



# Truancy

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## Background

Truancy, also called skipping school, is defined by all states as unexcused absences from school without the knowledge of a parent or [GUARDIAN](#). It has been romanticized through literature and films by characters such as Tom Sawyer and Ferris Bueller as the harmless mischief juveniles do on sunny days. But the fact is juveniles who are school-aged are required by all states to attend school, whether that school be public, private, parochial, or some other educational forum. Truancy is, therefore, a [STATUS OFFENSE](#) as it only applies to people of a certain age. The school age of a juvenile varies from state to state, with most states requiring attendance either from age six to age 17 or from age five to 18. There are a number of exceptions, such as Pennsylvania, which denotes school age as between eight and 17 and Illinois which denotes school age as between seven and 16.

The number of days required in order for a juvenile to be labeled "truant," varies by school, school district, and state. State legislation tends to provide some guidelines for school districts by setting a maximum number of absences allowed. School districts then tighten these guidelines. For example, in Pennsylvania, a truant is a school-aged juvenile who is absent from school more than three times after a notice of truancy has been sent to the juvenile's home. In Louisiana, a juvenile is deemed truant after the fifth unexcused absence from school, provided the absences occur in a single month. Many school districts define truancy as any unexcused absence, where unexcused means the student has left school property without parental or school permission.

## The Rational for Truancy Laws

Compulsory education began about sixty years ago and was strongly influenced by labor unions who were trying to keep children from working. The participation of children in the labor force kept adult wages low. Compulsory attendance in schools also lifted some authority of parents over their children to the state, as parents could no longer force their children to work. The state's authority in school attendance was underscored in *Prince v. Massachusetts* (1944). In this case, the Supreme Court decided that the state had the right to uphold [CHILD LABOR LAWS](#) and parents' authority could not preempt that of the state. Therefore, children had to attend school whether their parents supported education or not.

## Encyclopedia of Everyday Law: Truancy

In recent research conducted by the Office for Juvenile Justice and Delinquency Prevention (OJJDP, 2001), links between truancy and other, more serious forms of delinquency have been delineated. For example, the links between truancy and substance abuse, [VANDALISM](#), auto theft, and gang behavior have all been established in criminology literature (see Loeber & Farrington, 2000 for details). The link between truancy and later, violent offending has been established in studies that examine male criminality (e.g., see Ingersoll & LeBoeuf, 1997). In turn, adults who were truants as juveniles tend to exhibit poorer social skills, have lower paying jobs, are more likely to rely on welfare support, and have an increased likelihood of [INCARCERATION](#) (Hawkins & Catalano, 1995).

Residents have also put pressure on schools and lawmakers to tighten truancy laws as groups of young people loitering in public during school hours often appear threatening. In Tacoma, Washington, an increase in truancy was associated with an increase in juvenile perpetrated property crimes, such as [BURGLARY](#) and vandalism. This increase in juvenile daytime crime led to a program targeting the enforcement of truancy laws in this state.

Those school districts with the highest truancy rates also have the lowest academic achievement rates. This link is usually established through truancy policies which deem automatic failure in courses where students are regularly absent. Therefore, students who do not attend school on a regular basis are unlikely to graduate from high school. Between 1992 and 2002 there have been approximately three million young adults each year aged between 16 and 24 who have either failed to complete high school or not enrolled in high school (National Center for Education Statistics, 2001). This number represents about 11 percent of young adults in the United States. Within this group, there are a disproportionate number of minority students; for example, 30 percent of Hispanics are not completing high school (NCES, 2001). This number increases to 44 percent if the students counted were born outside of the United States (NCES, 2001). Thus, the recency of [IMMIGRATION](#) seems to have important implications in the study of high school dropout rates. Researchers have linked this correlation to parental attitudes toward education. However, coming from countries where education is not highly valued, parents may not encourage their children to attend school, increasing the truancy rate and also increasing the drop out rate (Alexander et al., 1997).

