

MEMO

TO: Ald. James Bohl  
FROM: Jim Owczarski, Legislative Research Analyst  
DATE: February 6, 2002  
RE: Truancy abatement efforts in Milwaukee and other communities

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The following is in response to your request for information about truancy abatement efforts in Milwaukee and other communities. Laws intended to keep young people in school are a near-classic example of the frustrations that often confront the best legislative intentions. The law is clear enough. From the age of 6 through 18, every child in the state is expected to attend school whenever it is in session. Pursuant to s. 118.16(1)(c), Wis. Stats., (copy attached) any child absent from school without a legal excuse is considered "truant" and, pursuant to s. 118.16(1)(a), Wis. Stats., any child truant for 5 or more days in a semester is a "habitual" truant. Local communities are authorized to enact legislation punishing truancy with fines ranging up to \$100 plus costs per violation with a cap of \$500 per semester (s. 118.163(1m)(b)); to punish habitual truants by revoking their driving privileges for a period of one month to a year (s. 118.163(2)(a)) ; to order habitual truants to participate in counseling, supervised work programs or community service initiatives (s. 118.163(2)(a)) or to revoke work permits held by habitual truants (s. 118.163(2)(b)). The Milwaukee Code of Ordinances (at s. 106-23.1, copy attached) follows the form of the state statutes, but provides only for fines, making no mention of the other sanctions that could, legally, be brought against truants.

For its part, the Milwaukee Public School system (MPS) has enacted several policies to document and combat truancy. Selection from the system's policy manual are attached. Key pieces from these policies include:

- ◆ After each absence, school officials are expected to notify a child's parent or guardian that he or she was not in school. If the student cannot provide proof that his or her absence was for a valid reason, it becomes an "unexcused" absence.
- ◆ After 3 unexcused absences, school administrators are supposed to send a warning letter to a student's parents inviting them to a parent/teacher conference to help resolve whatever problems are causing the student to be truant.
- ◆ After 6 unexcused absences, the parents of middle-school students are asked again to appear at a parent/teacher conference to discuss the situation. If the parents do not attend, the matter is to be referred to a social worker.

- ◆ After 10 unexcused absences, a high school student is to be referred to the Department of Parent and Student Services for further action which can range from counseling to suspension and even, in extreme cases involving older students, to expulsion.

In practice, truancy is a far more complicated matter. I spoke to Dr. Aquine Jackson with the MPS Department of Parent and Student Services. He said, on any given day, 10,000 of the system's enrolled pupils are not in class. Of these an estimated 3,000 are truant. Limited resources, a desire to attend to the students who actually show up for class and the diverse reasons truants decide not to, mean individual schools have adopted individual responses to truant pupils. One technological innovation, used particularly at the high school level, is the automated phone dialers some buildings have connected to an automatic message system that alerts whoever answers the phone at a student's listed number that the student was not in school on that day. Others more directly follow the system directives listed above and, wherever possible, try to direct the worst truants to available social resources. Both in Milwaukee and in other communities, however, system-wide truancy abatement efforts seem, at present, to be undergoing significant changes. There are jurisdictional concerns, concerns over civil liberties and even competing educational models that all come into play. To better understand the matter, I contacted officials involved with truancy abatement in 12 cities with populations similar to Milwaukee's. Their efforts fell into 2 broad categories: internal and external.

Internal efforts are those that acknowledge that many pupils become truant for reasons that go far beyond the classroom. Some have learning disabilities that make them feel awkward in a social setting. Others have difficult home situations. Others simply struggle academically and begin to give up and drop out. Returning a student of this type to the classroom is likely to do little other than give him or her a record of being a habitual truant. A good example of an internal initiative is that in the City of Detroit. There the school district has set up 6 attendance centers, each staffed with 4 or 5 school teachers. These teachers evaluate students picked up by police for truancy, try to determine if they are at risk of becoming, or have already become, habitual truants, and can even take the students to a special prosecutor in the municipal court system for a truancy "pre-hearing" intended to make students understand the seriousness of their actions. The district also works to remove administrative barriers to attendance. For example, it specifically forbids teachers from locking out students who show up late for class. The district also tries to avoid giving students long-term suspensions. Those who do receive longer suspensions are assigned a special probation officer who is expected to bring a gentler approach to the job than might otherwise be expected. According to Ella Randolph-Cooke, director of the program, this officer is supposed to be "not just someone who gruffly knocks on your door" but, instead, someone who can connect the most habitual truants with the services they or their families need. On a sterner note, the district has denied habitual truants access to coveted drivers' education classes which, in some cases, were the only classes a truant was attending. Ms. Randolph-Cooke said, despite strong in-roads made in recent years against truant behavior, there are still some principals to whom she will not refer truant students for fear that students will only be turned away with suspensions.

