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## Implementation Failure of Truancy Statutes in the Fourth Judicial Circuit of Florida: A Case Study in Street-Level Bureaucracy

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IMPLEMENTATION FAILURE OF TRUANCY STATUTES IN THE FOURTH  
JUDICIAL CIRCUIT OF FLORIDA: A Case Study in Street-Level Bureaucracy

by

Carrie Lynn Tullos

A thesis submitted to the Department of Sociology, Anthropology and Criminal Justice in  
partial fulfillment of the requirement for the degree of

Master of Science in Criminal Justice

UNIVERSITY OF NORTH FLORIDA

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## **Abstract**

This research utilizes the case study method to examine the effectiveness of truancy statutes recently implemented in Florida's Fourth Judicial Circuit prior to the 1999-2000 school year. The statutes were implemented state wide, but this study concentrates on the Fourth Judicial Circuit. The Fourth Judicial Circuit in Northeast Florida consists of Duval, Clay, and Nassau Counties. The legislation examined requires individual schools to conduct an initial truancy intervention when a student has accumulated 5 unexcused absences in a calendar month or 10 unexcused absences in any 90-day period.

An exploratory case study was conducted that consisted of interviews with school attendance social workers, data collection from the Truancy Arbitration Program run from the State Attorney's Office in each county, and state wide attendance data. An additional Program in the Duval County State Attorney's Office was also studied. Data for three school years, one before the new statutes and two after, were analyzed to see if the implementation of these statutes was successful.

The study concludes that the implementation of these new statutes by the schools in the Fourth Judicial Circuit has been a failure. This research demonstrates that the schools are conducting a fraction of the required interventions to students in need and therefore other intervention programs have had a reduction in referrals since the initial intervention is not taking place. Finally, the research also discovered that there seems to



be a bias in the handling of truant females, already well documented in other jurisdictions.

## **CHAPTER 1: INTRODUCTION**

New laws, policies and ordinances are passed every day in every city by company presidents, legislators and businessmen. These new policies likely affect many people, and while few of them had an input into their creation, they will be expected to follow the policy and some may even be expected to implement the policy. Michael Lipsky (1980, p. xii) states that “public policy is not best understood as made in legislatures or top-floor suites of high-ranking administrators, because in important ways it is actually made in the crowded offices and daily encounters of street-level workers.”

In time for the 1999-2000 school year, new Florida Statutes (see Appendix A) were passed regarding truancy and all interventions that take place in an attempt to improve a student’s school attendance. A truant is defined as, “one who shirks duty; especially: one who stays out of school without permission” (Merriam-Webster). Permission can be given by the parent, or in some cases the school system.

This exploratory case study will attempt to discover if the new state truancy statutes have been implemented in the Fourth Judicial Circuit of Florida (which consist of Duval, Clay and Nassau Counties) as legislators intended. The new statutes took effect before the 1999-2000 school year. An evaluation of the statutes, review of truancy statistics, and interviews with those charged with implementing the statutes will be provided in order to determine if the policy has been implemented as designed.

This case study used data from the State Attorney’s Office Truancy Arbitration Program (TAP) in each of the three counties in the Fourth Judicial Circuit and operates in

accordance with the state statutes regarding truancy. The Truancy Arbitration Program began in 1995 and works in conjunction with the school board in Duval, Clay, and Nassau Counties. TAP receives a referral from the school board when the schools feel that a child has an excessive amount of unexcused absences.

Once TAP receives a referral on a student, a non-judicial hearing is held at the State Attorney's Office. As a result of this hearing, the parent and child will agree to certain conditions set forth at the hearing that will hopefully improve the child's school attendance. If attendance does not improve, then the parents of the child can be prosecuted under the truancy statutes.

The Truancy Arbitration Program was used in this research since the revised truancy statutes changed the way that TAP could receive referrals. Prior to the statute changes, anyone from any agency could make a referral to TAP on a child that had an attendance problem. The revised statutes only allow a school board designee to refer a child after a specific number of absences have occurred. The Truancy Arbitration Program was able to provide data on referrals for both before and after the statute implementation. This allows for an evaluation into the implementation of the revised truancy statutes.

## **CHAPTER 2: LITERATURE REVIEW**

### **Overview of Literature**

A vast amount of criminal justice literature exists on delinquency, policy implementation and truancy. However, the literature is much more limited when these concepts are combined. The following literature review summarizes the relevant areas of research and inquiry on truancy and case study methodology.

The literature review begins with an explanation of what a case study is. This is followed by a summary of literatures on policy implementation, street-level bureaucracy and how to conduct an evaluation. This is followed by a discussion of truancy, and its causes and consequences. The connection between truancy and juvenile delinquency is then outlined. This researcher has also included a review of gender differences in education. This illustrates that every child does not have the same experience in school. Finally, a detailed description of the truancy statutes in Florida and an explanation of the truancy programs used in this research is provided.

### **Part I: Literature Review**

#### **Case Study Method**

“A case study refers to research that investigates a few cases, often just one, in considerable depth” (Gomm, Hammersley, and Foster, 2000, p. 3). A case study is a result of qualitative research. Creswell (1998) defines qualitative research as a method of inquiry that distinctly studies a social problem. He continues to state that the main difference between qualitative and quantitative research is that qualitative involves many variables and a few cases, while quantitative research uses a few variables with many cases. This is done when the researcher creates a holistic picture of the case in its natural

setting. Gomm, Hammersley, and Foster (2000) continue to state that this method usually involves unstructured data of cases that happen naturally in social contexts. Creswell (1998) summarizes that this unstructured data can come in the forms of “interviews, observations, documents, and audio-visual materials” (p. 36). Some case studies may involve all or one of the previously mentioned data.

Scholz and Tietje (2002) state that case study research most often takes the form of exploratory research. Scholz and Tietje (2002) define an exploratory case study as, “studies used to help gain insight into the structure of a phenomenon in order to develop hypotheses, models, or theories. This study very much resembles a pilot study; the research design and data collection methods usually are not specified in advance” (p. 11).

In Qualitative Research Design Maxwell (1996) describes three practical purposes for using case studies (p.21)

1. Generating results and theories that are understandable and experientially credible, both to the people you are studying and to others.
2. Conducting formative evaluations, ones that are intended to help improve existing practice rather than to simply assess the value of the program or product being evaluated
3. Engaging in collaborative or action research with practitioners or research participants.

Maxwell continues to describe the four main components of conducting qualitative research (p. 65).

1. The research relationship that you establish with those you study
2. Sampling: what times, settings, or individuals you select to observe or interview and what other sources of information you decide to use
3. Data collection: how you gather the information you will use
4. Data analysis: what you do with this information in order to make sense of it

Generalizability as a result of a single case study is an issue that needs discussion.

Generalizations can take more than one form. One case study can make a weak case for a

population wide generalization. Gomm, Hammersley, and Foster (2000) clarify this by outlining that one case can provide a generalization for a similar case rather than making a generalization to multiple cases. Creswell (1998) defines naturalistic generalizations when the researcher makes the case understandable and then interprets that case.

### **Policy Implementation**

Policy implementation involves taking the written policy and putting it into actual, physical fulfillment (Nakamura and Smallwood, 1980). Thus, policy implication can exist when the employees of a small business follow the dress code written by the CEO, or it can be when police officers arrest a suspect on a statutory offense as defined by the legislature of that state. Nakamura and Smallwood (1980) continue, “policy making usually involves a diverse set of authoritative, or formal, policy makers, who operate within the governmental arena, plus a diverse set of special interest and other constituency groups from outside arenas, who press their demands on these formal leaders” (p. 32).

The concept behind the policy maker is that the policy will then be implemented as it was intended through its written directions, which will produce the intended results (Nakamura and Smallwood, 1980). In order for this implementation to be successful, the writer should spell out the intended procedures for the policy as clearly as possible. Even though these high-ranking officials create the policies, the implementation and real-world policies are created in busy offices of the street-level workers (Lipsky, 1980).

### **Street-Level Bureaucracy**

Michael Lipsky (1980, p. xi) defines street-level bureaucracies as, “the schools, police, and welfare departments, lower courts, legal services offices, and other agencies

whose workers interact with and have wide discretion over the dispensation of benefits or the allocation of public standards.” It is these street-level bureaucrats that implement policies created by legislators and other high-ranking officials. This implementation can take on many forms and does not always happen as the policy creators intended. Lipsky (1980, p. xii) states, “at best, street-level bureaucrats invent benign modes of mass processing that more or less permit them to deal with the public fairly, appropriately, and successfully and at worst, they give in to favoritism, stereotyping, and routinizing—all of which serve private or agency purposes.”

If the street-level bureaucrats do not implement the policies as intended, then unintended consequences may emerge. These unintended consequences may “actually undermine performance, productivity, and profit and thus cancel out the intended ‘positive’ consequences” (Jaffee, 2001, p. 34). Jaffee (2001) continues to state that these unintended consequences may lead to a focus on written methods and procedures only and not outcomes, which can lead to a displacement of goals by the workers. In this displacement of goals, the street-level workers focus so much on procedural issues that they forget what the policy implementation is supposed to accomplish. Jaffee (2001) concludes that policies must have the right balance between formal methods and goal attainability.

These street-level bureaucrats are capable of creating policies in different ways. These workers have discretion about how they treat the public they interact with, and how that public is treated creates the agency’s reputation among the community (Lipsky, 1980). Since discretion exists, two different individuals with the same problems or circumstances can be treated differently by street-level workers in the same agency.

Lipsky (1980, p. 15) states that, “Discretion exists because 1) street-level bureaucrats often work in situations too complicated to reduce to programmatic formats, 2) street-level bureaucrats work in situations that often require responses to the human dimensions of situations, and 3) discretion contributes to the legitimacy of the welfare-service state.” In some cases, this discretion becomes a mandatory job requirement. Street-level bureaucrats have the challenge of processing a high demand product with a low supply of time and resources. This results in the worker created short cuts and altering their job description for real word operation (Lipsky, 1980).

The street-level bureaucrat must find a way to organize the large volume of cases and overwhelming scope of their responsibilities so that they can better serve their individual clientele (Prottas, 1979). In other words, the street-level worker must focus their attention on the specific problem that their bureaucracy can address. The worker is not afforded the time or resources to look at the client as an individual; they can only look at a specific part or action of that client. Each street-level bureaucrat has a working environment where resource constraints are always present and the demand for services far out-weighs the supply (Lipsky, 1980).

Prottas (1979) states that these street-level workers have larger than normal case loads which create severe time constraints. These time constraints challenge every street-level bureaucrat to do the best job they can. Street-level bureaucrats also attempt to do the best job they can given the resources and time they have (Lipsky, 1980). Street-level workers must find a way to compensate for the difference in the real-world application of the policy they are implementing.



Lipsky (1980) has described three ways that a street-level bureaucrat handles the differences between their actual and defined job descriptions. First, street-level workers modify their day in a way that they can limit the demand placed on them and at the same time maximize the resources available. Second, they make a mental modification of their job descriptions. This modification is basically a mind game that the worker utilizes to allow for a reduction in the differences of resources available and the reality of the demand. Finally, they change their concept of the clients they work with in order to make smaller accomplishments seem larger. Street-level workers stay in a world of high demand for their services with a low supply of time and services. They stay in this work environment because they honestly want to make a difference in the lives of their clients. That is the payoff for the job stress that accompanies the street-level bureaucrat.

### **Evaluation Process**

“Evaluations are conducted for a variety of practical reasons: to aid in decisions concerning whether programs should be continued, improved, expanded, or curtailed; to assess the utility of new programs and initiatives; to increase the effectiveness of program management and administration; and to satisfy the accountability requirements of program sponsors” (Rossi, Freeman, and Lipsey, 1999, p. 3). Evaluations of programs and policy began as a movement of social researchers, but it has been sustained by policymakers and administrators (Rossi, Freeman, and Lipsey, 1999). “Program evaluation generally involves assessment of one or more of five program domains: (a) the need for the program, (b) the design of the program, (c) the program implementation and service delivery, (d) the program impact or outcomes, and (e) program efficiency (cost-effectiveness)” (Rossi, Freeman, and Lipsey, 1999, p. 22).

Rossi, Freeman and Lipsey (1999) also describe a black box evaluation. They state that a black box evaluation is, “An evaluation of program outcomes without the benefit of an articulated program theory to provide insight into what is presumed to be causing those outcomes and why” (p. 154). In other words, without knowing what was behind the policy makers creating the new policy, it is difficult at best to accurately evaluate the policy.

Program evaluation not only involves an evaluation of the policy, but it also requires an evaluation of those assigned to implement the policy. One problem with program evaluation of street-level bureaucrats is that their job performance is nearly impossible to measure (Lipskey, 1980). Lipsky (1980) continues to explain that all the job variables make the job performance evaluation unrealistic.

### **History of Truancy**

Historically, skipping school has been considered as almost a right of passage for students to take part in. Most high school administrators try to combat the annual tradition of the senior class planning a skip day with threats of not graduating, or with the loss of other senior class privileges. For many students, skipping school is an isolated incident that lacks any prolonged or long-term consequences. Increasingly, however, skipping school on a regular basis is becoming the norm for many school-aged children. The consequences that stem from habitual truancy or overall poor school attendance not only affect the student, but society as a whole.

Truancy is a national problem and not limited to one or two areas of the country. According to the National Center for Educational Statistics (1996), during the 1993-1994 school year, an average of 6 percent of students nationwide missed school on any given

day. This rate was higher in urban schools and lower in rural schools. In the largest public school system, New York City, 150,000 of the 1 million students miss school on any given day (Garry, 1996). In Los Angeles, on the opposite side of the country, 10 percent of the enrolled students miss school everyday (Garry, 1996). In Truancy: First Step to a Lifetime of Problems, Garry (1996) outlines many of the programs that are being implemented nationwide in an attempt to get thousands of students back in school on a daily basis. These truancy programs exist in Oklahoma, Kansas, Minnesota, California, Arizona and New Mexico, to name a few.

