



Virginia
Commission on Youth

Study of Truancy and School Dropout Prevention in Virginia

Year One

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Study Mandate

- **In 2008, Delegate Franklin P. Hall introduced HB 1263 which:**
 - required local school boards to implement school dropout prevention programs and services which emphasize truancy prevention; and
 - amended the Code to address compliance with the compulsory school attendance law to strengthen the authority of local school boards.
- **Members of the House Education Committee reviewed the bill and determined that further study of these issues would be appropriate.**



Study Mandate (cont.)

- **Virginia Commission on Youth established the following study goals to:**
 - ❑ 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 Board of Education (BOE) and the Department of Education (DOE) addressing truancy, attendance and dropout prevention;
 - ❑ review existing local practices that are in place which address truancy and dropout prevention in each school division; and
 - ❑ evaluate the new certification data submitted by local school divisions in the Fall of 2008 which demonstrates compliance with compulsory school attendance laws.



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Study Mandate (cont.)

- ❑ 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*;
- ❑ determine the impact of suspensions, expulsions and other disciplinary actions on school dropout rates and 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.



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Study Activities

- **Site Visits**
 - **Hampton City**
 - **Manassas/Prince William**
 - **Lee County**
 - **Roanoke City**
 - **Norfolk**
 - **Richmond City**
- **Interviews**
 - **Department of Social Services Directors/Staff**
 - **Court Service Unit Directors/Staff**
 - **Juvenile Court Judges**
 - **Comprehensive Services Act Officials**
 - **Local School Division Representatives**
 - **Law Enforcement/Sheriffs**
 - **Private Providers/Nonprofit Representatives**



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Study Activities (cont.)

- Youth Roundtables
 - Danville
 - Hampton
 - Manassas
 - Norfolk
 - Richmond
- Two Advisory Group Meetings
- One Subcommittee Meeting
 - Subcommittee on Truancy
 - Subcommittee on Dropout Prevention



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Truancy Findings



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Disciplinary Laws Allow Students to be “On the Street” When Suspended or Expelled

- Suspension is frequently utilized for students with attendance problems.
- In 2006-2007, there were over 18,530 instances of attendance suspensions of Virginia students.*
- Students who are suspended or expelled and do not receive educational services fall behind and become disengaged from school.
- Time out of school increases antisocial acts, school vandalism, chronic truancy and the school dropout rate.

*Virginia Department of Education. (2008). *Annual Report on Discipline, Crime and Violence*.



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Judicial Involvement is Inconsistent Among Localities

- Disagreement exists whether truancy belongs in the courts.
- In some jurisdictions, there is close involvement with the courts – Judges exhaust every remedy and frequently include school attendance in the Court Order.
- In other jurisdictions, schools are discouraged from filing petitions for attendance issues.
- Docket space is a huge problem.
- Not all students are referred to the court for truancy.
- There may be attempts to “piggyback” on other charges.



Punitive Measures May be Imposed Prior to Referral of Services

- When proceedings are instituted against a parent pursuant to § 22.1-258 of the *Code of Virginia*, the parent may be found guilty of a Class 2 or Class 3 misdemeanor (§ 22.1-263 of the *Code*).
- While some judges may order the parent or family to receive services (counseling, substance abuse treatment) or to the Department of Social Services, others may not prior to imposition of jail or fines.
- Service referral is frequently appropriate because truancy is usually a symptom of other serious problems.



Confusion Surrounding Information-Sharing Between Courts and Law enforcement

- Existing statutes addressing law enforcement's ability to access juvenile's information are unclear.
- There is a lack of information sharing between court services units (CSU) and law enforcement about status of a juvenile.
- Unclear whether CSU may share information with law enforcement without a court order.
- Law enforcement not a party having legitimate interest to supervision records maintained by a CSU.



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Dropout Findings



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Insufficient Educational Options for Youth Not Succeeding in Traditional School Setting

- A common reason students drop out from school is disengagement.
- Many students lose interest and motivation because the curriculum does not appear to have a real-world application.
- 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 re-connected to education.



