

# Absenteeism and Truancy: Nebraska's evolving approach



We all want children to have access to opportunities to succeed through a quality education. An important component of a student's ability to succeed in school is their attendance. A number of research studies have linked chronic absenteeism with lower academic achievement across grade levels and an increased risk for dropping out of school or delaying graduation.<sup>1</sup> Students are chronically absent for a variety of reasons, from health challenges to housing instability. There are a certain number of chronically absent students who are also considered truant, those who purposefully skip school.

In recent years, Nebraska lawmakers have taken action intended to increase school attendance and improve the juvenile justice system's response to students who are truant.

This report contains an analysis of available data on what the impact of these changes has been on chronic absenteeism and truancy in Nebraska. It also provides information on nationally-recognized approaches to improving student attendance and academic achievement, and handling truancy. Our analysis shows that Nebraska has more work to do in both distinguishing between chronic absenteeism and truancy and implementing effective approaches to keep kids in school.

Specifically, Voices for Children urges Nebraska to:

1. Invest in effective, school-based programs and services for schools and students struggling with chronic absenteeism; and
2. Limit the use of the juvenile justice system to address truancy, instead connecting youth and families to community-based services and supports.

## Nebraska's Recent Legislative Changes

### 2010

Nebraska lawmakers passed LB 800, which changed Nebraska attendance laws from focusing on truancy to absenteeism. The law required the collection of data on chronically absent students, the adoption of new school policies, and mandated that schools refer all students absent more than 20 days (whether the absences were excused or not) to their local county attorney.

### 2011

Lawmakers made minor revisions to LB 800 with LB 463. School districts were required to develop policies on how to deal with students absent for long periods of time due to illness and the Learning Community was charged with additional duties and planning relating to chronic absenteeism and truancy.

### 2012

Legislators passed LB 933 gave schools the discretion on whether or not to report students who had all of their absences excused to the county attorney. LB 996 also became law and increased restrictions on youth dropping out of school before age 18.

## What are we talking about?

*Chronic Absenteeism:* When a student misses school for any reason, whether excused or unexcused. Excessive absenteeism is considered to be missing more than 10% of the school days in any given school year by national experts, although definitions vary widely.

*Truancy:* When a student misses school and their absence is unexcused by the school and/or their parents. When truancy causes students to drop out, studies have found a likelihood of future justice system involvement.

*Adapted from "Chronic Absenteeism: A Problem Hidden in*

## Why do students miss school?

- 1) They cannot attend because of illness, housing instability, family responsibilities, or involvement in the juvenile court system.
- 2) They will not attend because of bullying at school, unsafe conditions, harassment, or embarrassment.
- 3) They do not attend because they or their parents do not see the value, they have other things to do, or no one stops them from skipping school.

*Adapted from "The Importance of Being in School: A Report of Absentees in the Nation's Public Schools."*