The first laws addressing truancy go back hundreds of years. In Britain in 1870 and 1880, Education Acts made school attendance compulsory (Carlen, Gleeson and Wardhaugh, 1992). The Education Act of 1944 stated that “parents have a basic duty to ensure that their child receives an efficient full-time education according to their age, ability and aptitude and any special educational needs he may have” (Whitney, 1994, p.32). Future education acts expanded on the Act of 1944. The Children’s Act of 1989, provided for a consultation with social services should there be educational concerns. This could be followed by family court proceedings. This act was followed by the Education Act of 1993, which allowed for a school attendance order or prosecution of the parent if that parent failed to comply with compulsory school attendance laws (Whitney, 1994). State statutes spell out the steps and procedures that should be followed state by state in enforcing compulsory attendance laws. Florida Statute 1003.21 states that “all children who have reached the age of six years or who will reach the age of six years by February 1 of any school year but have not attained the age of 16, are required to attend school regularly during the entire school term” (FL Statutes).

## **Causes of Truancy**

Poor school attendance can be a sign that a teenager is acting out and being rebellious or it can be a sign that a kindergarten student is not being taken to school. Parental neglect is a common cause of truancy and poor school attendance (Garry, 1996). Garry (1996, p.1) also states that, “truancy is a stepping stone to delinquent and criminal activity.”

Peer groups are constantly forming at every stage of a child’s schooling. Gangs and cliques become a mainstay for school socialization. Many kids skip school or act defiantly for acceptance into their desired peer group. California District Attorney Kim Menninger states, “I’ve never seen a gang member who wasn’t a truant first” (U.S. DOE, 1996, p.1). Not only does gang activity affect school success, it also may affect future involvement in the justice system. A report compiled by the Los Angeles County Office of Education on factors contributing to juvenile delinquency concluded that chronic absenteeism is the most powerful predictor of delinquent behavior (Garry, 1996, p.1).

One area of research that has become more prevalent is the concept of attachment levels that delinquent youth have to their families and communities. Anderson, Holmes, and Ostresh (1999) found that females who had an attachment to school had a lower chance of becoming delinquent. In 1997, Cantelon and LeBoeuf reported that four in ten dropouts did so because they were failing or did not like school, and that males and females said they dropped out as a result of personality conflicts with school staff. DeKalb (1999) found that students reported bad relationships with teachers and loss of interest in school as major reasons for skipping school, while staff thought truancy was most highly related to family and peer problems.

There are other factors that may have an influence on a student's school attendance. Baker, Sigmon, and Nugent (2001) found that family factors like poverty and the existence of violence all contributed to poor school attendance. Additionally, they found that the mental and physical health of the student was an important variable affecting attendance.

### **Consequences of Truancy**

Truancy has become an increasing concern to government, communities and businesses. Daily absentee rates have increased to as much as 30 percent in many cities (Garry, 1996). These rates have devastating effects in multiple aspects of daily living. Since many students constantly miss school, they begin to fail their classes. Many students see dropping out as a better alternative to trying to catch up in their classes.

These dropouts become unemployed members of society and it is estimated that a high percentage of these truants spend their adult lives dependent on state or federal aid (Reid, 1999). The financial aspects of truancy also include a less educated work force for future employers, more social service money being spent for interventions, and a higher daytime crime rate (Baker, Sigmon, and Nugent, 2001).

According to the Department of Juvenile Justice and Delinquency Prevention, many police departments believe that students are committing crime when they should be in school (Garry, 1996). Ellickson and McGuigan (2000, p.1) found that, "students were more likely to become perpetrators of violence if they did poorly in school, engaged in early deviant behavior such as stealing or getting in trouble at school, attended a middle school or junior high in which drug use was common, or transferred frequently from one

elementary school to another.” Truancy contributed to a “higher risk of being drawn into behavior involving drugs, alcohol, or violence” (Garry, 1996).

#### Connection Between Truancy and Delinquency

In 1998, 18 percent of those arrested were teenagers, resulting in almost 1.8 million teenage arrests (Corbitt, 2000). This number equates to 6 percent of school-aged children each year being processed by the system (Stephens and Arnette, 2000). Corbitt (2000) continues to state that there are many contributing factors to childhood delinquency. These can include poor parental supervision, depression, sibling rivalry, peer rejection, exposure to violence, and a lack of proper guidance. Research is showing that youth who have been victims of physical or sexual abuse, youth with violence in the home, and those with drug addiction have a higher risk of being involved in the juvenile justice system (Corbitt, 2000).

A lack of problem solving skills may also lead some youth into delinquent acts. Brezina (2000, p.3) concludes, “much delinquency can be interpreted as a form of problem-solving behavior in response to the pressures of adolescence.” Brezina (2000) concluded that delinquency could be seen as a purposeful action designed to end a conflict with an action that is goal oriented. Committing a delinquent act, according to Brezina (2000), may be the only area of that child’s life where he or she may be able to feel control. Youth may turn to this avenue when conventional means of control or perceived control are unavailable. This line of thinking may be what leads some juveniles to drugs. Brezina (2000) states that drugs may be a form of self-medication and self-enhancement.

One caution needs to be extended about an overemphasis to the connection between truancy and delinquency. Many truants never become delinquent and many adult offenders were never truant (White, Fyfe, and Campbell, 2001). Huizinga, Loeber, Thornberry, and Cothorn (2000) also found that “Serious delinquency, drug use, school problems, and mental health problems are most likely to be intermittent in nature” (p. 5).

### **Gender Differences in Delinquency**

“Gender appears to be the single most crucial variable associated with criminality”, states Carlen and Worrall (1987, p.22). According to Carlen and Worrall (1987), gender studies are significant because they change the focus of prior theories of criminality, they may lead to a new direction in criminological theory, and they also may provide rationale for new uses of old ideas. Girls seem to be treated differently in the juvenile justice system than boys (Girls Incorporated). According to Meda Chesney-Lind (1997), minor females facing charges of a status offense are punished more harshly than males or females charged with more serious crimes.

This line of thinking can be traced to traditional gender roles (ie, “boys will be boys”) when they commit status offenses such as skipping school, but when girls commit the same offense they are “trouble” and need to be punished. Some of the more common status offenses include running away from home and skipping school or missing school, which is regarded as truancy.

Gender differences have been documented in criminological research in many different ways. Some differences come from family, some from the system and even from the community. These differences can come in the form of gender discrimination,

double standards, and/or abuses in the home or society. These different gender definitions are most easily visible in terms of violent crimes. Females are condemned for acting violently, while boys are just being boys. Heimer and De Coster (1999) report that violent females are considered more deviant than violent males. Simourd and Andrews (1999) found that while responses to crimes by gender may be different, risk factors important to male delinquency are also important to female delinquency. The most important risk factor they discovered was that of influence by antisocial peers or attitudes.

Different gender roles start to exist prior to birth in most families. This is evident from the beginning when names are chosen based on the expected sex of the child (Belknap, 2001). According to Muraskin (2000, p.457), “both historically and today, there is a tendency to view female offenders and offending as aberrations, abnormal even among society’s deviants, and certainly not feminine.” Girls are expected by the norms of society to be weaker and less intelligent; are rewarded for being passive and feminine while boys are expected to be aggressive and masculine (Belknap, 2001). Belknap (2001, p.137) continues to state that, “the juvenile court has been accused of punishing the non-criminal (status) offenses of girls the same as or more harshly than the criminal offenses of boys.” In 1994, “status offenses accounted for 23% of all girls’ arrests, but only about 8.6% of boys’ arrests” (Chesney-Lind, 1997, p.12).

Girls are also punished more harshly than boys for consenting sexual offenses. “The only crime categories where arrests of women actually exceed those of men are prostitution and runaway violations”, states Price and Sokoloff (1995, p.55). This leads to the “evil woman hypothesis”, which Belknap (2001) describes as sex discrimination



against females in processing and punishment of certain crimes. Females also seem to fare better in the punishment stage dependent upon if the offense committed fits gender stereotyping such as shoplifting (Belknap, 2001).

In 1999, Harris and Jones reported that a single explanation of crime is not realistic because of the multiple pathways into the juvenile justice system. This statement can be broadened not only to include different explanations for delinquency, but the need for treatment and punishment to be offender and gender specific.

### **Gender Differences in Education**

Similar to results found in the research of delinquency, girls' behavior tends to be defined differently from boys in the education arena. The American Institute for Research published Gender Gaps: Where Schools Still Fail Our Children (1999), and found that teachers describe the strengths of their female students in terms of behavior. Their desire to please and their tenacity to finish work and projects are labeled as good behavior (American Institute for Research, 1999). At the same time, these same teachers are directing their attention at the more lively students—boys. According to Lehr (2001, p.5), “boys speak more in classroom contexts, receive more positive and negative attention from teachers, are referred for special help more frequently than are girls, and ultimately have more tax dollars spent on their educations than do girls.” The argument could be made that those girls who break the mold in school, by being “lively”, might actually receive more negative attention from the teacher, therefore segregating them from the other “good” girls. “White girls are rewarded for fitting in, for meeting expectations of being the ‘good girl’ in school. Those black girls who are outspoken and independent often find themselves cast as troublemakers rather than leaders. They may

pay more of a social price for conforming to expectations of silence” (American Institute for Research, 1999, p.30).

Diane Scott-Jones (2002) contends that society still favors white men. She states that white, male children with middle-income parents have a greater chance to succeeding than do low-income children, female children, and children of color. Even though achievement is higher for white males, white females have the lowest dropout rate (American Institute for Research, 1999). One could argue that even if a “good girl” does not have the highest achievements, it would be out of character for her to dropout.

The home environment of a child, regardless of gender or race, can have strong influences on the current and future education of that child. Some of these family risk factors include: “poverty, low socioeconomic status, poor parental education, loose family structure, geographic mobility, and a history of abuse or neglect” (American Institute for Research, 1999, p.83).

Geographic location can also have an impact on the education of children. Isabelle Deble (1980), states that inhabitants of an urban area can have a reduction in inequalities of the educational system. American Institute for Research (1999, p.123) reports that, “the largest female achievement gap occurs between girls who live in rural areas of the Southern region states and rural girls elsewhere in the country.” They continue to state (p.123), “in 1998 girls in rural Southern regions perform at a lower level in mathematics and science than other girls across the country, and consistently below Southern region boys.”

Bourke and Luloff (1997, p.1) define the term rural as “less densely populated places marked by their distance from large population centers and traditional reliance on

primary industries (such as agriculture, fisheries, mining, and forestry) for existence.” Bourke and Luloff (1997) state that, these rural women have been forgotten. Deble (1980) describes that a daughter in many regions has duties at home that she may not be able to complete if she were to leave the home on a regular basis to receive schooling. This housework is a necessity to the family life. Linda Lindsey (1990) notes that during an observational exercise of playtime in a kindergarten classroom, the girls immediately head toward the mini-kitchen and the dollhouse, while the boys run toward the trucks and blocks. If a girl attempts to join the boys, then she is immediately labeled as a “tomboy”.

Socialization by sex begins in infancy. At birth, boys and girls are differentiated by the color hat or blanket that warms them and parents adapt their behavior to the sex of child from day one (Lehr, 2001). Eckes and Trautner (2000, p.73) state that, “mothers talk more to their daughters and imitate the infant’s vocalizations, whereas they provide more physical (tactile and visual) stimulation to sons.” Activities for boys are reinforced by the books that are introduced to them in early elementary school. Stevenson (1994), finds that books aimed at boys tell of young heros and great adventures, while books aimed at girls speak of home life and maintaining the approval of others. As demonstrated in chapter 4, this research uncovered a discernible bias against females in the processing of truancy in Florida’s 4<sup>th</sup> Judicial Circuit.

## **Part II: Statute and Program Description**

Now that a review of the relevant literature has been provided, a subsequent review of the statutes and programs evaluated is warranted. The following descriptions cover the statutory process (previous and current), along with program descriptions and history of the Truancy Arbitration Program in the Fourth Judicial Circuit.

## **Background Information on Florida's Fourth Judicial Circuit Truancy Programs**

In the Fourth Judicial Circuit of Florida, two agencies have the authority to provide sanctions to truant students and their families by the state statutes. The first, the Youth Crisis Center, can provide counseling and crisis intervention to students and their families. The Youth Crisis center is also the circuit designee for a program called CINS/FINS, which stands for Child In Need of Services/Family In Need of Services. Through this program, The Youth Crisis Center can work with a truant student who is missing school because of their own actions. The program can place the child in front of a judge for sanctions if the absences continue and their interventions fail.

The second agency is The State Attorney's Office in Florida's Fourth Judicial Circuit. The State Attorney's Office runs a program entitled the Truancy Arbitration Program (TAP). A referral to TAP should be made when a student's poor attendance is a result of their parent(s) actions. Typically these cases involve elementary school aged children who are not being taken to school by their parent for a variety of reasons. This program can have the parents of a student arrested if they fail to get their children to school everyday. TAP will be discussed in further detail later.

Prior to the 1999-2000 school year, a referral to either of these agencies could be made by any concerned citizen (example: neighbor or teacher) or social service agency after the child had accumulated excessive absences. There were no statutory definitions on what excessive absences were. The current policy, which took effect in the 1999-2000 school year, requires an intervention by the school when a specific number of absences have been accumulated and also requires that only school board attendance social workers and truant officers can make referrals to the above mentioned programs. This

new policy was implemented by the legislature so that the schools would be required to take a more active role in improving their student's attendance.

### **Statutory Process**

The basis for the current process is found in the Florida Statutes (see Appendix A) and all interventions begin at the school level. The process begins once the student has met the statutory definition of a truant, which is five unexcused absences in a calendar month or ten unexcused absences in any 90-day period. The differentiation between an unexcused absence and an excused absence is critical. Legally, a child can have 100 excused absences and that child would not qualify for any interventions to help improve attendance. The Duval County School Board has a policy to determine what is considered excused and unexcused. In Duval County, excused absences are illness to the student, death in the family, inclement weather such that the school board cancels school, official religious holiday, participation in an academic class or school program, insurmountable conditions as determined by the school principal, and a school bus failure (see Appendix B). All other absences are to be counted as unexcused. The Duval County School Board also has a policy that mandates every absence to be initially coded as excused. If the child does not bring a note in excusing the absence within a week, then the teacher is to inform the computer attendance clerk who should then change the absence to an unexcused absence (see Appendix C).