Failure at high school not only affects the individual, but it also affects society. Affected students cannot attend college, are more likely to have low paying jobs and feel political apathy; they then can constitute a loss in tax revenue, may experience health problems, and place a strain on social services (Rosenfeld, Richman and Bowen, 1998). A recent U. S. Department of Labor study shows that 6.7 percent of adults with no high school diploma are likely to be unemployed, while only 3.5 percent of adults with a high school diploma are likely to be unemployed. With a bachelor's degree, only 1.8 percent of adults are likely to be unemployed (U. S. Dept. of Labor, 1999).

### Extent of the Truancy Problem

Although there are currently no national statistics available on the extent of the truancy, many states and cities do keep their own statistics which are often used to influence policy. A recent national study of school principals revealed that truancy was listed as one of the top five concerns by the majority of respondents (Heaviside, et al., 1998). In Chicago, a study conducted during the 1995-1996 school year indicated that the average 10th grader missed six weeks of instruction (Roderick et. al., 1997). Recent OJJDP research suggests that the number of truants are highest in inner city, public schools, where there are large numbers of students and where a large percentage of the student population participate in the free lunch program (OJJDP, 2001).

In terms of court processing, the number of truancy cases referred to juvenile courts is fairly small; for example, in 1998, about 28 percent of referred status offenses were truantries, which is an 85 percent increase

compared with the previous ten years. However, this number is expected to increase dramatically given recent changes to truancy laws. Interestingly, the OJJDP (2001) reports that females are just as likely as males to be adjudicated for truancy.

## Correlates of Truancy

The following factors have been found to have associations with truancy in that the likelihood of truancy is increased given the presence of these variables. First are family factors, such as lack of supervision, physical and psychological abuse, and failure to encourage educational achievement. Second are school factors which can range from inconsistent enforcement of rules to student boredom with curriculum. Economic factors are a third correlate, and these could be factors such as high family mobility or parents with multiple jobs. Last are student characteristics such as drug and alcohol abuse, ignorance of school rules, and lack of interest in education.

## Enforcing Truancy Laws

In all states, the first body responsible for enforcing truancy laws is usually the school. School officials, such as school truancy officers, teachers, and school principals, refer truancy cases to juvenile court [JURISDICTION](#). However, if truant individuals are found in a public area, they may be detained by police or taken to a detention facility.

Arizona was the first state in the United States to implement and enforce a get-tough approach to truancy laws. Research on truancy in Arizona began in the early 1990s. Pima County had the highest truancy rate in the state during this time period; in fact, truants from this county made up half of all truants in the state. Because of the extent of the problem, Pima County began a program called ACT Now (Abolish Chronic Truancy) which aimed to strictly enforce state and district truancy laws and offer a diversion program to address the root causes of truancy. The program also sought to provide serious sanctions for both juveniles and their parents if truancy persisted or if conditions specified by the diversion program were not met. School districts, school administrators, law enforcement personnel, and community agencies are involved in this program.

Once a student has one unexcused absence from school, a letter is sent home to the student's parents explaining the consequences of truancy. After a third unexcused absence, the juvenile is referred to the Center for Juvenile Alternatives (CJA) which makes a recommendation to the juvenile court. A letter is sent to the juvenile's parents explaining the diversion program or the alternative court imposed sanctions, and the parents decide which course of action they would prefer.

The diversion program consists of counseling, parenting classes, support groups, etc. Very often parents have no idea that their child is missing school, or they do not seem to care. Support groups and classes teach parents about the value of education and also help parents communicate more effectively with their teenagers. In their report, the CJA will identify which type of intervention is best for the family, and the juvenile and his or her parents will be referred accordingly. Both parents and the juvenile must sign an agreement promising to abide by the conditions of the diversion program. Successful completion of the program results in the truancy case being dismissed.

The ACT Now program has been formally evaluated by the American Prosecutors Research Institute (APRI), and each school district involved in the program has shown a steady decrease in the number of truantries each year. In the district with the highest percentage of truantries, ACT Now helped reduce truantries by 64 percent

between 1996 and 1998. This program and versions of it are financially supported by the Department of Justice and have been implemented in many other states.

