

**Testimony Supporting
H.B. 5357: An Act Concerning Chronic Absenteeism**

Testimony of Emmanuel Hampton¹

To the Committee on Education

March 3rd, 2014

Senator Stillman, Representative Fleischmann, and Distinguished Members of the Education Committee:

I am a member of the Legislative Advocacy Clinic of the Jerome Frank Legal Services Organization at Yale Law School. I am testifying today on behalf of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

Summary: Connecticut Voices for Children supports H.B. No. 5357 which would empower schools to identify the root causes of absenteeism, and to effectively coordinate their intervention resources in the best manner. CT Voices also endorses amending H.B. 5357 so that the definition of “chronically absent child” would include excused absences as counting toward the “chronically absent” designation. Non-educational absences hurt children’s performance in school (especially in their early learning). This change would allow Connecticut schools to respond to these absences. Excused absences, though not truant, often also indicate a child, or family’s, need for a range of social and health services. In this respect, CT Voices believes that the adequate tracking of, and response to, chronic absenteeism, can provide a key access point to understanding and addressing a range of needed interventions for school-aged children. Pursuant to the goal of providing a full range of actionable absence information, CT Voices also recommends that H.B. 5357 account for disciplinary absences in its measure of chronic absenteeism. Currently, disciplinary absences are not counted for the purpose of truancy.² H.B. 5357 also fails to account for these absences in its measure of chronic absence.³ Children miss no less learning when they are away for disciplinary suspension than when they are away for other non-educational reasons. This step would allow Connecticut to combat the causes of absenteeism for all of its students.

¹ Emmanuel Hampton is a student at Yale Law School. This testimony was prepared through the Yale Law School Legislative Advocacy Clinic under the supervision of J.L. Pottenger, Jr., Nathan Baker Clinical Professor of Law, Shelley Geballe, Distinguished Senior Fellow at Connecticut Voices for Children and Clinical Visiting Lecturer at Yale Law School, and Kenneth Feder, Policy Fellow at Connecticut Voices for Children.

² See H.B. No. 5357 (a)(1) & (2) (using only unexcused absences to define truant and chronically absent children).

³ See “Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention,” *Connecticut Department of Education* (2013) (“Absences that are the result of school or district disciplinary action are excluded from these [excused absences and unexcused absences] definitions”).

1. Excused and Unexcused Absences Hurt Children’s School Performance.

A child who is excused from school, but not truant, may be absent for a range of reasons that deprive him or her of a meaningful learning experience.⁴ In Connecticut, chronic absence is correlated with poor performance on state-wide learning measures, especially for Connecticut’s poor and minority students. From 2011-2012, in grades 3-8, students with satisfactory attendance (greater than 95%) who were eligible for Free Lunch Subsidies were 14.4% more proficient in the in mathematics, on the Connecticut Mastery Test (CMT), and 6.6% more proficient in reading, than chronically absent students with Free Lunch eligibility.⁵ Chronically absent African-American students in grades 3-8, over the same period, were 17.6% less proficient in math, and 13.3 % less proficient in reading (as measured by CMT performance) than African-American students with satisfactory attendance.⁶ Chronically absent Latino students in grades 3-8 were 20.6% less proficient in math, and 12% less proficient in reading, over the same period than Latino students with satisfactory attendance.⁷

Moreover, chronic absenteeism hurts the future learning of our youngest children. The “NCCP’s [the National Center for Children and Poverty] national data analysis found that chronic absence in kindergarten is associated with lower academic performance in first grade.”⁸ “Among poor children, chronic absence in kindergarten predicts the lowest levels of educational achievement at the end of the fifth grade.”⁹ Chronic absenteeism also widens the education gap at the middle school and high school levels.¹⁰ In addition, whatever the cause of absence, the disruption to every student’s learning environment by the inconsistent attendance of even a minority of students, and the diversion of the resources that those absences cost, can have school-wide, and community-wide consequences.

2. Tracking Chronic Absenteeism Empowers Schools to Address the Root Causes of Absenteeism Without Criminalizing Students.

⁴ See, definition of *Excused Absence*, “Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention,” *Connecticut Department of Education* (2013) (defining students’ first nine absences as excused for “[a]ny reason that the student’s parent or guardian approves”).

⁵ Bureau of Data Collection, Research & Evaluation, “Chronic Absenteeism: A Closer Look at Connecticut Data,” *Connecticut State Department of Education* 14-15(2013).

⁶ *Id* at 16-17.

⁷ *Id*.

⁸ Hedy N. Chang & Mariajosé Romero, “Present, Engaged, and Accounted For: The critical Importance of Addressing Chronic Absence in the Early Grades,” 8 (2008).

⁹ *Id* at 4.