Once a child has accrued the required amount of absences, the individual school is responsible for setting up the statutorily required meeting called a Child Study Team or Attendance Intervention Team Meeting (AIT) as it is called in the Fourth Judicial Circuit. This AIT meeting is held at the school with three school-based members (generally the

guidance counselor, Vice Principal and the computer operator who inputs attendance), a school board social worker (schedule permitting), the child and at least one parent. At this meeting, the school members explain to the family the importance of school attendance and also outline the law that requires school attendance. The family is given the opportunity to explain the absences with hopes that the entire group can work together and come up with strategies to improve the attendance of the student. These strategies are outlined on an AIT meeting contract and signed by all in attendance (see Appendix D).

Once the school has completed the AIT meeting, a copy of the signed contract is sent to the school board social worker or truant officer assigned to that school. The social worker/truant officer then monitors the attendance of that student. If the absences continue, then the social worker/truant officer can make a referral to one of the two outside agencies for additional interventions per state statute. It should be noted that the social worker/truant officer has wide discretion in determining their level of involvement in the case following the AIT meeting and prior to any referral that may be made. The social worker/truant officer is the only person who can make a referral to the TAP program per state statute.

In some instances, a parent will refuse to attend the requested AIT meeting. If a parent refuses to attend two scheduled meetings, then the school board social worker may immediately refer the case to TAP. Appendix E is a flow chart that maps this process.

### **The Truancy Arbitration Program (TAP) at the State Attorney's Office**

Once the TAP program has received a referral from a school board attendance social worker or truant officer, a non-judicial hearing is scheduled. The hearing is held at

The State Attorney's Office and is attended by a hearing officer, a social worker for the school board, and by the student and parent(s). Again, like at the AIT, the law is explained to the family and they have an opportunity to explain the absences and why they continued after the AIT or why they did not attend the AIT meeting. A Truancy Arbitration Program contract is signed by everyone at the hearing (see Appendix F). The State Attorney's Office then begins to monitor the school attendance of the child. The TAP program in Duval County also has funds to pay for family counseling and tutoring if needed. If the attendance does not improve, then the parent(s) can be prosecuted if they are determined to be a contributing factor to the child's poor school attendance. Arrests are not common and are by no means the goal of the program. In Duval County over 1,700 families have had TAP hearings and to date only 105 parents have been arrested and prosecuted.

## **CHAPTER 3: METHODS**

### **Methodology**

This research paper utilized exploratory case study evaluation on the policy implementation of the statutory requirements on the school system for interventions with students exhibiting poor school attendance in elementary school. This case study site was the Fourth Judicial Circuit of Northeast Florida. All records and data utilized for this study are public record.

Creswell (1998) defines four aspects of a case study. The case must be identified, the case must be bounded by time or space, there must be multiple sources of data collection, and the context of the case must be thoroughly described. The case this researcher examined was the truancy statute implementation in Florida's Fourth Judicial Circuit. This circuit covers three counties. Each county's truancy program was analyzed both before and after the statutory changes took place. Data collection consisted of interviews, program documents, state truancy statistics, and all other information provided to the researcher. This research presents a complete picture of statute requirements and how the street-level bureaucrats have implemented those requirements and what those results have been. These four aspects will create the case study.

### **Population**

The Fourth Judicial Circuit covers three counties in Northeast Florida. Duval County is the largest and most urban county in the circuit and includes the City of Jacksonville. On average, the Duval County School system educates about 125,000



students each year. The remaining counties, Clay and Nassau, are much smaller and more rural. Clay and Nassau Counties combined educate about 40,000 students a year.

Table 1 offers some descriptive data about the three counties that comprise the Fourth Judicial Circuit.

Table 1: Descriptive Data on the Three Counties in Florida’s Fourth Judicial Circuit

	<b>Duval County</b>	<b>Clay County</b>	<b>Nassau County</b>
2000-2001 4 year graduation rate	55.90%	67.30%	55.10%
2000-2001 drop out rate	8.30%	2.70%	4.90%
1999-2000 total elementary enrollment	64,150	14,615	4,758
1999-2000 elementary students who missed more than 21 days of school	5,003 or 7.8% of enrollment	575 or 3.9%	183 or 3.8%
School Data % of girls enrolled in elementary school	48.60%	48.0%	48.80%

## **Interviews**

Interviews were conducted with the social workers and truant officers in the Fourth Judicial Circuit (n=18). Each of the three counties in the circuit has a different number of social workers. Nassau County has one social worker. Clay County has seven attendance social workers. Duval County has five attendance social workers and five truant officers. All but one interview was conducted via the telephone. The remaining interview was conducted in person.

This researcher interviewed each attendance social worker and truant officer in all three counties of the Fourth Judicial Circuit (n=18). Each social worker/truant officer was asked the same open-ended questions. All interviews were requested by the

researcher and were confidential. To insure reliability, each social worker was asked the same questions and in the same manner.

The following demographic information was gathered from each social worker/truant officer prior to the interview: gender, years of experience, number of schools assigned, and age. The following questions were asked of each social worker/truant officer.

1. What is the truancy process?
2. From your perspective, what are the problems with the referral process from the schools to you and from you to an outside agency?
3. What do you look for and what are your individual priorities in deciding to refer a case to an outside agency after the AIT?
4. How do you manage to stay on top of things with the amount of cases you have?
5. Do you see differences in the truancy of boys and girls? If yes, what are they and how do you handle it?

### **Additional Data Collection**

In addition to the interviews with the attendance social workers and the truant officers, this researcher also collected data from many other areas. Referral information to the State Attorney's Office Truancy Arbitration Program in all three counties in the circuit was collected for the school year prior to the new policy implementation and for the two school years immediately following the policy implementation. This data collection was important to collect so that the researcher could look for any differences in the amount of referrals both before and after the statute implementation.

In sum, this research used an exploratory case study to examine the effectiveness of truancy statutes recently implemented. These statute revisions apply to the State of Florida as a whole, but this research concentrates on the Fourth Judicial Circuit of Florida (Duval, Clay, and Nassau Counties). The statutes were implemented by the state legislature prior to the 1999-2000 school year. The thesis explores the possibility of implementation failure in the use of these statutes.

## **CHAPTER 4: FINDINGS**

### **Overview of Findings**

Three sets of findings illustrate the degree of implementation failure of the state statutes. First, referrals to TAP for each county are reported, illustrating significant drops after the statute was adopted. Second, results of interviews with attendance social workers and truant officers highlight numerous problems with implementation. Third, and perhaps most importantly, the State Attorney's Office in Duval County developed new procedures in direct response to local schools' failure to meet the requirements of the statutes. Each is described in greater detail below.

#### **Attendance Data**

Before attendance and referral rate can be evaluated, it is important that the scope of the problem be explained. The State of Florida has one measure for attendance. This measure is called the 21-day number. This number is representative of the number of students in a school year that miss more than 21 of the 180 school days. This number does not make any distinction between excused and unexcused absences, so there is no way to determine how many of these students were truant, or how many may have a chronic illness for example.

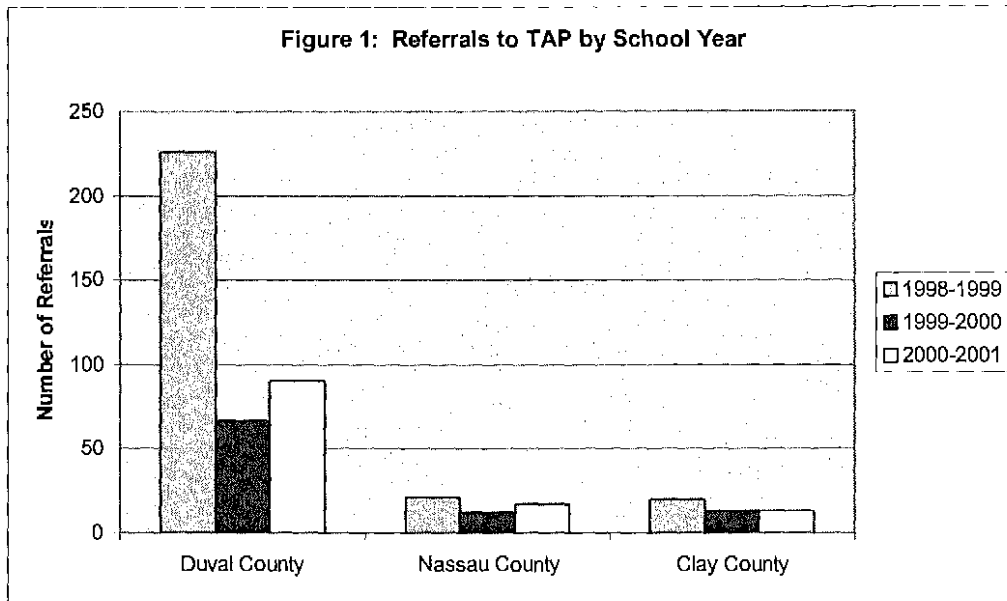
During the 1999-2000 school year Duval County had 64,150 elementary school students enrolled. Of those 64,150 students, 5,003 students or 7.8% of the population missed more than 21 days of school. In 1999-2000, Nassau County had 4,758 elementary students enrolled, and 183 students or 3.8% of the population missed more than 21 days

of school. In 1999-2000, Clay County had 14,615 elementary students enrolled, and 575 students or 3.9% of the population missed more than 21 days of school.

### **Referral Rates to TAP before and after the new statute implementation**

The school year of 1998-1999 was the year immediately before the implementation of the new statutes that required an intervention at the school level and also limited how a referral could be received by the State Attorney's Office in their Truancy Arbitration Program (TAP). In the 1998-1999 school year, the Duval County TAP program received 226 elementary referrals, Nassau County received 21 elementary referrals and Clay County received 20 elementary referrals.

The 1999-2000 and 2000-2001 school years referrals are based on the new statutes that the Florida Legislature implemented. The results are as follows. In the 1999-2000 school year, Duval County received 67 elementary referrals and in the 2000-2001 school year they received 90 elementary referrals. In the 1999-2000 school year, Nassau County received 12 elementary referrals and in 2000-2001 they received 17 elementary referrals. In the 1999-2000 school year, Clay County received 13 elementary referrals and in 2000-2001 they received 13 elementary referrals. These results are shown in Figure 1.



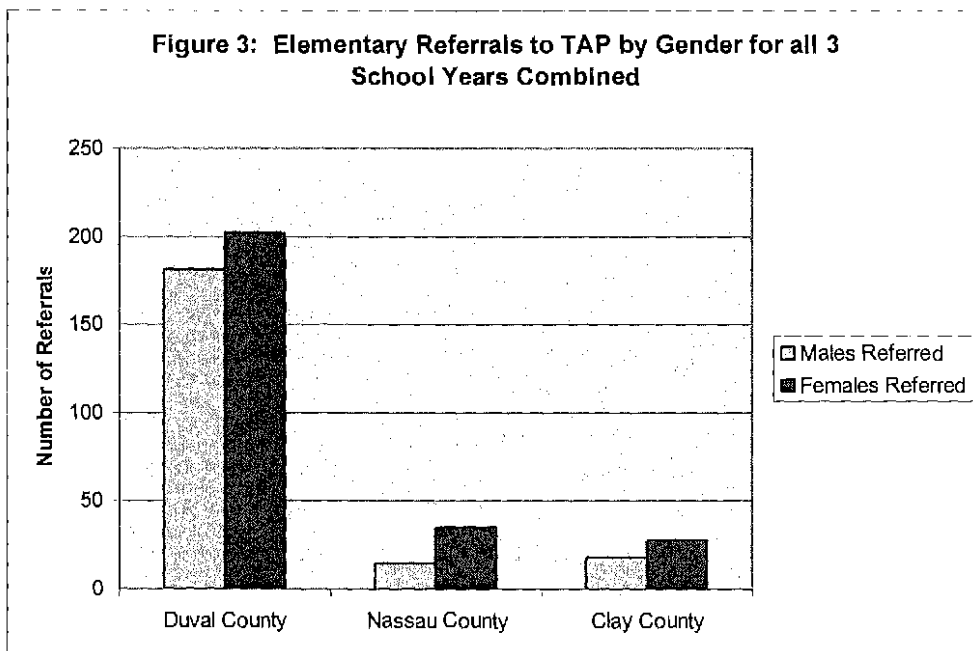
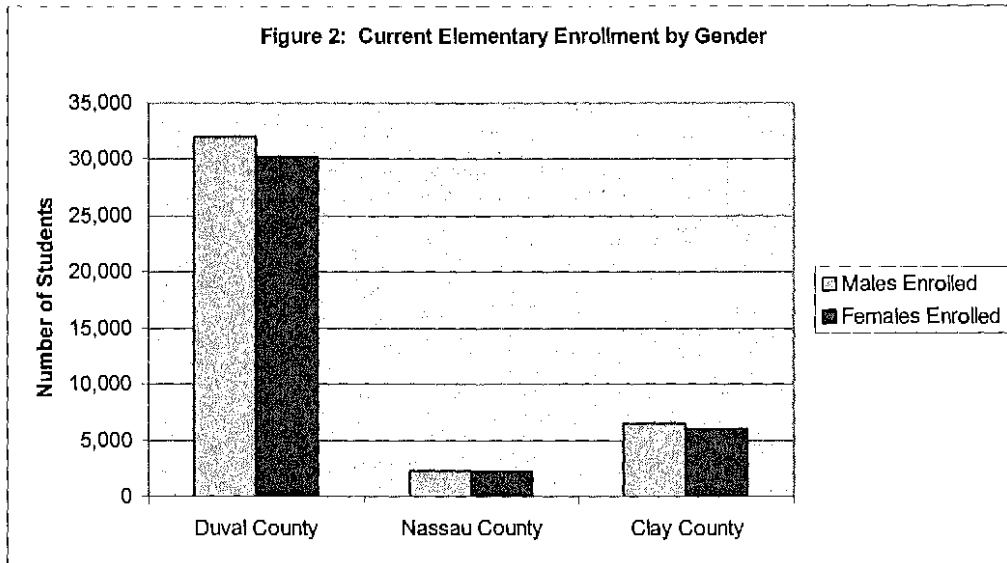
### Gender Rates by County

Data were collected on the number of males and females that attend each county's public school system. The numbers of referrals to each county were also broken down by gender. The Duval County Public School System reports that in 2002-2003 for grades K-5, there are 31,969 males enrolled and 30,239 females enrolled. For all three years combined, Duval County referred 202 females and 181 males to the Truancy Arbitration Program.