## Getting Tough on Parents

Many states also hold parents accountable for their children's truancy, and Arizona was the first state to implement such laws. The rationale behind this movement was to coerce parents into taking an active role in their children's education and for all parties to take truancy laws and school attendance seriously. In Virginia, parents can be fined and jailed for failure to adequately supervise school-aged children, which includes making sure they are attending school. In Pennsylvania, parents can also be fined and jailed if they have not taken reasonable steps to ensure their child is attending school. In Texas and many other states, similar laws have recently been passed.

## Truancy and Home Schooling

The popularity of home schooling has increased dramatically between 1997 and 2002, and the Department of Education estimates that between 700,000 and two million children were home schooled during the 1999-2000 academic year. This fact has a large impact on the enforcement of truancy laws, as home schooled children may be out in public during school hours and could be apprehended by police. In many states, the right to home school children is protected by the state's constitution. For example, the constitution of the state of Oklahoma reads:

**THE LEGISLATURE SHALL PROVIDE FOR THE COMPULSORY ATTENDANCE AT SOME PUBLIC OR OTHER SCHOOL, UNLESS OTHER MEANS OF EDUCATION ARE PROVIDED, OF ALL THE CHILDREN IN THE STATE WHO ARE SOUND IN MIND AND BODY, BETWEEN THE AGES OF EIGHT AND 16 YEARS, FOR AT LEAST THREE MONTHS IN EACH YEAR.(Article XIII)**

Many states, like Oklahoma, have not yet resolved how home schooling affects the enforcement of truancy laws. For example, in Illinois, there are currently no provisions for home schooled children under the law, and these children would be in violation of the state's truancy laws if those laws were enforced. The only exceptions to the truancy laws, that is, those circumstances in which school-aged individuals are not required to attend a public school in Illinois are: those attending private or parochial schools, those who are physically or mentally unable to attend school, those females who are pregnant or have young children, those who are lawfully employed, and those individuals who are absent for religious holidays.

The regulation of home schooling thus varies greatly by state. Some states have very little regulation and do not require parents to contact the state to inform officials that children will be home schooled. Some of these states are Arkansas, Indiana, Illinois, Oklahoma, Michigan, Missouri, and New Jersey. Other states, such as California, Arizona, New Mexico, Alabama, and Kentucky, have low regulation and require that parents who are home schooling their children report this fact to the state. Other states, such as Virginia, North Carolina, South Carolina, Georgia, Colorado, Oregon, Florida, Tennessee, Arkansas, and Louisiana, have moderate regulation in which parents must report test scores and student evaluations to the state. Some states, such as New York, Pennsylvania, West Virginia, Maine, Rhode Island, Massachusetts, Washington, and Utah, require parents to submit test scores and evaluations of students and also professional evaluations of teachers and curriculum for approval. The level of regulation in each state affects how truancy laws can be enforced. If the state has no record of students being home schooled, it is difficult to enforce truancy laws across the board.

## Examples of State Truancy Laws

Although states vary in their responses to truancy, their laws in defining truancy are fairly similar. Below are some examples for various states.

**CALIFORNIA:** Any school-aged child who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during one school day on three occasions during the school year or any combination thereof is considered truant and should be reported to the supervisor of the school district.

**CONNECTICUT:** A truant is a child between the ages of five and 18 who is enrolled in any public or private school and has four unexcused absences in a month or 10 in any school year. A **HABITUAL** truant is a child of the same age who has 20 unexcused absences from school during a school year.

**ILLINOIS:** A truant is defined as any child subject to compulsory schooling and who is absent from school unexcused. Absences that are excused are determined by the school board. A chronic or habitual truant is a school-age child who is absent without valid cause for 10 percent out of 180 consecutive days. The truant officer in Illinois is responsible for informing parents of truancy and referring the case to juvenile court.

