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Legislative Mandates Concerning Truancy Effects on Attendance Rates

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LEGISLATIVE MANDATES CONCERNING TRUANCY EFFECTS ON ATTENDANCE
RATES

Thesis submitted to
the Graduate College of
Marshall University

In partial fulfillment of
the requirements for the degree of
Educational Specialist in
School Psychology

by

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ABSTRACT

Legislative Mandates Concerning Truancy Effects On Attendance Rate

The correlation between truancy and dropping out of school is high, prompting school districts and the state legislature to attempt to intervene (Sparks, 2010). The purpose of this study is to determine the effectiveness of the West Virginia Code 18-8-4 that requires mandatory legal compulsory attendance (CA2) meetings to be held at the county level when a student obtains five days of unexcused absences. In the summer of 2010, the WV state legislature changed the CA2 meeting requirements from 10 days of unexcused absences to five. Barbour County Schools began to intervene in truancy using a multidisciplinary approach in 2007. Attendance data between 2007 through 2012 were analyzed. Results indicated that there were significant improvements in attendance between 2007-2009 when the collaboration with the court system began. However, when comparing attendance rates before and after the 2010 legislative mandates there were no significant changes; in fact, there was a slight decrease in attendance the following year.

CHAPTER ONE: REVIEW OF LITERATURE

Legislative Link

The correlation between truancy and dropping out of school is high, prompting school districts and West Virginia legislature to attempt to intervene (Sparks, 2010). The purpose of this study is to determine the effectiveness of the West Virginia Code 18-8-4 that requires mandatory legal compulsory attendance (CA2) meetings to be held at the county level when a student obtains five days of unexcused absences. WV Code Chapter 18 Education. Article 8 states “compulsory school attendance begins with the school year in which the sixth birthday is reached prior to September 1 of such year or upon enrolling in a publicly supported kindergarten program and, subject to subdivision (3) of this subsection, continues to the sixteenth birthday or for as long as the student continues to be enrolled in a school system after the sixteenth birthday.” West Virginia Code ch.18, § 8-4 (2010) requires school officials to serve written notice to the parent, guardian or custodian of the student that the attendance of the student at school is required and that within ten days of receipt of the notice the parent, guardian or custodian, accompanied by the student, shall report in person to the school the student attends for a conference with the principal or other designated representative of the school in order to discuss and correct the circumstances causing the unexcused absences of the student. In the summer of 2010, the WV State Legislature changed the CA2 meeting requirements from 10 days of unexcused absences to five. This study will attempt to determine if the change in the law has impacted absenteeism.

It is important to note that the No Child Left Behind Act of 2001 (NCLB) also required reporting of attendance. The Uniform Management Information and Reporting System section of

NCLB required school districts to report on truancy rates. Prior to this legislation, only average daily attendance was reported (Bye, Alvarez, Haynes, & Sweigart, 2010).

Truancy Truths

The nationwide data for truancy are nearly impossible to analyze at this time due to inconsistent policies and definitions. State laws determine the definition of truancy in each state. Wisconsin students are considered truant at five days of unexcused absences; however, in Connecticut the students are not truant until they reach twenty days of unexcused absences (Bye, et.al., 2010). West Virginia defines truancy as five unexcused absences. For the purpose of this study, the West Virginia Education Information System (WVEIS) has allowed for data collection concerning attendance. With the exception of human error, the data collection within the state is consistent using codes to define each absence.

It is vital to get to the underlying issues of truancy if a true change in attendance is to take place. The student who is truant does not stand alone in the responsibility or lack thereof in attending school. There are family, history, and experiences that have impacted students and made school a less significant priority for them. Too often, the school blames the family and the family blames the school, causing a greater divide between the two. The most sensible answer is to examine the deficits of each. The home and school must resolve to collaborate and make the necessary changes to improve attendance.

First, this literature review will consider the family aspects that affect truancy. Several studies have considered risk factors within the family such as parental conflict, enmeshed family relationships, anxious parents, parental mental health issues, separation, and single parenting (Pellegrini, 2007). There are many factors that affect the parent's role in his or her child's

education. Among the factors are parent beliefs, family socioeconomic status, and the parent's own experience in the schools (Sheldon, 2007). In-home services have been ordered by the courts to intervene with truancy. Parent training is reported as an effective intervention in treating school refusal (Lauchlan, 2003).

