



Senate

General Assembly

File No. 501

January Session, 2015

Substitute Senate Bill No. 1058

Senate, April 7, 2015

The Committee on Education reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CHRONIC ABSENTEEISM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-8c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) The Probate Court Administrator may, within available
4 appropriations, establish a [pilot] truancy clinic within [the] (1) any
5 Regional Children's Probate [Courts for Waterbury and New Haven]
6 Court that serves a town designated as an alliance district pursuant to
7 section 10-262u, or (2) any Probate Court that serves a town designated
8 as an alliance district that is not served by a Regional Children's
9 Probate Court. The administrative judge of [each] the Regional
10 Children's Probate Court or Probate Court, as the case may be, or the
11 administrative judge's designee, shall administer the truancy clinic for
12 the administrative judge's respective court.

13 (b) [The] If the Probate Court Administrator establishes truancy
14 clinics pursuant to subsection (a) of this section, the principal of any

15 elementary or middle school located in [the Waterbury or New Haven
16 school district, as the case may be] a town designated as an alliance
17 district, or the principal's designee, may refer to [the] a truancy clinic a
18 parent or guardian with a child enrolled in such school who is a truant,
19 as defined in section 10-198a, as amended by this act, or at risk of
20 becoming a truant. Upon receiving such referral, the truancy clinic
21 shall prepare a citation and summons for the parent or guardian of the
22 child to appear at the clinic. An attendance officer authorized pursuant
23 to section 10-199, or a police officer authorized pursuant to section 10-
24 200, shall deliver the citation and summons and a copy of the referral
25 to the parent or guardian.

26 (c) The administrative judge of the Regional Children's Probate
27 Court [for Waterbury or New Haven] that serves a town designated as
28 an alliance district or the administrative judge of the Probate Court
29 that serves a town designated as an alliance district, as the case may
30 be, may refer any matter referred to [the] a truancy clinic to a probate
31 magistrate or attorney probate referee assigned by the Probate Court
32 Administrator pursuant to section 45a-123a to hear the matter.

33 (d) The truancy clinics shall operate for the purpose of identifying
34 and resolving the cause of a child's truancy using nonpunitive
35 procedures. After the initial appearance made pursuant to the
36 summons described in subsection (b) of this section, the participation
37 of a parent or guardian in the truancy clinic shall be voluntary. The
38 truancy clinics shall establish protocols for clinic participation and
39 shall establish programs and relationships with schools, individuals,
40 public and private agencies, and other organizations to provide
41 services and support for parents, guardians and children participating
42 in the clinics.

43 (e) The Probate Court Administrator shall establish policies and
44 procedures to implement the truancy clinics and measure the
45 effectiveness of the truancy clinics.

46 (f) Not later than September 1, [2014] 2015, and annually thereafter,
47 [the] each administrative judge of [the] a Regional Children's Probate

48 Court [for Waterbury] that serves a town designated as an alliance
49 district in which a truancy clinic has been established and [the] each
50 administrative judge of [the Regional Children's] a Probate Court [for
51 New Haven] that serves a town designated as an alliance district in
52 which a truancy clinic has been established shall [each] file a report
53 with the Probate Court Administrator assessing the effectiveness of
54 [the] each truancy clinic in the administrative judge's respective court.

55 (g) Not later than January 1, 2016, the Probate Court Administrator
56 shall submit, in accordance with section 11-4a, a report assessing the
57 effectiveness of the truancy clinics to the joint standing committees of
58 the General Assembly having cognizance of matters relating to the
59 judiciary and education.

