A research study concerning a deterrent to truancy: The juvenile court petition.

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A RESEARCH STUDY CONCERNING A DETERRENT TO TRUANCY: THE JUVENILE COURT PETITION

A PROJECT

Presented in partial fulfillment of the requirements for the Masters Degree in Education in the School of Education of California State College
San Bernardino

by
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California State College
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INTRODUCTION

Purpose

Although the Education Code provides for compulsory education and compulsory school attendance, the means of enforcement has had little effect on the rising number of school truancies and does not substantially change attendance patterns of the habitual truant.

The purpose of this research study will be to determine the effectiveness of the Juvenile Court petition request as a deterrent to truancy and as a method of improving attendance. Further, it will show that alternatives to the Juvenile Court petition, as a means of combating truancy, are critically needed.
**Operational Definitions**

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juvenile Court Petition</td>
<td>A truancy referral made by school personnel.</td>
</tr>
<tr>
<td>Truant</td>
<td>A student who is absent from school without valid excuse and without parent's knowledge or consent.</td>
</tr>
<tr>
<td>Habitual Truant</td>
<td>A student who has a minimum of six school days of confirmed truancy verified by school personnel and/or parent. Education Code 12401-12403 requires that parents are notified of truancies. Following the third notification, a child is declared a habitual truant.</td>
</tr>
<tr>
<td>CWA</td>
<td>Child Welfare and Attendance. This term refers to the certificated personnel or District attendance counselors in the Child Welfare and Attendance Department of the School District Office.</td>
</tr>
</tbody>
</table>
STATEMENT OF HYPOTHESES

The First Hypothesis States:

There will be no more than a 5% improvement in the attendance pattern of a habitual truant in the forty school days following the initiation of a request for a Juvenile Court petition as compared to the forty school days prior to the referral as measured by an examination of the attendance records of habitual truants for whom petitions were initiated by schools in the Pomona Unified School District during the 1972-73 school year.

The Second Hypothesis States:

Of the total number of referrals for Juvenile Court petitions initiated by the schools, no more than 30% will ultimately be presented to the Court for disposition as measured by a review and analysis of attendance records, probation data, and truancy referrals for the Pomona Unified School District during the 1972-73 school year.
REVIEW OF LITERATURE

In a survey of the literature pertinent to this study, it was found that relatively little has been written about school truancy. In fact, only four statistical studies - two books and two journal articles - concerning attendance and truancy were located. Of these, only one referenced the enforcement of the Education Code through the use of the Juvenile Court. Although there is little in the way of factual research, the literature is filled with opinion articles and with related materials concerning the school dropout.

Compulsory education laws were adopted in every state between 1852 and 1918 for the dual purpose of Americanizing large numbers of immigrants and as a necessary protection of minors from widespread labor abuses that were concomitants of the Industrial Revolution.\(^1\) With the establishment of such laws came the task of enforcement.

Abbott and Breckinridge's research, first published in 1917, appears to be the earliest and most comprehensive study of truancy. The authors' purpose was to present a history of compulsory education

\(^1\)Frances Castan, "Is There a Right Not to Go to School?" Scholastic Teacher, October 1972, pp. 20-21.
in Illinois and to examine conditions and methods of treatment for the truant and nonattending children in the Chicago area from the years 1897 to 1915.

Upon completion of their study, Abbott and Breckinridge found that even though the principle of compulsion was accepted, enforcement was lacking. They recommended numerous changes including: establishment of a state educational authority to supervise local authorities in the enforcement of state school laws, raising the compulsory attendance age (to keep minors under 16 out of the labor market), the issuance of work permits by state educational authorities, the establishment of a vocational bureau, the establishment of a school for truant girls, the initiation of a transfer system to follow-up "lost" students who move and do not re-enter school, and special programs for Americanizing immigrant children.

