

# **WHERE IS THE TRUANCY PROGRAM IN SANTA BARBARA COUNTY?**

## **Truancy is Troubling ... for Everyone!**

### **SUMMARY**

Compulsory education is required by state law for youth through age 18. Truancy<sup>1</sup> has been a problem since laws were passed requiring school attendance. Truancy impacts the number of credits a student can earn toward graduation. Without the proper credits a student will not graduate from high school. When the Office of the Santa Barbara County District Attorney (DA) joined Santa Barbara County schools in 1997 to institute a Truancy Program the truancy rate was contained at approximately 21 percent. After the program terminated in 2008 there was a spike in the truancy rate, increasing by 48 percent in 2009-10. Low educational achievement, aggravated by truancy, makes it more difficult for a person to succeed in life.

The current District Attorney stated in September 2010 that a "...new and more proactive truancy program..."<sup>2</sup> will be implemented. Given the current financial condition at both the county and state levels, the proposed program may be over before it starts. The 2010-11 Santa Barbara County Civil Grand Jury finds the consequences of the delay in implementing a truancy program troubling.

### **BACKGROUND**

Compulsory education began in Denmark in 1814 and in the United States in the 1830s. In 1852, Massachusetts passed the first compulsory education law, which said that children between the ages of 8 and 14 were required to attend public school at least 12 weeks per year.<sup>3</sup> California's law was passed in 1874 and all states had passed school attendance legislation by 1918.

In 1997, the DA in conjunction with several Santa Barbara County school districts and other county departments, instituted a truancy program entitled Truancy Intervention and Parent Accountability Program (TIPAP) funded by Santa Barbara County. This program was successful for 11 years.

On October 14, 2008 the Santa Barbara County Board of Supervisors (BOS), accepting the recommendations of the County Executive Officer, declined to continue funding for

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<sup>1</sup> California *Education Code Section 48260(a)* defines truancy as follows: "Any pupil subject to compulsory full-time education (6 to 18) or compulsory continuation education who is absent from school without a valid excuse three full days or tardy or absent more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or the superintendent of the school district."

<sup>2</sup> Press release, Office of the District Attorney, September 7, 2010.

<sup>3</sup> History of Education, [www.extremeintellect.com](http://www.extremeintellect.com)

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the DA's TIPAP program. Continuation of the program, received written support from many school districts across Santa Barbara County representing more than two-thirds of the county public school student population of the nearly 66,000.

The following are excerpts from the County Executive Officer's letter to the BOS:

*The requested funding of \$166,000 for Fiscal Year 2008-2009 would augment the \$50,000 gap funding authorized by the Board on June 9, 2008. However, given the current and projected financial conditions facing the County, caution is recommended in approving additional funding of this program at this time.*

*During the budget hearings for the Fiscal Year 2008-2009 County Operating Plan, the Board of Supervisors directed the District Attorney to approach participating school districts for financial assistance in order to sustain the Truancy program...the Board also instructed staff to discontinue the Truancy program on September 30, 2008 should the school districts not contribute to the funding of the program.*

*Should the Board authorize the continuing of this program as presented for the current fiscal year, \$166,000 may be drawn from the Board Contingency Account. The program would require ongoing revenue of \$226,900 commencing in Fiscal Year 2009-10.<sup>4</sup>*

During the period 2002-08 the DA sent over 69,000 letters to parents and guardians whose children were determined to be truant. This letter was the first step of the TIPAP six-step process:

- 1) Initial truancy letter from the District Attorney.
- 2) ASM (After School Meeting) with parents/guardians, students, school administrators, law enforcement, and DA representative.
- 3) The school's assistant principal met with parents/guardians and students. This step is not included in the following chart.
- 4) TMT (Truancy Mediation Team) attended by parents/guardians, students, school administration, representatives from DA, mental health, probation and law enforcement.
- 5) SARB<sup>5</sup> (School Attendance Review Board) attended by parents/guardians, students, various youth-serving agencies, and probation, and in collaboration with the DA.
- 6) The SARB may request the issuance of a 601(b)<sup>6</sup> petition, asking the court to make the truant a ward of the court.

The following chart shows the data for five of the above phases for the period 2002 to 2008.

