standardized tests			
Other family members used drugs during past year			
Attended three or more schools during past five years			
Average grades were below "C" last school year			
Was arrested for driving while intoxicated			
Has and IQ score below 90			
Parents divorced or separated last year			
Father is unskilled laborer who is unemployed			
Mother is unskilled laborer who is unemployed			
Father or mother died during last year			
Diagnosed as needing special education			
English is not language			
Lives in an inner city, urban area			
The mother is the only parent living in the home			
Is year older than other students in same grade			
Mother did not graduate from high school			
Father lost job during the past year			
Was dropped from athletic team during past year			
Experienced serious illness or accident			

¹³⁰ Frymier, J., Barber, L., Carriedo, R., Denton, D., Gansneder, B., Johnson-Lewis, S., & Robertson, N. (1992). Final Report – Phi Delta Kappa Study of Students At Risk. Phi Delta Kappa, Volume 2.

Sample Indicators (Example 2)¹³¹

	Grade 3	Grade 7	Grade 10
FAMILY CHARACTERISTICS			
Single Parent			
Public Assistance			
Mother is high school dropout			
Sibling has dropped out			
English not primary language			
PREVIOUS SCHOOL EXPERIENCE			
High absenteeism			
Overage for grade			
Overage by 2 or more years			
Low grades			
Disciplinary problems			
Ever dropped out			
Does little homework			
Does not read for fun			
Has attended 6 or more schools			
PERSONAL/PSYCHOLOGICAL CHARACTERISTICS			
External locus of control			
Low self-esteem			
Not sure of high school graduation			
Parents do not talk to student about school			
Watches too much television			
ADULT RESPONSIBILITIES			
Has child			
ECOLOGICAL FACTORS			
Neighborhood characteristics (poor)			
Peer group characteristics (dropouts)			
UNOBSERVED PSYCHOLOGICAL FACTORS			
Lacks perseverance/resiliency			
Pessimistic about future			
MEASURES OF THE PERSISTENCE OF SPECIFIC CHARACTERISTICS OVER TIME			
Low school performance for several years			
TRANSITORY EVENTS THAT OCCUR AFTER THE POINT AT WHICH BASELINE RISK FACTORS ARE MEASURED			
Problems at home			
Drug use			
Having a child			

¹³¹ Gleason, P., & Dynarski, M. (1998). Do We Know Whom to Serve? Issues in Using Risk Factors to Identify Dropouts. A research report submitted to the U.S. Department of Education by Mathematica Policy Research, Inc. Princeton NJ.

State Comparisons: Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
Alabama	7-16	67.1	2.3	175			24	140
Alaska	7-16	69.1	7.3	180			21	
Arizona	6-16	69.6	7.6	180			20	123
Arkansas	5-17 (must complete school year)	74.4	4.6	178	1,068	6	21	120

¹³² U.S. Department of Labor (December 2008). *Employment Related Provisions in State Compulsory School Attendance Laws – January 1, 2009*. [Online]. Available: <http://www.dol.gov/esa/whd/state/schoolattend.htm>. [October 2010].

¹³³ Averaged Freshman Graduation Rate is an estimate of the percentage of an entering freshman class graduating in four years.

¹³⁴ Stillwell, R. (2009). *Public School Graduates and Dropouts from the Common Core of Data: School Year 2006-2007* (NCES 2010-313). National Center for Education Statistics. [Online]. Available: <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2010313>. [October 2010].

¹³⁵ The event dropout number represents the proportion of students dropping out each year.

¹³⁶ Stillwell, R. (2009). *Public School Graduates and Dropouts from the Common Core of Data: School Year 2006-2007* (NCES 2010-313). National Center for Education Statistics. [Online]. Available: <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2010313>. [October 2010].

¹³⁷ Prendergast, K.A., Spradlin, T.E., Palozzi, V.J. (2007). *Is it Time to Change Indiana's School-Year Calendar?* Education Policy Brief, Center for Evaluation and Education Policy, Indiana University, Bloomington, IN. [Online]. Available: http://www.eric.ed.gov/ERICWebPortal/custom/portlets/recordDetails/detailmini.jsp?_nfpb=true&_ERICExtSearch_SearchValue_0=ED495755&ERICExtSearch_SearchType_0=no&accno=ED495755. [October 2010].

¹³⁸ *State Requirements for High School Graduation, in Carnegie Units, 2001*. National Center for Education Statistics. [Online]. Available: <http://nces.ed.gov/programs/digest/d01/tables/PDF/table153.pdf>. [October 2010].

¹³⁹ The Washington State Board of Education (2009). *States' Definitions of Credit*. Prepared for CORE 24 Implementation Task Force Meeting May 18, 2009. [Online]. Available: <http://www.sbe.wa.gov/documents/States%20Credit%20Definitions.pdf>. Additional information provided via e-mail by Kathe Taylor, Ph.D., Policy Director, Washington State Board of Education, on 10/1/09.

