

Without education, the present shall see only heartache



“And nothing to look backward to with pride, and nothing
to look forward to with hope”

- Robert Frost

State of Delaware Justice of the Peace Court



Truancy Court

Annual Report 2006 - 2007

The Truancy and Dropout Epidemic

By Delaware law, a student is considered truant when, during the course of the school year, he/she has been absent from school for three or more days without an acceptable excuse. For the 2006-2007 school year, 1026 new truancy charges were filed with the Justice of the Peace Court statewide. To better understand the nature and severity of this problem, however, it is important to inspect it at a national level and delve into the root causes of truancy. Only by responding to the early indicators can we hope to bring about sustainable positive change for such a critically at-risk segment of our population. It would stand to reason, then, that a reactive approach to the problem with ill-timed, grossly tardy interventions will lead, at best, to a false sense of success.

Some Facts and Stats (and Thoughts)

While all states have laws in place regarding compulsory education, these laws are inconsistent from one state to another. As a result, it is difficult to place an exact figure on the number of students who are truant each year nationally. What we do know is that truancy rates are highest in larger, metropolitan areas. For example, the Los Angeles School District reports that 10% of its students are absent each day and only 5% return to school with valid excuses. In Pittsburgh, PA, approximately 12% or roughly 3,500 students are absent from school on any given day, with 70% of these absences being unexcused. Meanwhile, Milwaukee, WI schools report approximately 4,000 unexcused absences on an average school day (Link, Costello and Angold, 2003). Clearly, the problem is a serious and pervasive one, as truancy, even if not chronic in nature, can only lead to students missing key components in what is logically a sequential learning process. This inevitably leads to frustration, increased school avoidance and ultimately to drop-out.

One of the best ways to view the impact of truancy is by looking more closely at the drop-out statistics. If children do not attend school regularly, they are (quite obviously) far less likely to graduate from high school. According to a 2003 study by Greene and Forster of the Manhattan Institute for Policy Research, 2001 graduation rates by region and race were as follows:

Graduation Rates 2001

Region	Total	Nat. Amer.	Asian	Hispanic	Black	White
Northeast	73%	56%	76%	45%	52%	79%
Midwest	77%	54%	82%	54%	53%	82%
South	65%	70%	83%	55%	57%	72%
West	69%	56%	81%	55%	57%	75%
National	70%	54%	79%	52%	51%	72%

(National Dropout Prevention Center, 2005 from Greene & Forster, 2003) *Not all states reported data



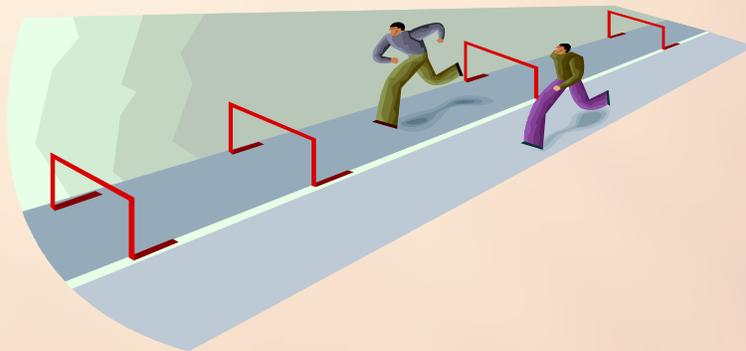
Besides the glaring 30% of students who did not graduate, what other striking message do these numbers send? The answer is clear: there is a need for more than a broad brushstroke solution/intervention to the alarming dropout rates. Efforts require sensitivity to cultural differences, specifically the strengths possessed and challenges faced by students of various backgrounds. Not seen in the above table is the socioeconomic status variable. Students of low-income families are twice as likely to be dropouts, when compared with their middle-income counterparts and six times more likely to be dropouts than students of high-income families (National Center for Education Statistics, 2004a).

Beyond race and socioeconomic status is the disability variable, which every member or associate of the education field has seen contribute to the truancy and dropout rates. The following table illustrates the percentage of students with disabilities, age 14 and older, graduating with a standard diploma or dropping out in 2000-2001. It was presented in the 25th Annual Report to Congress (2003).