# The Law's Impact -

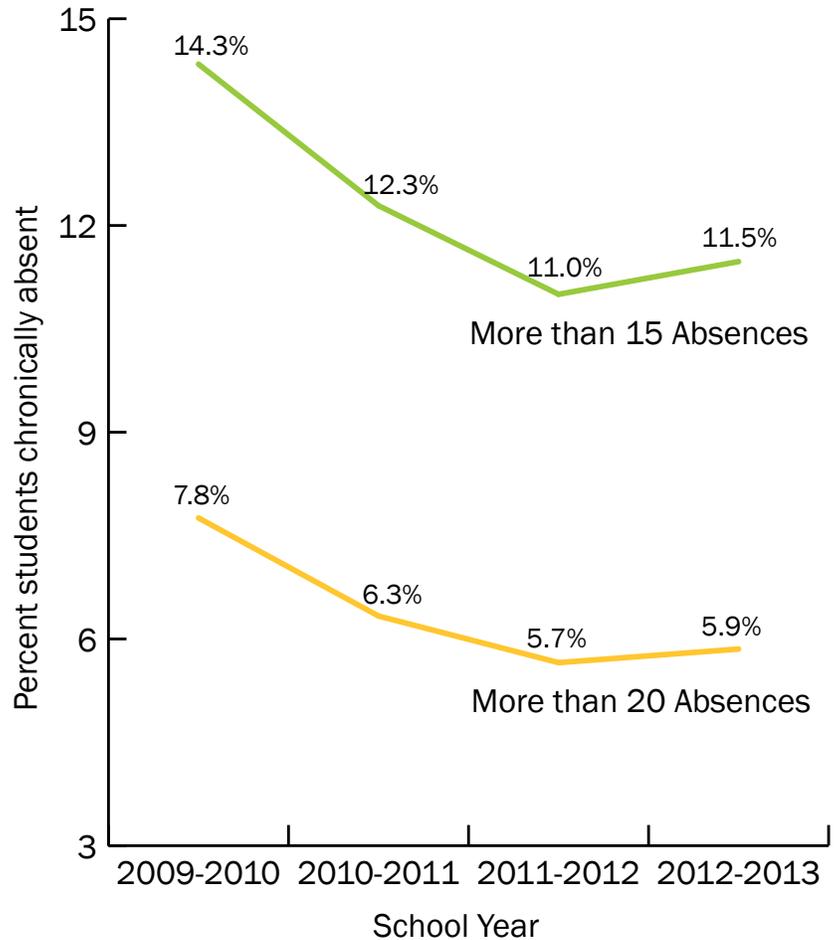
## Chronic Absenteeism

Since Nebraska took legislative action, statewide rates of chronic absenteeism has fallen almost two percent. While this is an important accomplishment, data also show that Nebraska's work is far from done. Recent reductions in chronic absenteeism are not evenly distributed throughout the state: chronic absenteeism remains unchanged or has actually increased in over 80 Nebraska school districts since the 2009-2010 school year. Additionally, the percentage of chronically absent students rose during the last school year, raising questions about the sustainability of recent reductions.

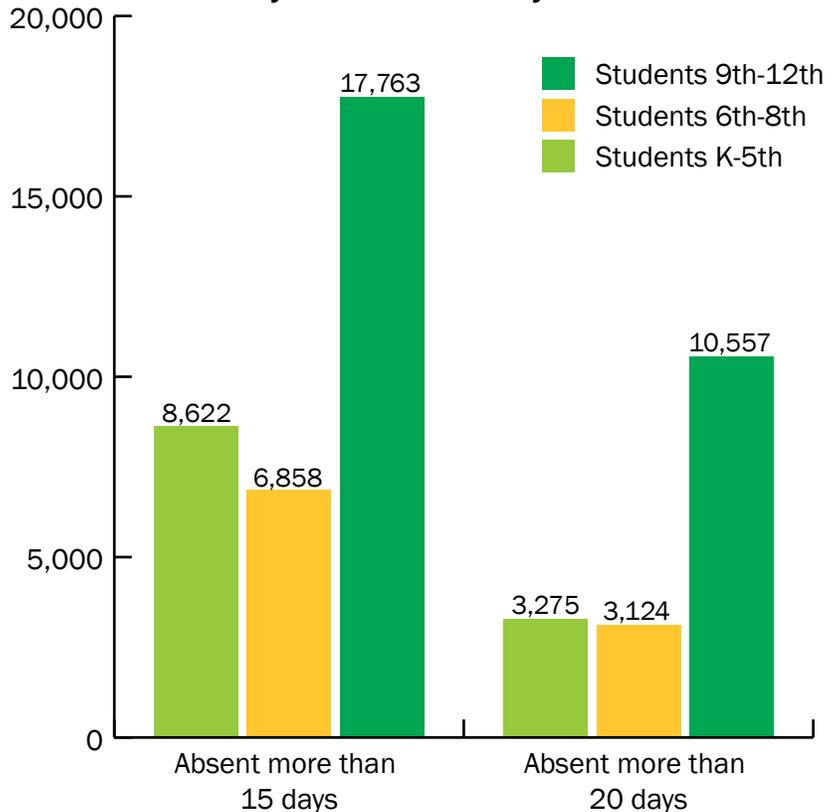
There are a number of significant factors that seem to make it more likely that students will be chronically absent in Nebraska. Students living in poverty are much more likely to be chronically absent than their classmates. 71% of Nebraska students who missed 20 or more days in the 2012-2013 school year lived in poverty. High school aged students were also more likely to miss large amounts of school, although a significant number of younger children did as well. Finally, half of students who missed 20 days of school or more were children of color, although they make up only 30 % of the student population.