Career and Technical Education an Overlooked Component in Dropout Prevention

- Students frequently do not understand the link between education and career development.
- Career and technical educational options can help students remain in and be successful in high school.
- High-risk students are 8 to 10 times less likely to dropout in the 11th and 12th grades if they enroll in a career and technical program instead of a general program.*
- A quality career and technical program can reduce a school's dropout rate by as much as 6%.*

*Association for Career and Technical Education. (2007). *Career and Technical Education's Role in Dropout Prevention*.



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Unintended Consequences of School Division's Attendance Policies

- Passing a class is typically tied to attendance.
- Attendance policies may dictate that a student can pass a class only if they do not exceed a certain number of unexcused absences.
- The grade earned would have no impact, so 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 what happens during the remainder of the school year.
- If there is no hope for passing the class, the student may stop attending school altogether.



Shortage of School-based Prevention Programs

- There is a shortage of school-based prevention programs which address violence prevention, anger management, conflict resolution and other behavioral health needs. Students with these needs are most at-risk for dropping out of school
- While schools employ school counselors to help provide these services, a significant percentage of their job duties have become more administrative in nature.
- School counselors' primary role, according to the Virginia Standards for School Counseling, is the delivery of services to meet the behavioral, personal/social, career and academic needs of their students.
- A comprehensive school-based system offering prevention, identification and intervention services to address issues which impact school performance and healthy development is an effective dropout strategy.



Understanding of Family Challenges

- A recurring issue associated with school dropout is family involvement.
- Families' 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.
- Other outside factors may also impact a student's decision to dropout.
- Students may face challenges such as having to work to help support their family, having young children of their own to support or having to care for a family member.
- Understanding of these variables is needed so that appropriate solutions can be devised.



Achievement Gap for Students Identified “At-Risk”

- There is an achievement gap, as reflected in the on-time graduation rate, for students who are identified as disadvantaged.
- In 2008, only 69.8 percent of disadvantaged students graduated on-time with a Board of Education-approved diploma.*
- The state average for all students is 81.3 percent.

*Disadvantaged students are those who qualify for the free and reduced price lunch program.



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Truancy Recommendations



Recommendation 1 – Disciplinary Laws Allow Students to be “On the “Street” When Suspended or Expelled

- **Option 1:** Request the Virginia Department of Education to offer guidance in the *Model Code of Student Conduct* to school divisions regarding options other than suspension or expulsion for instances of tardiness or attendance. (This recommendation was received from the Alternative Education Advisory Group.)
- **Option 2:** Amend the *Code of Virginia* to prohibit the use of suspension or expulsion in all instances of tardiness or attendance.
- **Option 3:** Amend the *Code of Virginia* to prohibit the use of suspension in all instances of tardiness or attendance.
- **Option 4:** The Virginia Commission on Youth, with the Virginia Department of Education, will develop a resource which describes school divisions' programs and partnerships that provide educational and support services for at-risk youth, as well as youth with attendance problems. This resource will also include information about private sector partnerships and best-practices that strive to keep youth connected to school.



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Recommendation 2 – Judicial Involvement is Inconsistent Among Localities

- **Option 1:** Request the Chief Justice of the Supreme Court of Virginia, through the Office of the Executive Secretary, to assist the Virginia Commission on Youth in its review of truancy matters, specifically the role of the judiciary, consistency of court practices, and judicial education, including the court's ability to order services for the family prior to the imposition of jail or fines. This would take place in the second year of the study.
- **Option 2:** 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 (VCO) exception.