Students With Disabilities 2000-2001

Disability	% Graduating with a Standard diploma	% Dropping Out
Specific learning disabilities	53.6	38.7
Speech or language impairments	52.3	39.7
Mental Retardation	35.0	34.3
Emotional disturbance	28.9	65.1
Multiple disabilities	41.6	26.7
Hearing impairments	60.3	24.5
Orthopedic impairments	57.4	27.0
Other health impairments	56.1	36.2
Visual Impairments	65.9	21.1
Autism	42.1	20.8
Deaf/blindness	41.2	22.9
Traumatic brain injury	57.5	28.9
All disabilities	47.6	41.1

(National Dropout Prevention Center, 2005 from the 25th Annual Report to Congress, 2003)



In addition to the above data, the 25th Annual Report to Congress (2003) also included a graduated/ dropped out rate comparison for all disabilities based on race/ethnicity (for students age 14 and over, 2000-2001). As referenced earlier, it speaks to the need for a multifaceted, programmatically flexible approach to reducing truancy and dropouts by assessing students' needs across multiple life domains. This will be discussed later in greater detail as we investigate the root causes of truancy and dropouts.

Race/ethnicity	Graduated with a Standard Diploma		Dropped Out	
	Number	Percentage	Number	Percentage
American Indian/Alaska Native	2,533	41.9	3,157	52.2
Asian/Pacific Islander	3,583	60.6	1,652	28.0
Black	27,999	36.5	34,085	44.5
Hispanic	24,087	47.5	22,073	43.5
White	132,714	56.8	79,220	33.9

(National Dropout Prevention Center, 2005 from the 25th Annual Report to Congress, 2003)



Costs to the Individual and Society

Before exploring the clinical issues impacting attendance and resulting in truancy/dropouts, we will examine some hard-to-ignore numbers, those being the dollars lost in income by students who fail to complete high school and the money expended in government-funded social services. To illustrate the impact of education level on income, refer to the below table, which shows the median annual income ranging from those with less than a 9th grade education to individuals having attained a doctorate degree. Looking inside the numbers, paying particular attention to the income differences by gender, consider the inherent obstacle to overcome by virtue of being female.

Salary by Educational Level

	Elementary / secondary			College				
Male	Less than 9 th grade	9 th -12 th , no H.S. Diploma	H.S. diploma/ equiv.	Some college, no deg.	Assoc. degree	Bach. degree	Master's degree	Ph.D.
2000	\$20,789	\$25,095	\$34,303	\$40,337	\$41,952	\$56,334	\$68,322	\$80,250
2001	\$21,361	\$26,209	\$34,723	\$41,045	\$42,776	\$55,929	\$70,899	\$86,965
2002	\$20,919	\$25,903	\$33,206	\$40,851	\$42,856	\$56,077	\$67,281	\$83,305
2003	\$21,217	\$26,468	\$35,412	\$41,348	\$42,871	\$56,502	\$70,640	\$87,131
2004	\$21,659	\$26,277	\$35,725	\$41,895	\$44,404	\$57,220	\$71,530	\$82,401
Female								
2000	\$15,978	\$17,919	\$24,970	\$28,697	\$31,071	\$40,415	\$50,139	\$57,081
2001	\$16,691	\$19,156	\$25,303	\$30,418	\$32,153	\$40,994	\$50,669	\$62,123
2002	\$16,510	\$19,307	\$25,182	\$29,400	\$31,625	\$40,853	\$48,890	\$65,715
2003	\$16,907	\$18,938	\$26,074	\$30,142	\$32,253	\$41,327	\$50,163	\$67,214
2004	\$17,023	\$19,162	\$26,029	\$30,816	\$33,481	\$41,681	\$51,316	\$68,875

(Digest of Education Statistics, 2005 from the U.S. Department of Commerce, Bureau of the Census)

Unemployment rates by educational attainment tell another piece of the story. The salaries on the preceding page are for full-time workers. If you're not working, you're not earning, and the lower one's educational level, the higher the unemployment rate.

Educational Level	Unemployment Rate (%)
Doctoral Degree	1.6
Master's Degree	2.8
Bachelor's Degree	3.1
Associate's Degree	4.0
Some College	4.8
High School Degree	5.3
Less Than High School	8.5

(National Dropout Prevention Center, 2005 from the Southern Regional Education Board, 2004)

In addition to decreased earning potential for those failing to graduate high school, there are significant government expenditures related to services provided to this segment of the population. The average dropout, regardless of race or gender, will claim more than \$800,000 in government-funded intervention/support services during his/her lifetime. The government outlay is \$200,000 when discounted for today's dollars (National Center for School Engagement, from Vernez, Georges, Krop, and Rydell, 1999).