Second, this literature review will look at how schools exacerbate disengagement (Mueller, Giacomazzi, and Stoddard, 2006). Lack of commitment to school has been established by several studies as a risk factor for substance abuse, delinquency, teen pregnancy, and school dropout. (Bye, et.al., 2010) Attendance patterns as early as elementary school can differentiate between the students who will drop out or graduate (Sheldon, 2007). School psychologists in the United Kingdom (UK) began to look at truancy through the eyes of assessment and intervention. Through a functional analysis of non attendance, they found that difficulties presented were in fact the school's responsibility (Lauchlan, 2003). The following school-based factors were found in that study as problems that cause non-attendance:

- An environment where bullying, truancy and disruption are common place;
- A policy of streaming or setting where a pupil may be placed in a class that has a proliferation of disaffected and troublesome peers;
- A school where teacher-pupil relationships are excessively formal, impersonal and / or generally hostile. The interpersonal style of school staff may impact heavily on an extremely anxious or sensitive pupil, and staff may fail to recognize this;
- Where toilets and corridors and playground areas are not monitored carefully by staff (i.e., these areas are dismissed by staff as not their responsibility, which results in little examination of problematic incidents in school) (Lauchlan, 2003).

Seat time in the school is not sufficient. The student must have ownership in the planning of his or her future. Students must receive an education that is engaging, feel connected to the school and have resources available to them that address the other issues that demand their focus.

The students who are at risk are identifiable long before they reach high school (Balfanz, Herzog, Mac Iver, 2007). Darling-Hammond points out inequalities in funding, the lack of higher level thinking, and the growing opportunity gaps that our nation is facing. Ultimately, school reform is vital to address a myriad of issues, one of which is truancy.

Truancy reduction efforts can be school-based, community-based or court-based (Bye, et.al., 2010). Positive outcomes result when the school systems build a relationship with the families and when students feel connected to the school (Sheldon, 2007). Positive outcomes are also demonstrated when social order can be based on norms and interactions, such as in smaller schools, rather than rules and regulations (Wilkins, 2008).

The Cost of Truancy

The cost of truancy is twofold. Certainly the financial cost to the schools, courts and society is massive, but there is also a personal cost. The students who are truant are not only absent from school; they are removing themselves from the opportunity of an education and placing themselves at risk for poverty and all the struggles that come with it. State funding received by the school system is based on student enrollment; therefore, the schools directly lose funding for each student who does not attend or enroll. There are truancy officers, probation officers, social workers, law enforcement, court systems, and department of health and human resources (DHHR) workers who are all involved with truancy. The students who are truant are more likely to drop out of school and are also at a greater risk of criminal activity (Darling-Hammond, 2010). Students who drop out of school are more likely to earn a lower salary than those who have graduated. Society also pays the bills for the higher incidence of incarceration for this population. It costs taxpayers more than \$200,000 over their lifetime in public expenses

for each person who does not complete high school. Forty-one percent of prison inmates lack a high school diploma or GED. The daily cost of a juvenile in placement is on average \$135.40 a day, and often juveniles spend well into the hundreds of days at a time in placement (Bye, et.al., 2010). States that would not invest \$10,000 a year for educating young people later spend \$30,000 a year for incarceration (Darling-Hammond, 2010).

Truancy Interventions

In the UK, school psychologists have attempted an intervention program based on a functional analysis of each case. “Educational psychologists should ideally be aiming to link the assessment of chronic non-attendance (via functional analysis) to an intervention program designed to tackle the presenting problems” (Lauchlan, 2003, p. 137). The functional analysis approach led to four broad areas that needed to be addressed at school: academics, peer relations, teacher relations and whole school concerns, such as needing break times or having a quiet place to go if necessary. Individual interventions included relaxation training, cognitive restructuring, exposure, and medication to treat anxiety. Group interventions included social skills training and parent and teacher training. Specifically, the interventions were for students diagnosed with school phobia. The outcomes demonstrated significant improvement for those students who participated in the program (Lauchlan, 2003).

In Minnesota, an alternative school is an option for truant students. The intervention is based on the premise that “students who do not attend school feel that they do not belong and their identity as someone who does not belong is reinforced by the relationships within the school” (Wilkins, 2008, p. 14.) The alternative school offers smaller class size and, according to the students, “a close-knit atmosphere” (Wilkins, 2008). The students reported that the teachers

cared about them, listened and were more flexible. The smaller community has seen much success because the “interpersonal dynamics served to give students a sense of power, status, and importance that they had previously not experienced at school” (Wilkins, 2008, p. 22.).