Other states, cities, and school districts have pioneered a number of extremely successful approaches to reducing chronic absenteeism and improving students' academic performance through targeted, school-based supports. A recent program in New York City made chronic absenteeism 9 percent less likely among all students, and 15 percent less likely among students in poverty. In addition to the reductions in chronic absenteeism, academic achievement improved.<sup>2</sup> Nebraska should look to these effective approaches going forward.

### Chronic Absenteeism in Nebraska



### Chronically Absent Students by Grade Level



Source: Nebraska Department of Education.

## Top 10 School Districts for Chronic Absenteeism 2012-2013 School Year

School District	% Chronically Absent Students
UMO N HO N NATION PUBLIC SCHOOLS (Thurston County)	50.40%
WALTHILL PUBLIC SCHOOLS (Thurston County)	44.44%
SANTEE COMMUNITY SCHOOLS (Knox County)	42.86%
SOUTHERN VALLEY SCHOOLS (Furnas County)	16.47%
BAYARD PUBLIC SCHOOLS (Morrill County)	14.22%
CRAWFORD PUBLIC SCHOOLS (Dawes County)	13.64%
WINNEBAGO PUBLIC SCHOOLS (Thurston County)	11.83%
MC PHERSON COUNTY SCHOOLS (Mc Pherson County)	11.34%
OMAHA PUBLIC SCHOOLS (Douglas County)	10.91%
SOUNTHER SCHOOL DISTRICT 1 (Gage County)	10.82%

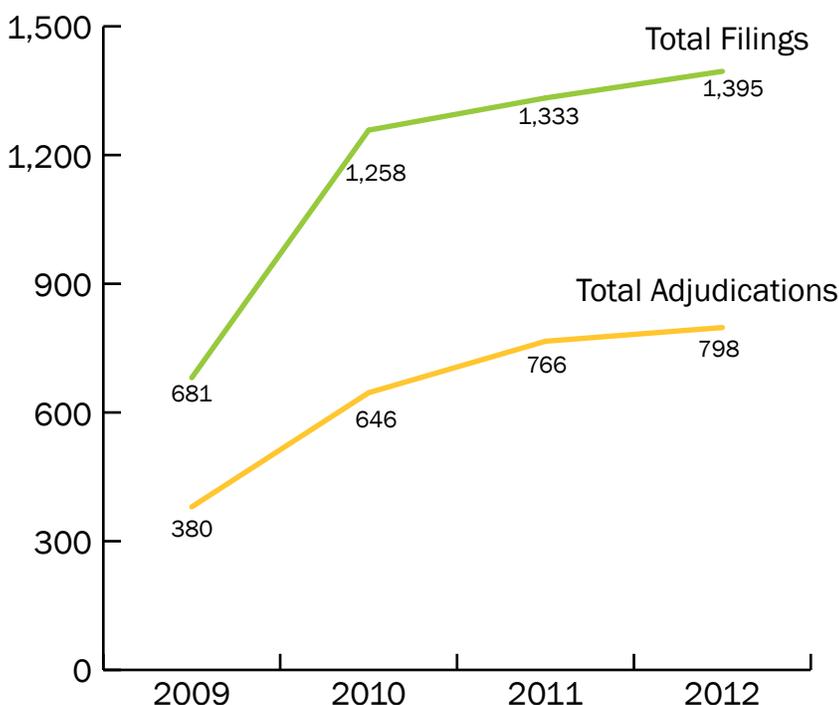
## Who are chronically absent students?

- 25% are in elementary school, 21% are in middle school, and 53% are in high school
- More than two of every three live in poverty
- Half are boys, half are girls
- Children of color are disproportionately represented

*(All data provided by the Nebraska Department of Education)*

## The Law's Impact – Juvenile Justice

### Truancy Filings and Adjudications



Source: JUSTICE, Administrative Office of the Courts.

The juvenile justice system's goal is to provide accountability and rehabilitation to youth whose actions violate the law and endanger public safety. When possible and appropriate, youth should be diverted from the system as often as possible and have their needs met without being pushed into the juvenile justice system. This is especially true when it comes to youth who are referred to the court for being absent from school or other status offenses.

