



# The Florida Senate

*Interim Project Report 98-67*

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Committee on Education

Senator John Grant, Chairman

## TRUANTS AND DISRUPTIVE YOUTH

### SUMMARY

The purpose of this study was to examine the problems of truancy and disruptive youth in Florida public schools. Specifically, the intent was to illuminate ways in which these issues are being dealt with and how the Legislature might further such efforts.

These populations of children are usually dealing with a variety of problems that originated in early childhood, such as learning and developmental difficulties, drug abuse, home and family issues, and abandonment. Serving these children is often the responsibility of numerous state and local agencies and usually involves cooperative agreements that meet with varying degrees of success.

### BACKGROUND

There are specific statutory requirements concerning compulsory school attendance, habitual truancy, and the removal from the classroom and disposition of disruptive students. Recent legislation has strengthened a number of requirements, including those concerned with parental responsibility, teacher and principal authority, and school and district accountability. Nevertheless, both truancy and disruptive behavior in the classroom remain significant issues in the public school arena.

### METHODOLOGY

Interviews with representatives of various agencies and disciplines were conducted. In addition, a survey was conducted of School Resource Officers (SROs) in the state's public school districts.

### FINDINGS

#### Truancy

According to the Juvenile Justice Accountability Board (JJAB), nearly 20 percent of students statewide have missed more than 21 days in a school year. Most school

districts have difficulty in accurately documenting whether these absences are excused or unexcused. JJAB released a report in June 1998, "Florida's Response to Truancy -- A Framework for Success," which offers a five-step approach for community partners to follow to address truancy at the local level. The board concluded that for truancy initiatives to be successful, communities must demonstrate a low tolerance for truancy by enforcing school attendance, addressing student and family needs, making referrals to appropriate agencies for services, providing those services, and ensuring that all interventions have been provided to the student and family. The five steps are:

- Enforce school attendance laws and rules;
- Assess the youth and family to determine the underlying causes of the behavior;
- Initiate referrals to community services;
- Provide services so that underlying needs of the student and the family are met;
- Establish a follow-up mechanism to assure that all necessary services are provided and to determine the efficacy of interventions.

The study recommended:

**Mobilization of essential community partners.** One agency alone cannot carry the burden. Each partner should work to assure that all children are educated, supervised, redirected from truancy and delinquency, and are provided services appropriate to their needs. A community policy regarding truancy should be developed and the school district should assume a leadership role in the community partnership. The school district must ensure that appropriate educational interventions occur so that the student can be returned to the mainstream classroom or placed in an alternative learning environment.

Law enforcement plays an essential role. Students who are taken into custody during routine patrol and taken to a truancy intervention site learn that attendance requirements are enforced. Furthermore, the number of

adolescents “on the street” and capable of committing crimes during the day is reduced. A de facto daytime curfew is established.

**Juvenile Assessment Centers (JACs) can also be of benefit in reducing truancy.** Eight of fifteen Florida JACs have co-located truancy centers. In general, the study found that key players, such as school districts, were not involved in the truancy centers. It also determined that data needed to evaluate the efficacy of such programs were lacking in most of the centers examined.

**Build the foundation.** Interagency agreements that clearly delineate the rules and responsibilities of each partner should be developed.

**Develop accountability.** Accountability measures must be developed to measure the efficacy of the truancy program and the strategies of the individual partners.

The Legislature established the Children In Need of Services/Families In Need of Services (CINS/FINS) program as a means of dealing with children who are so-called “status offenders,” meaning that they are truant, runaways, or ungovernable. The CINS/FINS program is administered by the Department of Juvenile Justice (DJJ). State funds are provided to DJJ to contract with the Florida Network of Youth and Family Services, a statewide network of community-based programs for status offenders. The truant youth and his or her family can receive screening and assessment services as well as counseling. DJJ also provides supplemental money through community partnership grants to programs that promote reduction in truancy, suspension, and expulsion.

In the survey of SROs, respondents were asked to name ways of improving existing truancy intervention efforts. Many stated that the CINS/FINS process is cumbersome, paperwork intensive, and too slow to address the child’s needs, at least in time to save the school semester or year. SROs believe that parents should be held rigorously accountable for school attendance. That is, if a parent is found to be responsible for the child’s poor attendance, the parent should be fined or criminally prosecuted (as authorized in s. 232.19, F.S.). Some believe that truancy should be made a criminal offense in and of itself.