In Denver, the public schools have their own truant officers who, since 1995, have been working as part of a special anti-truancy initiative funded through the district's \$3.3 million Safety and Security Department budget. The initiative employs 10 full-time officers, each of whom is assigned to a set of schools. Special attention is given to middle-school children. Like their counterparts in Detroit, these officers are directed to link needs with resources, even if, at least initially, this limits their participation in "round-ups" and other more punitive efforts. Failing this, however, the officers are also authorized to take children and their parents to a special county truancy court. Although the city itself has no municipal truancy citation, this court is authorized to impose a range of sanctions including civil forfeitures from negligent parents. The Denver officials to whom I spoke did make mention of a new problem that has recently beset anti-truancy efforts. As both home-schooling and open enrollment have grown in national popularity, it has become increasingly difficult for police officers to determine whether students are properly in school or not. In Memphis, for example, an anti-truancy initiative found itself in the middle of a controversy when police picked up and charged a home-schooled child with truancy forcing the city to revise its own municipal charge to "unruly child".

In Memphis, the metropolitan government, working through its court system, has set up an interjurisdictional program intended to break down the information barriers that can thwart efforts to keep kids in school. Sherrie Shedlar, chief administrative officer of the Metro Juvenile Court Authority, offered, just as one example, the difficulties the courts had in getting school records that might be relevant to the cases of students appearing before them. Further, there was no clearinghouse for truancy-related information meaning police, schools and courts could all be offering different information for students or their parents looking for help. Now, using grant funds as well as personnel from the Shelby County Sheriff's Department and the Memphis Police Department, truants are taken to an assessment center where those in need of help can, hopefully receive it. Chronic truants, however, can still have "juvenile summons" issued for them by the court, making them eligible for pick-up by police.

In Seattle, truancy abatement is actually a subsidiary part of a broader effort to keep kids out of gangs. There, 6 detectives (4 full-time and 2 shared on a part-time basis with the department's domestic violence unit) work on a case-management basis to help at-risk young people. These detectives, working with 15 case workers housed in 7 different sites throughout the city, will make daily calls on "their" young people if they do not attend school. They can also go a step further and file truancy warrants to pick them up and, potentially, arrest and book them on a King County truancy charge. The students are then assigned to juvenile detention, although they are held in a separate lock-up reserved for civil offenders.

Likely the best known "external" anti-truancy program is the Truancy Abatement and Burglary Suppression (TABS) initiative begun in San Jose, California and since adopted both in Milwaukee and Galveston, Texas. TABS begins from the premise that truant young people have a high tendency to engage in certain types of petty crimes, notably those related to property. The program, then, is aimed at picking young people up off the

street and letting them know that, in the eyes of the law, they belong in school. Under the program in **San Jose**, the city is split roughly in half. Each half has a TABS center staffed full-time during hours when school is in session requiring the annual participation of between 15-20 officers. These officers, and their peers on the force, conduct regular sweeps through the city, visiting known hang-outs of young people. The young people they find are offered an opportunity to explain why they are not in school but, if they have no explanation, they are brought to the TABS center. The students are not arrested but instead turned over to a volunteer staff of counselors, many of whom are interns interested in careers in social work or law enforcement, who try to evaluate why a particular student skipped school. Students are then either returned to school or turned over to a responsible adult. Students who are picked up 3 or more times in TABS "round-ups" receive further visits from a social worker either from the school district or a TABS staffer. Despite its internal components, there is no doubt that TABS sells itself based on external results, notably a decrease in daytime burglary rates which have decreased 85% since the inception of the program in 1981. TABS officers in San Jose pick up 6,000-7,000 young people annually and the officer to whom I spoke said nearly every incremental increase in the number of officers assigned to the program would result in a proportional increase in the number of young people picked up.

**Indianapolis** has a strong external emphasis in its truancy abatement programs. There, a wide range of agencies, including the Indianapolis Police Department, the Indianapolis Public School Police, the Indianapolis Park Rangers and the Indianapolis Public Housing Police all conduct regular truancy sweeps through the metropolitan area. Unfortunately, as was the case in many of the jurisdictions I contacted, there is a great deal of uncertainty as to which agency or which level of government ought to be responsible for dealing with truants once they are picked up. In most cases, according to the officer to whom I spoke, students are simply brought to a drop-off point from which their parents or guardians are contacted. The worst violators, in some cases but not all, go through an informal (no citation) process in front of a municipal court judge, but there is no consistent standard for which students should go through this process and what sorts of options should be available to the presiding judge

*Did not get* \* Attached, please also find information related to a truancy abatement initiative (largely internal) from North Miami Beach, Florida.

Should you have further questions, please feel free to contact me at your convenience. I am at extension x2299.