Root Causes

So why are children truant? Mental health professionals consider truancy as one of the many symptoms present along the Oppositional Defiant Disorder and Conduct Disorder continuum. The reasons why children fail to attend school are varied but often include one or more of the following:

- Alienation from people of authority
- Little or no interest in education or available academic curricula
- Poor academic performance

- Perceived lack of parental commitment to education, insufficient parental supervision
- Behavioral health challenges
- Lack of age-appropriate rewards/reinforcers and consequences
- Taking on responsibilities usually reserved for adults (working, childcare) due to dysfunctional/unavailable parents
- Fear of violence in the community or in the school setting
- Educator indifference

While there are many variables and risk factors associated with truancy and dropout, they can be broken down into two categories, *status variables* and *alterable variables* (Lehr, Johnson, Bremer, Cosio, & Thompson, 2004). *Status variables* are static, and *alterable variables* are those areas more open to community, school and family interventions. Some examples of each are:

Status Variables	Alterable Variables
Age	Grades
Gender	Disruptive behavior
Socioeconomic background	Absenteeism
Ethnicity	School policies
Native language	School climate
Region	Parenting
Mobility	Sense of belonging
Ability	Attitudes toward school
Disability	Educational support in the home
Parental employment	Retention
School size and type	Stressful life events
Family structure	

(National Dropout Prevention Center, 2005 from Lehr, Johnson, Bremer, Cosio, & Thompson, 2004)

Several of these variables (and their correlates) speak to the role and impact of behavioral health on school attendance. The behavioral health issue requires special focus, given that the manifest evidence of dysfunction, either in the individual student or larger family unit, often makes its presence known long before an identifiable pattern of absenteeism. While students are still attending regularly, several cues could be indicators of underlying mental health/substance abuse issues or physical/emotional abuse and neglect. These include, but are not limited to, changes in appearance (personal hygiene, dress, etc.), reduced eye contact, defensive or withdrawn physical posture, weight gain/loss, alienation from peers, changes in tone and type of verbal communication, changes in peer group, academic problems, discipline problems, physical illness, avoidance of social situations, and decreased interest in previously enjoyed activities.

Sometimes statistics paint an incomplete picture, and sometimes they bring into clearer focus that which was previously given but a handful of passing glances. While many of those engaged in the battle against truancy have long known that there are oftentimes circumstances unique to the truant/dropout relative to their non-truant counterparts, quantifying the risk factors can aid us in best utilizing available resources. A 2003 study outlined in the *Journal of the American Academy of Child and Adolescent Psychiatry* investigated some of differences between truants and those attending school regularly. The following table highlights the outcome of that study.

Condition	% of truants	% of non-truants
All psychiatric disorders	25.4	6.8
Oppositional Defiant Disorder	9.7	2.3
Conduct Disorder	14.8	1.6
Depression	7.5	1.6
Conflict with peers	16.2	8.7
Living in poverty	31.3	19.1
Single parent household	45.9	21.8
Lax parental supervision	31.5	6.7
Mother diagnosed as depressed	11.9	5.5
Parents teenagers at time of birth	15.3	8.4