The Nassau County Public School System reported that the current enrollment for the 2002-2003 school year is 2,331 males and 2,229 females. When all three years of referrals are combined to the State Attorney's Office Truancy Arbitration Program, 35 of the referrals were female and 15 were male.

The Clay County Public School System reports that current enrollment is 6,470 males and 5,994 females. When all three years of referrals are combined to the State Attorney's Office, 28 of the referrals were female and 18 were male. Figure 2 shows the

breakdown of enrollment by gender and Figure 3 shows the breakdown of referrals by gender.



These data show that all 3 counties in Florida's Fourth Judicial Circuit have a similar gender split in the numbers of elementary students enrolled. All 3 counties have more males enrolled in elementary school, but only by a small increased percentage.

However, all three counties have referred more females to the Truancy Arbitration Program over the three years this researcher looked at. It should also be noted that the two rural counties, Clay and Nassau, had the biggest differences between males and females referred. Finally, and most importantly, all 3 counties experienced a significant drop in referrals for the two years following the implementation of the new state statutes surrounding truancy referrals.

### **Interview Results with the Attendance Social Workers and Truant Officers**

In sum, eighteen interviews were completed. Of the eighteen social workers interviewed, seven were male and eleven were female. 66.6% of the social workers have between 10-29 years of experience in social work or a related field and 66.6% of the social workers are between the ages of 40-59. Table 2 shows the gender, years experience, age range, and the number of schools that each social worker is assigned to for attendance purposes.



Table 2: Demographic Data on Social Workers Interviewed in the Fourth Judicial Circuit

	<b>Gender</b>	<b>Years Experience</b>	<b>Age Range</b>	<b># Of Schools</b>
<b>Subject 1</b>	Female	32	50-59	3
<b>Subject 2</b>	Female	14	30-39	22
<b>Subject 3</b>	Female	15	30-39	3
<b>Subject 4</b>	Female	20	40-49	3
<b>Subject 5</b>	Female	20	40-49	11
<b>Subject 6</b>	Female	18	40-49	3
<b>Subject 7</b>	Female	10	40-49	3
<b>Subject 8</b>	Female	8	40-49	20
<b>Subject 9</b>	Female	18	40-49	15
<b>Subject 10</b>	Male	20	70-79	14
<b>Subject 11</b>	Male	4	70-79	14
<b>Subject 12</b>	Male	10	50-59	15
<b>Subject 13</b>	Male	42	70-79	14
<b>Subject 14</b>	Male	20	50-59	19
<b>Subject 15</b>	Male	2	20-29	15
<b>Subject 16</b>	Male	25	50-59	3
<b>Subject 17</b>	Female	24	50-59	3
<b>Subject 18</b>	Female	30	50-59	15

### **Interview Summary**

The 18 interviews that were conducted provided insight on many levels of the truancy process. See Appendix G for a complete list of answers to every question by each of the 18 social workers and truant officers interviewed.

#### Question 1: What is the truancy process?

One of the successes of the policy implementation is that every attendance social worker and truant officer was able to describe the process as defined by the statutes accurately. Each attendance social worker and truant officer also understood the referral process to outside agencies and understood when a case should be referred to the Youth Crisis Center and when it should be referred to the State Attorney's Office.

Question 2: “From your perspective, what are the problems with the referral process from the schools to you and from you to an outside agency?”

All but one of the 18 interviewees felt that there are problems associated with the referral process. Almost half of those interviewed felt that the schools are overwhelmed with the requirements set forth in the statutes.

Subject 7: “There is not enough time in a day to work all the kids that need help. The schools are overwhelmed.”

Subject 12: “The problem is getting the information from the schools fast enough.”

Additionally, some social workers and truant officers specifically put the blame on the individual teachers and their support staff, indicating that those with knowledge of an attendance problem may stall the process before it ever starts.

Subject 8: “The schools don’t have a problem identifying kids. Teachers don’t keep accurate attendance and are sometimes afraid of getting a parent in trouble, or they try to avoid a confrontation with the parent.”

Subject 11: “Schools don’t refer because of staff problems. Schools don’t like to take the first step in notifying parents.”

Finally, the street-level workers who are assigned to implement these new statutes may be limited in their own implementation if those in charge of them do not view it as a priority.

Subject 15: “Most schools are not on the same page. Some schools don’t see attendance as a key element and therefore push attendance to the end of the desk.”

Question 3: What do you look for and what are your individual priorities in deciding to refer a case to an outside agency after the AIT?

All 18 interviewees stated that the referrals to outside agencies depend, to a large extent, on the parental responses to their initial interventions. Several interviewees noted

that uncooperative or noncompliant parents result in an automatic referral to an outside agency.

Subject 2: “Compliance is the key. I try to give a parent the benefit of the doubt, but I will refer quickly if a parent is irresponsible.”

Subject 9: “I refer to the State Attorney’s Office if there is a defiant parent.”

Also, several interviewees stated that continued absences were the critical element leading to a referral to an outside agency.

Subject 16: “The key factor for me is the next set of 5 unexcused absences after the parent has been alerted to the problem.”

Subject 17: “Primarily, the number of absences determine if there will be a referral.”

Last, interviewees seemed to vary a great deal in their reliance on referrals to outside agencies. For example, Subject 1 makes a referral in about 10% of cases, compared to and 80% referral rate for Subject 9.

Question 4: How do you manage to stay on top of things with the amount of cases you have?

Through this question, the interviewees (street-level bureaucrats) were able to note how they individually go about managing the caseloads they have. Some interviewees noted that they are overwhelmed and many indicated how they use the discretion their job allows them. Some social workers and truant officers indicated that they work their cases based on others level of concern for the case as indicated in their responses below. This finding coincides with the existing literature of the work functions of street-level bureaucrats and the discretion they have to work their cases. The wide variation in how the interviewees handle their cases is a testament to their wide discretion over every aspect of their job.

Subject 4: “The schools let me know what they need done. Whoever yells the loudest gets what they want.”

Subject 17: “I respond to the squeaky wheel. I work what the school sees as a priority and work extra hours if needed.”

Some of the social workers and truant officers have yet another way to manage their day in order to meet their impression of supply and demand. This frequent re-evaluation of cases should ensure that the worst cases receive attention, but may allow some cases to be continually placed on the back burner as a result of more pressing cases.

Subject 1: “I handle the ones that appear to be the most pressing and try to get on them right away.”

Subject 2: “Organization is the key. I get right to priority and work cases as given.”

Subject 6: “I re-prioritize daily.”

Finally, there are individual social workers and truant officers that have created their own way of implementing the statutes. The following examples show how each interviewee has molded their job description into best practices for themselves. This is another way in which the worker has adjusted their job description and performance procedures to fit their own needs (Jaffee, 2001).

Subject 5: “I just monitor the absences on my cases. If there are no absences when I get a case, then I don’t make any contact with the family.”

Subject 7: “I always keep my case open even after I make a referral. This saves me time from re-opening cases.”

Subject 9: “I get the case, do what I can and refer it on as quickly as possible so my case load stays down.”

Question 5: Do you see differences in the truancy of boys and girls? If yes, what are they and how do you handle it?

The responses to this question indicated again how people with the same job description can have different interpretations on who their clients are and why they are in need of services. This discretion makes the system both more and less effective. The workers have an opportunity to focus on who they view needs their services the most, but it also opens the door to that workers own biases and prejudices. Thirty percent of the interviewees did not feel that gender played a role in truancy.

Subject 4: "The difference is poverty, income, and parental supervision, and not gender."

Subject 5: "I don't really see a difference in gender. Most of my cases are just names and numbers."

The remaining 60% of the social workers and truant officers interviewed felt that there was some difference in truancy by gender. A wide range of responses was elicited by this question.

Subject 2: "Girls have more issues. I get more referrals on girls in elementary school."

Subject 9: "I have more girls with truancy problems in elementary school. I think primarily because they are kept home to help with younger siblings and it is easier to come up with excuses for girls to miss school than it is for boys."

Subject 15: "Mothers are over-protective of their girls and keep them home if they are picked on. Some mothers keep girls home to help them and justify it because of their good grades."

### **Duval County Public Schools AIT Notification Letter**

The Duval County Public School System initiated an intervention letter at the district level at the beginning of the 2002-2003 school year as a way to increase the number of AIT's held. The School Board created a computer program that would red flag a student if they accumulated 5 unexcused absences in the month prior to the

computer program being run. A letter is then mailed to the parent of each child that was flagged by the system requesting that they contact the school to schedule an Attendance Intervention Team Meeting. See Appendix H. This initial letter resulted in too many complaints from parents about the harsh language, so a new version of the letter was created that minimized the complaints from parents. See Appendix I.

The process for these letters being sent out requires that once a month, every attendance social worker and truant officer spends one full day at the district office to fold and stuff these letters. The computer system does not account for students outside of the compulsory school attendance age, and does not discriminate from students who have already had an AIT. Additionally, there is not any follow up from the school or an attendance social worker or truant officer if the parent does not set up the Attendance Intervention Team Meeting.

### **The Duval County State Attorney Response to Implementation Failure**

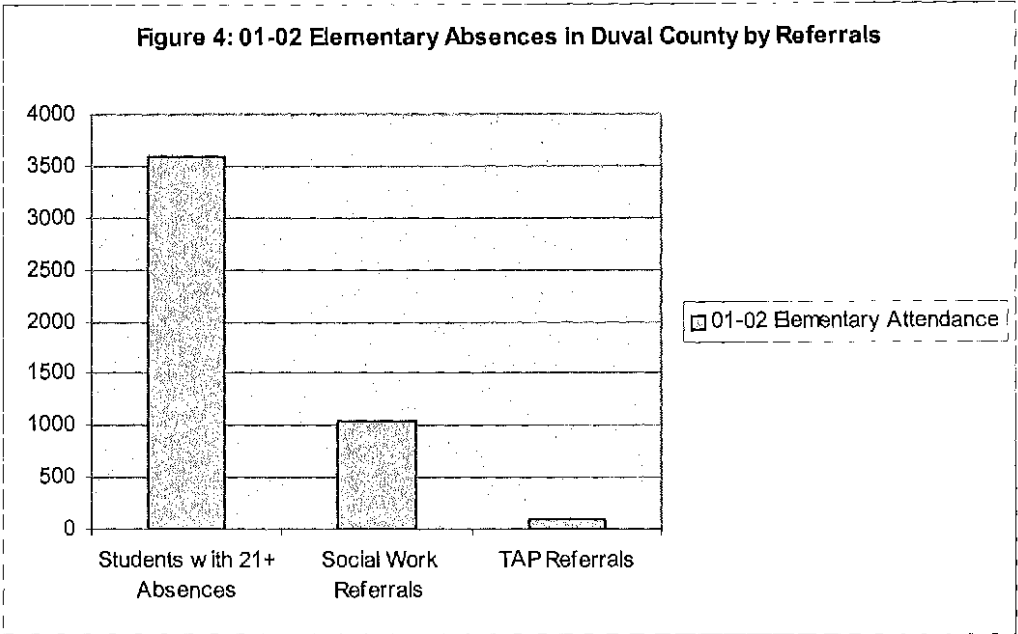
The Duval County Office of the State Attorney's Office became part of a National Truancy Reduction Program and received a grant from The Office of Juvenile Justice and Delinquency Prevention at the beginning of the 1999-2000 school year. This grant has allowed the county to hire additional staff to help combat the problem of truancy. The additional staff has allowed the State Attorney's Office to implement other programs and interventions. This section will highlight the additional interventions and public awareness measures that the State Attorney's Office has implemented.

At the end of each school year, the Florida Department of Education releases data on each school district and each school. These data include school population, number of children who missed more than 21 days of school in a year, suspension information, etc.

All of these data are then entered into a computer program and a letter grade is assigned to each school.

At the end of the 1999-2000 school year, the staff at the State Attorney's Office in Duval County collected the names of all the schools that received a grade of D or F. The staff then met with each principal to discuss the attendance policy per the state statute and to go over in detail the attendance intervention process. This staff then requested that they be given permission to attend a faculty meeting so that the information could be disseminated to the teachers. This request was almost always granted.

Midway through the 2001-2002 school year, the truancy staff at the State Attorney's Office in Duval County were getting frustrated at the low volume of Attendance Intervention Team Meetings that were taking place and referrals they perceived that the Truancy Arbitration Program was receiving. For example, in the 2001-2002 school year, the TAP program received 90 referrals, while the school board social workers only received 1,048 referrals for the 3,587 students that missed more than 21 days of school. Figure 4 show this graphically.



The State Attorney’s Office in Duval County then implemented what they call the subpoena program. In cooperation with Duval County Public Schools, 15 elementary schools were selected for participation in this program. These 15 schools were selected based on the grade they received for attendance by the Florida Department of Education the previous year. These schools then began to receive a subpoena from the State Attorney’s Office on a monthly basis requesting the names of students that have missed 5 unexcused absences in a calendar month or 10 unexcused absences in a 90-day period. See Appendix J.