Idaho attempted to address non-attendance through a multidisciplinary approach that included an attendance court. The attendance court was comprehensive, individualized case by case and compassionate. The findings of the study demonstrated that 73% of students improved their grades and 77% improved their attendance (Mueller, et al., 2006). The courts often required simple solutions such as an earlier bedtime. When larger issues arose, such as homelessness, the appropriate agency would intervene to offer assistance. There are several parallels between West Virginia and Idaho truancy intervention programs; they are both using the court system legitimately, using the process to educate families about the importance of attendance, listening to each case individually and attempting to address the issues that underlie truancy issues using a multiagency approach.

Barbour County

Attendance courts have attempted to address the issues of truancy and to increase student attendance rates through judicial intervention. The school and court systems in Barbour County have worked closely together to intervene with the truancy problem using a multiagency approach. At the elementary level, any unexcused absence that may accumulate after the CA2 meeting resulted in a complaint being filed against the parent in magistrate court. At the middle or high school level the CA2 meeting would be held at five days of unexcused absences, and, when five more (a total of ten) unexcused absences would accumulate, a juvenile petition would be filed against the student. This process overflowed the juvenile court system as well as the

Department of Health and Human Services. The number of referrals has increased from 34 in 2007 to 202 referrals in 2011. CA2 meetings held in through the school system have increased from 176 meetings in 2007 to 638 in 2011. Letters are sent through certified mail and meetings require two school professionals to be present, usually a principal or designee and the attendance director or designee. The court considered each case individually and most often resulted in one of three actions for the juveniles: placed on an improvement period, placed on juvenile probation or, for repeat offenders, placed in a residential facility. The juveniles who were placed on probation were able to remain in the physical custody of their parents; however, legal custody would be placed with DHHR. Legal custody with DHHR allows the court system to remove a child from the home and place the child in a residential facility if probation was violated. When a juvenile was placed on probation, monthly Multidisciplinary Team Meetings (MDT) were held to track progress. The legal counsel for the student, the DHHR worker, probation officer, board of education representative, prosecuting attorney as well as the student and his or her family would convene monthly at the MDT meetings to discuss the progress and needs of the student. Services would be requested to help address the student's needs. Possible services might include tutoring, in-home services, parenting classes, counseling, treatment for substance abuse, etc. Because the student on probation is generally in state's custody, the costs of services are paid for by the state through DHHR and the Medicaid system.

In 2010, the WV legislature made changes to the current attendance laws. The purpose of this study is to determine the effectiveness of the new requirement in West Virginia Code 18-8-4 that requires mandatory legal (CA2) compulsory attendance meetings to be held at the county level when a student obtains five days of unexcused absences rather than at 10 days of unexcused absences.

Hypothesis

The Research (Ha) Hypothesis is that the changes in WV law 18-8-4 did increase the attendance for students in Barbour County Schools. The Null Hypothesis (Ho) is that changes in WV law 18-8-4 did not increase the attendance for students in Barbour County Schools.

CHAPTER TWO: METHOD

Participants

The population for this study consisted of all students enrolled in Barbour County Schools in West Virginia. Barbour County Schools is a rural school district that consists of six elementary schools, three middle schools and one high school. The total number of students enrolled in Barbour County Schools for each year is as follows: 2007: 2,533 ,2008: 2,537, 2009: 2,496, 2010: 2,478 and 2011: 2,512. In 2010, there were 2,478 students enrolled in Barbour County Schools. Attendance was taken for students enrolled in pre-school through twelfth grade on a daily basis.

Instrumentation

Data were tracked with the West Virginia Education Information System (WVEIS) at each school and then compiled into county-wide data reports. WVEIS is a database that is used throughout the education systems in West Virginia to ensure that data collection and reports are standardized.

Design and Procedure

Attendance was taken daily by the teachers and recorded using WVEIS. The data were downloaded from WVEIS and compiled into a county-wide report. Participants consisted of all students enrolled in Barbour County Schools during the 2007-2008, 2008-2009, 2009-2010 and the 2010-2011 school years. In compliance with WV law, each student who was absent for five unexcused days received a notice with the date and time of their CA2 meeting. The student and his or her parent or guardian would meet with the county attendance director or designee and the school principal to discuss the attendance policy. At every meeting, the policy is explained the

same way. The current accumulations of absences that are excused and unexcused are reviewed. An explanation of the court referral process is also given. At the middle and high school level, the student faces the juvenile courts when 10 unexcused absences accumulate. At the meeting, a review of the policy is explained. There is not a limit to physician notes. There is a limitation to five parent notes per semester. There is also a review of how many parent notes are currently on file. Upon the child's return to school after an absence, excuses must be turned in within two days. Suspensions are unexcused because they are due to the child's behavior. Following a court referral, consequences vary as the courts handle each case in an individualized manner, hearing each case and taking into consideration all of the issues. The consequences could be any of the following: warning from the judge, placed on juvenile probation, placement in a juvenile facility or, in some cases, the parents can be fined.

