

Report To
The Mississippi Legislature



**The Mississippi School Attendance Officers Program:
A Joint Study by the PEER Committee and the
John C. Stennis Institute of Government**

November 30, 1994

Required by Senate Bill 3019, 1994 Regular Session

The Mississippi Education Reform Act of 1982 created the school attendance officer program under supervision of the youth courts. In February 1994, the Mississippi Supreme Court ruled this a violation of the separation of powers provision of the Mississippi Constitution. The Legislature requested the PEER Committee and the John C. Stennis Institute of Government at Mississippi State University to recommend an organizational location for the program.

Responsibility for compulsory attendance enforcement should rest with the State Board of Education, with administration by local school districts. The state board should establish standards for enrollment and attendance outcomes, credentials of any enforcement personnel utilized, and should monitor school district success. School districts should assess need; integrate current school attendance officer statutory duties and responsibilities with existing efforts and resources; and link attendance service needs with the courts, law enforcement, and community service providers. The Legislature should appropriate the money now dedicated to the school attendance officer program to the school districts through the minimum foundation supportive services formula.

The PEER Committee

PEER: The Mississippi Legislature's Oversight Agency

The Mississippi Legislature created the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER Committee) by statute in 1973. A standing joint committee, the PEER Committee is composed of five members of the House of Representatives appointed by the Speaker and five members of the Senate appointed by the Lieutenant Governor. Appointments are made for four-year terms with one Senator and one Representative appointed from each of the U. S. Congressional Districts. Committee officers are elected by the membership with officers alternating annually between the two houses. All Committee actions by statute require a majority vote of three Representatives and three Senators voting in the affirmative.

Mississippi's constitution gives the Legislature broad power to conduct examinations and investigations. PEER is authorized by law to review any public entity, including contractors supported in whole or in part by public funds, and to address any issues which may require legislative action. PEER has statutory access to all state and local records and has subpoena power to compel testimony or the production of documents.

PEER provides a variety of services to the Legislature, including program evaluations, economy and efficiency reviews, financial audits, limited scope evaluations, fiscal notes, special investigations, briefings to individual legislators, testimony, and other governmental research and assistance. The Committee identifies inefficiency or ineffectiveness or a failure to accomplish legislative objectives, and makes recommendations for redefinition, redirection, redistribution and/or restructuring of Mississippi government. As directed by and subject to the prior approval of the PEER Committee, the Committee's professional staff executes audit and evaluation projects obtaining information and developing options for consideration by the Committee. The PEER Committee releases reports to the Legislature, Governor, Lieutenant Governor, and the agency examined.

The Committee assigns top priority to written requests from individual legislators and legislative committees. The Committee also considers PEER staff proposals and written requests from state officials and others.

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**The PEER Committee
Mississippi Legislature**

The Mississippi Legislature

Joint Committee on Performance Evaluation and Expenditure Review

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November 30, 1994

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At its meeting of November 30, 1994, the PEER Committee authorized release of the report entitled **The Mississippi School Attendance Officers Program: A Joint Study by the PEER Committee and the John C. Stennis Institute of Government.**



Senator Travis Little, Chairman

**This report does not recommend increased
funding or additional staff.**

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Executive Summary

Introduction

MISS. CODE ANN. Section 37-13-91 (1972) created the position of school attendance officer to enforce the state's compulsory school attendance law. The statute assigned supervisory responsibility for the attendance officers to the state youth court system and the courts retained that assignment until February 1994.

At that time, the Mississippi Supreme Court ruled that assignment of school attendance officers to the judicial branch violated the separation of powers provisions of the Mississippi Constitution, since attendance officers have enforcement authority. In response to the ruling, the 1994 Legislature enacted Senate Bill 3019, which placed the attendance officers under the supervision of the state's district attorneys for one year, until April 7, 1995.

The bill also requires the PEER Committee and the John C. Stennis Institute of Government to submit a report to the House and Senate Education Committees and the House Select Committee on Juvenile and School-Related Crime on the organizational location and administration of school attendance officers, including recommendations addressing which state or local public office is best suited to administer the attendance officers program and the Compulsory Attendance Law. The PEER Committee expanded the study to include a review of the effectiveness of the school attendance officers program.

School Attendance Officer Program Management and Operational Systems

The compulsory school attendance law has historically mandated a decentralized management concept which has a statewide mission to ensure the school attendance of compulsory-age children. The law gives no single individual or agency responsibility for the program's performance.

The law assigns responsibility for attendance officer staff training to the Mississippi Judicial College, thus further fragmenting program responsibility. The Mississippi Association of School Attendance Officers/Consultants, an independent organization of the state's attendance officers, actually provides the coordination, communication, and recordkeeping for this statewide training function, and has assumed a quasi-state program management role for most attendance officers.

The operational profiles of the twenty attendance officer programs now in place have little commonality except for the few statutory provisions by which they must abide and any standardization that has been achieved through the informal actions of the Mississippi Association of School Attendance Officers/Consultants. The majority of these twenty operations are disconnected from one another in goals, objectives, policies, and procedures. Thus, effectiveness and efficiency of the management and operation of the program are directly proportional to individual motivation and management abilities/skills of the local district attorneys and their assigned school attendance officers.

The current climate of fragmentation exists because the state has not established centralized authority and oversight for the school attendance officer program. The lack of central responsibility for program effectiveness has produced a fragmented statewide management approach which does not yield maximum benefit to Mississippi's compulsory-age children. The program has no guidelines for uniform program administration and supervision, and, as a result, has:

- unclear and incomplete program objectives;
- no specifically defined program effectiveness standards; and,
- no centralized program oversight at the state level.

Specific problems with program management include the fact that no statewide entity or agency has performed essential management functions (planning, organizing, directing, and controlling), and the program does not have an adequate management information system or personnel management system.

Effectiveness of School Attendance Officers

The compulsory school attendance enforcement program, as it has been implemented for the last ten years, has not had a significant impact on school attendance. Trends in absenteeism and the dropout rate have not shown consistent improvement during the years following passage of the 1982 compulsory school attendance law, which created the role of school attendance officer.

In general, absentee rates for students subject to the compulsory attendance law have remained at approximately the same level (four to six percent) that they had reached prior to implementation of the compulsory school attendance law. However, ninth- and tenth-graders' absentee rates have increased in recent years. Dropout rates, too, have increased for students in the ninth, tenth, and eleventh grades.

Conclusions and Recommendation

The state school attendance enforcement program suffers from significant management and operational problems. The lack of central oversight or requirements for performance tracking has fostered a program which has no formal accountability system. No individual or board has

established policy direction or performance standards, nor has any state entity monitored the program to ensure effectiveness.

Compulsory attendance is an educational issue of statewide significance, requiring local program design and flexibility to achieve maximum impact. The Legislature should transfer responsibility for compulsory school attendance enforcement to the State Board of Education for administration by local school districts.

The State Board of Education should establish standards for enrollment and attendance outcomes, credentials of any enforcement personnel, and should monitor school district success in achieving the required levels of performance. School districts should assess need; integrate current attendance officer statutory duties and responsibilities with existing school attendance efforts and resources; and link school attendance service needs with the courts, law enforcement, and community service providers.