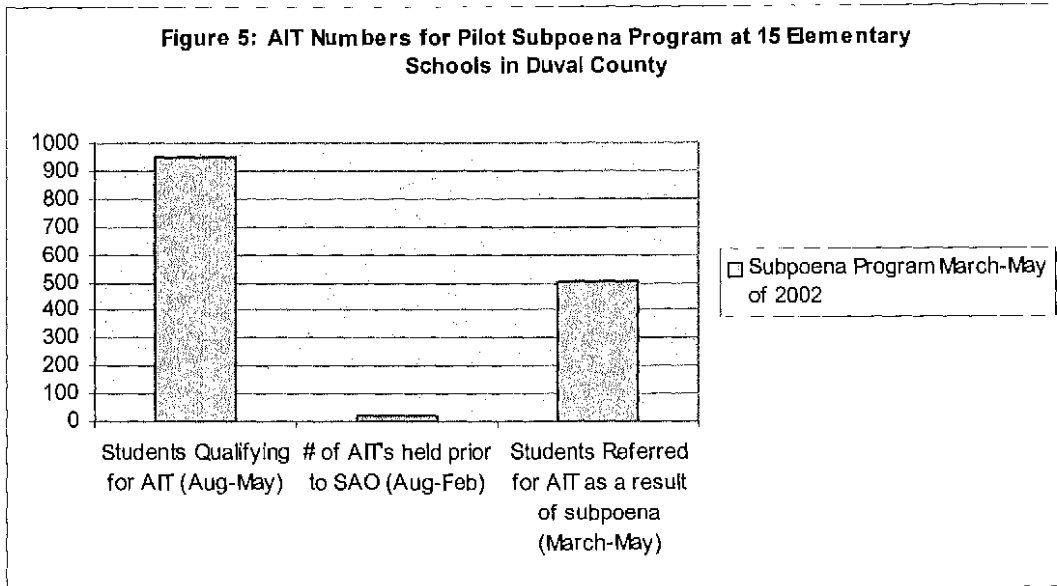
Once the names are received, the Subpoena Program staff then double-checks that the student does in fact qualify for the Attendance Intervention Team Meeting based on the statutory requirements. Once the SAO staff has confirmed the student’s qualification, the State Attorney’s Office then schedules the AIT meeting at the school and notifies the parent of the meeting by mail. Each parent is given two opportunities to attend this AIT meeting at the school, but scheduled by the State Attorney’s Office. The second



notification is hand-served by investigative support personnel hired by the State Attorney's Office. If the parent fails to show for the second meeting, then a referral is made to the Truancy Arbitration Program.

The first set of subpoenas for this pilot program in the 01-02 school year was served to the 15 selected schools on March 14, 2002 and the last subpoena for that year was served on May 9, 2002. In those 3 months worth of subpoenas, the State Attorney's Office received the names of 504 students that the schools felt met the criteria set out by the subpoena. Prior to the State Attorney's Office involvement in the attendance at those 15 schools, 25 AIT meetings had been held. Seven of the 15 selected schools had not had one AIT prior to March 14, 2002. One of these seven schools had 167 students that qualified for an AIT. There were an additional 446 students who qualified for an AIT prior to the SAO's involvement but never received an AIT. Figure 5 represents these data.

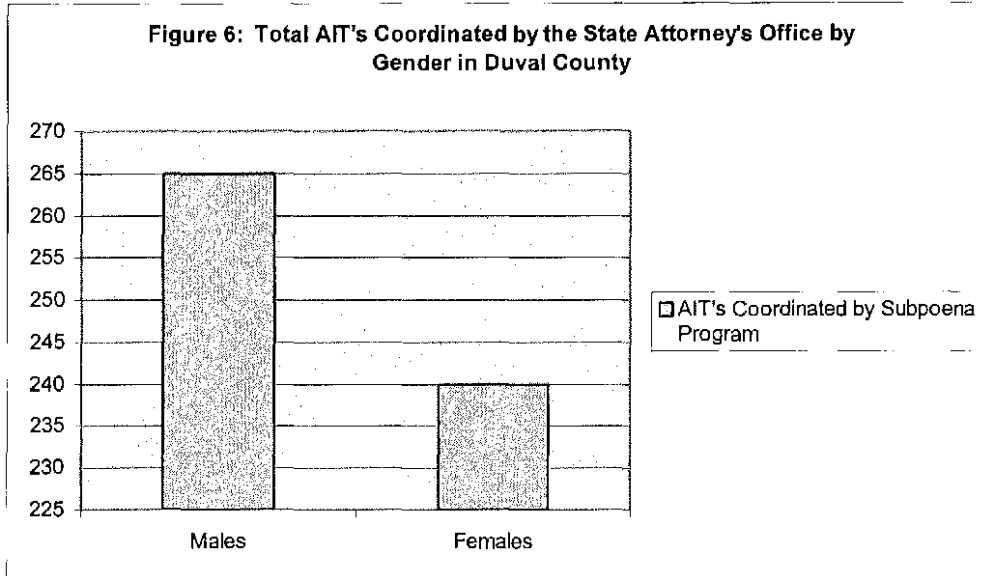
It should be noted that not all of the 504 students whose names were turned over actually had an AIT scheduled by the State Attorney's Office. Once the staff checked their attendance, some students did not qualify by the statutory definitions. Additionally, some students had extenuating circumstances that staff felt disqualified them for the AIT. These circumstances ranged from the absences being a result of domestic violence in the home, an out of town family emergency, and the parent or teacher finding doctor notes to excuse the previous unexcused absences.



At the end of the school year, the Subpoena Program staff also looked at the number of excused absences that these 15 schools had. The results were that an additional 744 students had more than 20 days absent where all of these absences were coded as excused. One school, in particular, had 98 students who had more than 20 excused absences and only 24 students who qualified for an AIT because of unexcused absences. Appendix K is a print out of an actual classroom attendance rooster at the end of the school year 2001-2002. None of the children in this class qualified for an AIT because all of their absences were marked as excused. One child missed as many as 39 days of school.

The State Attorney's Office decided to expand its Subpoena Program for the 2002-2003 school year. Another staff member was hired and an additional 15 schools were selected for participation in the program. Complete data were not available for the 2002-2003 school year at the time of this writing, but the most current data were used for an inquiry into the gender of these students. The following data include all the elementary school students that up until February 28, 2002 actually had AIT's scheduled

as a result of the State Attorney's Office Subpoena Program. In total, 265 boys have had AIT's and 240 females have had AIT's that were coordinated by the State Attorney's Office. Figure 6 shows these data.



### **Excused and Unexcused Absences**

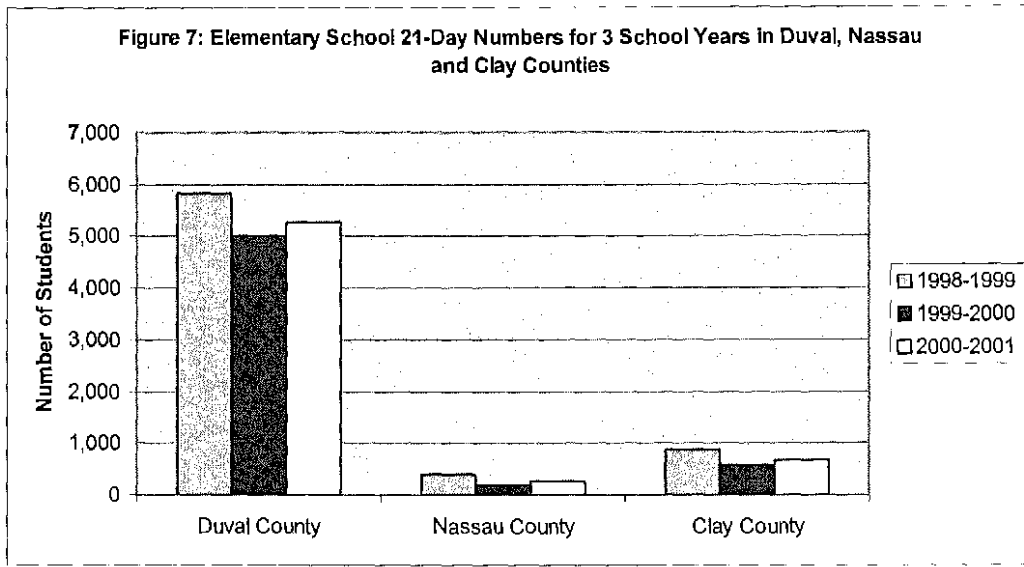
One of the major stumbling blocks when it comes to analyzing this truancy process is trying to determine how many students actually should be receiving interventions. This concept of unexcused and excused absences is a contributing factor in the failure of the policy implementation.

The first of these reasons is the conflicting policy processes between the legislated policy and it's implementation at the district level. The statutes define a truant student as one who has 5 unexcused absences in a calendar month or 10 unexcused absences in any 90-day period. Duval County School Board Policy is set up so that students automatically receive excused absences, which are only changed to unexcused when prompted by the teacher at least one week after the absence occurred. The interviews with the attendance social workers revealed that many schools and administrators are

overwhelmed when it comes to truancy, but this policy in and of itself creates extra work for those already overwhelmed and risks the absence of a critical intervention.

Another problem with the excused and unexcused absences exists when the 21-day number is analyzed. The 21-day number makes no differentiation between excused and unexcused absences. This makes it almost impossible to determine how many students are in need of truancy intervention. This makes it almost impossible for an accurate evaluation to take place. For example, the data may show that 500 students missed more than 21 days of school in a single school year and that 50 students received an attendance intervention. In reality, maybe all 500 students should have had an intervention, or maybe the 50 students that did receive an intervention were the only ones that should have. Unfortunately, there is no way to get a true picture of the truancy rate in these school districts.

This concept of getting a true picture of truancy leads directly to two more important points. First, all three counties show a similar pattern of attendance. For the 1999-2000 school year, which was the first year of the new legislation, each county's elementary 21-day number dropped from the previous year. However, the following school year of 2000-2001 saw a rise in the 21-day number over the 1999-2000 school year. See Figure 7.



Second, the Subpoena Program at the Duval County State Attorney’s Office can be used as a model for the entire county if viewed as a representative sample of the county. The initial 15 schools were selected based on the percentage of students enrolled who missed 21 days or more during the previous school year.

One thing that can be inferred from the creation of the subpoena program is that the schools are not conducting the Attendance Intervention Team Meetings, as the statutes require. Prior to the State Attorney’s Office involvement, the 15 elementary schools initially involved in the program held 2.6% of the AIT’s that they should have. After the Subpoena Program was involvement for 3 months, 53% of the students that should have had AIT’s either had them, or had their attendance thoroughly checked.

**Gender Differences in Truancy Cases in the Fourth Judicial Circuit**

The gender differences in the truancy cases may be the most startling results of this research project. In all three counties studied, the current enrollment included more males than females, yet when the 3 school years studied are combined, all three TAP programs reported higher referrals for females over males. This is consistent with a large

body of research that finds females being treated differently for status offenses (Chesney-Lind, 1997; Belknap, 1996). This could be a result of the discretion that the street-level bureaucrats have at every stage of the truancy process. This concept is reinforced even more when the gender results of the Subpoena Program are included. The Subpoena Program, which coordinates and schedules the initial intervention at the school level, looks only at the absences of the student as required by the state statutes. If the student qualifies, the meeting is held, which requires no discretion on the part of the coordinator. This more objective subpoena program reported that more males than females have qualified for and received an AIT.

This evidence suggests that the system is biased toward the status offenses of females, primarily, because there is discretion involved on the part of the workers involved. This discretion and bias may not be a conscience effort on the workers part, but it exists. Eleven out of the 18 attendance social workers and truant officers reported some difference between the truancy of males and females.

This researcher did attempt to conduct some quantitative analysis to determine if the differences in numbers of males and females referred to the Truancy Arbitration Program was statistically significant or not. However, the number of referrals over the span of the three school years studied was not large enough to determine significance. This researcher also attempted to have the elementary 21-Day Number broken down into males and females at the 3 school districts in the Fourth Judicial Circuit. Duval County was the only county to respond. They reported that more males than females in elementary school missed 21-days or more.

## Summary

There are many ways in which the implementation failures of the new truancy statutes have affected Florida's Fourth Judicial Circuit.

1. The new statutes have created more work for the street-level workers (Attendance Intervention Teams) without any additional staff or funding to carry out the statute requirements.
2. Since the implementation of the new statutes, referrals to Truancy Arbitration Program have decreased sharply even though the counties overall absences have not decreased proportionally.
3. The new statutes have made the distinction of unexcused and excused absences more critical. Any intervention can be stalled before it even starts if teachers do not constantly update their coding of absences. This stalling causes some students to be ineligible for much needed attendance interventions.
4. In Duval County, the AIT Notification letter sent by the school board takes all ten of its social workers and truant officers off the streets for one day a month in order to stuff these letters in envelopes. This is inefficient not only for the workers, but for the students as well.
5. There is no current way to record how many students should actually be receiving attendance interventions. This makes evaluation difficult and thus, slows any revision of the statutes.

## **CHAPTER 5: CONCLUSION**

### **Overview**

This researcher looked into and studied the truancy policy in the Fourth Judicial Circuit in order to complete an evaluation and case study of the implementation of new truancy policy legislation. Data were collected in a variety of ways that included interviews with the Circuit's attendance social workers and truant officers and also by collecting data on the step-by-step process of the new truancy policy. Additionally, information was gathered on one county's new program that was designed to assist the schools in their statutorily legislated step of the process. It is this researcher's conclusion that there is a failure in the Fourth Judicial Circuit to implement the truancy policy as outlined in the Florida State Statutes. The reasons for this conclusion are outlined below.

Even though the theory behind the original statutory change is not known, this researcher is suggesting that the new truancy statutes in the Fourth Judicial Circuit are characteristic of a macro policy implementation failure. This conclusion has been drawn for several reasons. The attendance social workers and the truant officers described in detail that schools are overwhelmed and that the social workers do what they can given their resources. As is the case often in criminal justice, policy changes are implemented without added staff or budget. These street-level bureaucrats are then responsible for implementing new requirements on a high demand basis with the same or lower supply.