60 Sec. 2. (NEW) (*Effective July 1, 2015*) (a) As used in this section:

61 (1) "Chronically absent child" means a child who is enrolled in a
62 school under the jurisdiction of a local or regional board of education
63 and whose total number of absences at any time during a school year
64 is equal to or greater than ten per cent of the total number of days that
65 such student has been enrolled at such school during such school year;

66 (2) "Absence" means (A) an excused absence, unexcused absence or
67 disciplinary absence, as those terms are defined by the State Board of
68 Education pursuant to section 10-198b of the general statutes, as
69 amended by this act, or (B) an in-school suspension, as defined in
70 section 10-233a of the general statutes, that is greater than or equal to
71 one-half of a school day;

72 (3) "District chronic absenteeism rate" means the total number of
73 chronically absent children under the jurisdiction of a local or regional
74 board of education in the previous school year divided by the total
75 number of children under the jurisdiction of such board for such
76 school year; and

77 (4) "School chronic absenteeism rate" means the total number of
78 chronically absent children for a school in the previous school year

79 divided by the total number of children enrolled in such school for
80 such school year.

81 (b) (1) Each local and regional board of education that (A) has a
82 district chronic absenteeism rate of ten per cent or higher shall
83 establish an attendance review team for the school district, (B) has a
84 school under the jurisdiction of the board with a school chronic
85 absenteeism rate of fifteen per cent or higher shall establish an
86 attendance review team at such school, (C) has more than one school
87 under the jurisdiction of the board with a school chronic absenteeism
88 rate of fifteen per cent or higher shall establish an attendance review
89 team for the school district or at each such school, or (D) has a district
90 chronic absenteeism rate of ten per cent or higher and one or more
91 schools under the jurisdiction of the board with a school chronic
92 absenteeism rate of fifteen per cent or higher shall establish an
93 attendance review team for the school district or at each such school.
94 Such attendance review teams shall be established to address chronic
95 absenteeism in the school district or at the school or schools.

96 (2) Any attendance review team established under this subsection
97 may consist of school administrators, guidance counselors, school
98 social workers, teachers and representatives from community-based
99 programs who address issues related to student attendance by
100 providing programs and services to truants, as defined in section 10-
101 198a of the general statutes, as amended by this act, and chronically
102 absent children and their parents or guardians. Each attendance
103 review team shall be responsible for reviewing the cases of truants and
104 chronically absent children, discussing school interventions and
105 community referrals for such truants and chronically absent children
106 and making any additional recommendations for such truants and
107 chronically absent children and their parents or guardians. Each
108 attendance review team shall meet at least monthly.

109 Sec. 3. (NEW) (*Effective July 1, 2015*) (a) Not later than January 1,
110 2016, the Department of Education, in consultation with the
111 Interagency Council for Ending the Achievement Gap established

112 pursuant to section 10-16nn of the general statutes, shall develop a
113 chronic absenteeism prevention and intervention plan for use by local
114 and regional boards of education to reduce chronic absenteeism in the
115 school district.

116 (b) (1) The chronic absenteeism prevention and intervention plan
117 shall include, but need not be limited to, the following: (A) Information
118 that describes (i) chronic absenteeism, including, but not limited to, the
119 definition of a chronically absent child under section 2 of this act, and
120 the causes of chronic absenteeism, such as poverty, violence, poor
121 health and lack of access to transportation, (ii) the effect of chronic
122 absenteeism on a student's academic performance, and (iii) how family
123 and school partnerships with community resources, including, but not
124 limited to, family resource centers and youth service bureaus, can
125 reduce chronic absenteeism and improve student attendance, and (B) a
126 means of collecting and analyzing data relating to student attendance,
127 truancy and chronic absenteeism for the purpose of (i) disaggregating
128 such data by school district, school, grade and subgroups, such as race,
129 ethnicity, gender, eligibility for free or reduced priced lunches and
130 students whose primary language is not English, and (ii) assisting local
131 and regional boards of education in (I) tracking chronic absenteeism
132 over multiple years and for the current school year, (II) developing
133 indicators to identify students who are at risk of being chronically
134 absent children, (III) monitoring students' attendance over time, and
135 (IV) making adjustments to interventions as they are being
136 implemented.

137 (2) The chronic absenteeism prevention and intervention plan may
138 include, but need not be limited to, the following: (A) A research-based
139 and data-driven mentorship model that addresses and attempts to
140 reduce chronic absenteeism through the use of mentors, such as
141 students, teachers, administrators, intramural and interscholastic
142 athletic coaches, school resource officers and community partners, and
143 (B) incentives and rewards that recognize schools and students that
144 improve attendance and reduce the school chronic absenteeism rate.