To support the school attendance program, the Legislature should appropriate the money now dedicated to school attendance enforcement directly to school districts through the school funding formula. To continue funding school attendance enforcement at the FY 1995 level (\$3,274,555), the Legislature could appropriate approximately \$140 in supportive services funding for each minimum program teacher unit (\$121 added to the supportive services amount in MISS. CODE ANN. Section 37-19-21 plus the additional 15.9% [\$19] in fringe benefits implemented through the appropriation). The Legislature should require districts to use the funds to enforce the compulsory attendance law. Such a system would allow maximum flexibility in addressing local needs, while accommodating the need for state-level oversight and accountability to the state's citizenry.

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Introduction

MISS. CODE ANN. Section 37-13-91 (1972) created the position of school attendance officer to enforce the state's compulsory school attendance law. The statute assigned supervisory responsibility for the attendance officers to the state youth court system and the courts retained that assignment until February 1994.

At that time, the Mississippi Supreme Court ruled that assignment of school attendance enforcement, an executive function, to the judicial branch violated the separation of powers provisions of the Mississippi Constitution [632 So. 2d 953 (Miss, 1994)]. In response to the ruling, the 1994 Legislature enacted Senate Bill 3019, which placed the attendance officers under the supervision of the state's district attorneys for one year (April 8, 1994, through April 7, 1995) to allow time for a study of the issue of their future placement. This report is in response to that legislative mandate.

Authority

Section 11 of Senate Bill 3019 requires the Performance Evaluation and Expenditure Review (PEER) Committee and the John C. Stennis Institute of Government to submit a report to the House and Senate Education Committees and the House Select Committee on Juvenile and School-Related Crime on the organizational location and administration of school attendance officers, including recommendations addressing which state or local public office is best suited to administer the attendance officers program and the Compulsory Attendance Law.

Additionally, in accordance with MISS. CODE ANN. Section 5-3-57 (1972), the PEER Committee expanded the study to include a review of the effectiveness of the school attendance officers program.

Scope and Purpose

In consultation with PEER, the Stennis Institute assumed three areas of responsibility for study and analysis:

- a review of academic and applied literature on compulsory education, truancy, and efforts to address truancy and dropout rates;

- development of a legislative history of compulsory education and school attendance officers in Mississippi; and,
- the collection and analysis of data from states and individuals across the nation as a means for making comparisons and recommendations with regard to Mississippi's Compulsory School Attendance Law and attendance officer program.

PEER retained responsibility for:

- analysis of the current system, including system effectiveness; and,
- analysis of the implications for system change.

The primary purpose of the report is to recommend to the Legislature the public entity which is best suited to administer the school attendance program of the state most effectively, to make recommendations regarding the Mississippi Compulsory Attendance Law and to make recommendations regarding the school attendance officer program.

Method

During the course of this review, PEER and the John C. Stennis Institute:

- conducted extensive research on the statutory and operational history of Mississippi's compulsory attendance program, compulsory attendance laws and programs in other states, general and public program management literature, and school attendance enforcement program literature;
- conducted telephone surveys and written surveys of the compulsory school attendance enforcement programs in other states (assessing the statutory responsibilities, program management structures, program operations, and the authority, responsibilities, and qualifications of attendance officers);
- interviewed officers of the Mississippi Association of School Attendance Officers/Counselors, other school attendance officers, individuals in other state departments of education, and a purposive sample of district attorneys, local school district superintendents, and concerned citizens;
- analyzed the existing management information system for school attendance data; and,
- conducted an analysis of the appropriateness of various placement alternatives for the compulsory attendance program.

Overview

The state school attendance enforcement program suffers from significant management and operational problems. The lack of central oversight or requirements for performance tracking has fostered a program which has no formal accountability system. No individual or board has established policy direction or performance standards, nor has any state entity monitored the program to ensure effectiveness.

Compulsory attendance is an educational issue of statewide significance, requiring local program design and flexibility to achieve maximum impact. PEER recommends that the Legislature transfer responsibility for compulsory school attendance enforcement to the State Board of Education for administration by local school districts. The State Board of Education's responsibility should be to establish standards for enrollment and attendance outcomes, credentials of any enforcement personnel, and to monitor school district success in achieving the required levels of performance. School districts should be responsible for assessing need; integrating current attendance officer statutory duties and responsibilities with existing school attendance efforts and resources; and linking school attendance service needs with the courts, law enforcement, and community service providers.

To support the school attendance program, the Legislature should appropriate the money now dedicated to school attendance enforcement directly to school districts through the school funding formula. To continue funding school attendance enforcement at the FY 1995 level (\$3,274,555), the Legislature could appropriate approximately \$140 in supportive services funding for each minimum program teacher unit (\$121 added to the supportive services amount in MISS. CODE ANN. Section 37-19-21 plus the additional 15.9% [\$19] in fringe benefits implemented through the appropriation). The Legislature should require districts to use the funds to enforce the compulsory attendance law. Such a system would allow maximum flexibility in addressing local needs, while accommodating the need for state level oversight and accountability to the state's citizenry.

Background

School attendance has been an education issue in Mississippi at least since the inception of the Minimum Program law in 1953. Since that time, state law has based public school funding on attendance rather than enrollment or membership. This funding policy provides a financial incentive for school districts to encourage students to attend school, but contains no specific mandates for compulsory attendance.

History of School Attendance Personnel and Compulsory Education in Mississippi

Following is a summary of significant aspects of the recent history of compulsory attendance law in Mississippi. See "Legislative History of SAOs and Compulsory Education in Mississippi," page B-17 of this report, for a comprehensive discussion of the legislative history of school attendance personnel and compulsory education in Mississippi, as prepared by the John C. Stennis Institute of Government.

Compulsory Attendance Law (1977)

The recent history of compulsory attendance law in Mississippi dates back to 1977, when the Legislature set the age for compulsory attendance at seven years and required that an additional year be added to that age each successive year up to the 1983-84 school term (bringing the compulsory attendance age to thirteen years). At that time, the law established "school attendance counselor" positions for the schools, but set no minimum qualification requirements. The law assigned school attendance counselors the following duties: (1) cooperate with agencies to locate and identify all children of age not attending school; (2) determine if such were physically and mentally capable of attending; (3) provide counseling to encourage high school completion; and, (4) attempt to secure social or welfare services to enable attendance.

Counselors' responsibilities did not include enforcement authority; enforcement fell to parents and state officials, departments, and agencies through cooperation with local districts. Each school district was mandated to designate attendance counselors, who could also have other employment or be individuals employed by the district in another capacity. The law specified no compensation methods, and established no budgeting or other administrative guidelines for administration of the program.

Education Reform Act Era (1982-83)

The next major step in compulsory education came with the Education Reform Act, which set the age for compulsory attendance at six

years, and required that an additional year be added to that age each successive year up to the 1989-90 school term (bringing the compulsory attendance age to fourteen years).