¹⁰ Robert Balfanz et al, “The Importance of Being in School: A Report on Absenteeism in the Nation’s Public Schools,” *Johns Hopkins University School of Education Center for Social Organization of Schools* (2012).
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The rate at which a student is absent from school is often an important indicator of their wellbeing. Researchers now know that high rates of absenteeism often signal need, ranging in substance from medical, to nutritional, to psychological, and beyond.¹¹ In Connecticut, “[s]tudents eligible for free lunch are three times as likely as their peers who are not eligible for lunch subsidies to be chronically absent”¹² “English Language Learners and Students with Disabilities also evidence substantially higher chronic absenteeism rates when compared to their general education peers.”¹³

According to NCCP [the National Center for Children and Poverty], absence in kindergarten and first grade increased when family income was lower. In kindergarten, children from families living in poverty were four times more likely to be chronically absent than were their peers from families earning a least 300 percent of the federal poverty level. In first grade, children from families in poverty were still 3.6 times more likely to be chronically absent than were their most affluent peers.¹⁴

Aggregated school attendance data can easily mask problems of chronic absenteeism, as a school may maintain a high average attendance, but have a large number of students who are chronically absent. In Connecticut specifically, from 2011 -2012 at least three Alliance Districts with Network Schools showed over a 90% attendance rate, even though their rates of chronic absenteeism were 20% or greater.¹⁵ “[E]ven in a school with 95% daily attendance, 30% of the student population could be chronically absent.”¹⁶ H.B. 5357, in holistically accounting for student absences, empowers schools to track and address chronic absence that may not be truant, or detectable by aggregated statistics, but important to insuring that the needs of all school children are met.

3. Tracking Chronic Absenteeism can Help Schools Effectively Coordinate their Intervention and Resources.

H.B. 5357 embodies an effort to address problems of school absence without criminalizing students and parents who may be in need of social and health supports. By requiring school boards to consider the nature of students’ absences, and to make recommendations for

¹¹ Hedy N. Chang & Mariajosé Romero, “Present, Engaged, and Accounted For: The Critical Importance of Addressing Chronic Absence in the Early Grades,” 4 (2008). See also Charles Bruner et al, “Chronic Elementary Absenteeism: A Problem Hidden in Plain Sight,” *Child & Family Policy Center* (2011).

¹² Bureau of Data Collection, Research & Evaluation, “Chronic Absenteeism: A Closer Look at Connecticut Data,” *Connecticut State Department of Education* 6 (2013).

¹³ *Id.*

¹⁴ Hedy N. Chang & Mariajosé Romero, “Present, Engaged, and Accounted For: The critical Importance of Addressing Chronic Absence in the Early Grades,” 13 (2008).

¹⁵ Bureau of Data Collection, Research & Evaluation, “Chronic Absenteeism: A Closer Look at Connecticut Data,” *Connecticut State Department of Education* 3 (2013).

¹⁶ *Id.* at 4.

interventions, H.B. 5357 creates the opportunity for meaningful intervention for chronically absent students.

In the end, H.B. 5357 can only be as strong as the resources given to the school, and school boards, that implement its plan. CT Voices believes that strengthening measures like P.A. 13-64 concerning *Community Schools*, by funding school, and school board, efforts to establish community coordinated “comprehensive educational, developmental, family, health and wrap-around services” will ensure that schools implementing H.B. 5357 will have the resources necessary to make the interventions needed for their at-risk students.¹⁷

In particular, chronic absences resulting from excused activity such as student illness, a death in the child’s family, mandated court appearances, or lack of transportation may lead to more absence. For example, a student who does not receive proper care for the first instance of an illness may suffer from recurring bouts of that illness, or from causally related illnesses, causing that student to be absent more. Similarly, if a student’s absence due to transportation failure is not addressed, then chronic transportation failure, and the school absences that come with that failure, may become a problem.

Community Schools that partner with community organizations to address the causes of harmful absence help to ensure that instances of student absence do not become conditions of chronic student absence. One strong example is in Portland, Oregon. Schools Uniting Neighbors (SUN) (a community schools initiative serving seven Oregon high schools), through their service, improved attendance at their schools. Sun schools serve a student population that is 71% students of color, and where 77% of students qualify for Free and Reduced Lunch.¹⁸ In SUN schools, from 2011-2012,

Students [in SUN schools] attended an average of 95.0% of required school days [sic] which is well above the state benchmark of 92% and higher than their attendance last year. Significantly fewer students (12%) are classified as chronically absent due to missing more than 10% of required school days compared to the districts average of 22%. Also [sic] student attendance from 2011-12 was substantially higher than their 2010-11 attendance.¹⁹

The SUN schools present a compelling narrative of how communities can effectively combat absenteeism when their efforts receive support.

4. Chronic Absenteeism Should Account for Disciplinary Suspensions.

Connecticut does not currently count disciplinary suspensions for the purpose of determining

¹⁷ Public Act Concerning Community Schools, P.A. No. 13-64, § (a) (1).

¹⁸ “SUN Community Schools: FY 2011-12,” *Department of County Human Services Multnomah County, Oregon* 1 (2012).

¹⁹ *Id* at 3-4.

whether a student is truant; Connecticut just counts unexcused absences. Connecticut General Statutes section 10-98a defines a truant child as one “age five to eighteen... [who] has four *unexcused* absences from school in any one month or ten *unexcused* absences from school in any school year” (emphasis added).²⁰ Disciplinary suspensions are not unexcused absences (or excused absences) but accounted for separately.²¹ Indeed, to count a school-mandated absence toward truancy would unfairly punish a parent for a reason other than failing to ensure that their child is in school.

With revised language to account for disciplinary suspensions, H.B. 5357 would support interventions for these disciplined students. Although not truant in nature, disciplinary absence, like all non-educational absence, negatively affects student learning. In thinking about absences it is important to understand their reasons; this includes whether they are due to policies that exclude students through suspension and expulsion. As suspended and expelled students are often in need of the most support, our effort to address chronic absenteeism should not ignore their existence, or deprive them of our equal support.

²⁰ Section 10-198a Policies and Procedures Concerning Truants.

²¹ See footnote 2.