Some experts disagree with the idea of making truancy a crime, although they readily acknowledge that there are few consequences for those children who are older and are ungovernable. Status offenders cannot presently be placed in secure (lock-down) detention.

The 1997 Legislature reinstated statutes authorizing revocation or refusal to issue driver licenses to truant youth (s. 322.091, F.S.). Some experts believe this provision works for some individuals, but for others it may be ineffective. The law has not been widely used -- some consider the task of documenting school attendance to be overly burdensome and so have not made use of the law, although procedures are in place with the Department of Highway Safety & Motor Vehicles.

Increased enforcement of parental responsibility to ensure that children attend school can take several forms, e.g., a contempt citation, jail time, a citation with a fine or community service, but these “hammers” should be used cautiously. Better enforcement is more likely if the court normally charged with handling family issues is given the specific responsibility for handling truancy matters.

The 1997 Legislature required the Florida Department of Education (DOE) to report to the Legislature on the implementation of programs designed to eliminate habitual truancy. The department was to include any statutory changes it deemed necessary to further reduce incidents of truancy, including intervention strategies that may be implemented by elementary schools. In a report entitled “The 1998 Final Report for Regular School Attendance Legislation.” DOE recommends that it review the definitions of excused and unexcused absences currently used by local school districts and recommend revisions to applicable statutes, rules, or the existing Automated Student Information System, if needed, to ensure:

- consistency and uniformity in the reporting of student absences (e.g., suspensions and expulsions);
- referrals are made to CINS/FINS to provide families with appropriate support as an intervention prior to making the determination that a student is an habitual truant; and
- consistent application of the sanctions for driver’s licenses and/or Learnfare Program for recipients of case assistance.

The report further recommends that DOE review the current statutes and rules prohibiting the introduction of school attendance records in court proceedings and recommend revisions to remove barriers that may limit or restrict the enforcement of truancy proceedings by DJJ.

Finally, the report recommends that, because of the costs associated with the return-receipt mail notices, s. 232.17(2), F.S., be revised to provide districts with more flexibility in the methods used to notify parents.

According to the report, many districts have submitted cooperative agreements as well as attendance policies to DOE. These documents will be compiled into a resource manual to enhance the future development of statutorily required protocols.

### **Disruptive Youth**

The 1994 Florida Juvenile Justice Reform Act required DOE to conduct a study of student disciplinary actions being used in Florida public schools. The study was conducted in collaboration with several other agencies addressing juvenile justice issues. It was carried out in two parts, with Part I including an analysis of statewide disciplinary action trends and a principal survey. Part II consisted of on-site visits to 20 schools around Florida to gather in-depth information on discipline and related issues.

Among other findings, the study revealed that certain performance factors were associated with students who were disciplined, and over representation increased with the severity of the disciplinary action. The characteristics include GPAs of less than 1.5, lowest quartile on grades 8 and 10 reading tests, lowest quartile on grade 10 math tests, less than "3" on grade 8 "Writing to Convince," more than 10 days of absences, and being overage for grade. An examination of recent DOE data revealed that a large majority of children in dropout prevention programs were overage. This fact is consistent with the findings of the study.

The study revealed that 71 percent of all out-of-school suspensions were for disruptive/aggressive behavior or disrespect/defiance of authority. Three-fourths of all minor misconduct incidents resulted in either corporal punishment or in-school suspension. Middle schools have distinctly higher rates of suspensions. Schools with high out-of-school suspension rates tended to have low

performance indicators such as high dropout rates, low test scores, poor attendance, and low promotion rates.

Providing education alternatives for students suspended out-of-school and expelled is a desirable policy; however, it is fairly expensive. In its report, DOE estimated that based on the average length of out-of-school suspensions at the time of the study, providing full funding of education alternatives for the slightly more than 9,000 suspended student FTEs would cost almost 10 times more than the amount the students would generate through Florida Education Finance Program (FEFP) dropout prevention funding. The added costs would be for transportation, facilities, and specialized personnel. For expelled students the estimated additional costs would be about twice the amount generated through the FEFP.

Based on its Part I findings, DOE recommended that:

- The Legislature should provide incentives that encourage school districts to reduce out-of-school suspensions and expulsions and increase alternative placements.
- The Legislature should fund a continuum of alternatives to keep disruptive and violent students in some type of quality educational program with appropriate security and other necessary services.
- The Legislature should provide more flexibility in new Safe Schools appropriations to allow school districts to fund alternatives to out-of-school suspensions and expulsion.
- DOE and DJJ should enter into a cooperative agreement implementing legislation that would help guarantee every student an educational option to suspension or expulsion.
- Local school districts should develop cooperative agreements with local law enforcement and juvenile justice to share information on students so that troubled students are better monitored and served.
- School districts and schools should take steps to eliminate any inequitable treatment of students in assigning consequences for misconduct in schools.
- School districts and school advisory councils (SACs) should use methods identified in the study to examine their discipline programs and to remedy any problem areas.