Other facts of the study revealed that the problem of willful truancy was almost exclusively a boy problem, that it was the policy not to bring a case to the courts until all other methods had failed, and that a study of home conditions showed many "slack" homes, i.e. indifferent fathers and weak, easy-going, indolent mothers. The authors felt that home conditions were probably the most important factor in

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the problem of truancy. They stated, "while poverty is not necessarily
the cause of truancy, for truancy and poverty alike may be due to one
and the same cause - drink or incompetence, for example - but
truancy has, nevertheless, a very clear relation to poverty."³

The above study is of paramount interest as it indicates social
problems of the early part of the century are, with some modifications,
the same today. Maurice J. Tyerman's study of truants in the English
schools is similar in nature and is, apparently, the only other large
scale research project which has been done. It presents an up-to-
date review of numerous experiments and studies concerning the
truant.

Traditionally, the truant has been portrayed as a happy-go-
lucky extrovert who prefers fishing to school. Not so, says Tyerman.
He sees the truant as a child who is very introverted, lacks friends, is
in conflict with parental demands and attitudes, and is confused by
parental indecision as regards discipline. The author contends that
the home is a key factor as parental ambiguity in discipline correlates
with the pattern of truancy. He also believes that corporal punishment
in the home is causally correlated with a tendency to avoid school.⁴

³Ibid., p. 158.

⁴"Tabs on Truants," review of Truancy by Maurice J.
Tyerman, Times Educational Supplement (London), 8 November,
1968, p. 1018.
Further findings of Tyerman's study indicate that nine times as many boys as girls are truant, that truancy is a warning signal of emotional problems and developing delinquent tendencies (at least half of the truants are maladjusted, and one in two commits other offenses), that 90% of the truants come from a poor socio-economic background where education is considered to be a burden rather than a privilege, that one truant in three comes from a broken home, and three out of four come from homes where discipline is lacking. Tyerman concludes that the job of the educational welfare officer should be increasingly that of following up causal factors in the home. He also recommends more school guidance clinics.

In the related literature, Kowitz and Kowitz studied school attendance as an index to guidance needs. Their theory was that patterns of poor school attendance correlated with symptoms of behavior that would be amenable to guidance services. The study included research on three types of absence: single day, multiple day, and total days absent. Single days were expected to be most closely related to guidance needs. However, an analysis of data failed to show that any of the three types of absence would be a useful diagnostic tool.

for the guidance services. Also, no support was found for the idea that school attendance is an index of pupil achievement or adjustment.

Yudin, Ring, Nowakiwska, and Heinemann conducted a study of the school dropout versus the college bound. Records of fifty high school dropouts and fifty graduates were compared retrospectively from first grade on for I.Q., academic performance, absenteeism, and behavior. It was found that by the end of the first grade the two groups differed significantly and became increasingly disparate through time. More males dropped out while more females were college bound. In a discussion of their findings, the authors pointed out that the school situation seems to be related to ultimate success or failure. The fact that patterns of excused and unexcused absences were different for the two groups from the primary grades on indicate a break-down in home-school communications. Intervention might have been possible to determine reasons for absence and to correct situations as they developed. "The decision for dropping out seems to be a complex one determined in part by experiences beginning early in the school career and in part by what the individual student brings with him to school." 

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Schreiber's collection of articles concerning the dropout contains materials on programs, statistical studies, guidance services and other suggestions for help, and the social and historical factors involved. In the introduction to his volume, Schreiber indicates that he believes the dropout to be America's major educational problem. He feels that the concern has been motivated, in part, by the attention and publicity given to school dropouts by both Presidents Kennedy and Johnson. They related the problem to the economic well-being of the country. However, Schreiber contends that while the dropout has always been a part of the educational scene, he has only suddenly become a problem because "the range and number of jobs requiring little formal education has drastically diminished."\(^8\)

NEA sponsored research on school dropouts revealed that many felt nothing would have helped them. Other dropouts suggested the need for work-study programs, vocational programs, increased guidance services, and more teacher attention.\(^9\)

Another excellent in-depth study of the dropout was conducted by Lucius Cervantes who reflects that "it seems plausible that the minority of tomorrow - the high school dropout - will have more


difficulty climbing out of the basement of their poverty than had minorities of the past. "

Cervantes includes in his work a prediction table of twenty characteristics commonly found among youth who are potential or actual dropouts. Many similarities were noted between the "dropouts" of the Cervantes study and the "truants" of Tyerman's and Abbott and Breckinridge's studies.

