

Public School Truancy and Chronic Absenteeism Law

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Issue

Summarize the most recent changes to the truancy and chronic absenteeism law and policy for public schools in Connecticut.

Summary

Connecticut's truancy and chronic absenteeism laws establish a framework for school boards to measure and address student absenteeism. They include recent changes that focus the policy on addressing the causes of absenteeism rather than enforcement and court action. As part of this, the changes also emphasize closely tracking chronic absenteeism to enable school officials to quickly see which students are missing significant amounts of school for any reason and potentially intervene before the problem becomes worse. This report (1) details [PA 15-225](#) and [PA 16-147](#), which are the recent acts that changed this focus, and (2) highlights some of the related policy guidance issued by the State Department of Education (SDE). Additionally, it includes a summary of a new attendance program launched in 2021, triggered in part by an increase in absenteeism during the COVID-19 pandemic.

[PA 15-225](#) requires school boards to (1) establish attendance review teams for their entire 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 district ([CGS § 10-198c](#) and [10-220\(c\)\(3\)](#)). It also required SDE, along with the Interagency Council for Ending the Achievement Gap, to develop a chronic

absenteeism prevention and intervention plan for local and regional school boards to use ([CGS § 10-198d](#)). SDE refers to this plan as a guide and makes it available on its [website](#).

PA 15-225 also lifted the limit on the number of truancy clinics the probate court administrator could, within available funding, establish in probate courts that serve alliance districts. Prior to PA 15-225, the truancy clinic pilot program existed in only Waterbury and New Haven. But, according to a 2016 report from the court administrator, no new clinics were established due to the lack of funding (see attachment). We have asked the Probate Courts whether any clinics have been established since the report and how many currently exist. We will forward you any information we receive.

Chronic Absenteeism v. Truancy

Connecticut law distinguishes chronic absenteeism from truancy. Under the law, an “absence” is either an (1) excused, unexcused, or disciplinary absence or (2) in-school suspension for at least half a school day. A child is “chronically absent” if his or her total number of absences at any time during a school year equals or exceeds 10% of the total days the student has been enrolled that school year ([CGS § 10-198c](#)).

Alternatively, a “truant” is a child age five to 18 who is enrolled in public or private school and has (1) four unexcused school absences in a month or (2) 10 unexcused school absences in a school year ([CGS § 10-198a](#)). Thus, it is possible to be a chronically absent child and not be a truant.

[PA 16-147](#) required all school districts to adopt and implement a truancy intervention model as part of their policies and procedures on truancy and required SDE to develop a [list](#) of approved models. Under the act, if the education commissioner determines a school has a disproportionately high truancy rate, its district must implement an SDE-approved model at the school.

Furthermore, it removed truancy and defiance of school rules as permissible grounds for a superintendent, police officer, or others to file a family with service needs (FWSN) referral with juvenile court. Under the law at that time, in addition to truancy, a FWSN referral could be made regarding status offenses, such as running away from home or indecent or immoral conduct. (Later legislation ended the legal option to make a FWSN referral for any of these reasons.) Once such a referral was made, a juvenile court supervisor decided whether the case would be handled judicially or nonjudicially. The change made by PA 16-147 removed the option of the case being a court proceeding.

In April 2021, Governor Lamont announced the launch of the Learner Engagement and Attendance Program (LEAP) to address student absenteeism and disengagement resulting from the COVID-19 pandemic. The program used an initial \$10.7 million in federal stimulus dollars to provide resources to 15 school districts. The funding was directed to staff to (1) directly engage with

families and students, including home visits; (2) provide support to help students return to school; and (3) assist in placing them in summer or after-school programs.

Chronic Absenteeism

Attendance Review Teams

The law requires school boards 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. (CGS § [10-198c](#) and [10-220\(c\)\(3\)](#)).

Local or regional school boards must establish attendance teams under the following circumstances:

1. a team for the district when the district chronic absenteeism rate is 10% or higher;
2. a team for a school when the school chronic absenteeism rate is 15% or higher;
3. a team for either the district or each respective school when (a) more than one school in the district has a school chronic absenteeism rate of 15% or higher or (b) a district has a district chronic absenteeism rate of 10% or higher and one or more schools in the district has a school chronic absenteeism rate of 15% or higher.

Attendance review teams must meet at least monthly to (1) review the cases of truant and chronically absent children, (2) discuss school interventions and community referrals for these children, and (3) make any additional recommendations for them and their parents or guardians. The teams may consist of school administrators; guidance counselors; school social workers; teachers; and representatives

“Excused” v. “Unexcused” Absences

State law required the State Board of Education to craft [definitions](#) for excused and unexcused absences for purposes of tracking chronic absenteeism and truancy in schools ([CGS § 10-198b](#)).