- Schools should use appropriate alternatives that are effective in changing the behavior of students engaging in minor misconduct and reserve removal from the regular school for more serious offenses.
- SACs should assess needs and implement comprehensive plans to reduce the high rate of violence and crime currently reported in Florida's schools.

In Part II of the study (on-site school visits), DOE could find no clear pattern or model with regard to school discipline and lower suspension rates. The following observations were reported:

- The majority of student behavior problems reported by school personnel consisted of disruptive and disrespectful behavior rather than violence and weapons. Commonly reported behaviors included talking without permission, fighting, talking back or disrespect to teachers, skipping classes or the school day, use of tobacco products, and chewing gum.
- Consistently more disruption, more aggression, and more violent behavior were reported at middle schools rather than high schools and misbehavior interferes more in middle school classrooms.
- Students and teachers agreed that major reasons for student misbehavior are: wanting to impress other students, parents not making students behave at home, and students simply not wanting to behave at school.
- Many students cited boredom as a contributor to disruptive behavior, even though they believed that what they are learning is important. Teachers, on the other hand, felt that students didn't value what they were learning.
- Teachers seemed to be handling most discipline problems in class and only referring serious or persistent problems to administrators.
- School discipline problems are perceived as relating more to actions of students and parents than school policies or personnel.
- Teachers and administrators perceived that major factors contributing to discipline problems are a lack of interest and self-discipline among students, and a lack of parental support.
- Differences in race, cultural background, age, gender, and social class were cited as contributing factors related to discipline.
- Student mobility was found to be significantly related to suspension rates. Principals reported that mobility has an often dramatic effect on discipline, creating instability and disturbing the learning environment and other aspects of school life.
- Out-of-school suspension was viewed as a "last resort" measure for discipline, even though some schools obviously employed the measure more frequently than others. However, many administrators felt that suspension has benefits such as forcing parental involvement, keeping the school safe, and illustrating a zero tolerance for disruptive behavior. Most administrators and teachers reported that they do not believe that out-of-school suspension is an effective way of changing behavior.
- Equity in discipline was seen as a problem by both students and teachers.
- A majority of teachers agree that more training on discipline is necessary. A majority of teachers did not feel that their pre-service education and training prepared them to handle discipline and student misbehavior. They wanted more practical experience and extensive internships before getting their own classrooms. Administrators have assistance available, but many teachers have no knowledge of it.
- Disciplinary measures were generally described in punitive terms. When asked about positive behavior management programs, teachers often mentioned a variety of reward, incentive, and recognition programs, as well as student intervention and support programs.
- School bus drivers reported that student misbehavior on the bus is a serious distraction and poses a safety threat. They were handling most of the discipline on their buses themselves, and were not pleased with the handling and support they received from schools in terms of discipline follow-up. Only one-fourth of the drivers reported being

notified when a student riding their bus had been suspended out of school for non-bus related misbehavior.

As a result of the Part II findings, DOE made the following recommendations:

- Provide schools with the flexibility to develop policies and practices designed to address individual school needs and realities.
- Empower schools to solve discipline problems, not mandate solutions at the state level. The state can assist schools in solving their own unique school discipline problems by clarifying and supporting the authority of school personnel, providing school discipline data, providing flexible resources to support programs, supplying technical assistance for developing effective alternatives, and training for dealing with disruptive students.
- Provide more effective training and practical experience on handling discipline in today's schools for future teachers while they are in preparation programs. Initial training should be followed by training in applicable district and school discipline policies.
- Support bus drivers by involving them more in the school discipline program and exchange of information.
- Encourage schools to adopt school-wide policies and ensure consistent enforcement of discipline.
- Encourage schools to assess their school's climate to ensure that it promotes respect, peaceful resolution of conflict and zero tolerance for violent and aggressive behavior.