145 Sec. 4. Subsection (c) of section 10-220 of the general statutes is
146 repealed and the following is substituted in lieu thereof (*Effective July*
147 *1, 2015*):

148 (c) Annually, each local and regional board of education shall
149 submit to the Commissioner of Education a strategic school profile
150 report for each school under its jurisdiction and for the school district
151 as a whole. The superintendent of each local and regional school
152 district shall present the profile report at the next regularly scheduled
153 public meeting of the board of education after each November first.
154 The profile report shall provide information on measures of (1) student
155 needs, (2) school resources, including technological resources and
156 utilization of such resources and infrastructure, (3) student and school
157 performance, including [truancy] the number of truants, as defined in
158 section 10-198a, as amended by this act, and chronically absent
159 children, as defined in section 2 of this act, (4) the number of students
160 enrolled in an adult high school credit diploma program, pursuant to
161 section 10-69, operated by a local or regional board of education or a
162 regional educational service center, (5) equitable allocation of resources
163 among its schools, (6) reduction of racial, ethnic and economic
164 isolation, and (7) special education. For purposes of this subsection,
165 measures of special education include (A) special education
166 identification rates by disability, (B) rates at which special education
167 students are exempted from mastery testing pursuant to section 10-
168 14q, (C) expenditures for special education, including such
169 expenditures as a percentage of total expenditures, (D) achievement
170 data for special education students, (E) rates at which students
171 identified as requiring special education are no longer identified as
172 requiring special education, (F) the availability of supplemental
173 educational services for students lacking basic educational skills, (G)
174 the amount of special education student instructional time with
175 nondisabled peers, (H) the number of students placed out-of-district,
176 and (I) the actions taken by the school district to improve special
177 education programs, as indicated by analyses of the local data
178 provided in subparagraphs (A) to (H), inclusive, of this subdivision.
179 The superintendent shall include in the narrative portion of the report

180 information about parental involvement and if the district has taken
181 measures to improve parental involvement, including, but not limited
182 to, employment of methods to engage parents in the planning and
183 improvement of school programs and methods to increase support to
184 parents working at home with their children on learning activities. For
185 purposes of this subsection, measures of truancy include the type of
186 data that is required to be collected by the Department of Education
187 regarding attendance and unexcused absences in order for the
188 department to comply with federal reporting requirements and the
189 actions taken by the local or regional board of education to reduce
190 truancy in the school district. Such truancy data shall be considered a
191 public record for purposes of chapter 14.

192 Sec. 5. Section 10-198b of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective July 1, 2015*):

194 On or before July 1, 2012, the State Board of Education shall define
195 "excused absence" and "unexcused absence", and on or before January
196 1, 2016, the State Board of Education shall define "disciplinary absence"
197 for use by local and regional boards of education for the [purpose]
198 purposes of carrying out the provisions of section 10-198a, as amended
199 by this act, [and for the purpose of] reporting truancy, pursuant to
200 subsection (c) of section 10-220, as amended by this act, and calculating
201 the district chronic absenteeism rate and the school chronic
202 absenteeism rate pursuant to section 2 of this act.

203 Sec. 6. Subsection (a) of section 10-198a of the general statutes is
204 repealed and the following is substituted in lieu thereof (*Effective July*
205 *1, 2015*):

206 (a) For purposes of this section, section 10-220, as amended by this
207 act, and section 2 of this act, "truant" means a child age five to eighteen,
208 inclusive, who is enrolled in a public or private school and has four
209 unexcused absences from school in any one month or ten unexcused
210 absences from school in any school year.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	45a-8c
Sec. 2	<i>July 1, 2015</i>	New section
Sec. 3	<i>July 1, 2015</i>	New section
Sec. 4	<i>July 1, 2015</i>	10-220(c)
Sec. 5	<i>July 1, 2015</i>	10-198b
Sec. 6	<i>July 1, 2015</i>	10-198a(a)