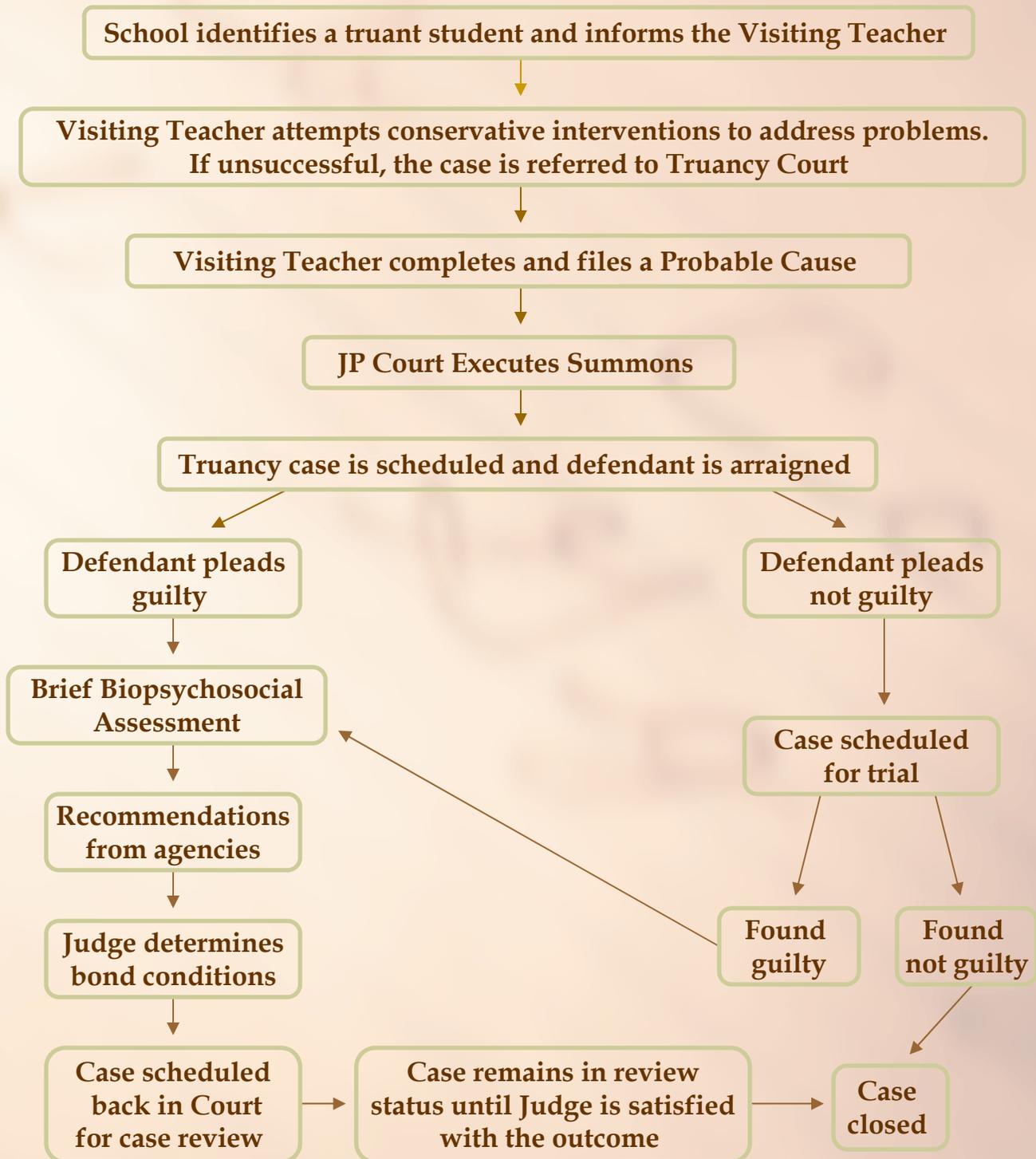
The Truancy Court Model

Truancy historically has been a reliable predictor of juvenile delinquency and often is a signal of personal and/or family issues that have gone without appropriate interventions. Some of these issues include homelessness, mental illness, substance abuse, child abuse/neglect, unmet educational needs and limited access to healthcare. Delaware's Truancy Court serves as the hub for the support and intervention services necessary to address these issues, thereby increasing the likelihood of consistent school attendance. Truancy Court is innovative in its remedial, non-punitive approach to improving school attendance, as opposed to the more disciplinary measures of enforcing the law and mandating change seen in traditional court settings. The comprehensive, wrap-around approach to addressing truancy is evidenced by the parties involved in a typical truancy case. In addition to the parent and child, the following people are vital components of the process:

- Judge trained in handling Truancy cases
- Social worker to assess, query and screen cases
- Behavioral health providers who take referrals, conduct drug testing and schedule assessments
- Educational advocates and outreach partners
- Informal community supports

In addition to these partners, Truancy Court works closely with the Department of Services for Children, Youth and Their Families. The Court maintains contact with active workers through Child Mental Health, Family Services, and Youth Rehabilitative Services in order to make informed decisions, initiate appropriate interventions, and avoid duplication of services.