The law established the position of "school attendance officer," with the same employment qualifications as those for employees of the Department of Youth Services assigned to youth counseling, probation, and aftercare programs. Duties included those noted under the 1977 act, plus the requirements that attendance officers: (1) cooperate with courts of jurisdiction in addition to family/youth courts; (2) investigate nonattendance and unlawful absences; (3) visit homes and return children to school who are absent without permission; (4) visit homes of children with unexcused absences to notify parents of attendance requirements; (5) perform related duties established by youth/family court; and, (6) as a last resort, file a petition with youth/family court.

The law placed one school attendance officer in each territory of a youth or family court judge's jurisdiction, with a maximum of five officers per county as derived by formula [one officer per 1,500 (or "major fraction of that number") of compulsory-age children within the jurisdiction]. Although the law established a formula for computing the number of school attendance officer positions to be placed in each youth or family court jurisdiction, the legislative appropriation for the school attendance officer program has not been sufficient in any year to fund the program at the formulated staffing level. For example, in FY 1994 the statutory formula yielded 182 school attendance officer positions, based on the number of compulsory-age children in each jurisdiction and other provisions of the formula. However, the legislative appropriation for FY 1994 (\$3,109,942) was sufficient to fund only 121 school attendance officer positions at \$22,968 in salary and fringe benefits per position, with an additional \$2,700 per officer for travel and other support needs.

The law specified a formula for determining the number of school attendance officer positions to be created, but it was less direct in prescribing the path along which funds for these positions would be provided to the youth courts. Each court had to certify the number of officers per district in order for the Department of Education to approve funding; however, the law assigned actual funding for school attendance officers to the state without specifying which agency's or division's budget would serve as the source. A 1983 appropriation (Chapter 201, Laws of 1983) established individual maximum limits on reimbursements for school attendance officer salaries and fringes. Funding was accomplished through formulas set forth, certification by judges, Board of Education approval, and the Auditor of Public Accounts issuing warrants for payment.

The Education Reform Act also made compulsory attendance inapplicable to children enrolled in any schools other than public schools.

Post-Education Reform (1987-1991)

In the years following education reform, the law was amended to increase the compulsory attendance age to seventeen years through an annual increment of two years of age. The qualifications for a school attendance officer were amended to require a college degree with a major in behavioral science or related field for any officer employed after January 1, 1987.

With regard to enforcement authority, the law was amended to make disciplinary suspensions unexcused and therefore unlawful, thus limiting the disciplinary authority of school principals and superintendents to suspend students. Superintendents were also mandated to report suspensions, expulsions, and unlawful absences to attendance officers.

Minimum/maximum number of attendance officers per district remained as noted above, but the staffing ratio changed to one officer per 2,000 compulsory-age children enrolled in public schools within the jurisdiction. However, even at this lower staffing level, legislative appropriations have not been sufficient to fund the school attendance officer staffing formula fully. Funding language also changed to: "in no case shall state funds be used to fund more than five attendance officers per county," implying that more than five could serve in a county as long as state funds were not used. The law required the Board of Education to review/modify the funding formula, but set no date for completion of the review.

Funding came through an appropriations bill which established funding amounts for school attendance officers, issued upon warrants by Fiscal Management Board. The law was amended to give the Board of Education as the source for funding school attendance officers, but confusion over funding sources remained.

Recent Developments (1992-94)

Recent changes in the law require that attendance officers complete twelve hours of training per year as determined by the Mississippi Judicial College. Also, attendance officers now have authority to file petitions in court as a last resort to secure attendance.

On February 17, 1994, the State Supreme Court ruled that giving administrative responsibility for school attendance officers to youth/family courts violated the separation of powers of the State Constitution, and the Legislature removed school attendance officers' appointment from the courts and gave it to district attorneys for one year. The Legislature gave supervisors in counties with 45,000 or more population the discretion to appoint attendance officers in addition to those appointed by district attorneys and authorized the Department of Finance and Administration to "continue" funding for the 121 attendance officers allotted as of May 1, 1992. After October 1, 1994, all attendance officers appointed by supervisors are to

be funded by the county general fund. The remaining 121 allotted positions as of February 17, 1994, are to be funded through the Department of Finance and Administration. Salaries are limited to \$17,600 annually per person, with maximum annual fringe benefits of \$5,368.

Compulsory-age children can now enroll in a nonpublic school subsequent to enrolling in a public school and remain in compliance with the attendance law if they are certified with the school attendance officer. Superintendents can assign compulsory age children to alternative schools instead of to out-of-school suspension when ordered by youth court. The law first permitted alternative schools in 1991 and later mandated them for all districts beginning with the 1993-94 term.

Comparative Surveys

Following is a summary of two comparative surveys conducted by the John C. Stennis Institute of Government regarding the compulsory attendance policies and practices of other states. For a detailed discussion, see "Surveys Conducted by the Stennis Institute of Government," page B-22 of this report.

Survey of School Attendance Officers

The John C. Stennis Institute of Government conducted two surveys regarding compulsory attendance programs and school attendance officers. At the 1994 conference of the International Association of Pupil Personnel Workers, the Stennis Institute surveyed thirty-six attendance officers representing thirteen states, including Mississippi, to obtain information on how attendance policies are currently operated and enforced and recommendations on how to improve that enforcement. The survey included four areas of study: employment, enforcement power, truancy programs, and prosecution. The survey yielded the following results:

Employment: The majority of those responding are currently employed by local school boards (63.2%), and most believe that this is the proper organizational level to employ attendance officers (56.9%). The consensus is that the employing agency be the one responsible for payroll and other support functions (80.9%).

Enforcement Power: Over two-thirds (68%) of the attendance officers surveyed have the power to refer truancy cases to juvenile/family court. Although 82% reported that they have the power to hold parents accountable for truancy, only 6% reported the authority to file charges against the parents of compulsory-age children.

Truancy Programs: When asked to rate enforcement procedures of truancy programs according to their effectiveness, based on their own experiences,

attendance officers rated counseling and alternative schools as the most effective enforcement procedures. Attendance officers also state that enforcement procedures against parents positively affect truancy rates. Of the enforcement options directed against parents, "arrest" received the greatest positive response (75.8%), followed by "fines" (73%). Respondents rated parental counseling as more effective than other measures such as arrest of the child, in-school suspension, or in-school detention.

Prosecution: Prosecution responsibility appears to be greatest at the local level, with juvenile justice courts (47.1%) and district attorneys (37.3%) having the largest percentage of responses. When asked which agency should be responsible for prosecution, respondents ranked the district attorneys highest (36%).

In addition to the survey, the Stennis Institute also collected anecdotal information from school attendance officers about effective methods of reducing truancy. Many officers support linking school attendance to driver's licenses or permits, with the schools reporting truancy cases to state motor vehicles departments, which then suspend licenses/permits until receiving written notification from the schools. Another method mentioned was small group counseling for truants which includes self-esteem-building exercises.