Excused absence: (1) written reason for the absence has been submitted within 10 school days of the student’s return to school or (2) in accordance with the state law regarding the school medical advisor notifying parents that the child has a disease and meets the following additional criteria:

(a) for absences one through nine, absences are considered excused when the student’s parent or guardian approves the absence and submits appropriate documentation; and

(b) for the 10th absence and any thereafter, absences are considered excused for the following reasons: (a) student illness (verified by a licensed medical professional to be deemed excused, regardless of the length of absence); (b) student’s observance of a religious holiday; (c) death in the student’s family or other emergency; (d) court appearances (documentation required); (e) lack of transportation that is normally provided by a district other than the one the student attends (documentation is not required); or (f) extraordinary educational opportunities pre-approved by district administrators.

Unexcused absences: those that do not meet the definition of excused absences or are disciplinary absences. Disciplinary absences are the result of school or district disciplinary action.

of community-based programs providing programs and services to truants, chronically absent children, and their parents or guardians.

Absenteeism and Prevention Guide

PA 15-225 required SDE to develop a plan (which SDE now refers to as a guide) to help districts identify and prevent, and prepare interventions for, chronic absenteeism ([CGS § 10-198d](#)). The law required a number of elements to be part of the [guide](#) including (1) information about the effect of chronic absenteeism on a student's academic performance; (2) a means of collecting and analyzing data on student attendance, truancy, and chronic absenteeism; and (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. The guide is intended for use by local and regional school boards.

Rationale for Gauging Absenteeism. SDE's chronic absenteeism [guide](#) presents a rationale for why it is important to gauge chronic absenteeism. "National research shows that at every age and every stage, chronic absenteeism erodes the academic and social skills needed to succeed in school... Being chronically absent significantly affects a student's ability to read at grade level, perform academically, and graduate on time," the guide states. It states further, by monitoring chronic absence, the focus is on the academic consequences of lost instructional time and on preventing absences before students fall behind in school."

Attendance Data. SDE's guide suggests that school districts produce accurate school-specific attendance data reports (new reports should be done every 10 days) that disaggregate student data by school, grade, and subgroups such as race, ethnicity, gender, free or reduced priced meal eligibility, English learners, and students with disabilities. [Attendance Works](#), the national nonprofit organization that works on school attendance, assisted SDE with the report and provides district attendance tracking tools at no cost for school districts.

The guide notes, "district-level data will be critical for the development of tiered intervention strategies and will allow district attendance review teams to routinely monitor and understand attendance patterns..." It suggests that such data will allow teams to identify schools that need extra support to address absenteeism.

Truancy

Probate Truancy Clinics

In 2011, the legislature authorized the Probate Court administrator to establish a pilot truancy clinic within the Waterbury regional children's probate court ([PA 11-177](#), § 1; codified at [CGS § 45a-8c](#)). By law, the clinic's purpose was identifying and resolving the cause of child truancy using nonpunitive procedures. After an initial summons to appear, participation was voluntary, and the clinics were not judicial proceedings and did not result in court orders or other punitive measures. Families were referred to the truancy clinics from a participating school.

The clinics focused on elementary schools in an attempt to help the youngest students who are truants. The clinics worked primarily with parents or guardians of truant students, rather than just the students themselves, because school attendance is a parental responsibility for elementary school students. The clinics were designed to help families identify and resolve the causes of the student absences and help arrange needed services for the families, whether they are medical care, counseling, tutoring, after-school programs, or transportation. The clinics were a partnership between the probate court, the school district, and the Department of Children and Families (DCF).

PA 15-225 (1) lifted the limit on the number of truancy clinics the probate court administrator could, within available funding, establish in probate courts that serve alliance districts and (2) required the administrator to submit a report assessing the existing pilot program. That report, submitted to the legislature in January 2016, found the pilot programs helped decrease absenteeism for participants, but also noted no new clinics had been established and the existing pilots ended (see attachment). In fact, the Waterbury clinic came to an end primarily due to a lack of funding, but the report said the pilot programs were successful and cut truancy rates roughly in half for the truants who participated.

School District Level Truancy Policy and Procedures

[PA 16-147](#) required SDE to identify effective truancy intervention models for school boards to implement. It required each school board to include in its truancy policy and procedures the implementation of one of these models at any schools the SDE commissioner determines have a disproportionately high truancy rate. Pursuant to the act, SDE issued a [catalogue](#) of truancy intervention models in March 2018.