Since this new policy implementation has existed, it is possible that instead of increasing the services provided to those in need, the policy has actually limited the number of students who have access to the much needed school attendance interventions. This may be an unintended consequence of the revised statutes. This is reinforced in numerous ways. First, the numbers of referrals to the Truancy Arbitration Programs have decreased. Most notably, the Subpoena Program in Duval County has shown that many schools are not in compliance at all to the provisions in the new statutes. This non-compliance is most likely a combination of the street-level bureaucrats being overwhelmed and also a lack of attention given to the problem by those in charge. This may exist as a result of a large organizational problem.

This research has also suggested that there may be a bias towards the handling of female truants in the Fourth Judicial Circuit. Even though more boys attend elementary school in the circuit, all three Truancy Arbitration Programs received more referrals on female truants. The Subpoena Program however was found to have held more Attendance Intervention Team Meetings on male elementary students based on their attendance as strictly defined in the statutes. The Subpoena Program leaves almost no room for discretion whereas the street-level bureaucrats (social workers and truant officers) have large amounts of discretion, which may result in female students being punished more harshly for their poor school attendance.

### **Limitations of this Study**

This project is an initial piece of research into the policy implementation of the truancy statutes in the Fourth Judicial Circuit of Northeast Florida. This research only focused on the school attendance of elementary students, which is about half of

enrollment of each county. One large gap in the research is a gap that can only be filled by the policy makers. That is, to have the school districts keep track of how many students with unexcused absences miss more than 21 days of school a year. It is impossible to measure how many students should actually be receiving services without that data.

This study also suggests that there is a bias in the handling of female truants. Again, this theory cannot be proven unless some additional data being kept by the school systems is released. In order to determine this, the number of males and females who miss more than 21 days must be known.

This study also only covers data in one judicial circuit, which consists of three counties. The entire State of Florida is required to abide by these statutes, so the conclusions reached may be specific to Northeast Florida. Another study that expands on the numbers of counties evaluated would be helpful. It is possible that other counties in the state are implementing the policy as the legislators intended.

### **Future Research**

This exploratory case study is just that, an exploration into the truancy process of the Fourth Judicial Circuit. Nakamura and Smallwood (1980) state that, "The degree of goal compliance hinges on the personal interpretations of those involved in implementing the directives." This researcher's personal interpretation is that the policy implementation has failed. Nakamura and Smallwood (1980) discuss that evaluation has one of two outcomes: to determine a success or to determine a failure. If a failure is found, then suggestions for a transformation policy are in order.

This study was an initial exploration into an important topic. Many future research projects can grow out of this initial exploration and these future projects cover many different areas of research.

First and foremost, more research needs to be done in school districts on the numbers of students who qualify for interventions to determine how many of those students actually receive it. The three counties researched here seemed to suggest that there may be a pattern to school absences. Figure 7 showed that each county's absences followed the same pattern for the 3 years studied. The student population missed fewer days in the 1999-2000 than they did the year before, but the absences increased for the 2000-2001 school year. Ruling out some sort of social phenomena that led to this pattern would be important. It may also be determined that the record keeping of the school districts went through some sort of change that accounts for the pattern.

Moreover, this policy implementation should be examined throughout the state, not just one circuit. If all circuits are having the same problems as this circuit, then the policy makers may want to consider a revision of the statutes. Additionally, the policy makers may want to set up some sort of checks and balances system that would track attendance and interventions. If those in charge of a school or a school district fail to "rally their troops" around a concept or policy, those workers that are already swamped may not initiate the work themselves.

An additional area for future research is to study the possible harsher treatment of truant females. It was suggested in this research that more males are truant, but that more females are receiving interventions through the current policy involving street-level bureaucrats. If more females are being referred for truancy, it may highlight the need for

gender specific interventions. It also may bring to light many male students who could have benefited from intervention who were passed over because it is behavior that is expected from them.

Finally, future research should look at the client to social worker ratio that exists in some areas of bureaucracy. It may be that when new policies are created, they are not created for the personnel system that is currently in place. The new policy may be better in theory, but if the reality of implementing that policy does not exist then the old policy may serve the public better.

## Appendix A

### **Statutes Relevant To Truancy And Enforcement Of School Attendance Laws**

#### **Florida Statutes Section 1000.21(5)**

As used in these statutes, the term, "parent", refers to any parent, guardian, person in a parental relationship to a student or any person exercising supervisory authority over a student in place of the parent.

#### **Florida Statutes Section 1003.21**

All children who have reached the age of six years or who will reach the age of six years by February 1 of any school year but have not attained the age of 16, are required to attend school regularly during the entire school term.

A child who attains the age of 16 during the school year is not subject to compulsory school attendance **if** he files a formal declaration of intent to terminate school enrollment. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the child and the child's parent or legal guardian.

#### **Florida Statutes Section 1003.24**

Each parent and legal guardian of a child within the compulsory attendance age shall be responsible for such child's attendance.

If a student is continually absent because of illness, he or she must be under the supervision of a physician to receive an excuse from attendance. Such excuse must provide that the student's condition justifies the number of absences.

#### **Florida Statutes Section 1003.26**

The Legislature finds that poor academic performance is associated with nonattendance and that schools must take an active role in enforcing attendance. It is the policy of the state that the superintendent of each school district be responsible for enforcing school attendance.

School board policies must require each parent or guardian to justify each absence of a student. School board policies must provide that schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school.

If a student has had at least five unexcused absences within a calendar month or 10 unexcused absences within a 90-calendar-day period, the student's primary teacher shall report the student to the principal. The principal shall refer the case to the school's

child study team. If the child study team finds that a pattern of nonattendance is developing, a meeting with the parent must be scheduled to identify potential remedies.

If an initial meeting does not resolve the problem, interventions (tutoring, placement in different classes, referral to family services agencies, etc.) shall be implemented.

If a parent refuses to participate in a remedial strategies because he or she believes them to be unnecessary, the parent may appeal to the school board. If the board then determines the strategies are appropriate and the parent still refuses to cooperate, the superintendent may seek criminal prosecution.

Parents who enroll their children in the home schooling program shall be referred to a home education review committee. The committee shall review the portfolio of the student (see Florida Statutes, Section 1002.41). The superintendent shall terminate the home schooling program for non-compliance with home schooling rules and send a three day enrollment letter. Failure of a parent to enroll a child after termination of the home schooling program may result in criminal prosecution.

If a child will not comply with attempts to enforce school attendance, the parent or guardian or the superintendent shall refer the case to the case staffing committee (See Florida Statutes, Section 984.12), and the superintendent may file a truancy petition.

A school representative shall give written notice to the parent or guardian when no valid reason is found for a child's nonattendance in school which requires enrollment or attendance within 3 days. If the notice is ignored the superintendent shall refer the case for criminal prosecution against the parent or guardian.

Subsequent to the activities of the child study team (AIT) and the implementation of interventions, the superintendent or his designee shall give written notice in person or by return receipt mail to the parent that criminal prosecution is being sought for non-attendance.

### **Florida Statutes Section 1003.27**

In each case of non-enrollment or of non-attendance, when no valid reason is found, the superintendent shall institute a criminal prosecution against the student's parent(s).

The superintendent is authorized to file a truancy petition in qualifying cases. If the superintendent chooses not to file a truancy petition, procedures for filing a child-in-need-of-service petition shall be commenced.

A parent who refuses or fails to have a child who is under his or her control attend school regularly or refuses or fails to comply with remedial actions associated with the children in need of services process, is guilty of a second degree misdemeanor.

The superintendent must provide the Department of Highway Safety and Motor Vehicles with the name of any minor who fails to satisfy relevant attendance requirements.

Any parent who violates compulsory school attendance laws in addition to possible jail time and a fine may be ordered to attend school with his/her child, to perform community service hours and to attend counseling.

Any child found to be a habitual truant may be ordered to pay up to \$2.00 for each day of school missed and to perform up to 25 hours of community service (for a second or subsequent finding that the child is a habitual truant it may be up to \$5.00 a day and up to 50 hours of service).

#### **Florida Statutes Section 322.091**

A minor is not eligible for driving privileges unless that minor is enrolled in school or in some approved education program. There is a hardship exception if all of the procedures are followed and the reasons for lack of compliance are deemed justified.

#### **Florida Statutes Section 827.04**

Any person who causes, tends to cause, or contributes to a child becoming a child in need of services commits the crime of contributing to the delinquency of a minor, a first degree misdemeanor.

**NOTE:** A child who does not go to school may be a child in need of services. Therefore, a parent who does not insure their child's attendance at school might be guilty of this misdemeanor.

#### **Florida Statutes Section 843.02**

Whoever shall resist, obstruct, or oppose an officer in the lawful execution of any legal duty, without offering violence is guilty of a first degree misdemeanor.

**NOTE:** Patrol officers attempting to pick up truants may use this statute in extreme circumstances.

#### **Florida Statutes Section 984.03(27) and (55)**

If a child within the compulsory school attendance age has 15 unexcused absences within 90 calendar days or fails to enroll in school, the State Attorney may, or the appropriate jurisdictional agency shall, file a child-in-need-of-service petition if recommended by the case staffing committee, unless it is determined that another alternative action is preferable.

"Truancy petition" means a petition filed by the school superintendent alleging that a student subject to compulsory school attendance has had more than 15 unexcused absences in a 90-calendar-day period. A truancy petition is filed and processed under s. 984.151.

### **Florida Statutes Section 984.09**

A habitual truant may be found in contempt and held in a staff-secure facility for a first offense for five days or 15 days for a second or subsequent offense.

**NOTE:** This does not include being held at the detention center.

**NOTE:** There are many procedural hurdles to overcome before a truant can be held in contempt.

### **Florida Statutes Section 984.13**

A child may be taken into custody by a law enforcement officer when the officer has reasonable grounds to believe that the child has run away from home or is absent from school without authorization or is suspended or expelled and is not in the presence of his or her parent or legal guardian during school hours. The officer may deliver a truant to an approved attendance center. A suspended or expelled student may be delivered to an approved alternative to suspension or expulsion program or to the parent or legal guardian.

### **Florida Statutes Section 984.151**

If the school determines that a student subject to compulsory school attendance has had at least five unexcused absences within a calendar month or 10 unexcused absences within a 90-calendar-day period or has had more than 15 unexcused absences in a 90-calendar-day period, the superintendent may file a truancy petition.

The petition must contain the efforts the school has made to get the student to attend school; the number of out-of-school contacts between the school system and student's parent or guardian and the number of days and dates of days the student has missed school.

Once the petition is filed, the court shall hear the petition within 30 days.

If the court determines that the student did miss any of the alleged days, the court shall order the student to attend school and the parent to ensure that the student attends school, and may order any of the following; the student to participate in alternative sanctions to include mandatory attendance at alternative classes to be followed by mandatory community service hours for a period of up to 6 months; the student and the student's parent or guardian to participate in homemaker or parent aide services; the student or the student's parent or guardian to participate in intensive crisis counseling; the student or the student's parent or guardian to participate in community mental health services if available and applicable; the student and the student's parent or guardian to participate in service provided by voluntary or community agencies available; and the student or the student's parent or guardian to participate in vocational, job training or employment services.

If the student does not successfully complete sanctions, the case shall be referred to the case staffing committee under s. 984.12 with a recommendation to file a child-in-need-of-services petition under s. 984.15.



The court may enforce any requirements placed upon parents or students through its contempt power.

**Florida Statutes Section 985.207**

A child may be taken into custody by a law enforcement officer who has probable cause to believe that the child is violating conditions of community control, home detention, post-commitment community control or aftercare supervision or has absconded from commitment.

**NOTE:** This is a useful tool if the officer is aware that a child is court ordered to go to school as a condition of a sentence.

**STUDENT ABSENCES AND EXCUSES**

**FILE: JH**

**TITLE:** Student Absences and Excuses

**POLICY:**

Students returning to school from an absence shall be required to present a written explanatory excuse from their parent(s) or legal guardian, stating the cause for the absence.

(1) The following causes are acceptable excuses for being absent:

- (a) Illness or injury of the student;
- (b) Serious illness or death in the student's family;
- (c) Inclement weather;
- (d) Official religious holiday of a religious sect or for religious instruction (see below);
- (e) Participation in an academic class or school programs such as study trips, competitions, etc.;
- (f) Insurmountable conditions as determined by the school principal or other designated District or school personnel; and,
- (g) A bus failure or irregular schedule which causes the absence or tardiness of a student who is eligible for and regularly transported by the District.

(2) Missed work shall be made up for all excused absences; a day of make-up work shall be allowed for each day of absence, when appropriate.

(3) A student shall be excused from attendance on a particular day or days, or for part of a day, and shall be excused from any examination, study, or work assignment for observation of a religious holiday or because the tenets of his or her religion forbid secular activity at such time. Teachers shall give each student the opportunity to make up any examination, study, or work assignment which has been missed for religious purposes and the student shall receive full credit for such work.

**STATUTORY AUTHORITY:** Section 230.22(2), Florida Statutes

**LAWS IMPLEMENTED:** Sections 232.0225; 232.10, Florida Statutes

**STATE BOARD OF EDUCATION RULE:** 6A-1.09514

**ADOPTED:** April 1, 1997

**ATTENDANCE MONITORING/ACCOUNTING**

**FILE: JHBB**

**TITLE:** Checking Student Attendance

**POLICY:**

The presence, absence, or tardiness of each student shall be checked each day within two (2) hours after the beginning of the school day.

**STATUTORY AUTHORITY:** Section 230.22(2), Florida Statutes

**LAWS IMPLEMENTED:** Sections 232.021; 232.022; 232.023, Florida Statutes

**STATE BOARD OF EDUCATION RULE:** 6A-1.044

**ADOPTED:** April 1, 1997

**MEMORANDUM****FOR APPROVAL**

Region I

Region II

**Signature Deleted**

Region III

Region IV

**Signature Deleted**

Region V

Date

**Signature Deleted**

3-6-00

**TO:** All School Principals

**VIA:** Charles H. Cline, Associate Superintendent  
Curriculum and Instructional Services

**FROM:** Hodges H. Sneed, General Director  
Student Services

**SUBJECT:** **JOINT LETTER TO PARENT REGARDING ATTENDANCE**

**DATE:** February 24, 2000

In order to increase parents' participation in your Attendance Intervention Team's (AIT) efforts to improve student attendance, a joint letter from the Superintendent and State Attorney has been developed for distribution (see attached). The intent of this letter is to get parents to attend the AIT meetings when invited and comply with the recommendations made by the team to resolve the problem. Please have your team (AIT) send this letter to the parents whenever a student accumulates a total of five (5) unexcused absences within one month or ten (10) unexcused absences within a 90-day period. This letter is to be sent out just prior to the AIT meeting invitation to the parent.