Survey of State Departments of Education

In addition to the survey of attendance officers, the Stennis Institute also contacted the departments of education in each state, with eighteen states and the District of Columbia responding. The Stennis Institute pursued the following areas of inquiry: mandatory attendance laws, employment of school attendance officers, attendance policy and administration, and enforcement power of attendance officers, with the following results.

Mandatory Attendance Laws: All states surveyed have a mandatory attendance law. Sixteen years is the most common upper age requirement for mandatory attendance (52.9%).

Employment of Attendance Officers: The majority of states responding report that a compulsory attendance law created the position of attendance officer. The local district is the most commonly cited hiring organization (87.5%).

Attendance Policy and Administration: States most often report local school districts as attendance policy makers (40%), followed by a combination of state education departments and local districts (26.7%), and by state education departments alone (20%). The majority of respondents state that the local school districts are responsible for maintaining payroll and administrative functions of attendance officers (87.5%).

Enforcement Power: The most commonly reported enforcement power is referral to family court (36.4%). Over half the state agencies responding state that attendance officers have the authority to hold parents responsible for truancy, but 26.7% report that all an officer is required to do upon finding a truancy case is to return the child to school.

Implications for Organizational Location of Enforcement Programs: The majority of states surveyed have developed a system which allows for local autonomy and flexibility concerning hiring and daily operations, and most report local school boards as the employer of school attendance officers. However, state agencies play a role in the program because the majority of the attendance officer programs were created through state legislation and attendance policies implemented by these officers are the result of combined efforts between local school boards, state education departments, and a combination of the two. Prosecution is handled at the local level by state organizations such as district attorneys and juvenile/family courts.

Mississippi Compulsory School Attendance Law/ School Attendance Officer Program

When the Legislature created the comprehensive school attendance program in 1977, its initial intent was to ensure that every child who falls within the authority of the program:

. . . should attend school or receive schooling at home for a period of instruction sufficient to train the student in basic educational skills adequate enough for the student to take his or her place in society and make a contribution as a citizen of this state, and that all children should be encouraged to continue their education until they have completed high school.

The compulsory school attendance law currently assigns the administrative and operational authority of the school attendance officer program to the district attorneys. It requires the attendance officers to monitor attendance, investigate non-attendance, counsel all compulsory-age children to attend school, and describes other general duties which direct the school attendance officers in the performance of their statutory responsibilities.

The law vests primary enforcement powers for the compulsory attendance law in the county youth courts, with the attendance officers' enforcement powers limited to filing petitions in any court of competent jurisdiction. The provisions of this law specifically exclude the attendance officer or any other officer, agency, or subdivision of the State of Mississippi the right to enforce school attendance for private or home school instruction, although the attendance officer is required to maintain a parent-generated state form for all such students.

School Attendance Officer Program Management and Operational Systems

The compulsory school attendance law has historically mandated a decentralized management concept which has a statewide mission: *to ensure the school attendance of compulsory age children.* The law gives no single individual or agency responsibility for the program's performance. The law assigns responsibility for attendance officer staff training to the Mississippi Judicial College, thus further fragmenting program responsibility. The Mississippi Association of School Attendance Officers/Consultants, an independent organization of the state's attendance officers, actually provides the coordination, communication, and recordkeeping for this statewide training function, and has assumed a quasi-state program management role for most attendance officers.

The operational profiles of the twenty attendance officer programs now in place have little commonality except for the statutory provisions by

which they must abide and any standardization that has been achieved through the informal actions of the Mississippi Association of School Attendance Officers/Consultants. The majority of these twenty operations are disconnected from one another in operational goals, objectives, policies, and procedures.

The current climate of fragmentation exists because the state has not established centralized authority and oversight for performance of the school attendance officer program. The lack of central responsibility for program effectiveness has produced a fragmented statewide management approach which does not yield maximum benefit to Mississippi's compulsory-age children.

The decentralized administrative concept currently in place for the attendance officer program has resulted in a statewide program which has no guidelines for uniform program administration and supervision. As a result, the state program has:

- no implemented goals, objectives, or effectiveness measures for administration or personnel management;
- no standardized operational policies or procedures in the local programs;
- no complete and verified central reporting process; and,
- no comprehensive program data to determine program effectiveness.

Thus, the effectiveness and efficiency of the management and operation of the state program are directly proportional to individual motivation and management abilities/skills of the local district attorneys and their assigned school attendance officers.

Analysis of the Current System

Unclear and incomplete program objectives

The law currently instructs the school attendance officers to monitor attendance, investigate nonattendance, and to counsel all compulsory school age children to attend school. These statements direct the attendance officers in the performance of their duties, but do not give the attendance officers specific direction and purpose. The Mississippi Association of School Attendance Officers/Counselors has adopted its own objectives for its members, but these objectives were established by a professional association and have no standing as overall state objectives for the compulsory attendance program.

To manage and operate any program effectively and efficiently, the state must clearly define its objectives in order to define an effective basis for

action; to determine what resources are needed; and to define the possibility of success. This critical management action provides the purpose and direction for local program managers. Without well-defined program objectives, the program managers must make their own determination as to the purposes and directions for the program.

Without objectives, school attendance officers have no basis upon which to establish their effectiveness, guide their managerial efforts, set priorities, or eliminate wasted efforts. As would be expected under these conditions, PEER finds little consensus on appropriate school attendance officer roles and services among the various state and local offices involved in enforcement. The school attendance officers' perceptions of their primary role include such diverse responsibilities as: child advocacy, counseling, attendance enforcement, and criminal investigation.

No specifically defined program effectiveness standards

Since the attendance officer program was initiated in the 1983-84 school year, the state's absentee rate has remained between four percent and six percent (see page 17). This data implies that the program may not be effective in attaining its implied statutory program objective of increased school attendance for hard-core attendance problems.

However, in its efforts to document program effectiveness, PEER found that program managers (formerly youth court officials, now district attorneys) have never specifically defined program effectiveness objectives or standards. Therefore, attendance officers perform their jobs based on individual interpretation of the compulsory attendance law, with no other established references to determine success or failure of the program. The only data attendance officers report to the State Department of Education is the unaudited number of monthly cases referred to them by the local school districts and the number of worked cases. This information is not: consistently submitted to the Department of Education by all attendance officers; verified by the attendance officers' administrative supervisors; or, submitted to the district attorneys for use in making management decisions for the attendance officer program.

Only specific program effectiveness standards can provide the basis for the outcome measures needed to determine whether a program is successful and whether individual attendance officers are accomplishing their job responsibilities. These standards should address the number of cases resolved, the period to work the cases, and the expected impact of the program in reducing the number of unexcused or other absences. All attendance officers should be required to submit information which can be used to assess the successful achievement of program objectives. An independent evaluator should audit this system information periodically to ensure accuracy and reliability.

No centralized program oversight at the state level

The state compulsory attendance law does not assign oversight authority to a single state governmental entity or individual. The school attendance officers operate county by county under the supervision of the twenty elected district attorneys. Since each district attorney operates the program independent of other district attorneys, the state effectively has twenty different programs which are designed to promote school attendance for compulsory-age children. Some attendance officer programs work effectively with other local and state agencies to accomplish their task. In other cases, the school attendance program is not a high priority program, management and leadership for the program have been minimal, and program officials have not established the required working relationships with the other local and state agencies. The scenarios were endless, with the possibility of inaction or turf wars in each situation.