How a Case Enters Truancy Court



The Truancy Court Partners

For 2006-2007, 1,026 new cases were filed with Truancy Court, compared with 1,069 cases for 2005-2006. Over the same two year span, the Court made more than 500 behavioral health referrals. More than half of these referrals were for substance abuse treatment, often based on drug screening conducted after arraignment or at case review. The Court's success is contingent on developing a timely and appropriate intervention plan for each case, which calls for a myriad of support services, of which behavioral health is but one piece. Without our community partners, the gains we have made in the battle against truancy since the Court's inception in 1996 would not be possible. The following programs are integral components of the intervention process:

- **ABR Counseling** - Adolescent substance abuse and mental health assessment and treatment services
- **Aquila of Delaware** - Adolescent substance abuse assessment and treatment services
- **Barnes and Associates** - Mental Health Treatment services for children and adults
- **Boys/Girls Club of Delaware** - Community based support services: social/recreational, academic, vocational
- **Catholic Charities** - Mental health treatment services for children and adults
- **Children and Families First** - Mental health treatment services for children and adults
- **Cornell Abraxas** - Electronic monitoring
- **Crossroads of Delaware** - Adolescent substance abuse assessment and treatment services
- **Delaware Guidance Services** - Mental health treatment services for children and adults
- **Department of Services for Children, Youth and Their Families** - Child Mental Health, Youth Rehab. Services and Family Services
- **Family Court** - Processing of Criminal Contempt charges out of Truancy Court
- **Frank Everett & Associates** - Mental health treatment services for children and adults

- **Kent/Sussex County Counseling Services** – Adult substance abuse assessment and treatment services
- **People’s Place** (KC, SC) – Substance abuse and mental health assessment and treatment services for children and adults
- **Phoenix Mental Health** (KC, SC) – Substance abuse and mental health assessment and treatment services for children and adults
- **Project Stay Free** (NCC) – Electronic Monitoring
- **SODAT** (NCC) – Substance abuse assessment and treatment services for children and adults

The Visiting Teachers

Over the past four years, there have been 4,326 cases filed with Truancy Court. The Visiting Teachers are not only responsible for filing charges with the Court, but also for the ongoing monitoring of attendance and academic performance of each case until closure with Truancy Court. The Visiting Teachers attend arraignments, as well as all subsequent case reviews, serving as the primary source of information for the judges.

In addition, their close monitoring in between reviews allows for swift intervention, should a case deteriorate and require more immediate action by the Court. If Truancy Court is better viewed as a fluid reaction of events, then the Visiting Teachers are the catalysts, precipitating the energy for positive change. But their work begins long before Truancy charges are filed with the Court. The filing of charges against a parent and/or student represents the more aggressive intervention in addressing truancy. Prior to this step, the Visiting Teachers utilize more conservative, but no less vital, measures in an effort to engage parents and students.

These strategies can include face-to-face meetings with parents, students and school staff (in the home or school), agenda books, attendance contracts, tutoring, transportation assistance, after-school programming, and reviews of special education components.

In summary, the Visiting Teachers use their diverse experiences in education, counseling, social work, and administration to comprehensively assess cases and identify not only the obstacles to regular attendance, but also the solutions. It is only after their considerable efforts have proven ineffective that they bring a case to Truancy Court. It is important that their community outreach efforts on behalf of Delaware's students are recognized.

The Truancy Court Judges

A review of the Truancy Court landscape amidst the backdrop of an annual report would not be complete without recognizing the Judges and their contributions to the process. The Truancy Judges presided over nearly 3,900 arraignments and case reviews for 2006-2007. Their specialized training, experience and diverse backgrounds provide for innovative interventions, uniquely nurturing yet authoritative guidance, and insights necessary for serving a wide range of student profiles, from the elementary student with 6 unexcused absences to the 15 year old on Level III-A probation whose days out of school far outnumber those attended. We wish to thank the Truancy Judges for their assiduous efforts on behalf of this segment of Delaware's student population.

Looking at the Numbers

A review of the statistics for 2006-2007 indicates a 4% drop in statewide filings compared with 2005-2006. This marks the third consecutive year that the overall number of filings has decreased. While statewide filings are similar to last year, more significant changes can be seen by county. While Kent County's number of filings increased 33% from 2005-2006, New Castle and Sussex filings each decreased by 15%. A closer inspection of Kent County shows that the increase in filings can be attributed to the drastic increase in Charter School filings. The following table provides a more thorough break down of the last four years.