As a reminder, schools are required to separate excused from unexcused absences. All absences must be initially coded as excused. Within five (5) days, the attendance code must be updated for accuracy according to the documentation provided by the parent or guardian.

Should you have any questions, please contact our office at 390-2520.

HHS:jw

Attachment

cc: John C. Fryer, Jr.  
Nancy Snyder  
Marilynn Bahari  
Marsha Cole  
Ed Wechsler

Appendix D

Attendance Intervention Team  
School Attendance Agreement

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Student Number: \_\_\_\_\_  
School: \_\_\_\_\_ Grade: \_\_\_\_\_  
Parent/Guardian: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Cumulative Folder Information

Reading Level: \_\_\_\_\_ Math Level: \_\_\_\_\_  
Exceptional Education: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Program: \_\_\_\_\_  
Psychological Evaluation: \_\_\_\_\_ Yes \_\_\_\_\_ No Date: \_\_\_\_\_  
Reason for Psychological Evaluation: \_\_\_\_\_

The Attendance Intervention Team met on \_\_\_\_\_, The following strategies  
Were recommended to assist the student and parent in improving regular school  
attendance:

- 
- 
- 
- 

I agree with the terms of the above recommendations, and fully understand that any  
failure to fulfill my part of the agreement will result in stronger actions to enforce  
regular school attendance.

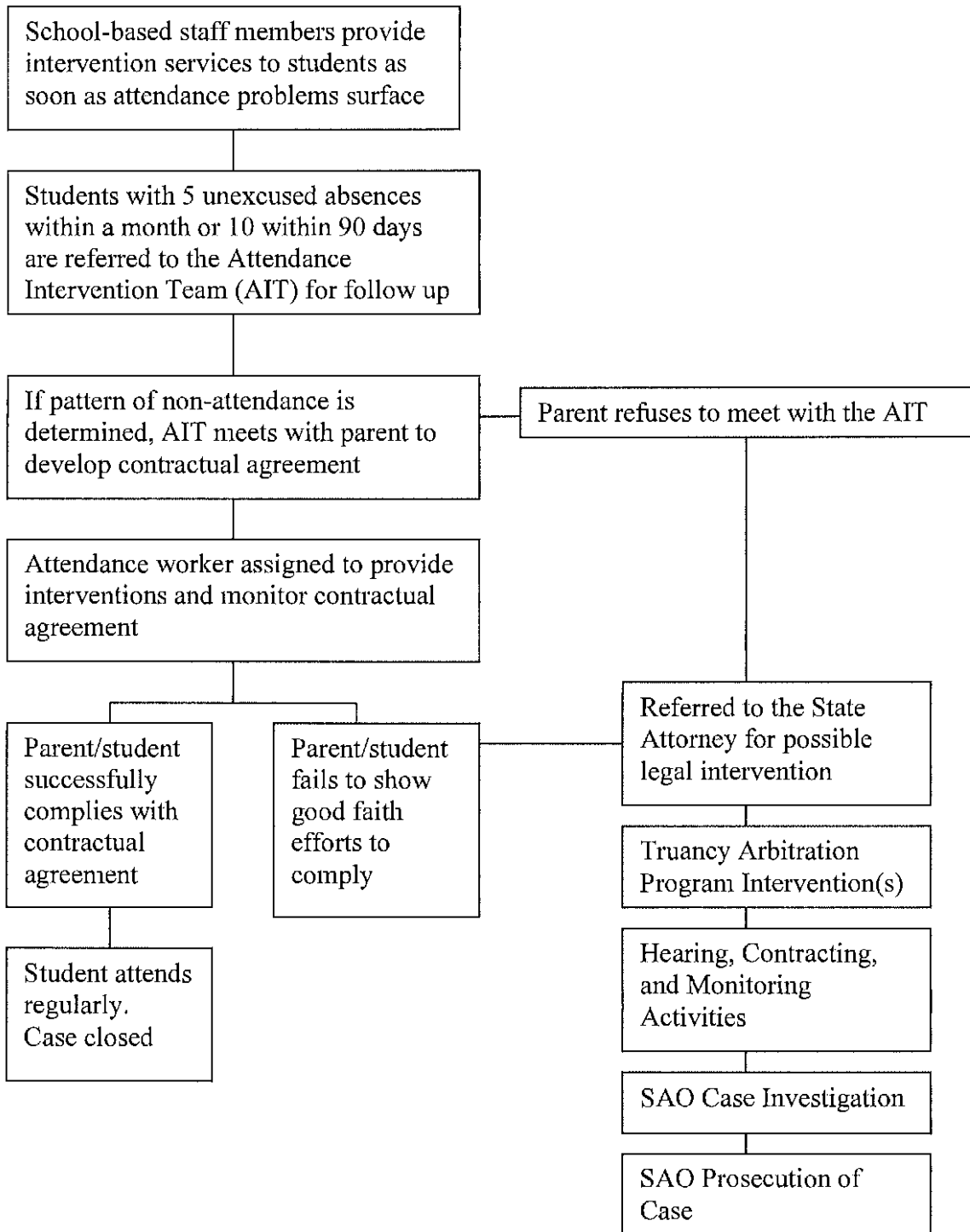
Parent's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Child's Signature \_\_\_\_\_ Date \_\_\_\_\_

Others present at the Attendance Intervention Team Conference:

Signed _____	Title _____	Date _____
Signed _____	Title _____	Date _____
Signed _____	Title _____	Date _____
Signed _____	Title _____	Date _____

# Appendix E

## Attendance Referral Flow Chart



Appendix F

**STATE ATTORNEY'S OFFICE  
FOURTH JUDICIAL CIRCUIT OF FLORIDA**

**TRUANCY ARBITRATION PROGRAM  
SCHOOL ATTENDANCE CONTRACT**

S.A. NO. \_\_\_\_\_

DATE: \_\_\_\_\_

The State Attorney Hearing Officer, having evaluated a referral by the Duval/Clay/Nassau County School Board regarding \_\_\_\_\_, and having met in conference with the School District Pupil

representative, the parents, and the pupil, recommends the following action be taken:

1. Attend school and all classes, effective \_\_\_\_\_.
2. Arrive at school and all classes on time (no tardies).
3. Obey school rules and maintain satisfactory citizenship.
4. For all absences: Parent to personally contact school to explain absence.
5. For all illness absences: In addition to personal contact, parent to provide a doctor's or other medical advisor's written verification.
6. Student/parent/guardian is directed to make use of community services and to furnish satisfactory evidence of participation in such services.
7. Other: \_\_\_\_\_

I/We consent to participate in the agreement above and understand that if I/We fail to maintain this agreement I/We may be prosecuted for violation of Florida Statute 1003.26.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Father or Guardian

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Mother or Guardian

I consent to participate in the agreement above, and I understand that if I fail to maintain this agreement that a petition may be filed in the Juvenile Court for habitual truancy as provided in Chapter 984.09 of the Florida Statutes.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Student

I will submit regular progress reports to the State Attorney's Office. I understand that if the above parties fail to maintain this agreement I am to immediately notify the State Attorney's Office and provide the necessary documentation.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
School Representative

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Truancy Hearing Officer

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Program Director

## Appendix G

### Interview Data

The first question required that the social worker state the truancy process for the Fourth Judicial Circuit. Every social worker or truant officer stated the procedure that they abide by. All answers were in accordance with the state statute regarding truancy. Each social workers' answers to the remaining questions follow.

Question 2: From your perspective, what are the problems with the referral process from the schools to you and from you to an outside agency?

Subject 1: Involving administration is a problem. Attendance should be a team approach and it does not work when procedures are legislated.

Subject 2: For older kids, parents struggle and are offended because they are legally responsible. The Youth Crisis Center is such a slow process and does not have a lot of bite. The volume of cases is bad and I work at home a lot.

Subject 3: There are no problems with the referral process, but problems with the system. The system needs to work to get these parents, which is time consuming. Some parents minimize the importance of school and feel like the school is harassing them. Parents have a problem parenting.

Subject 4: The system does not have any teeth. The system is so back-logged and the referral time from TAP to prosecution of parents is not good.

Subject 5: The ratio of social workers and truant officers to students is way too high. Some schools are not good at identifying who needs an AIT.



Subject 6: My school has one secretary for 2600 kids. The teachers must let this one secretary know that a student has attendance problems and that secretary is responsible to initiate the AIT.

Subject 7: There is not enough time in a day to work all the kids that need help. The schools are overwhelmed.

Subject 8: The schools don't have a problem identifying kids. Teachers don't keep accurate attendance and are sometimes afraid of getting a parent in trouble, or they try to avoid a confrontation with the parent.

Subject 9: The problem is the time frame from entrance in TAP to violation is too long. The CINS/FINS process at YCC is too long also.

Subject 10: The problem is that the cases are not submitted from the schools to the social workers or truant officers.

Subject 11: Schools don't refer because of staff problems. Schools don't like to take the first step in notifying parents.

Subject 12: The problem is getting the information from the schools fast enough.

Subject 13: The system works beautifully. In early days, people were scared to make referrals.

Subject 14: Schools do not see their responsibility to make phone calls. Many times, the school does not do anything.

Subject 15: Most schools are not on the same page. Some schools don't see attendance as a key element and therefore push attendance to the end of the desk. Some attendance clerks are not professional enough to handle attendance and some administrators won't work with them.

Subject 16: The referrals are still driven by the social workers even though schools have some requirements. Some schools have a problem entering the attendance form the teacher and are not getting a clear picture of attendance. Since attendance plays a part in the school grade now, some are starting to pay more attention.

Subject 17: When the law changed, it was hard to educate people and how it works. The concept of the AIT team is good, but you don't need a team to figure out an elementary kid is missing too much school. The parent is all that is needed. The YCC process of CINS/FINS does not work.

Subject 18: Sometimes referrals from the schools are not really related to truancy. A letter about attendance from the State Attorney's Office too early is not good. Threats to the parents don't work. Attendance is not a one-man show and the State Attorney's Office does not always ask the social workers for their opinions.

Question 3: What do you look for and what are your individual priorities in deciding to refer a case to an outside agency after the AIT?

Subject 1: I look for a parent's refusal to do what is needed when all the resources are available. I refer to outside agencies about 10% of the time.

Subject 2: Compliance is the key. I try to give a parent the benefit of the doubt, but I will refer quickly if a parent is irresponsible.

Subject 3: I look to see that all interventions are failing and that there is no parental engagement.

Subject 4: I determine that the parent is the problem only after everything else has failed and then I refer to the State Attorney's Office.

Subject 5: I refer only if absences continue and if a parent is at fault. I always like to know what the number of absences were at the beginning of the process.

Subject 6: I look for 15 absences in 90 days as a priority to refer. I usually wait until I have exhausted everything I can do and I am professionally exhausted with a case.

Subject 7: In a decision to refer, I look for a lack of improvement in attendance, parents that don't follow through, and a refusal to cooperate. I also look for parents that aren't truthful.

Subject 8: I usually look for parents that are not being cooperative, continued absences and other items on the AIT contract that have been broken.

Subject 9: I always like to talk to a parent before I refer a case on. I look for parents that are giving me trouble. I don't have patience for parents with excuses. I have a high referral rate, probably about 80%.

Subject 10: If the parents or students don't cooperate, then a referral is made.

Subject 11: I talk to the parent and decide what the real problem is and then I refer appropriately.

Subject 12: If I am working with an elementary or middle school child, I look for a parent problem. I refer if there is no interest on the parents part in their child's attendance. I also look to see if the child is in power at home. Parents should be parents. In middle or high school, I look to see if the child is being disrespectful and then refer to YCC if that is the case.

Subject 13: I look for a willingness or unwillingness to agree to the school AIT process and if not then I refer. A parent's refusal to cooperate usually results in a referral.

Subject 14: If it is a young child, I am looking for a parent response. Has that parent been responsible, or are they taking attendance lightly? Many parents are negative about things. If it is an older child, I refer to YCC when I see that 80% of the problem is the child refusing to go to school. I don't think that older kids are interested in school.

Subject 15: I refer to the State Attorney's Office if there is a defiant parent. This could be a parent that is aware of not putting their child in school, for a child with head lice where the parent is not doing to treatment at home. If a parent is really trying, but still is having a hard time, then I don't refer them.

Subject 16: The key factor for me is the next set of 5 unexcused absences after the parent has been alerted to the problem. The court experience will straighten a parent out, but there is too much paperwork involved in TAP.

Subject 17: Primarily, the number of absences determine if there will be a referral. The parent refusing to cooperate is a priority for the State Attorney's Office.

Subject 18: I refer if I am unable to meet that family's need. I look for no good faith efforts by the family. If another intervention is needed and I can't give it, then maybe someone else can and I refer.

Question 4: How do you manage to stay on top of things with the amount of cases you have?

Subject 1: I handle the ones that appear to be the most pressing and try to get on them right away. It is very difficult and we need more attendance assistance.

Subject 2: Organization is the key. I get right to priority and work cases as given. I try to file by date. I always look for a history or pattern of attendance problems and try to keep it as fair as possible.

Subject 3: The attendance team is very helpful because some members of the team are responsible for sending letters to the family for me. Some schools have a secretary that can call parents and set up a relationship with them. That helps me a lot.

Subject 4: The schools let me know what they need done. Whoever yells the loudest gets what they want.

Subject 5: I just monitor the absences on my cases. If there are no absences when I get a case, then I don't make any contact with the family.