It appears that the general public of the United States and other countries are interested in the problem of truancy as evidenced by news articles. For example, Cynthia Parsons of the Christian Science Monitor says "Truancy, in the United States, is at dangerous levels. In large city school systems, it is estimated that about 50 percent of the students are truant part of each school year." Parsons also believes that truancy is more of a parent problem than a school problem and that parents, neighbors, relatives, and friends should take the initiative to see that children are in school.

It is also evident in Parson's article that the public accepts the belief (as Schreiber so aptly pointed out) that economic factors are related to truancy and school dropout.


11 Ibid., pp. 198-99.

... it has been thoroughly documented that the youngster who does not successfully complete school costs the community more money than those who do.

The school dropout more often ends up on welfare, commits vandalism, is booked by police, becomes an alcoholic, and/or drug addict, does not maintain a marriage, and so forth. Not all dropouts do the above; not all high-school graduates are free of the above. But averaging statistics show that the one common thread in deviant behavior in adults is a lack of ability to read and a record of truancy.  

A Scottish correspondent covering a conference of Ayrshire educators noted that much attention was paid to the high degree of truancy (30 percent of pupils in secondary schools are truant on any given day) and that many proposals for correction were offered. They included: shooting the head-master, modifying the school age, revising curriculum, and a plan to make up time missed.

From Sweden, Burke writes that students hate school and only drop in to eat. School heads say they have tried everything. "All means of persuasion have failed."

Finally, from London, a series of reports have appeared in the Times during recent years. Some have placed blame on general world


conditions saying "... everything is so lax nowadays." Others quote large figures of truancy and suggest numerous ways of correcting the situation.

In reviewing a paper on children's rights, published by the English National Council for Civil Liberties, Mark Vaughn commented that the thesis of the entire paper is that the "approach to education cannot be contained in a school system alienated from life and sustained by compulsory attendance... the true failure rate of schools is so overwhelmingly large that the whole institution must be recognized as being socially harmful." 17

The argument that compulsory attendance is outmoded seems to be the theme of much of the more recent literature. Writers such as Harrison, Heath, and Hopkins believe that compulsory education has outgrown its original purpose and should be abolished if we want to develop free thinking, self-reliant, creative, independent adults.

Castan suggests that compulsory education not be abolished entirely, but that laws be modified. He refers to a recent report from the NEA Task Force on Compulsory Education which recommended that


education be required of all Americans but not necessarily in the traditional time form or the traditional school facility. The Task Force 
"... urged the adoption of amendments to compulsory attendance laws which would give individual schools and school systems the option to develop alternative programs."18

In a discussion of compulsory attendance regulations, Howard Johnson argues that enforcement of such regulations contributes very little today in the achievement of the basic goals of schooling. He asserts that changes in the cultural expectations and legal roles of people make it necessary for school personnel and community leaders to rethink the matter of compulsory attendance and its enforcement.

Numerous legal and quasi-legal rights have now been extended to young people of high school age. Schools have been stripped of much of their in loco parentis status and student rights of due process have made enforcement of any regulations a much more time-consuming task than in the past. Consequently, enforcement of compulsory attendance whether required by legal dictate, community expectation, or both, can become an extremely costly enterprise. In short, the cost/benefit ratio for attendance enforcement at an institutional level is extremely high, particularly in light of the present and projected occupational and technical requirements of our social system. In many situations, enforcement is viewed as a virtual impossibility and school personnel have given up on even attempting it.19

18Frances Castan, "Is There a Right Not to Go to School?" Scholastic Teacher, October 1972, p. 24.

In response to Johnson's thesis, several educators responded briefly in the same article. They held differing views. Nevertheless, it was generally agreed that before doing away with attendance laws entirely, sound alternative programs need to be developed.
RESEARCH DESIGN

Sample

The sample will consist of the total number (58) of Juvenile Court petition requests initiated at the school level for ultimate consideration by the Juvenile Court in the Pomona Unified School District during the school year 1972-73.

Measurement

The measurement will consist of an analysis and comparison of:

1. the days of truancy prior to and following the petition request from the schools.

2. the number of petition requests that are submitted to the District, Probation Department, and the number of petition requests that are finally submitted to the Juvenile Court.

Comparisons and data will be designated as a percentage of the total.