**LOUISIANA:** Any student between the ages of seven and seventeen is required to attend school. A student is considered truant when the child has been absent from school for five school days in schools operating on a semester system and for ten days in schools not operating on a semester basis. A student may be referred to juvenile court for habitual absence when all reasonable efforts by school administrators have failed and there have been five unexcused absences in one month. The school principal or truancy officer shall file a report indicating dates of absences, contacts with parents, and other information.

**VIRGINIA:** Any student between the ages of five and 18 is subject to compulsory school attendance. After a pupil has been absent for five days during the school year without a valid excuse, a notice is sent to parents outlining the consequences of truancy. A conference with school officials and parents is arranged within fifteen school days of the sixth absence. Once a truant has accumulated more than seven absences during the school year, the case will be referred to juvenile and domestic relations court.

## Additional Resources

*Current population survey, March 2000.* U.S. Census Bureau, Government Printing Office, 2001.

*Dropout Rates in the United States: 1999.* National Center for Education Statistics, 2001. Available on-line at <http://nces.gov/pubs2001.htm>, [Accessed October 28, 2001].

*From First Grade Forward: Early Foundations of High School Dropout.* Alexander, Karl L., Entwisle, Doris R and Horsey, Carrie S. (1997). *Sociology of Education*, 70, (2), 87-107.

*Habits Hard to Break: A New Look at Truancy in Chicago's Public High Schools.* M. Roderick, J. Chiong, M. Arney, K. DaCosta, M. Stone, L. Villarreal-Sosa and E. Waxman. Research in Brief: University of Chicago, School of Social Service Administration, 1997.

*Manual to Combat Truancy.* U. S. Department of Education and the Department of Justice, 1996. Available online at <http://www.ed.gov/pubs/Truancy/index.html> [Accessed October 28, 2001].

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*Reaching Out to Youth Out of the Education Mainstream.* S. Ingersoll and D. LeBoeuf. Office of Juvenile Justice and Delinquency Prevention, 1997.

*Risk Focused Prevention: Using the Social Development Strategy.* J. D. Hawkins, and R. Catalano. Developmental Research and Programs Inc., 1995.

*Supportive Communication and School Outcomes for Academically At-Risk and Other Low Income Middle School Students.* Lawrence, B. Rosenfeld, Jack, M. Richman, and Gary, L. Bowen (1998). *Communication Education*, 47, (4), 309-325.

*Truancy Reduction: Keeping Students in School.* Myriam L. Baker, Jane N. Sigmon and M. Elaine Nugent. Office of Juvenile Justice and Delinquency Prevention, 2001.

*Violence and Discipline Problems in U. S. Public Schools: 1996-1997.* S. Heaviside, C. Rowand, C. Williams and E. Farris. U. S. Department of Education, 1998.

*Young Children who Commit Crime: Epidemiology, Developmental Origins, Risk Factors, Early Interventions, and Policy Implications.* Richard Loeber and David Farrington (2000). *Development and Psychopathology*, 12 (4), 737-762.

## Organizations

### ***Home School Legal Defense Association***

P.O. Box 3000  
Purcellville, VA 20134-9000 USA  
URL: <http://www.hslda.org>

### ***Kansas City In School Truancy Prevention Project***

1211 McGee Street  
Kansas City, MO 64106 USA  
Phone: (816) 418-7946  
URL: <http://www.kcmsd.k12.mo.us/truancy/index.html>

### ***National Home Education Research Institute***

P.O. Box 13939  
Salem, OR 97309 USA  
Phone: (503) 364-1490  
Fax: (503) 364-2827

### ***Project Intercept***

1101 South Race Street  
Denver, CO 80210 USA  
Phone: (303) 777-5870

### ***National Center for Juvenile Justice***

710 Fifth Avenue, Suite 3000  
Pittsburgh, PA 15219 USA  
Phone: (412) 227-6950  
Fax: (412) 227-6955

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URL: <http://brendan.ncjfcj.unr.edu/homepage/ncjj/ncjj2/index.html>

*Office of Juvenile Justice and Delinquency Prevention U. S. Department of Justice*

Washington, DC USA

URL: <http://www.ojjdp.ncjrs.org>

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