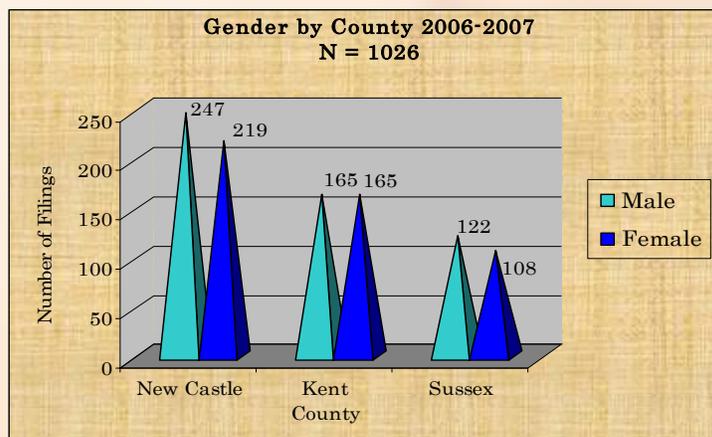
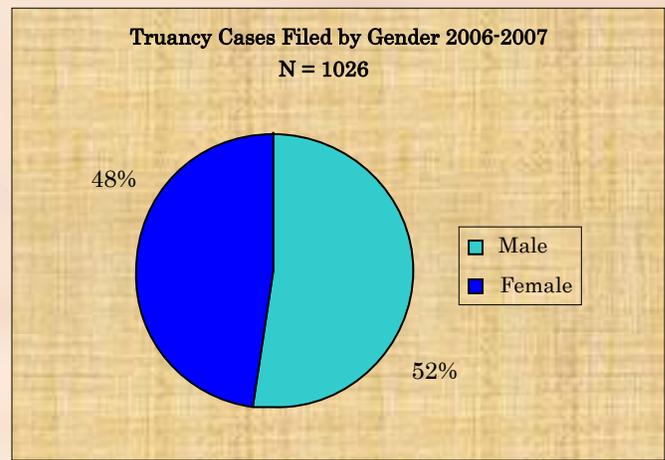
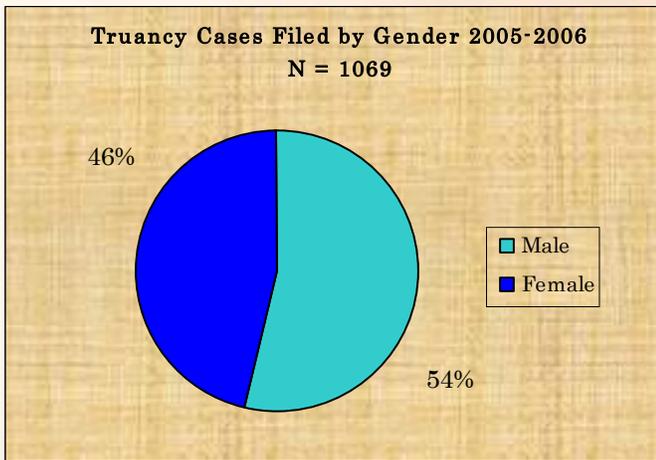
Cross Comparison of Case Filings

NEW CASTLE COUNTY	2003-2004	2004-2005	2005-2006	2006-2007
Appoquinimink	19	10	6	28
Brandywine	95	76	144	140
Christina	285	260	226	157
Colonial	88	69	93	60
Red Clay	136	134	80	76
NCC-Vo-Tech	6	3	0	5
Charter Schools	1	2	0	0
TOTAL	630	554	549	466
KENT COUNTY	2003-2004	2004-2005	2005-2006	2006-2007
Capital	51	84	42	44
Caesar Rodney	165	119	71	63
Lake Forest	40	47	30	47
Smyrna	89	87	103	92
Poly Tech	0	2	1	0
Charter Schools	2	3	1	84
TOTAL	347	342	248	330
SUSSEX COUNTY	2003-2004	2004-2005	2005-2006	2006-2007
Cape Henlopen	25	30	18	31
Delmar	42	14	18	11
Indian River	38	55	126	80
Laurel	18	3	10	11
Milford	17	64	63	55
Seaford	20	17	11	25
Woodbridge	3	12	26	17
TOTAL	163	195	272	230
GRAND TOTAL	1140	1091	1069	1026