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Education, Dept.	GF - Cost	74,149	None
State Comptroller - Fringe Benefits ¹	GF - Cost	28,659	None
Probate Court	PCAF - Potential Cost	See Below	See Below

Note: GF=General Fund; PCAF=Probate Court Administration Fund

Municipal Impact:

Municipalities	Effect	FY 16 \$	FY 17 \$
Various Municipalities	Potential Cost	See Below	See Below

Explanation

The bill requires the State Department of Education (SDE), along with the Interagency Council for Ending the Achievement Gap, to develop a chronic absenteeism prevention and intervention plan by January 1, 2016 for use by local and regional school boards. It is anticipated that the work associated with the research, development, and evaluation of the chronic absenteeism prevention and intervention plan would result in a cost to the State Department of Education of \$74,149, in FY 16, plus \$28,659 in fringe benefits, associated with one Durational Education Service Specialist.

The bill requires local and regional boards of education to monitor

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 38.65% of payroll in FY 16 and FY 17.

and address absenteeism rates in schools. Local and regional boards of education must: establish attendance review teams for their school district or individual schools when chronic absenteeism rates reach a certain percentage, and annually report to the education commissioner the number of truant and chronically absent students. This is not anticipated to result in a fiscal impact as the additional requirements will be accomplished using existing staff within the schools.

The bill expands the Probate Court truancy clinic to all the Regional Children's Probate Courts (Court) and results in a potential cost to the Probate Court Administration Fund or to the municipality where the Court is located.

Each location that the Probate Court Administrator chooses to establish a clinic (there are nine Courts and two have a pilot clinic) will incur administrative costs to oversee the clinic. It is estimated that each location will require a part-time administrative staff member with a salary of approximately \$15,000 annually and fringe benefits of \$8,250. These costs will be paid by the Probate Court Administration Fund (as is done in the New Haven pilot truancy clinic) or by the local Board of Education in which the Court is located (as is done in the Waterbury pilot truancy clinic).

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, except for the costs of the Durational Education Service Specialist, which are one-time in nature.

OLR Bill Analysis**sSB 1058*****AN ACT CONCERNING CHRONIC ABSENTEEISM.*****SUMMARY:**

This bill requires local and regional boards of education to monitor and address absenteeism rates in schools. Specifically, it requires boards of education to

1. establish attendance review teams for their school district or individual schools when chronic absenteeism rates reach a certain percentage and
2. annually report to the education commissioner the number of truant and chronically absent students for each school and the entire district.

The bill also requires the State Department of Education (SDE), along with the Interagency Council for Ending the Achievement Gap (see BACKGROUND), to develop a chronic absenteeism prevention and intervention plan by January 1, 2016 for use by local and regional school boards.

Finally, the bill expands the Children's Probate Court truancy clinics that currently are pilot programs limited to the Waterbury and New Haven Probate Courts. The bill instead allows the Probate Court Administrator to establish permanent truancy clinics within Probate Courts serving towns designated as alliance districts (see BACKGROUND).

The bill makes several minor, conforming, and technical changes.

EFFECTIVE DATE: July 1, 2015

ATTENDANCE REVIEW TEAMS

The bill requires local and regional boards of education to establish attendance review teams when chronic absenteeism rates in the district or at individual schools in the district reach a certain rate.

Terminology and Formulas

Under the bill, an “absence” means either an (1) excused, unexcused, or disciplinary absence or (2) in-school suspension for at least half a school day. The bill requires the State Board of Education to define “disciplinary absence” by January 1, 2016 to help boards of education comply with this law and calculate district and school chronic absenteeism rates. “Chronically absent child” means a child whose total number of absences at any time during a school year meets or exceeds 10 percent of the total days the student has been enrolled during that school year.

The bill calculates chronic absenteeism rates similarly for school districts and individual schools within districts. It calculates a “district chronic absenteeism rate” by dividing the total number of chronically absent children enrolled in a school district in the previous school year by the total number of children enrolled in that district in the previous school year. It calculates a “school chronic absenteeism rate” by dividing the total number of chronically absent children for a school in the previous school year by the total number of children enrolled in that school for the previous school year.