State Comparisons:
Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
California	6-18	70.7	5.5	180			13	120
Colorado	7-16	76.6	6.9		990 (Elementary) 1,080 (Secondary)		(Locally determined)	
Connecticut	5-18	81.8	2.1	180	900	5	20	120
Delaware	5-16	71.9	5.5		1,060 (1-11); 1,032 (12)		22	135
District of Columbia	5-18	54.9	7.1	180			23.5	
Florida	6-17	65.0	3.8	180			24	135
Georgia	6-16	64.1	4.6	180			22	135-150
Hawaii	6-18	75.4	5.4	180			22	
Idaho	7-16	80.4	2.6		810 (1-3); 900 (4-8); 990 (9-12)		21	
Illinois	7-17	79.5	4.0	176			16	

State Comparisons:
Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
Indiana	7-18	73.9	2.7	180	900 (1-6), 1,080 (7-12)	5-6	20	250 minutes/week for one semester.
Iowa	6-16	86.5	2.3	180	990	5.5	(Locally determined)	120
Kansas	7-18	78.9	2.7	186 (1-11); 181 (12)	1,116 (1-11); 1,086 (7-12)	6	21	
Kentucky	6-16	76.4	3.0	175	1,050	6	22	120
Louisiana	7-18 (17 with parental consent)	61.3	7.4	177	1,062	6	23	7,965 – 10,620 minutes
Maine	7-17	78.5	5.3	175 (1-11); 170 (12)			16	
Maryland	5-16	80.0	3.8	180	1,080	6	21	
Massachusetts	6-16	80.8	3.8	180	900 (elementary) 990 (secondary)	5-5.5	(Locally determined)	
Michigan	6-16	77.0	7.4		1,098		(Locally determined)	

State Comparisons:
Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
Minnesota	7-16	86.5	3.0	LEA Option			24	
Mississippi	6-17	63.6	4.3	180			20	140
Missouri	7-16	81.9	3.7	174	1,044	6	22	7,830 minutes
Montana	7-16 (or completion of 8 th grade, whichever is later)	81.5	3.7	180	720 (1-3); 1,080 (4-12)	4-6	20	225 minutes per week for one year.
Nebraska	6-18	86.3	2.8		1,032 (1-8); 1,080 (9-12)		(Locally determined)	
Nevada	7-18 (unless child has graduated)	52.0	4.5	180			22.5 (being phased out)	
New Hampshire	6-18	81.7	3.2	180			19.75	
New Jersey	6-16	84.4	2.0	180			22	40 minutes, once per week, for school year.
New Mexico	5-18	59.1	6.1		990 (1-6); 1,080 (7-12)		23	

State Comparisons:
Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
New York	6-17 (in cities with 4,500 or more populations and union-free school divisions, otherwise 16 if approved by local school board)	68.8	5.3	180			22	
North Carolina	7-16	68.6	5.7	180	1,000	5.55	20	
North Dakota	7-16	83.1	2.3	173			(Locally determined)	
Ohio	6-18	78.7	4.5	182			21	120
Oklahoma	5-18 (or 16 if excused by written joint agreement)	77.8	3.5	180	1,080	6	23	120
Oregon	7-18 (or excused by district school board; 16 with consent of school administrations and parent)	73.8	4.6		810 (1-3), 900 (4-8), 990 (9-12)		22	130

State Comparisons:
Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
Pennsylvania	8-17	83.0	Unavailable	180	900 (1-6), 990 (7-10)	5-5.5	(Locally determined)	120
Rhode Island	6-18	78.4	5.8	180			18	
South Carolina	5-17	58.9	3.9	180			24	120
South Dakota	6-18 (16 or completion of 8 th grade if member of certain religious organizations)	82.5	3.9		962.5 (4-12)		22	146
Tennessee	6-18 (18 th birthday)	72.6	3.1	180			20	133
Texas	6-18	71.9	4.0	180			22	
Utah	6-18	76.6	3.1	180	810 (1); 990 (2-12)	4.5-5.5	24	
Vermont	6-16	88.6	Unavailable	175			20	120
Virginia	5-18	75.5	2.6	180	990 (1-12)	5.5	22	140

State Comparisons:

Compulsory Attendance, Graduation & Dropout Rates, Length of School Year, Credit Requirements for Graduation, Definition of High School Credit in Hours

State	Compulsory Attendance (age range) ¹³²	Averaged Freshman Graduation Rates (%) ¹³³ 2006-07 ¹³⁴	Event Dropout Rates (%) ¹³⁵ 2006-07 ¹³⁶	Length of School Year/Day ¹³⁷			State Requirements for Graduation (Credits) ¹³⁸	Definition of High School Credit in Hours (if listed as an option) ¹³⁹
				Days	Hours	Calculated Hours/Day		
Washington	8-18 (16 and parent agrees that child should not be required to attend, or child is emancipated, or child has received certificate of competence)	74.8	5.1	180			19	150
West Virginia	6-16	78.2	4.0	180			24	135
Wisconsin	6-18	88.5	2.2	180	1,050 (1-6); 1,137 (7-12)	5.83-6.31	13	
Wyoming	7-16	75.8	5.1	175			13	125-150