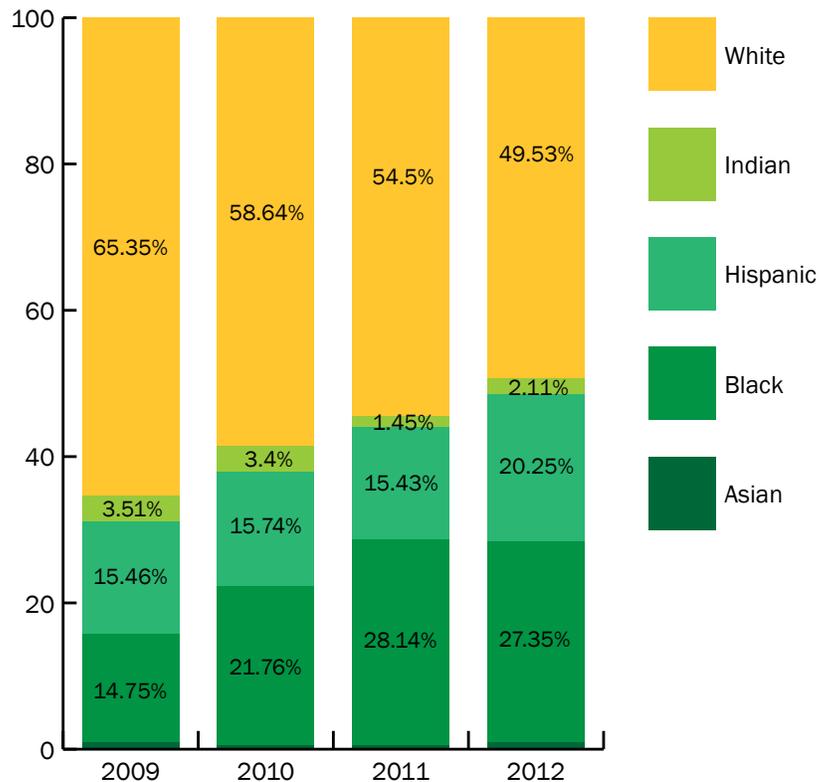
Inappropriate juvenile justice system involvement has been shown to have a negative impact on educational achievement and increase likelihood for behavioral health challenges. Furthermore, community-based interventions have been shown to be much more effective in preventing further delinquency.<sup>3</sup>

Unfortunately, Nebraska's data reveal that we are leaning more heavily on the court system to solve challenges often

better handled in the community. Since 2009, truancy filings by county attorneys against Nebraska children have more than doubled and continue to steadily increase. Adjudications (convictions) have increased by 110 percent in the same time period. Counties varied on whether or not and by how much their truancy filings against youth increased. The largest jump was in Douglas County, which went from 79 filings in 2009 to 639 in 2012, accounting for a little less than half of all filings against youth in the state.

Since 2009, children of color, especially Black and Hispanic youth, have been more likely to be prosecuted for missing school. Black students, especially, only made up 14% of those absent more than 20 days during the 2012-13 school year, but comprised almost 30% of filings for truancy in Nebraska. In addition a small, but steady number of younger children (under 14) have been prosecuted for truancy.

## Truancy Filings by Race & Ethnicity



Source: JUSTICE, Administrative Office of the Courts.

This significant increase over the past few years stands in contrast to much of the country which has sought to reduce the referral and prosecution of status offenders in juvenile court. Nebraska should take action to limit court action against youth who are truant, and put together processes that refer them to community resources without the involvement of the county attorney or other court or law enforcement personnel.

## Conclusion

Data reveal that Nebraska has made some progress in reducing chronic absenteeism over the past few years, though significant disparities remain. Unfortunately, this positive trend has been accompanied by a troubling trend of increasingly referring students to the court system to solve attendance challenges, despite national evidence that this approach is both costly and ineffective. If we truly want to tackle our state's absenteeism challenges, Nebraska must significantly invest in the community and school-based approaches that have been proven effective. Our state must also take action to reduce the number of referrals to the court system.

1. Balfanz, R., & Byrnes, V. *Chronic Absenteeism: Summarizing What We Know From Nationally Available Data*. Baltimore: Johns Hopkins University Center for Social Organization of Schools: 2012.
2. Balfanz, R & Byrnes, V. *Meeting the Challenge of Combatting Chronic Absenteeism*. Baltimore: Johns Hopkins University: November 2013.
3. Salisch, A & Trone, J. *From Courts to Communities: The Right Response to Truancy, Running Away, and Other Status Offenses*. Vera Institute: December 2013.