This decentralized management of school attendance officers has not provided:

- an adequate centralized reporting system;
- guidance in establishing policies and procedures which are in accordance with a statewide mission;
- centralized program evaluations; or,
- attendance officer staffing based on need.

To address these management and operational problems, PEER believes that the school attendance program should be designed to provide state-level assistance in planning, organizing, directing, and controlling for appropriate outcomes. This system must also be flexible enough to deal with school attendance problems which are unique to a region, county, or local school district.

Specific Problems with Program Management

Failure to perform essential management functions

Because the school attendance officer program has had no state-level oversight, no agency or entity has performed the functions necessary for management of a statewide program of this magnitude--*planning, organizing, directing, and controlling*.

Planning--Planning provides a program's direction and purpose by attempting to forecast the future, and provides a blueprint which determines objectives, standards needed to measure achievement, and the tasks and resources which will be necessary. Currently, the state has no coordinated management plan for its statewide compulsory attendance program. Local program administrators have not developed operation

plans which meet the criteria for a comprehensive planning process. The Mississippi Association of School Attendance Officers/Consultants, an independent private organization, has attempted to perform this function on a very selective basis. However, its operational planning decisions may or may not be consistent with the intent of compulsory attendance legislation or provisions governing the program. Further, it has no statutory authority to perform the planning function or implement any developed program plans statewide.

Organizing--Program organization is necessary to assemble and arrange resources so that duties can be successfully accomplished. The school attendance officer program has had no defined organizing function to assist the program in performing its statutory duties. School attendance officer staffing has remained unchanged since the program's inception in 1982. When the program was initiated for the 1983-84 school year, it began with a total of 121 officers. Since that time, the Legislature has amended the law to freeze the number of positions at 121, with the same county-level assignments. Additionally, no employment standards exist for these personnel beyond the statutory requirement that the candidate must have a college degree with a major in behavioral science. Further, there are no established personnel performance standards to use in evaluating the attendance officers and their job performance. As a result, the state has no assurance that the officers are competently performing their job responsibilities on a statewide basis.

Directing--Directing is the management process of channeling human behavior toward goals established for a program. Presently, direction of attendance officers is conducted on an individual basis with no established statewide guidance to ensure a consistently effective and properly supervised program. Due to individuals' personal management philosophies and styles, every local supervising authority provides different levels of involvement in supporting the program and personnel. School district personnel have reported that many officers have performed their duties well without supervision, while others have been less effective under these conditions.

Controlling--The controlling function of management revises and adjusts systems and employee behavior in order to achieve established program goals in light of changing conditions. PEER did not find an established, uniform controlling function at any level within the attendance enforcement program. No governmental organization has the statutory management responsibility to perform the controlling function for the program. Since the law also does not require local program administrators to establish performance standards for their programs, they have not done so; therefore, they cannot perform this analysis to determine and correct existing program problems and identify needed statutory changes. Thus, the state has operated an educational program for ten years without ever determining its effectiveness and efficiency on either a local or statewide program basis.

Lack of an adequate management information system

A management information reporting system collects the specific and comprehensive program information which is necessary to guide program decisions. Ideally, the system collects critical management performance data in a standardized reporting format on an established time cycle for the use of the responsible program managers. A distinctive audit trail should exist for the information in order to allow an independent third party to verify the accuracy and validity of the reported data.

Neither the state nor the local programs have established the necessary management information reporting system. The compulsory school attendance law (CODE Section 37-13-91) requires:

The State Department of Education shall devise a form and a procedure for reporting the number of compulsory attendance violations and other necessary statistical information concerning public school attendance. The report shall be submitted on a monthly basis to the State Department of Education and to the youth court judge for the affected school district.

However, local program administrators do not verify this information and do not use it for program management decisions. This process accumulates data on program performance which has limited use in program evaluation and management because it is incomplete, duplicated, and unaudited student absentee and enrollment information. The compulsory attendance law does not require any state agency or the local program administrator to develop a comprehensive management information system. The State Department of Education has no authority or directive to ensure completeness and accuracy in accumulating and reporting the specified statutory data. The state currently holds no agency accountable for the performance of the program; therefore, the data supplied to State Department of Education has never been used for management decisions and program evaluation.

As a result, the state does not have a complete management information reporting system. The attendance officers and the State Department of Education have reported and collected information which has little value in the program management process.

Lack of a personnel management system

A public personnel management system has certain critical components. They include:

- a classification system with appropriate ranges of compensation for persons performing these job tasks;

- a merit selection system which devises selection criteria for the classified jobs; and,
- a performance appraisal system which defines job success.

The purposes of this system are to ensure that jobs are rationally defined; that only qualified individuals are hired to perform the classified jobs; and that employee's performance is measured against established job performance standards. Such a system assures that qualified personnel perform the job in an effective and efficient manner.

The current enforcement program does not have a program personnel management system for its employees. No management standards exist for these personnel beyond the statutory requirement that the candidates hired after January 1, 1987, must have a college degree with a major in behavioral science. As a result, the local program administrators hire and manage the attendance officers using locally developed employment qualifications and personnel management systems. The lack of a uniform personnel management system reduces the assurance that school attendance officers statewide will possess an equivalent level of experience and competency.

Conclusions

At this point in the life of compulsory attendance enforcement in Mississippi, the state program suffers from significant management and operational problems. The lack of central oversight and requirements for performance tracking have allowed a potentially sound decentralized management system to fragment into a statewide program which has no formal accountability system. No individual or board has been responsible for establishing policy direction or performance standards, nor has any state entity monitored the program to ensure effectiveness.

As a result, while individuals and districts may be providing needed services, the system as a whole does not contain the basic operational elements needed to insure:

- uniform and effective enforcement of the compulsory school attendance law;
- local goals, objectives, and performance measures that are clearly defined and in concert with statewide program goals, objectives, and effectiveness measures;
- appropriate standardization in program administration and operational policies and procedures;
- a complete and properly verified management information system; and,

- uniform personnel management.

Effectiveness of School Attendance Officers

After analyzing available data, PEER finds no basis for concluding that the compulsory school attendance enforcement program has had a significant impact on school attendance or that the program has consistently reduced the dropout rate for all age groups under attendance officers' jurisdiction. The program's effect on absences is clearly not sufficient to influence the general attendance trends that are available for analysis. Its effect on dropouts is not sufficient to influence enrollment trends among the age groups most at risk of dropping out. The following observations demonstrate the lack of clear evidence of effectiveness:

Overall, absentee rates have not changed significantly since passage of the Compulsory Attendance Law. In general, absentee rates have remained around 4% to 6% since 1977 (a period which begins seven years before the Legislature created the role of school attendance officer and ends ten years afterward). Attendance is flat for all years reviewed, including the years just before and just after implementation of the 1982 compulsory attendance law, demonstrating no apparent change in attendance patterns following creation of the school attendance officer program. (See Exhibit 1, page 18.)