The majority of respondents to the SRO survey believe that disruptive students should not be returned to the mainstream classroom, at least not until they have received intervention services. Ideally, such students would be placed in an alternative setting, perhaps on a central district campus. SROs overwhelmingly stated that disruptive students tend to have specific emotional, psychological, and/or learning difficulties, often in conjunction with a lack of parental involvement. They frequently mentioned the difficulty in managing disruptive students within an often confusing framework of rules and regulations. They cite the federal Individuals

With Disabilities Education Act (IDEA) as an example. The act is considered confusing and ambiguous in the options it presents for dealing with misbehavior among certain populations of children.

A common, collective concern among the responding SROs was that disruptive students are given too many chances to return to campuses to continue their behavior unchanged. They mention the "90/10 rule," 90 percent of their time is spent dealing with 10 percent of the students. The survey respondents offered several recommendations to improve the situation, including: imposing financial responsibility on parents for tutors and, if necessary, criminal restitution; court ordered family counseling; and the creation of a strict residential learning environment for students with chronic behavioral problems that would apply consequences for the continuation of such behavior.

### Issues Common to Truant and Disruptive Youth

Most experts agree that it is essential to identify troubled children as early as possible. They also agree that the process for identifying and serving troubled children needs to be streamlined.

Parents need to get the message that school attendance is a priority, that they will be held accountable for assuring that their child is in school, and that legal action will be taken for failure to comply (in those cases where the fault is with the parent and not due to the child being designated ungovernable, i.e., a status offender).

Troubled children need to see schools as an inviting place in order for them to return to a mainstream classroom. Otherwise, the child is likely to return to old habits, whether they be disruptive behaviors or staying away.

Some problems associated with troubled children are not obvious. For example, one state's attorney commented that children may be chronically absent from school due to a persistent problem with head lice. Such children are often from homes where the lice problem is not eliminated by the parents. The children cannot be served by the Department of Children and Family Services (CFS) because technically, they are not being abused, abandoned, or neglected. These children end up not being properly served by anyone.

Any special programs, particularly those with a residential component, must be voluntary in nature in order to avoid conflict with IDEA and possible litigation. Parental involvement in finding solutions is essential.

Problems and solutions will vary from district to district. Those responsible for serving troubled children should be given as much information as possible with regard to best practices so that they may develop effective intervention programs specific to their individual needs. State mandates are not advised, although all programs receiving state funding should include performance measures and standards and should be held accountable for outcomes.

**Examples of Promising Local Efforts**

The Marion County Sheriff’s Office has a well-designed policy manual generated by its Juvenile Division. This manual states that the School Resource Officer is, first, a law enforcement officer. The SRO program places emphasis on crime prevention, rapport building, attitude change, counseling, and resource assistance. The stated SRO objectives are:

- Developing a positive image. The SRO represents law enforcement as a whole. Helping students and faculty develop a positive image of the officers and his or her services is a focal point.
- Educating Students. Educating students in the citizens’ role in crime prevention is a principal objective. For example, the SRO may engage in classroom presentations ranging from laws to ethics to delinquency prevention.
- Communication. Community relations are expected to improve as the students take home valuable information garnered from the program to share with parents, family, and friends.
- Preventing Crime. Preventing crime in and around the school greatly involves the SRO. However, the SRO does not function as the disciplinarian, as disciplining students is considered to be the school’s responsibility. If a principal believes that an incident is a violation of the law, he or she may contact the SRO, and the SRO must determine if law enforcement action is appropriate. In the event a crime occurs on school grounds, the SRO is responsible for taking enforcement action, if appropriate.

Among other duties, SROs are expected to encourage individual and small group discussions with students to further establish rapport with students. They are to make themselves available for conferences with students, parents, and faculty members in order to assist them with problems of a law enforcement or crime prevention nature. SROs must become familiar with all community agencies which offer assistance to youths and their families, such as mental health clinics and drug treatment centers. The SRO must make referrals to such agencies when necessary, thereby acting as a resource person to students, faculty, and staff.

The Hillsborough County Sheriff’s Office has a strong truancy prevention program. Its Childrens Crime Analysis Unit issued a truancy report for the period August 21, 1997 through June 5, 1998. The following intake data were reported:

Grade Level	Number Processed
2	4
3	10
4	13
5	23
6	166
7	335
8	418
9	459
10	102 (under 16 years of age)

The report stated that of the 1582 truants processed, 770 (49%) had prior arrest histories including petit theft, criminal mischief, trespassing, burglary, petit larceny, retail theft, robbery, arson, grand larceny, auto theft, drug offenses, concealed weapon, assault, and battery. The predominant crimes committed by these youths were property crimes.