The catalogue includes a number of models that SDE indicates have been successful in Connecticut. They are categorized into three groups: (1) school and community team models, (2)

mentor models, and (3) court models. The catalogue also includes a separate list of models from around the country.

By law (and existing prior to PA 16-147), each school board must adopt and implement a truancy policy and related procedures ([CGS § 10-198a](#)). The law requires the policies and procedures to include the following:

1. holding a meeting with the parent of each child who is truant, or other person having control of the child, and appropriate school personnel to review and evaluate the reasons for the truancy, provided the meeting must be held within 10 school days after the child's fourth unexcused absence in a month or 10th unexcused absence in a school year;
2. coordinating services with, and referrals of children to, community agencies providing child and family services;
3. at the beginning of each school year and upon any enrollment during the school year, notifying in writing the parent or person having control of each child enrolled in the public schools (in any grade from kindergarten to eight) of the parent or other person's legal obligation to have the child attend public school or show that the child is receiving equivalent instruction elsewhere (i.e., private school or home schooling);
4. annually at the beginning of the school year, and upon any enrollment during the school year, obtaining from the parent or person having control of each child in any grade from kindergarten to eight a telephone number or other means of contacting the parent or person during the school day; and
5. maintaining a system of monitoring individual unexcused absences of children in any grade kindergarten to eight.

Removing Truancy as a Reason for a FWSN Referral. In addition to requiring school districts to select a truancy intervention model, PA 16-147 also removed truancy and defiance of school rules as reasons for a FWSN referral to juvenile court. This means that, effective August 15, 2017, the Court Support Service Division of the judicial branch could no longer accept FWSN referrals for truancy or defiance of school rules. At that time, in addition to truancy, an FWSN referral could be made regarding status offenses, such as running away from home or indecent or immoral conduct. (Later legislation, effective in 2020, ended the legal option to make a FWSN referral for any of the remaining reasons.)

Once such a referral was made, a juvenile court supervisor decided whether the case would be handled judicially or nonjudicially. The change made by PA 16-147 removed the option of the case becoming a court proceeding. Education officials sought the change because early court involvement for children can increase their chances of committing crime or being incarcerated. Charlene Russell-Tucker, now the education commissioner, but at the time the agency's chief

operating officer, wrote in a 2018 [memorandum](#) to school superintendents describing the impact of PA 16-147:

“Court referrals for truancy were eliminated in order to remove the link between truancy and the school-to-prison pipeline. Judicial involvement for non-criminal acts such as truancy has been documented to increase the likelihood of future engagement in criminal acts, dropping out of school or incarceration.”

The same 2018 memorandum notes that Youth Service Bureaus (YSB), which are defined in law, can coordinate community-based services for children who are truant for prevention, intervention, treatment, and follow-up services ([CGS § 10-19m](#)). The memo announced that SDE had developed a Youth Services Bureau Referral for Truancy and Defiance of School Rules form. The memo reads, “The form is intended for districts to use to make referrals to YSBs in lieu of the previous FWSN referral form.”

Existing Enforcement Provisions

PA 15-225 and PA 16-147 left intact several longstanding truancy enforcement provisions in state statute. Local boards have the option to appoint attendance officers who are authorized to prosecute children suspected of being truant ([CGS § 10-199](#)). Also, towns have the option to adopt habitual truant ordinances that authorize police to arrest habitual truants, although they also can return them to school. The law defines a habitual truant as a student who has 20 or more unexcused absences in a school year ([CGS § 10-200](#)).

LEAP

The LEAP program provides resources for 15 school districts to enable staff to directly engage with families and students, including through home visits, to provide support to help students return to school and potentially be placed in summer or after-school programs. The program is a partnership between SDE and the state’s six regional educational service centers (RESCs). The 15 districts are Bridgeport, the Capitol Region Education Council (CREC), Danbury, East Hartford, Hartford, Manchester, Meriden, New Britain, New Haven, New London, Norwich, Stamford, Torrington, Waterbury, and Windham.

Similar to that of the truancy clinics, LEAP’s approach is supportive and not focused on attendance enforcement. According to SDE’s [webpage](#) on LEAP:

“...Home visits are voluntary, scheduled opportunities for a school district member or partner to go, in pairs, to the home of a student with prior chronic absence to meet with a parent or

guardian for the purpose of strengthening the school-family relationship in a positive and relational manner. The conversation is focused on families' strengths and capabilities, as well as their aspirations for their child. The visitors are there to learn from families, not to enforce attendance policies or sanctions. Ideally, families receive multiple home visits that support building relationships over time."

For FY 23, [PA 22-118](#) appropriates \$7 million for LEAP.

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