Recommendation 3 – Punitive Measures May be Imposed Prior to Referral of Services

- **Option 1:** Request that the Chairman of the Virginia Commission on Youth write a letter to the Executive Secretary of the Supreme Court of Virginia to encourage training of 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 4 – Confusion Surrounding Information-Sharing Between Courts and Law enforcement

- **Option 1:** Request the Virginia Commission on Youth to develop a “carve out” in § 16.1-309.1 of the *Code of Virginia* to allow the Department of Juvenile Justice to release information to law enforcement about whether a juvenile, alleged to be a truant in violation of § 22.1-258 of the *Code of Virginia*, is being detained in a secure facility.”
- **Option 2:** Request the Virginia Commission on Youth to develop a “carve out” in § 16.1-309.1 of the *Code of Virginia* to allow the Department of Juvenile Justice to release information to law enforcement about whether a juvenile is being detained in a secure facility or who is on probation/parole if a juvenile is in the custody of law enforcement during school hours and if the juvenile is alleged to be a truant in violation of § 22.1-258 of the *Code of Virginia*.
- **Option 3:** Request the Virginia Commission on Youth to develop a “carve out” in § 16.1-309.1 of the *Code of Virginia* to allow the Department of Juvenile Justice to release information to law enforcement about whether a juvenile is being detained in a secure facility or who is on probation/parole if a juvenile is in the custody of law enforcement and alleged to be a truant in violation of § 22.1-258 of the *Code of Virginia*.
- **Option 4:** Monitor the activities of the Virginia Crime Commission regarding the reorganization of Title 16.1, Chapter 11 which address CHINS and CHINSup, expungement and confidentiality of records.



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Dropout Recommendations



Recommendation 5 – Insufficient Educational Options for Youth Not Succeeding in Traditional School Setting

- **Option 1:** Request that the Virginia Department of Education brief the Virginia Commission on Youth on the current status of 21st Century Schools in Virginia.*

*21st Century Schools provide learning environments where students are fully engaged with curriculum brought to life through creative uses of technology. Recommendation 1, Option 4 also addresses this finding.



Recommendation 6 – Career and Technical Education an Overlooked Component in Dropout Prevention

- **Option 1:** Request the Commission on Youth conduct a study/gap analysis of career and technical educational options available in the Commonwealth. Such a study will also include when is it most effective to introduce 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, as will the current *Jobs for Virginia Graduates* program. Commission staff will apply for relevant funding opportunities or grants to assist with the cost of this study.



Recommendation 7 – Unintended Consequences of School Divisions’ Attendance Policies

- **Option 1:** Request the Virginia Board of Education to issue guidance to school divisions regarding the unintended consequences of attendance policies which may keep students from returning to school.
- **Option 2:** Request the Virginia Board of Education to issue guidance regarding § 22.1-253:13.4 of the *Code of Virginia* which allows schools to establish procedures to facilitate the acceleration of students without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives and with the recommendation of the division superintendent.
- **Option 3:** Request the Virginia Department of Education to report recommendations for a standardized definition of truancy to the Virginia Commission on Youth prior to the 2010 Session of the General Assembly.



Recommendation 8 – Shortage of School-based Prevention Programs

- **Option 1:** Request the Virginia Department of Education to survey/gather information on existing, non-traditional programs for the development of best-practice guidelines effective in serving students.
- **Option 2:** The Virginia Commission on Youth, in partnership with the Virginia Department of Education, will survey/gather information on existing, non-traditional programs for the development of best-practice guidelines effective in serving students.
- **Option 3:** Request the Virginia Department of Education to work with school divisions to develop equitable task assignments so that school counselors can provide the vital services for which they were trained. These services include those school-based prevention services that address issues such as violence prevention, anger management, conflict resolution and other behavioral needs of their students.



Recommendation 9 – Understanding Family Challenges

- **Option 1:** The Virginia Commission on Youth will meet with both students and parents to request their input in this study effort. These meetings will take place immediately and continue in the second year of the study.



Recommendation 10 – Achievement Gap for Students Identified “At-risk”

- **Option 1:** Write a letter to be sent to the members of the Subcommittees on Education for the House Appropriations and Senate Finance Committees requesting that Virginia’s at-risk add-on funds which are appropriated to offset the higher cost of educating economically disadvantaged students, be preserved. (Developed at the request of the Advisory Group.)