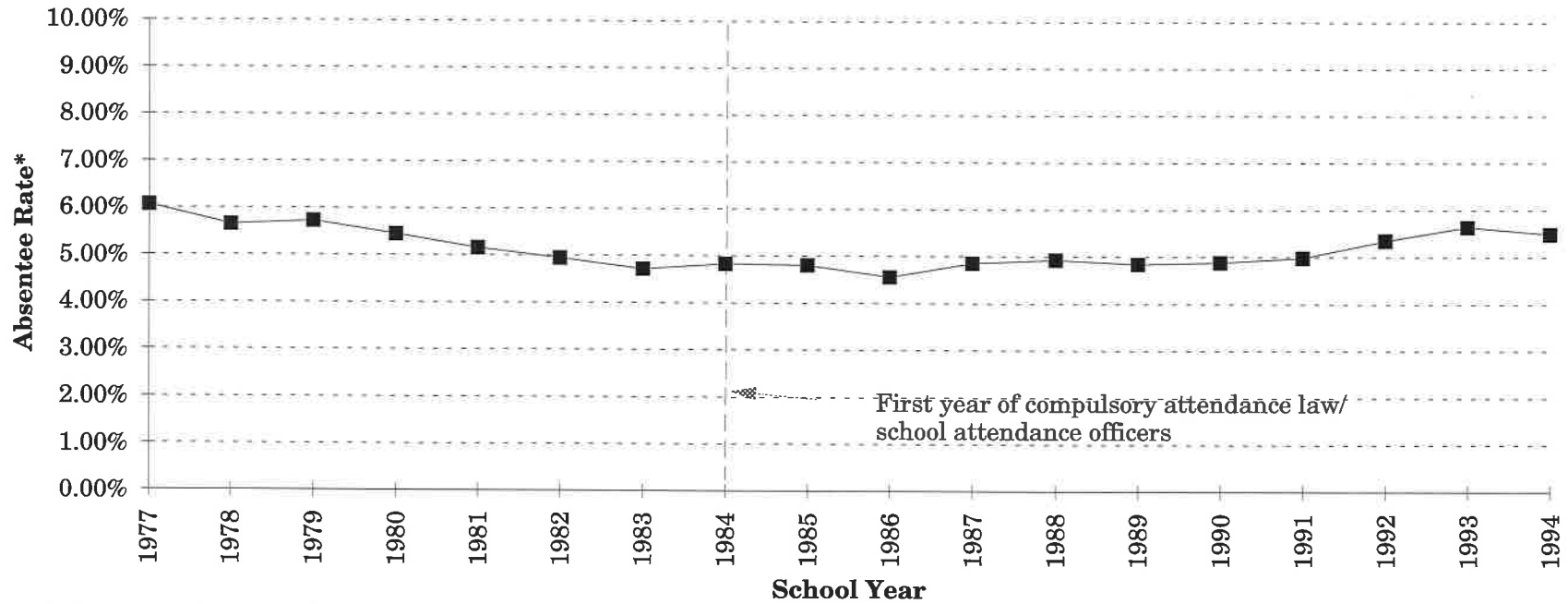
Absenteeism in grades nine and ten has actually increased in recent years. The only grade levels showing any deviation from the general pattern noted above are grades nine and ten. Their combined absentee rate recently has increased from a low of about 7% in 1985-86 to a high of almost 10% in 1993-94, with a steady increase in absenteeism over the past three years. (See Exhibit 2, page 19.)

Mississippi's graduation rate remains among the lowest in the nation. Mississippi's graduation rate (recent graduates as a percent of ninth grade enrollment four years earlier) ranked 47th of the 50 states in 1991, the most recent year for which comparative data was available. Mississippi's 61.7% graduation rate suggests that a significantly lower proportion of Mississippi students graduates from high school in comparison with the national average (71.2% in 1991) and that Mississippi has not yet overcome a persistent dropout problem.

During the 1992-93 school year, over six percent of the students enrolled in ninth through eleventh grades dropped out of school. The state's compulsory attendance law prohibits students from dropping out until they

Exhibit 1

**Average Absentee Rate* for Grades Generally Monitored
by Attendance Officers (Grades 1-10 [Ages 6-16]),
School Years 1976-77 through 1993-94**

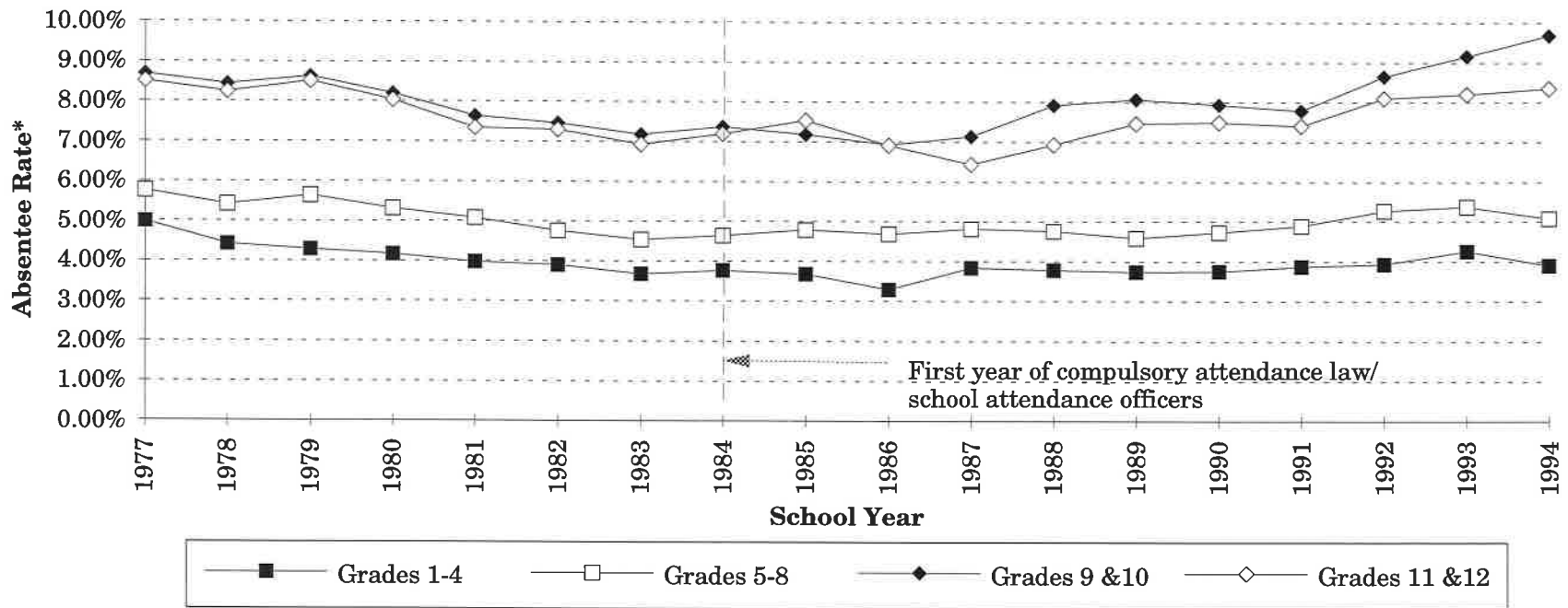


*100% minus the ratio of average daily attendance to Fall enrollment

Exhibit 2

Absentee Rates* for Grades Generally Monitored by Attendance Officers (Grades 1-10 [Ages 6-16]) and for Grades 11 and 12, School Years 1976-77 through 1993-94