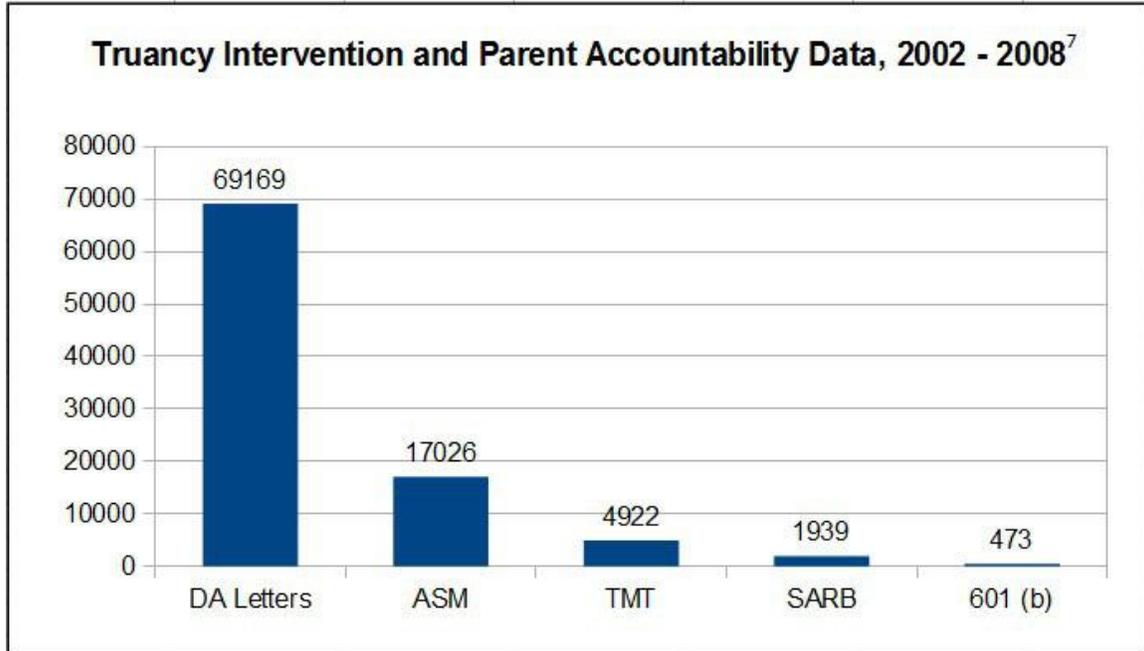
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<sup>4</sup> Memorandum, dated October 9, 2008, from Michael Brown, County Executive Officer.

<sup>5</sup> California Education Code Section 48321 established SARBs to create a safety net for students with persistent attendance or behavior problems. Although the goal of SARBs is to keep students in school, and has the power to refer students and their parents/guardians to court. [www.cde.ca.gov/ls/ai/sb/](http://www.cde.ca.gov/ls/ai/sb/)

<sup>6</sup> 601(b), part of Section 601 of the Welfare and Institutions Code.

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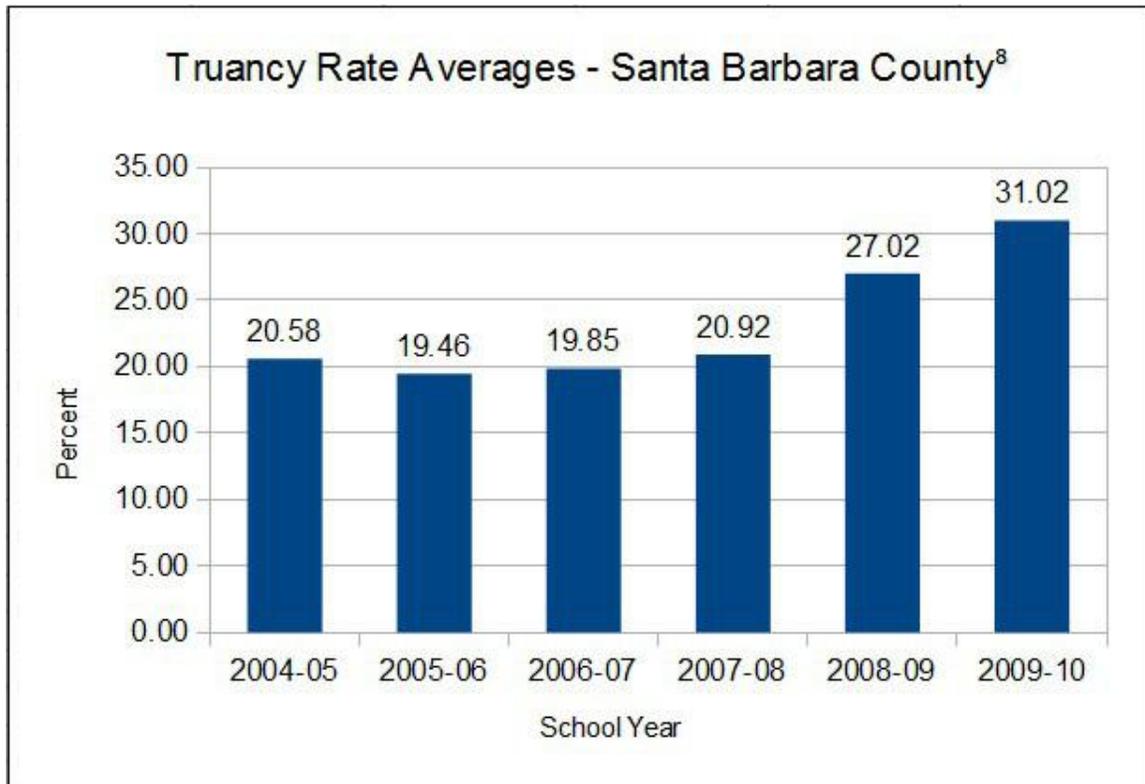
The cumulative data strongly indicate that the letter from the DA had a positive impact and reduced the need for subsequent TIPAP activity.