Subject 6: I re-prioritize daily. Truancy is a symptom and the AIT's allow the social workers to look deeper into a family.

Subject 7: I always keep my case open even after I make a referral. This saves me time from re-opening cases.

Subject 8: I work cases as they are received and by their level of crisis.

Subject 9: I get the case, do what I can and refer it on as quickly as possible so my case load stays down.

Subject 10: All of my cases get some amount of attention. I don't have any priority cases, they are all priority.

Subject 11: Not all of my schools send in referrals, and if they do it is usually only a few.

Subject 12: A good person at the school is helpful to me.

Subject 13: I refer every case I get if there is a violation. There is never a case that I have not paid attention to.

Subject 14: I depend a lot on information from schools and in many cases that information is not forthcoming. This puts the social worker in the spot of getting second hand information.

Subject 15: I stick with the schools that have a high referral rate. Schools with low referrals don't know the process and I do my best to work with them. Some schools refer to me as a last resort, so if I get a referral from them I know it is bad. Last year I only referred 5 cases to the State Attorney's Office.

Subject 16: I stop working a case when the child is 16. I start making my referrals a month into school and that helps me stay on top of my cases.

Subject 17: I respond to the squeaky wheel. I work what the school sees as a priority and work extra hours if needed. For example, last year a teacher said to me that a child had the potential to learn to read if she would come to school. I worked that case over the summer even though I was off of work.

Subject 18: Some schools are not heavily referring cases, so it balances out with the schools that do. I work with the students in middle and high school and I work with the parents in elementary school.

Question 5: Do you see differences in the truancy of boys and girls? If yes, what are they and how do you handle it?

Subject 1: Truancy is about 50/50 with boys and girls. The boys might be slightly higher though. I don't see any behavioral differences.

Subject 2: Girls have more issues. I get more referrals on girls in elementary school. In the younger kids, girls mature earlier and the kids react to messages from the parent. If the parent does not value school then neither does the child. In middle school, there are more boys with truancy problems. Girls have a lot of runaways and parents are more concerned about their sexual relationships than they are about boys. Most of the boys have just given up and waiting till they turn 16 so they can drop out.

Subject 3: There is no difference in gender. There are a lot of children with health issues because the families don't understand the illness and insurance is too confusing for them.

Subject 4: The difference is poverty, income, and parental supervision, and not gender. The biggest predictor of truancy is a family history of truancy. Surviving by the day becomes the priority.

Subject 5: I don't really see a difference in gender. Most of my cases are just names and numbers.

Subject 6: Girls are getting meaner and tougher and girls are more difficult to develop a relationship with. Once they start skipping, they keep going unless there is an intervention. Early intervention is important.

Subject 7: More boys are referred to me for attendance, but girls are harder to work with.

Subject 8: Girls are influenced more by boys to skip school. Boys are focused on anything to distract them from school.

Subject 9: There is no difference in boys and girls in middle and high school. I have more girls with truancy problems in elementary school. I think primarily because they are kept home to help with younger siblings and it is easier to come up with excuses for girls to miss school than it is for boys.

Subject 10: There are no gender differences. Boys and girls have similar reasons for their absences and the excuses are the same.

Subject 11: There are no gender differences in elementary school. In middle school and high school, girls want to run away from home more often. The boys seem to get behind in school and then don't want to go back.

Subject 12: Years ago, it was always more boys, but the girls are evening things out now. Girls have more freedom now and are taking advantage of it. They (girls) need stricter rules. Some of the problems come from all of the single parent households.

Subject 13: Both genders have the same excuses. They are influenced by each other. Girls do cut class a lot though.

Subject 14: In elementary school, there is no difference because the parents are being neglectful. In middle and high schools, there are more boys because boys hang out more as a group. Boys have many more common interests.

Subject 15: Most of my cases are boys. Mothers are over-protective of their girls and keep them home if they are picked on. Some mothers keep girls home to help them and justify it because of their good grades. Boys usually have behavior and self-esteem problems. They seem to be angry and frustrated.

Subject 16: There seem to be a lack of good parenting. Middle and high school truancy started in elementary school. I don't see a gender difference. Both genders take advantage of parents working and education seems to not be important to the kids.

Subject 17: In elementary school, there is no gender difference. In secondary school, there might be more boys because they run the streets more.

Subject 18: I don't think that the different numbers in boys and girls is significant. Girls stay home because of family issues and boys stay home because of peer pressure. Parents of elementary girls allow them to stay home because of hair and clothes or conflict with another girl.



# Duval County Public Schools



John C. Fryer, Jr.  
Superintendent of Schools

## MISSION

*The Duval County Public School System is committed to providing high quality educational opportunities that will inspire all students to acquire and use the knowledge and skills needed to succeed in a culturally diverse and technologically sophisticated world.*

— Adopted February 3, 1994

Dear Parent/Guardian:

Please be advised that your child is not attending school regularly and has a minimum of five (5) unexcused absences within the past month. Florida law (Section 222.17, Florida Statutes) requires that an Attendance Intervention Team (AIT) at the school meet with you to identify the reasons for your child's non-attendance and offer services to help him/her have a successful school year.

You are required to contact your child's school to schedule an AIT meeting within 5 days of receipt of this letter. Failure to contact the school to schedule and attend an AIT meeting may result in a hearing at the State Attorney's Office. A joint letter from Mr. John C. Fryer, Jr., Superintendent of Schools, and Mr. Harry L. Shorstein, State Attorney, has been sent to you explaining the importance of your attendance at this meeting.

By law (Section 232.09, Florida Statutes), each parent of a child within the compulsory attendance age shall be responsible for the child's school attendance. The absence of a child from school without a valid reason shall be in violation of this law. The law further states that a parent/guardian who refuses or fails to have a child under his/her control attend school regularly shall be guilty of a misdemeanor of the second degree, punishable as stated by law.

We are very interested in your child learning as much as possible from his/her school experiences, but your cooperation is needed in order for this to happen. Again, it is very important that you contact the school immediately to arrange a meeting with the AIT to discuss your child's attendance problem. If you have any questions, please call the District Level Attendance Office at 390-2094.

Yours truly,

**Signature Deleted**

D. Cobb  
Coordinator, Attendance Services

cc: Principal

1701 Prudential Drive Jacksonville, Florida 32207-8182  
World Wide Web: <http://www.educationcentral.org>

(904) 390-2000  
TDD:(904) 390-2898



John C. Fryer, Jr.  
Superintendent of Schools

**MISSION**

*The Duval County Public School System is committed to providing high quality educational opportunities that will inspire all students to acquire and use the knowledge and skills needed to succeed in a culturally diverse and technologically sophisticated world.*

— Adopted February 2, 1998

appendix 1

# Duval County Public Schools

Dear Parent/Guardian:

In reviewing the attendance records compiled by the Student Information Management System, it appears your child is not attending school as regularly as expected. Florida Law (Section 232.17, Florida Statutes) requires that an Attendance Intervention Team (AIT) meet with you in an attempt to identify the reasons for your child's attendance problem and offer services to help create opportunities for a successful school year.

In order to address this concern, you are requested to contact your child's school within 5 days of receipt of this letter to schedule an AIT meeting. By law (Section 232.09, Florida Statutes), the parent is responsible for regular attendance of a child who is within the compulsory school attendance age. It is a violation of the law for a child to be absent from school without a valid excuse, as defined by Duval County School Board policy.

If this letter regarding your child's attendance is sent in error, please accept my apology. We are very interested in your child learning as much as possible through regular school attendance, but your cooperation is needed in order for this to happen. Again, it is very important that you contact the school immediately to arrange a meeting with the AIT to discuss your child's attendance problem. If you have any questions after contacting your child's school, please call the District Level Attendance Office at 390-2094.

Yours truly,

**Signature**  
**Deleted**

Ms. D. Cobb  
Coordinator, Attendance Services

cc: Nancy Snyder  
Regional Superintendents  
Principals

1701 Prudential Drive Jacksonville, Florida 32207-8182  
World Wide Web: <http://www.educationcentral.org>

(904) 390-2000  
TDD:(904) 390-2898

Appendix J  
IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
IN AND FOR DUVAL COUNTY, FLORIDA

IN RE: INVESTIGATION

SUBPOENA DUCES TECUM

TO ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA:

We command you to summon the [REDACTED] Elementary School or their designee to be and appear before the State Attorney located at the Duval County Courthouse, 330 East Bay Street, Jacksonville, Florida on February 23, 2003, and bring and produce for inspection and copying, with regard to students who are attending [REDACTED] Elementary School the following:

All school attendance records for all students with five or more unexcused absences during the month of January, 2003, and/or ten or more unexcused absences between August 7, 2002 and January 31, 2003. Said records shall also include the identification of each student who meets said criteria including, but not limited to, the student's name, address, telephone number, birth date, parents' and/or guardians' names, address and telephone number.

**In lieu of personal appearance, the documents requested above may be delivered to Tye Welsh, or his designee, at any date prior to February 23, 2003.**

And this you shall in no wise omit.

WITNESS, the Clerk of said Court, and the seal of said Court at Jacksonville, Duval County, Florida, this 12 day of February, 2003.

By: JAMIE LUKE  
Deputy Clerk for the Clerk of the Court

DUVAL COUNTY SCHOOL BOARD

DATE: 06/27/2002

ATTENDANCE REPORT FOR YEAR 2002

PAGE: 4

ROOM:

SCHOOL: ELEMENTARY

SUMMARY ATTENDANCE REPORT

NUM	STU-NAME	S/E	GR	QUARTER 1				QUARTER 2				QUARTER 3				QUARTER 4				SUMMER				YEAR TOTALS EXC UNE TRD PRS	ENTER DATE	WD DATE
				EX	UN	TR	PR	EX	UN	TR	PR	EX	UN	TR	PR	EX	UN	TR	PR	EX	UN	TR	PR			
F W 01				45				45				47			43					180	08/07/2001	05/24/2002				
M W 01										3		9			9				3	18	02/27/2002	04/08/2002				
M W 01				45				45	3		44	4	39					7	173	08/07/2001	05/24/2002					
F W 01				45	5		1 40	1		1 46	3	3 40						9	5 171	08/07/2001	05/24/2002					
M W 01	1			3 44			45	1		46		43						2	3 178	08/07/2001	05/24/2002					
M W 01						3	26	5		42	3	23						11	91	11/06/2001	05/01/2002					
M W 01							2 11	1		2 46	5	5 38						6	9 95	12/05/2001	05/24/2002					
F W 01	8			8 39	10		5 35	10		14 37	11	12 32						37	39 143	08/07/2001	05/24/2002					
M W 01	7			2 38	2		1 43	3		2 44		2 43						12	7 168	08/07/2001	05/24/2002					
M W 01							40			47	1	42						1	129	10/22/2001	05/24/2002					
F W 01	3			42	5		40	4		1 43	7	36						19	1 161	08/07/2001	05/24/2002					
F B 01				45			45			47	1	42						1	179	08/07/2001	05/24/2002					
M W 01	2			1 43	1		1 44	2		2 45	2	3 41						7	7 173	08/07/2001	05/24/2002					
F W 01	8			12 39	8		2 37	13		4 34	12	4 31						39	22 141	08/07/2001	05/24/2002					
F W 01	3			3 42	6		1 39	6		1 41	2	2 41						17	7 163	08/07/2001	05/24/2002					
M W 01				45			45	4		43	2	1 41						6	1 174	08/07/2001	05/24/2002					
M W 01	7			1 18	10		4 35	5		42	2	1 41						24	8 136	09/05/2001	05/24/2002					
F W 01				45	5		40	6		41	6	37						17	163	08/07/2001	05/24/2002					
F W 01	15			30	1		44	8		2 39	2	41						28	2 154	01/07/2002	05/24/2002					
M W 01	2			10 43	8		9 37	5		5 42	6	2 37						21	28 159	02/28/2002	05/24/2002					
M W 01				14															14		08/24/2001	09/17/2001				
F W 01				45	4		41	1		46	2	41						7	173	08/07/2001	05/24/2002					
F W 01	1			2 44			45			1 47		43						1	3 179	08/07/2001	05/24/2002					
F W 01	5			1 40	11		3 34	7		40	4							27	4 114	08/08/2001	04/01/2002					
M A 01	1			1 44	8		37	1		46		17						10	1 144	08/07/2001	04/18/2002					
F W 01	2			1 43	5		2 40	3		6 44	4	5 39						14	14 166	08/07/2001	05/24/2002					
M W 01	2			5 43	3		3 42	1		3 46	6	11 37						12	22 168	08/07/2001	05/24/2002					
M W 01				1 44	1		44			47	1	42						2	1 177	11/26/2001	05/24/2002					
F W 01	9			38	5		1 40	10		1 37	7	1 36						31	3 148	08/07/2001	05/24/2002					

Appendix K



STATE ATTORNEY  
Fourth Judicial Circuit of Florida  
Duval County Courthouse  
Jacksonville, Florida 32202-2982  
Tel: (904) 630-2400  
Fax: (904) 630-1848

HARRY L. SHORSTEIN  
STATE ATTORNEY

A. JAY PLOTKIN  
CHIEF ASSISTANT

April 7, 2003

The State Attorney's Office has authorized Carrie Tullos to have access to records pertaining to the Truancy Arbitration Program. It is our understanding that this information will be used for the purpose of completing the academic requirements for her thesis. The information shall include, but not be limited to truancy rates in Duval, Clay and Nassau counties, case files and records relating to the arrest of parents of truant children.

If any additional information is required I can be contacted at 630-2075.

**Signature Deleted**

Bill Hodges  
Chief Administrative Officer

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## Vita

Carrie Lynn (Rittberger) Tullos was born in Canton, Ohio in February of 1976. She graduated from The Florida State University in 1998 with a Bachelor's Degree in Criminology. While completing her Masters Degree in Criminal Justice from The University of North Florida she was employed by the State Attorney's Office in Duval County. She began as a case manager for a juvenile diversion program. She then became the case manager of the Truancy Arbitration Program. She held the truancy position for three years before moving to Texas with her husband.