The report noted a significant decrease in incidents of thefts since the truancy program was initiated. In areas near schools, a 28 percent reduction was noted. In addition, criminal mischief decreased 12 percent, shoplifting decreased 2 percent, and vehicle thefts decreased 10 percent. County-wide, residential burglaries decreased 8 percent overall. The Sheriff’s Office will continue to monitor statistics to determine if the decrease in property crime remains consistent and is in fact related to the new zero tolerance for truancy initiative.

## RECOMMENDATIONS

Truancy and disruptive behavior are most effectively and appropriately dealt with at the local level. Local cooperative agreements should be encouraged. At the state level, tighten regulatory authority regarding compulsory school attendance and parental responsibility. Specific recommendations are as follows:

1. School Resource Officers (SROs) were found to be an important factor in assuring a safe learning environment, including the disposition of disruptive students. Such individuals, in their capacity as sworn law enforcement officers, can be utilized in many ways, including as the school liaison for students, parents, staff, and faculty (as is the case in Marion County).

Funding should be made available for school districts, in collaboration with local law enforcement, to assure that large schools (student populations of 1500 or more) are manned by two SROs. Consideration should be given to providing funding for the presence of at least one SRO in every school in the state, including elementary schools.

SROs should not have to leave the school setting in order to receive promotions and other benefits accorded law enforcement personnel who don't work at a school. The SRO survey revealed that some SROs feel that staying in a school setting negatively impacts their promotion potential. Incentives should be in place whereby schools can recruit and keep good SROs for as long as possible, where being an SRO can be a sound career opportunity.

2. Additional funding for local prevention and enforcement programs should be authorized. Many local agencies appear to be equipped to operate effective programs tailored to their particular environment. These efforts should be encouraged, funded, and held accountable for assuring positive outcomes, namely relative reductions in truancy and disruptive behavior.
3. SROs overwhelmingly feel that initial and on-going training is essential to assuring that they are able to handle troubled children. A well-received training program offered by the Office of the Attorney General and funded through DOE has suffered because funding was dropped after two years. The

program trained 1,217 officers in 30 courses in 1994-95; 1,045 officers in 24 courses in 1996; 938 officers in 19 courses in 1998; and only 235 officers in 6 courses as of August 1998. Sheriff's departments are reluctant to send their officers when tuition must be paid. It is recommended that funding for this SRO training program be reestablished.

4. The existing CINS/FINS programs is often cited as being cumbersome and inefficient. Although DJJ has a statutory requirement to fund and encourage prevention efforts, it is believed that the agency places most of its focus on children who have already committed a crime. The CINS/FINS process involves referring children to various local social service providers via the Florida Network. Consideration should be given to transferring the CINS/FINS program to an agency more aligned with prevention and delivery of social services, namely, the Department of Children and Family Services.
5. Dealing with truant and disruptive youth is believed to be a low priority issue in many school districts. The current funding formula where periodic student counts are taken in order to determine per-student funding provides little incentive for districts, schools, and principals to assure that troubled children remain in school. The current public school funding formula should be reviewed to determine the feasibility of incorporating the daily attendance of students as a factor in calculating each district's annual share of FEFP funds.
6. School districts should be encouraged to place a priority on local cooperative interagency efforts to reduce truancy. It should be noted that school district participation in cooperative agreements with district DJJ and CFS representatives with regard to habitual truancy is already mandated by s. 232.19, F.S. Funding incentives/disincentives would likely increase participation.
7. The acquisition and retention of high-quality teachers trained and willing to work with troubled youth is problematic. Most experts agree that these populations are far more challenging than children who are not so categorized. Collective bargaining agreements notwithstanding, incentives to employ and keep qualified teachers who specialize in working with these populations should be encouraged and funded.

8. Increase parental accountability. The logistics of increased criminal prosecution of all parents who willfully fail to keep their children in school may overwhelm an already burdened court system. Consideration should be given to addressing this issue by authorizing the school SRO to issue a civil citation, a fine, or community service to the parent(s). Failure to pay or submit might include larger fines, liens against property, adversely impacted credit ratings, and other remedies. Any such provision would, of course, have to include an

appeals process that may ultimately involve the courts.

9. Revise certain sections of Chapter 984, F.S., so that law enforcement officers are authorized to take unsupervised children into custody even if they have been suspended or expelled. Current statutes do not specifically grant this authority relative to suspended or expelled students.

**COMMITTEE(S) INVOLVED IN REPORT** *(Contact first committee for more information.)*

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**MEMBER OVERSIGHT**

Senator Burt and Senator Cowin