Procedure

1. Review District records of Juvenile Court petition requests.

2. Record attendance data from school attendance apportionment cards for those students included in the study.

3. Review School District, Probation Department, and Juvenile Court disposition of referrals.
4. Analyze and compute data to determine validity of the first hypothesis.

5. Analyze and compute data to determine validity of the second hypothesis.

6. Record other significant data for further study and supportive information.
RESULTS OF STUDY

The community that was selected for this research study is one of varying socio-economic and ethnic backgrounds. The school district is comprised of senior high schools, six junior high schools, and twenty-one elementary schools totaling an enrollment of approximately 19,000 students.

The District employs a Supervisor of Child Welfare and Attendance, three district attendance counselors that service all schools in the District, and a full-time secretary to handle CWA matters. The budget for the CWA department is approximately $70,000.

The population of the study consisted of all the student referrals (58) that were initiated by the schools to the Juvenile Court for truancy during the 1972-73 school year. Such referrals were prepared at the individual schools by an administrator in charge of attendance and then forwarded to the District Office for subsequent action by the CWA department.

The investigation included a review and analysis of District CWA records related to the following:

1. school referrals on student truancies;

2. attendance apportionment cards for all students involved
in the study;

3. detailed attendance records for the forty school days prior to and following the referral for truancy;

4. administrative actions taken by the various agencies involved, including the District CWA, the Probation Department, and the Juvenile Court.

With regard to the hypothesis concerning the improvement of attendance, an examination of the records showing days of absence, prior to and following the petition request, revealed that there was no improvement in the attendance pattern. Therefore, the null hypothesis was supported. In fact, it should be noted that the days of absence were even greater following the Juvenile Court petition request.

Table 1 shows the pertinent data regarding absenteeism. Only full days of truancy were counted in the study. However, for the readers interest, period cuts were included but not tabulated in the percentages (see Table 1, Appendix I).

During the period of two school months prior to, and following, the filing of a truancy petition there is a great deal of parent contact, home-school communication, and in-depth counseling by school personnel and the Probation Department. Apparently none of this, or the filing of the petition, is a deterrent to truancy once the pattern has been established.

In analyzing the data for the second hypothesis, the number of referrals that are ultimately presented to the Court, a review of the
records indicated that the null hypothesis was supported with less than 30% of the referrals ultimately being presented to the Juvenile Court for action. Table 2 indicates the various dispositions and percentages of the referrals (see Table 2, Appendix II).

An analysis of the data for this research study uncovered a number of noteworthy facts regarding truancy and the handling of the problem by school personnel.

First, considering the size of the school district involved, it appears that only the most flagrant truants are referred by the schools for some action. In examining the records, it was noted by the investigator that all students involved in the study had poor attendance records dating back to their earliest school years. Further, many subjects had been deemed habitual truants in previous school years and most had previously been referred for truancy some time during their school tenure.

Next, there is some indication that referrals were not accurate or were improperly prepared. District attendance counselors have as part of their job responsibilities the task of advising school personnel on procedures involved in filing truancy petitions, verifying truancies, helping schools counsel the parent and child, and seeking outside community support for families and the children involved.

In consideration of the large number of truancies reported for attendance purposes, the role of the CWA worker, and the ADA of the
school district, it seems fairly obvious that fifty-eight referrals is an extremely small number. This averages less than twenty referrals per attendance counselor for an entire school year. An analysis of the data in Table 2 reveals that 26% of the referrals were not acted upon by the District CWA which apparently indicates that: referrals were not accurate in detail; the school had not made every effort to resolve the truancy; or that the District CWA failed to follow through and take appropriate action on the referral.

Table 2 also shows that the Probation Department makes a significant judgment (51.7%) as to whether any action will occur. In 39.7% of the cases Probation took no action which indicates that the petition was not accurate or that the Department was negligent in follow through.

In cases (12%) where the Probation Department made a judgment to divert the petition from the Court, there was an informal action of some sort such as placement on informal probation (no official records), therapy, counseling, etc.