Establishment

Under the bill, local or regional boards of education must establish attendance teams under the following circumstances:

1. a team for the district must be established when the district chronic absenteeism rate is 10 percent or higher;
2. a team for the school must be established when the school chronic absenteeism rate is 15 percent or higher; and
3. a team for either the district or each school must be established

when (a) more than one school in the district has a school chronic absenteeism rate of 15 percent or higher or (b) a district has a district chronic absenteeism rate of 10 percent or higher and one or more schools in the district have a school chronic absenteeism rate of 15 percent or higher.

Membership

Under the bill, attendance review teams may consist of (1) school administrators, (2) guidance counselors, (3) school social workers, (4) teachers, and (5) representatives from community-based programs who address issues related to student attendance by providing programs and services to truants and chronically absent children and their parents or guardians.

Duties

The bill requires attendance review teams to meet at least monthly and be responsible for the following duties:

1. reviewing the cases of truants and chronically absent children,
2. discussing school interventions and community referrals for truants and chronically absent children, and
3. making any additional recommendations for such children.

REPORTING OF CHRONIC ABSENTEEISM

The bill adds a new data element to local and regional boards of education’s strategic school profile reports to the education commissioner. It requires board of education to include in their profile the number of (1) truants and (2) chronically absent children, which is more specific than the general truancy data required under current law.

CHRONIC ABSENTEEISM PREVENTION AND INTERVENTION PLAN

The bill requires SDE’s chronic absenteeism and prevention plan to include the following elements:

1. information describing (a) chronic absenteeism, including the definition of “chronically absent child” and (b) causes of chronic absenteeism, such as poverty, violence, poor health, and lack of access to transportation;
2. information about the effect of chronic absenteeism on a student’s academic performance;
3. a description of how family and school partnerships with community resources, such as family resource centers and youth service bureaus, can reduce chronic absenteeism and improve student attendance; and
4. a means of collecting and analyzing data relating to student attendance.

The means for data collection and analysis should be for

1. disaggregating the data by school district, school, grade, and subgroup, such as race, ethnicity, gender, eligibility for free or reduced price lunches, and students whose primary language is not English and
2. helping local and regional boards of education (a) track chronic absenteeism over multiple years and for the current school year, (b) develop indicators to identify students who are at risk of being chronically absent, (c) monitor students’ attendance over time, and (d) make adjustments to interventions as they are being implemented.

The bill allows the plan to include the following elements:

1. a research-based, data-driven mentorship model that addresses and attempts to reduce chronic absenteeism using mentors, such as students, teachers, administrators, intramural and interscholastic athletic coaches, school resource officers, and community partners and

2. incentives and rewards that recognize schools and students that improve attendance and reduce the school chronic absenteeism rate.

TRUANCY CLINICS

Establishment

The bill expands the Children's Probate Court truancy clinics that are pilot programs limited to the Waterbury and New Haven Probate Courts under current law. It removes the pilot limitation and permits the Probate Court Administrator to establish clinics within

1. Regional Children's Probate Courts serving a town designated as an alliance district or
2. any Probate Court serving a town designated as an alliance district not served by a Regional Children's Probate Court.

Reporting

The bill requires each administrative judge of a court that has established a truancy clinic to file reports with the Probate Court Administrator assessing the effectiveness of each clinic in the judge's respective court. The reports are due annually, starting by September 1, 2015. Current law requires such reports from the pilot program truancy clinics.

BACKGROUND

Interagency Council for Ending the Achievement Gap

This council is charged with helping the Achievement Gap Task Force develop its master plan, implementing the provisions of the master plan, and submitting annual progress reports on plan implementation to the Education Committee (CGS § 10-16nn).

Alliance Districts

Alliance districts are the state's 30 lowest performing school districts based on a performance index. Districts must submit a plan for alliance district funding, and state approval for the funds is based on districts' submitted application plans (CGS § 10-262u).

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/18/2015)