School officials told the Jury that many parents and guardians of truant students were supportive of the truancy policy in place at their school. Since 2008, there has been no consistent truancy policy for all school districts within the county, although the County Education Office has set guidelines, based on the California *Education Code*. Districts generally have a uniform policy for their schools. However, some schools, within a district, have their own policies. The intent of this report is to focus on the continuing need for a consistent countywide truancy program that involves the DA, County Education Office, and school districts.

The Santa Barbara County truancy rate has increased significantly since the elimination of the TIPAP in 2008 as shown in the following chart.

<sup>7</sup> Data extracted from DA's Truancy Intervention and Parent Accountability Program.

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This chart clearly indicates that the previous truancy program was successful in keeping truancy rates under control and that these increases, which occurred immediately after the program was terminated, cannot be attributed to coincidence.

### METHODOLOGY

The Jury interviewed school principals, from different school districts, covering K-12 schools to get their views on the success of the previous program and how they address truanancies today. Officials in the District Attorney's Office and County Education Office were interviewed. The Jury also reviewed:

- The Compulsory Education Law (*Education Code 48200-48361*)
- Annual Reports on the Truancy Program prepared by the DA's Office
- Report by the *2010 Comprehensive Multiagency Juvenile Justice Plan*
- Presentation from Costa Mesa, CA titled *Project 10/20*, dated January, 2011
- Presentation by the Merced County District Attorney on *Fight Crime/Invest in Kids*, California Department of Education website
- California Department of Education website
- U.S. Department of Education websites

<sup>8</sup> Santa Barbara County data from California Department of Education. <http://dq.cde.ca.gov/dataquest/>

**OBSERVATIONS AND ANALYSIS**

California's *Education Code Section 48200* provides:

*Each person between the ages of 6 and 18 years ... is subject to compulsory full-time education. ...each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full time designated as the length of the schoolday by the governing board of the school district in which the residence of either the parent or legal guardian is located. Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum schoolday established by law.*

California's *Education Code Section 48260(a)* provides:

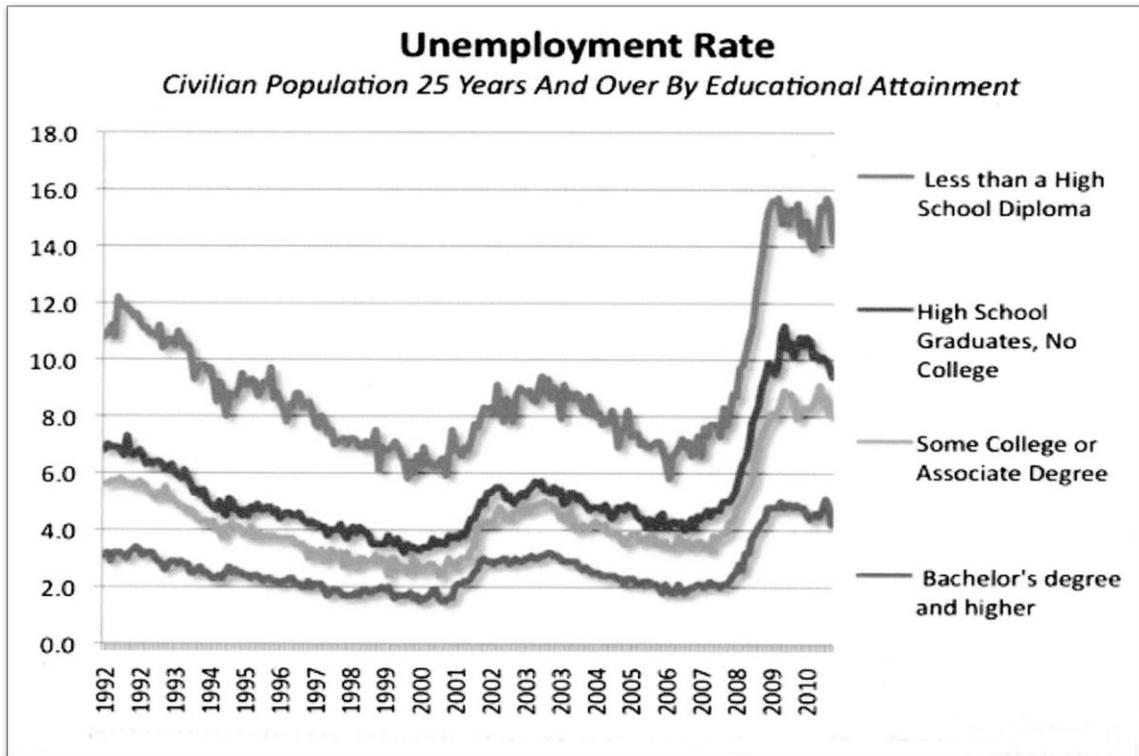
*Any pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without a valid excuse three full days or tardy or absent more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or the superintendent of the school district.*

Although the California *Education Code* provides for mandatory schooling, it also places responsibility on the student, and parents or guardian to see that the student attends classes.

Truancy can have a negative impact on future success. The educational demands of employment are rising; therefore, the impact of truancy is intensified. Recent data from the U.S. Bureau of Labor Statistics show the correlation between the level of education achieved and the unemployment rate is significant.<sup>9</sup> As shown below there is a relationship between education level and the probability of success in the workforce.

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<sup>9</sup> Source: U.S. Bureau of Labor Statistics (02/04/11): [www.businessinsider.com](http://www.businessinsider.com)



### Graduating in 2011

*Local school districts establish the total number of units required to earn a California high school diploma.... These districts require between 220 and 260 local units for high school graduation. However, local school districts vary in how local credit units are awarded....<sup>10</sup>*

Habitual truancy impacts a student's ability to earn sufficient credits for graduation. The higher an individual's truancy rate, the fewer credit units earned. Although there are credit recovery programs in many schools, students who have lost significant credits have difficulty making up the lost units. An effective truancy program should be focused on getting students to school and keeping them there throughout the school day.

<sup>10</sup> California Department of Education, Frequently Asked Questions, No. 4. [www.cde.ca.gov/ci/gs/hs/hsgfaq.asp](http://www.cde.ca.gov/ci/gs/hs/hsgfaq.asp)

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### **Components of Effective Truancy Reduction Programs**

- ❖ Parent/guardian involvement, or whole family involvement.
- ❖ A continuum of supports, including meaningful incentives for good attendance and consequences for poor attendance.
- ❖ Collaboration among community actors such as law enforcement, mental health workers, mentors, and social service providers, in addition to educators.
- ❖ Concrete and measurable goals for program performance and student performance. Good record keeping and on-going evaluation of progress toward those goals.<sup>11</sup>

In a recent letter to all Santa Barbara County school district superintendents, the DA offered full support including "...south county office space and general resources of the District Attorney's Office from the law enforcement side."<sup>12</sup>

School administrators and the DA told the Jury there is no longer funding available to address truancy problems. The Jury confirmed this by searching the websites of both the U.S. Department of Education and the State of California Department of Education for any form of funding available and found that prior federal or state funding sources were no longer available. However, the Jury did learn that there have been monies available from community collaboratives, e.g., J.S. Bower, Mobil, Waterford and Orfalea Foundations, at least on the elementary level, for such programs as full-day pre-school and parenting classes. As noted above, parental/guardian support is a key component of an effective truancy program.