61



*100% minus the ratio of average daily attendance to Fall enrollment

have reached age seventeen. However, reports released by the Superintendent of Public Education show that 6,535 ninth-, tenth-, and eleventh-graders (6.4% of the students enrolled in the grades usually attended by fourteen- through seventeen-year-olds) dropped out of school in 1992-93. Some of these students might have been older than traditional ninth-, tenth-, and eleventh graders. However, more than 1,500 seventh and eighth graders also dropped out in 1992-93. These students are less likely to have exceeded compulsory school age (through seventeen years old) at the time they dropped out.

Compulsory school attendance laws, including enforcement efforts by school attendance officers, may be contributing to a slight decline in dropout rates for students in grades one through eight, but these laws have not prevented recent increases in dropout rates among older students. Students attending Mississippi's public schools in recent years can be classified in three groups, based on their status in relation to the compulsory attendance law: those who have been subject to the compulsory attendance law throughout their school careers, those who never were subject to the compulsory attendance law, and those who became subject to that law at some point during their school careers. By comparing dropout rates for classes that were subject to compulsory attendance from grades one through eleven with the dropout rates of those who never were compelled by law to attend school, PEER examined changes that have occurred since implementation of the compulsory attendance law.

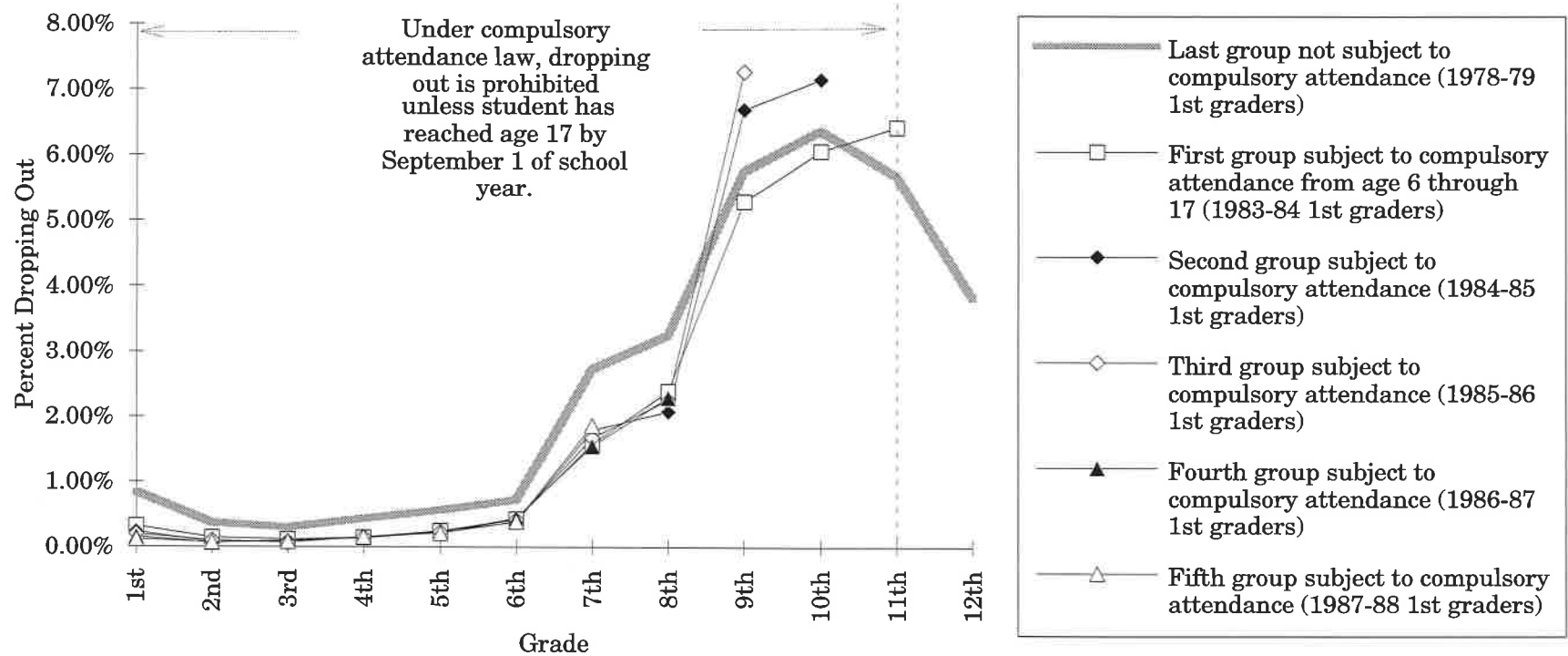
The compulsory school attendance law that was passed in 1982 and amended in later years requires six-year-olds who entered first grade in 1983-84 and in all subsequent years to remain in school until they have attained age 17 by September 1 of the school year. Students entering first grade five years earlier (1978-79) were not subject to compulsory attendance laws at any point in their school careers. Students entering first grade from 1979-80 through 1982-83 became subject to the compulsory attendance law at different points in their school careers. For example, students entering first grade in Fall 1979 became subject to the compulsory attendance law in Fall 1989, when they entered eleventh grade.

As Exhibit 3, page 21, shows, dropout rates for students in grades one through six are slightly lower for all classes subject to compulsory attendance laws than for the last class for which school attendance was voluntary under the law. This improvement is more pronounced in grades seven and eight, where the group that was not subject to compulsory attendance dropped out at a rate of approximately 3%, compared to a rate of approximately 2% for those who were subject to compulsory attendance laws. The dropout rate has declined for junior high school grades, but a substantial dropout problem persists at this level. Virtually all of these students, who typically would not exceed age thirteen, violated the compulsory attendance law by failing to enroll.

For grades nine through eleven, changes in dropout rates have been mixed. After a slight improvement for the first group subject to compulsory

Exhibit 3

Dropout Rates of the Last Group Not Subject to the Compulsory Attendance Law and the First Five Groups Subject to Compulsory Attendance Throughout Their School Careers



SOURCE: PEER Analysis of Data Reported in Superintendent's Annual Reports, 1979-1994.

attendance laws, classes that reached ninth and tenth grades in recent years (1992-93 and 1993-94) had considerably higher dropout rates than the last class for which enrollment was voluntary.