Of the few cases that ultimately were presented to the Court (22.4%), more than half of that figure (61.5%) were sustained. However, of the total fifty-eight cases originally submitted by the schools, only a mere 13.8% were sustained by the Juvenile Court. Those that were dismissed by the Court were done so on a legal technicality or because school evidence did not support the charge.
Another significant fact that came to light was that no elementary school initiated a referral for truancy. All referrals came from the secondary schools. It would appear from the evidence of those referred (extensive records of truancy and poor attendance patterns dating back to elementary years) that the elementary schools are either ignoring irregular attendance or are not cognizant of the deviant patterns they are helping to establish. From the records, poor attendance is established long before entry into the secondary level but is manifested as an out and out truancy problem when the child is placed in a different setting with more peer pressures and fewer controls.

Of the total fifty-eight referrals there were sixteen girls and forty-two boys in the study. These figures concur with the general findings of other studies which indicate that truancy is predominately a boy problem. As a point of interest, of the cases that were finally presented to Court for disposition, only three involved girls. Of these, two were dismissed and one was sustained.
RECOMMENDATIONS

The data collected in this study supported the null hypothesis for each of the two hypotheses. Thus, the present method of handling truancy seems inadequate. Further, with regard to the second hypothesis, since only a relatively small number of truancy petitions are ever presented to the Court for resolution, it would appear that a more viable method of handling the truant needs to be found.

At the present time, CWA workers are not being effective either in their output in preparing petitions that will stand up in court or in reaching large numbers of truant youngsters for counseling and change in attendance patterns. From the lack of referrals at the elementary level, it would appear that a core of highly trained and skilled professional counselors would reach a wider audience and be put to better use if they were to attempt to change pupil and parent attitude toward school before it becomes a set pattern.

Elementary schools are remiss in their reporting of truancy and poor attendance. Several factors might explain this situation: a desire to obtain all possible ADA monies thereby accepting any excuse; the teacher's lack of perception about pupil's attitudes toward school; school personnel's lack of knowledge about what constitutes truancy; or
it might simply be due to the fact that the elementary school staff lacks personnel skilled in counseling and guidance services to help pupil, parent, and teacher alleviate the problem.

In consideration of the above, one is led to the conclusion that large sums of money, time, and energies of administration and staff would be better expended in a prevention rather than a detention program. Therefore, it is recommended that a sound developmental Guidance program involving the use and services of counselors, social workers, and paraprofessionals be initiated at the Elementary level in order to modify behavior and attitude for both parent and child toward school.
APPENDIX I
TABLE 1
Days of Attendance Before and After filing of the truancy petition

<table>
<thead>
<tr>
<th>Time</th>
<th>N</th>
<th>Max. days of attendance</th>
<th>Days of illegal abs.</th>
<th>Days of exc. abs.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEFORE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 sch.</td>
<td>58</td>
<td>2,320</td>
<td>1,252*</td>
<td>369</td>
<td>1,621</td>
</tr>
<tr>
<td>days</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AFTER</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 sch.</td>
<td>58</td>
<td>2,320</td>
<td>1,530**</td>
<td>228</td>
<td>1,758</td>
</tr>
<tr>
<td>days</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prior to filing: days of absence total 1,621 days
Following filing: days of absence total 1,758 days

Showing 137 more days of absence or 8.45% increase in absenteeism following the initiation of the Juvenile Court petition request by the schools.

*Period cuts were not included in the figures for total days of absence. Days of partial absence prior to filing were 193 (period cuts).

**Days of partial absence after filing were 172 (period cuts).
APPENDIX II
**TABLE 2**

Juvenile Court Petition Requests

<table>
<thead>
<tr>
<th>Number</th>
<th>Not sent to Probation by Dist. CWA</th>
<th>Sent to Probation no action</th>
<th>Probation took informal action</th>
<th>Sent to Juvenile Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>58</td>
<td>15</td>
<td>23</td>
<td>7</td>
<td>13</td>
</tr>
</tbody>
</table>

Percentages: 25.9% 39.7% 12.0% 22.4%

To have invalidated the Null Hypothesis (30%) more than 17 cases would have had to have been presented to the court for action.

Of the thirteen cases presented to the court, eight were sustained.
BIBLIOGRAPHY

Books


Periodicals


Castan, Frances. "Is There a Right Not to Go to School?" Scholastic Teacher, October 1972, pp. 20-24.


Newspapers