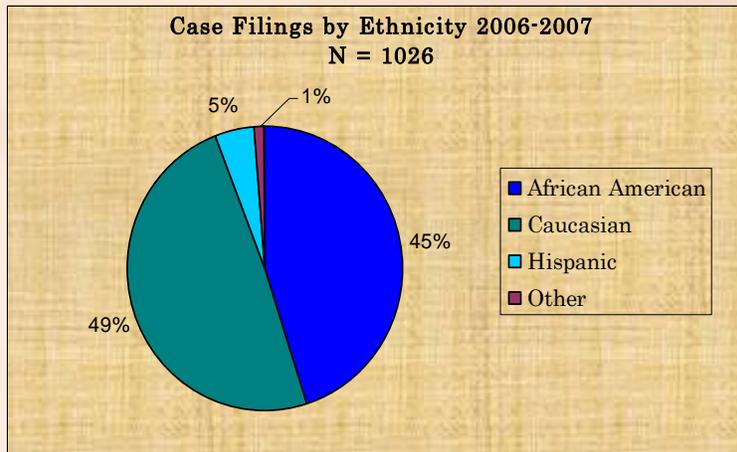
Student Demographics

For 2006-2007, cases filed with Truancy Court averaged 13.3 years of age and a grade level of 6.2. These numbers are virtually identical to the data for 2005-2006.

As evidenced below, the gender disparity among cases filed with Truancy Court in 2006-2007 decreased 2%, marking the second consecutive year of such a decrease. As was true for 2005-2006, male students active with the Court outnumber their female counterparts when viewing the numbers on a statewide level. Gender by county is also indicated below.

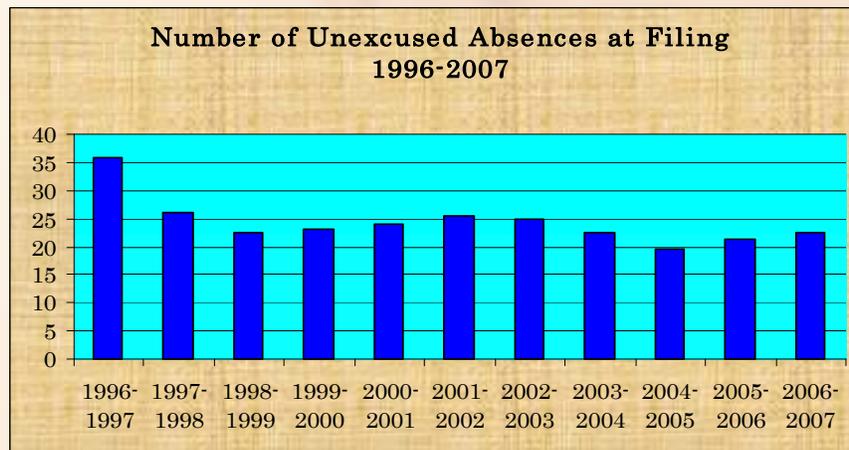


Caucasians remained the largest segment of cases filed with Truancy Court in 2006-2007 (49%), the same percentage as 2005-2006. African-Americans comprised 45% of filings for 2006-2007, compared with 41% in 2005-2006. The percentage of Hispanic filings decreased 4% from 2005-2006.