The Jury believes that a partnership should be established by the County Education Office in conjunction with the school districts and DA, both on the elementary and secondary level, to develop uniform truancy policies. The Jury also believes that the DA's focus should be on truancy in secondary schools where its presence may be more effective.

## **CONCLUSIONS**

The original Truancy Intervention and Parent Accountability Program managed by the District Attorney was a successful program in containing the level of truancy experienced in the Santa Barbara County school districts. With the elimination of that program, the truancy level in Santa Barbara County has spiked.

There currently is no federal or state funding available to address school truancy. There needs to be a way to fund an effective truancy program, either by the reallocation of

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<sup>11</sup> Taken from the initiative National Center for School Engagement of the COLORADO FOUNDATION FOR FAMILIES AND CHILDREN, Denver CO, 80203. [www.truancyprevention.org](http://www.truancyprevention.org)

<sup>12</sup> Letter dated March 3, 2011, to District Superintendents, Re: RFP for Truancy Measures.

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existing funds and/or a cost-sharing arrangement between the school districts and the County of Santa Barbara.

### **FINDINGS AND RECOMMENDATIONS**

#### **Finding 1**

The only truancy programs in use today in the County of Santa Barbara are those independently developed and managed by individual districts or schools.

#### **Recommendation 1a**

That the Santa Barbara County District Attorney immediately reinstate the initial letter portion of the prior truancy program for all secondary schools until a new program is developed.

#### **Recommendation 1b**

That the Santa Barbara County Office of the District Attorney report the results quarterly of the truancy intervention letters data, to the Santa Barbara County Education Office and all Santa Barbara County school districts.

#### **Recommendation 1c**

That the Santa Barbara County Education Office in partnership with the Santa Barbara County Office of the District Attorney, Santa Barbara County elementary, secondary and unified school districts, immediately develop a countywide program to reduce truancy, by reinstating the School Attendance Review Boards.

#### **Recommendation 1d**

That the Santa Barbara County Office of the District Attorney, working with the Santa Barbara County Education Office, and the Santa Barbara County school districts, implement truancy enforcement countywide for all Santa Barbara County schools.

#### **Finding 2**

There currently is no available federal or state funding for truancy programs.

#### **Recommendation 2a**

That the Santa Barbara County Board of Supervisors fund at least one full-time position in the Santa Barbara County Office of the District Attorney to administer an enforceable truancy program for all Santa Barbara County schools.

#### **Recommendation 2b**

That each Santa Barbara County school district provide in its budget a proportional share, based on the number of students, to the Santa Barbara County Office of the District Attorney to assist in funding an enforceable truancy program for all Santa Barbara County schools.

**Recommendation 2c**

That the Santa Barbara County Education Office provide, in its budget, match the school districts share to the Santa Barbara County Office of the District Attorney to assist in funding an enforceable truancy program for all Santa Barbara County schools.

**REQUEST FOR RESPONSE**

In accordance with *California Penal Code Section 933.05*, each agency and government body affected by or named in this report is requested to respond in writing to the findings and recommendations in a timely manner. The following are the affected agencies for this report, with the mandated response period for each.

**Santa Barbara County District Attorney – 60 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2a, 2b, 2c

**Santa Barbara County Board of Supervisors – 90 days**

Finding 2

Recommendation 2a

**Santa Barbara County Education Office – 90 days**

Finding 1, 2

Recommendation 1b, 1c, 1d, 2b, 2c

**Ballard Elementary District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Blochman Elementary District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Buellton Union Elementary District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Carpinteria Unified District – 90 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2b

**Cold Spring Elementary District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**College School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Cuyama Joint Unified School District – 90 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2b

**Goleta Union School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Guadalupe Union School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Hope School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Lompoc Unified School District – 90 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2b

**Los Alamos School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Los Olivos School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Montecito Union School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Orcutt Union School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Santa Barbara Elementary/Secondary School District – 90 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2b

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**Santa Maria-Bonita School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Santa Maria Joint Union High School District – 90 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2b

**Santa Ynez Valley Union High School District – 90 days**

Finding 1, 2

Recommendation 1a, 1b, 1c, 1d, 2b

**Solvang School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b

**Vista del Mar Union School District – 90 days**

Finding 1, 2

Recommendation 1c, 1d, 2b