CHAPTER 3: RESULTS

The attendance data were analyzed in two ways. First, a time series plot was created to examine the absenteeism trend each year. Second, a paired samples t-test was used to evaluate the significance of the slopes. The Time Series Plot displays the decline in absences between 2007 and 2010 and then a slight increase in absences in 2011. For each school year the mean of the absences was: 2007 (M=16.885, SD=16.96), 2008 (M=15.25, SD=17.73), 2009 (M=12.26, SD=12.44), 2010 (M=11.82, SD=12.31), 2011 (M=10.76, SD=11.40). The difference was significant between 2007 and 2008 $t(3.172)=2394$, $p<.002$, and also 2008 and 2009 $t(7.171)=2563$, $p<.000$. However, the difference was not significant between 2009 and 2010 $t(.896)=2544$, $p>.370$ and 2010 and 2011 $t(.969)=2544$, $p>.333$. This research has failed to reject the null hypothesis that the changes in WV law 18-8-4 did not increase the attendance for students in Barbour County Schools.

CHAPTER 4: DISCUSSION

The correlation between truancy and dropping out of school is high, prompting school districts and West Virginia legislature to attempt to intervene (Sparks, 2010). The attendance courts have attempted to address the issues of truancy and to increase student attendance rates through judicial intervention. The school and court systems in Barbour County have worked to intervene with the truancy problem using a multiagency approach. The purpose of this study is to determine the effectiveness of the West Virginia Code 18-8-4 that requires mandatory legal (CA2) compulsory attendance meetings to be held at the county level when a student obtains five days of unexcused absences.

There are significant improvements in attendance between 2007, 2008 and 2009. The difference in attendance rates was not significant between 2009, 2010 and 2011. The WV Code 18-8-4 was passed by the legislature in the 2010 session. The results of this preliminary study revealed that the law did not improve attendance; on the contrary, there was a slight increase in absenteeism the year following the change in WV Code. The variables to consider when analyzing the data are changes in leadership within the county and possibly discussing attendance issues as a whole rather than segregating excused versus unexcused.

The attendance rates significantly improved from 2007-2009 when the leadership in Barbour County Schools began to implement a multi-disciplinary approach to intervene. In 2007, Barbour County Schools began to work closely with the court system and the DHHR to provide needed services to families as well as enforce the attendance laws. The schools collaborated with the physicians to discuss the abuse of unnecessary doctor excuses. The school system also employed two student intervention specialists to assist with early intervention efforts at the

school level. These combined efforts made a positive impact on attendance rates. The decline in improvement of attendance rates may be accounted by several changes in leadership; the superintendent position has been filled by three different people over the course of three years. There was also a lack of funds to keep a second position of a student intervention specialist after the grant expired in 2011.

In a previous study of Idaho school systems that used a parallel approach, the findings demonstrated that 73% of students improved their grades and 77% improved their attendance (Mueller, et.al, 2006). The similarities between the truancy intervention programs include the following: they are both using the court system legitimately by using the process to educate families about the importance of attendance, listening to each case individually and attempting to address the issues that underlie truancy issues using a multiagency approach. It is clear that the trends using this model improve attendance rates; however, the additional legislative mandates did not make a significant impact on attendance.

Limitations and Delimitations

The delimitation of this study is that, although the legislative rule affected the entire state of WV, only one county was examined. Limitations include that the data could be affected through human error due to the fact the various teachers were responsible for taking daily attendance. There is no way of ensuring that the taking of daily attendance was done with perfect accuracy.

Implications for Future Study

It is recommended that the current study be implemented as a follow-up in two years to analyze the data over an extended time. As noted earlier, this is a preliminary study due to the variable of only having data for one year following implementation of the law.