Absences at Filing

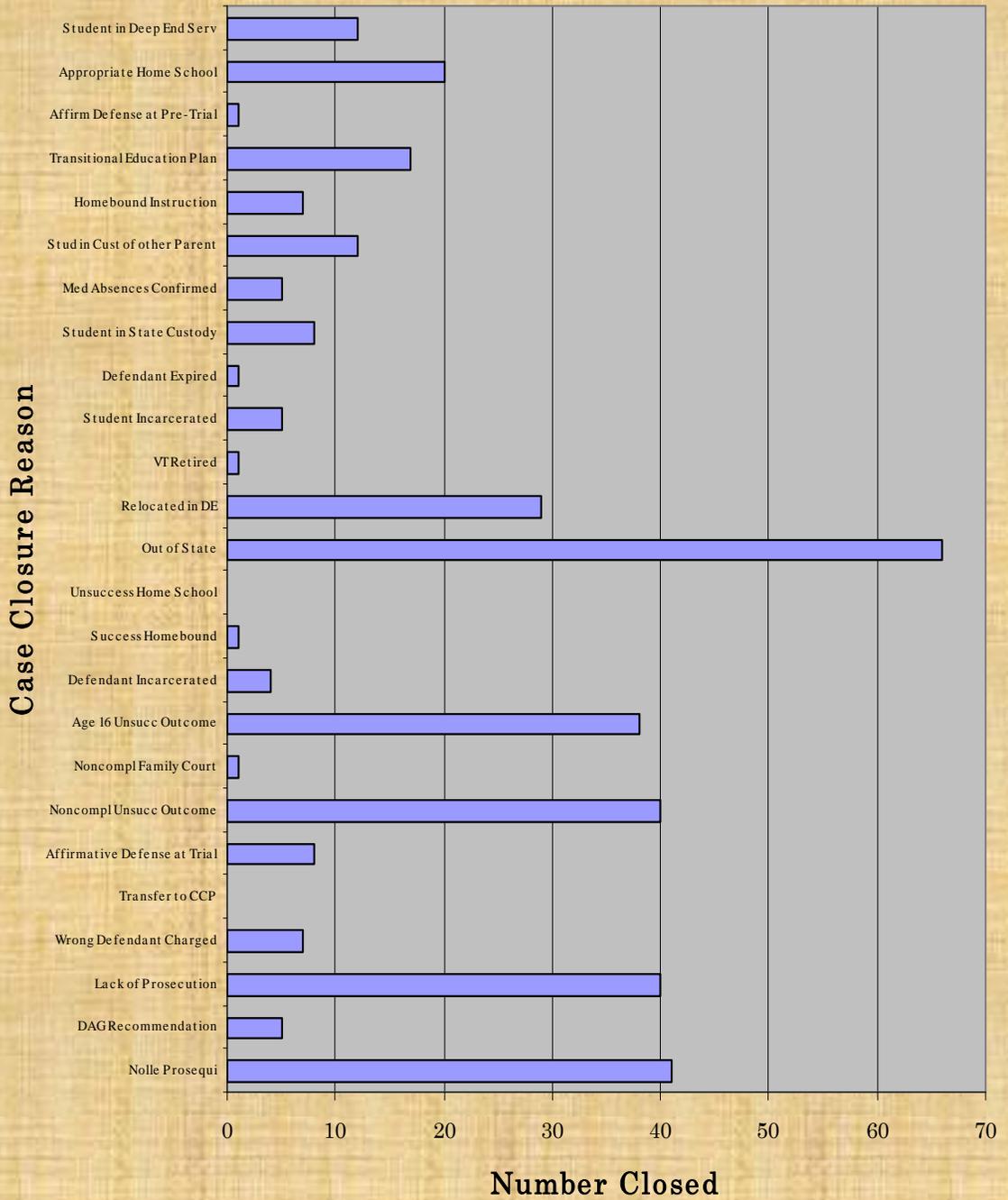
After falling below 20 for the first time in 2004-2005, the average number of unexcused absences at filing increased for the second consecutive year to 22.4 for 2006-2007. 2004-2005 remains the only year since the Truancy Court's inception that the average number of unexcused absences at filing was below 20.



Case Outcomes/Dispositions

42% of cases closed (890) in 2006-2007 achieved compliance with the Court, compared with 47% in 2005-2006. Of the remaining 516 cases, 147 (16.5%) were Visiting Teacher dismissals. The remaining 369 cases were dismissed for a variety of other reasons, as depicted in the following graph. This provides for an in-depth look at the wide range of Truancy Court outcomes.

Truancy Cases Closed 2006-2007
Reasons Other Than Compliance or VT Dismissal
N = 369



Thank You

Among the countless interactions between students and families, Visiting Teachers, Judges, behavioral health providers and community partners, it is easy to forget the people behind the scenes. Those individuals who provide the community outreach, maintain safety in the courtrooms, and process the paperwork for thousands of case events are as vital to the system as any of the aforementioned components. They set the example and a standard of teamwork from which all of us could learn. Without them, the system would surely come to a halt. It is important to recognize these dedicated Judicial Case Processors, Security Officers, Constables and Court Managers for their immeasurable contributions.



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