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Table 1

Time Series Plot

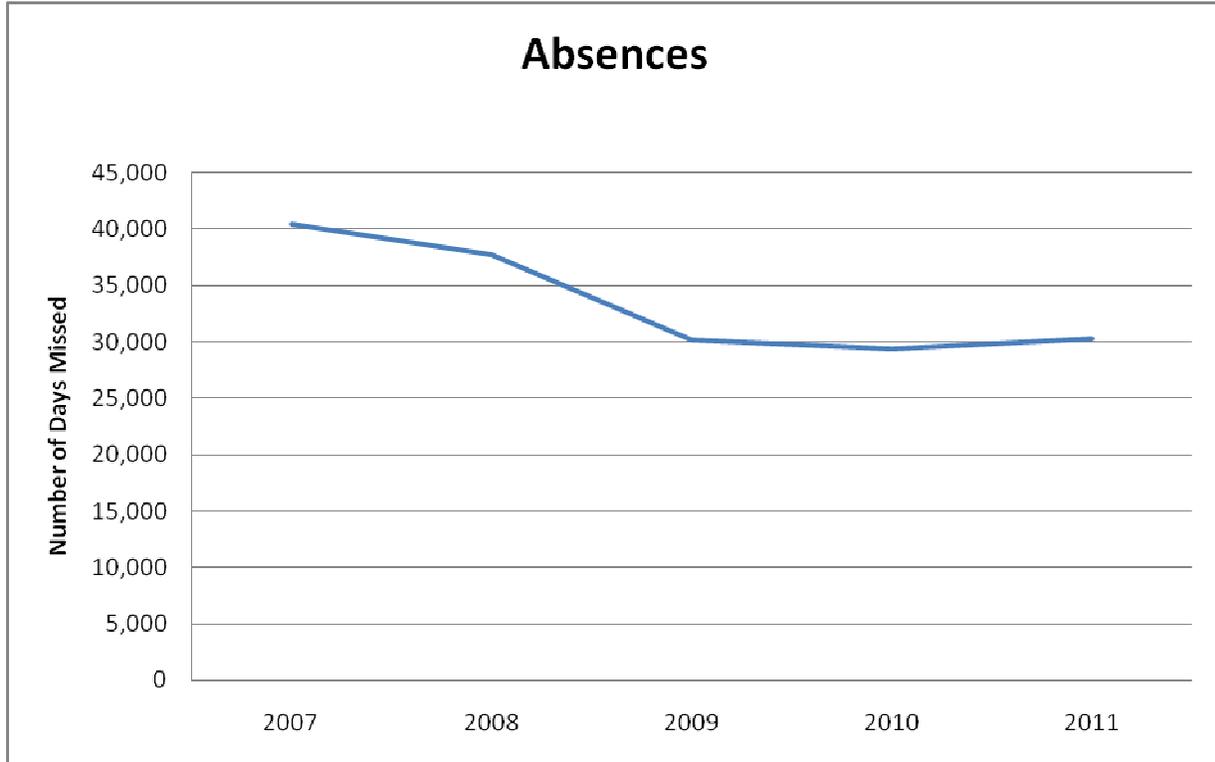


Table 2

Paired Sample T-Test

<u>Pairs</u>	<u>Year</u>	<u>Mean</u>	<u>N</u>	<u>SD</u>
Pair 1	2007	16.885	2395	16.960
	2008	15.250	2395	17.7317
Pair 2	2008	14.725	2564	17.5192
	2009	11.753	2564	12.3773
Pair 3	2009	11.840	2545	12.3815
	2010	11.531	2545	12.4882
Pair 4	2010	11.531	2545	12.4882
	2011	11.198	2545	11.6096

Table 3

Barbour County Schools Unexcused Absence Referrals

Year	Number of CA2 Meetings
2007	176
2008	372
2009	298
2010	293
2011	638

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School Counseling Pre-k- Adult

School Psychology Pre-k-Adult

Nationally Certified School Psychologist

WORK EXPERIENCE:

School Psychologist Internship 2011-2012

*Completed Psychological Evaluations

*Provided Individual and Group Counseling

* Assisted with Crisis Intervention

* Continued to serve as Interventionist in the following capacity as well:

Barbour County Schools Student Intervention Specialist 2007-Present

* Developed and Implemented the Student Intervention Program

* Assisted the school system and juvenile court system with the Truancy Program

* Completed FBA's and provided consultation concerning Behavior

* Provided In Service Trainings to Teachers and Staff

* Served as a liaison between Community, Family and School

West Virginia Department of Education

Office of Institutional Education Programs / Randolph Co Schools

Substitute Teacher 2004-2007

- * Taught children in an alternative education setting
- * Observed various ideas, methods, and philosophies
- * Created and presented CSO based lesson plans

Energy Express Site-Coordinator, WVU Extension Office, Barbour & Randolph County, 2004 & 2007

- *Managed a site consisting of five mentors and forty children
- *Conducted Home Visits
- *Completed necessary paper work in a timely manner
- *Approved and assisted with lesson plans
- *Led in team building activities and reflections
- *Coordinated and participated in community service projects

Energy Express Mentor, AmeriCorps National Service, Randolph County, WV.

Summers 2000, 2001, & 2003

- *Participated in six-week summer literacy program for children (ages 5-11)
- *Created and implemented lesson plans focusing on weekly themes for groups of eight children