The above comparison shows that in grades one through eight, dropout rates for classes subject to the enforcement authority of school attendance officers are lower than the dropout rates of the last statewide class not subject to compulsory attendance laws. However, dropout rates of ninth through eleventh graders generally are higher for groups under school attendance officers' enforcement authority than were the dropout rates of the last group that was not compelled to attend school. The lack of any statewide research and policy-making component within the school attendance officer program has impeded the development of strategies to prevent students from dropping out. Such strategies would have enhanced the program's potential for promoting more dramatic declines in dropout rates among middle school and junior high school students and for detecting and addressing major enrollment problems among older students.

Other influences are unlikely to have masked any major improvement in retaining students in school because these groups progressed through school during roughly the same era. Known differences between the groups, such as availability of assistant reading instructors to the group compelled to attend school, were positive; that is, these influences could have been expected to decrease dropout rates. This comparison of dropout rates provided little evidence of school attendance officers' effectiveness in ensuring that students of compulsory school age remained in school.

Summary

Trends in absenteeism and the dropout rate have not shown consistent improvement during the years following passage of the 1982 compulsory school attendance law, which created the role of school attendance officer. In general, absentee rates for students subject to the compulsory attendance law have remained at approximately the same level (four to six percent) that they had reached prior to implementation of the compulsory school attendance law. However, ninth- and tenth-graders' absentee rates have increased in recent years. Dropout rates, too, have increased for students in the ninth, tenth, and eleventh grades.

Implications for Change

- ***School attendance enforcement should be a part of the comprehensive education policy of the state and should be under control of the state's education system.***

The issue of compulsory attendance should be, at its core, an education issue. Since the inception of the Minimum Program Law in 1953, state law has based public school funding on attendance (average daily attendance), rather than on enrollment or membership. Although this funding policy simply provides financial incentive for school districts to encourage students to attend school and contains no specific mandates for compulsory attendance, it is indication that the state has long considered attendance an important element of education in the state.

This policy was strongly reinforced by the 1977 Compulsory Attendance Law, which actually held schools responsible for promoting attendance, thus adding a legal obligation to the financial incentive that already existed, and by subsequent revisions of the compulsory attendance law. More recent developments such as the 1982 compulsory school attendance law have run somewhat contrary to this historical principle by placing the new compulsory attendance enforcement function outside the local school districts through the creation of school attendance officer positions and placement of those positions under youth courts (and later under district attorneys).

All aspects of the school attendance problem should be returned to the state's comprehensive education system. State laws and policies governing compulsory attendance should be derived from sound educational practice and be in concert with the state's overall education policy. Failure to keep attendance policy in concert with sound educational practice poses the risk of fragmenting the state's education efforts. Placing attendance enforcement within education lessens the likelihood that the enforcement effort would supersede the state's overall education policy direction. If, for example, compulsory attendance enforcement were to be placed under a free-standing board or agency, policy interpretations of the compulsory attendance law could be made without knowledge of related statewide education policy, resulting in a lack of cohesion. The education system of the state clearly has the most to lose from a poorly managed compulsory attendance program. Therefore PEER believes that the state's education system should administer the attendance enforcement program on the basis of its overall relevance to the educational mission.

- ***Mississippi's state/local partnership model for the administration of education provides an appropriate foundation for a compulsory attendance enforcement program that meets local service needs, while maintaining statewide accountability.***

Mississippi's education system currently has strong state and local components and provides a well-established model for administration of education programs. Historically, Mississippi has chosen to administer education as a local function with predominantly state funding and state-imposed standards of performance and accountability. Among the advantages of this model are the fact that local administration permits flexibility in responding to local needs, while at the same time, the accountability imposed by the State Board of Education's state accreditation process adds assurance of greater uniformity and quality to the system. The fact that the State Department of Education currently operates programs which include reporting and monitoring requirements means that accountability processes are already in place and could be adapted to oversight of locally administered attendance enforcement programs. The State Department of Education has both the knowledge and experience to monitor locally administered programs, thus providing the benefits of both local responsiveness and state-level oversight.

- ***Enforcement of compulsory school attendance is a natural ancillary function of the education system, since school officials are already obligated to ensure that children attend school regularly.***

Under current law, school officials not only are authorized to seek prosecution of parents for failing to ensure that their children attend school regularly, they are obligated to do so. Under Mississippi's "Duty to Inform the Court" law (MISS. CODE ANN. Section 43-21-353), school officials and individuals in a variety of other professional categories must report cases of suspected parental neglect; the compulsory attendance law (CODE Section 37-13-91) provides that a parent who willfully fails to comply with the provisions of the compulsory attendance law is guilty of contributing to the neglect of a child. Therefore, school officials must report cases of parental failure to ensure that a child attends school.

- ***Local school districts provide a supporting network of attendance services that would be integrated less successfully under a free-standing enforcement system.***

The local school districts currently provide a program environment in which attendance functions are part of a mutually supportive network which includes school counselors and attendance clerks who contact parents when children are absent. This environment also provides administrative support for the attendance function. Placing the reinforcement role within this existing framework would allow a greater proportion of the state funds designated for enforcement to be translated into direct contact services.

- ***Compulsory attendance enforcement is not an audit function. Therefore, making enforcement a part of education's ancillary attendance oversight program does not compromise the independence of either program.***

The task of ensuring compliance with compulsory attendance laws (that is, ensuring that students enroll in and attend school) is distinctly different from that of attendance auditing (verifying the accuracy of attendance reports). Independence is an important element of auditing. Therefore, the schools' attendance recordkeeping and reporting function must remain separate from the attendance auditing function because independence is an important component of the attendance verification process. State law places the attendance audit function in the office of the State Auditor, who is authorized to report school officials to the state Attorney General if the Auditor suspects fraud in reporting student attendance data (MISS. CODE ANN. Section 37-37-21). However, separation of the compulsory attendance enforcement function from the attendance recordkeeping and reporting function is unnecessary. The schools could perform both functions without violating any independence requirement.

- ***Local school districts are in a position to execute needed interlocal cooperation agreements for community-based support services.***

Mississippi law promotes interlocal cooperation among local governmental units (MISS. CODE ANN. Section 17-13-1 et seq.). This provides school officials a mechanism through which local districts could cooperate in sharing enforcement resources to enhance service structures. The districts could develop working relationships with other local entities to ensure that students receive the health care, social services, and other services they need to attend school regularly.

PEER's Proposed Mississippi School Attendance Enforcement Program

Based on PEER's analysis and considering the work of the Stennis Institute, the PEER Committee concludes that the issue of compulsory attendance is an educational issue of statewide significance, requiring local program design and flexibility to achieve maximum impact. As a result, PEER recommends that the Legislature transfer responsibility for compulsory school attendance enforcement to the State Board of Education for administration by local school districts.

The State Board of Education's responsibility should be to establish standards for enrollment and attendance outcomes, credentials of any enforcement personnel, and to monitor school district success in achieving the required levels of performance. School districts should be responsible for assessing need; integrating current attendance officer statutory duties

and responsibilities with existing school attendance efforts and resources; and linking school attendance service needs with the courts, law enforcement, and community service providers.

To support the school attendance program, the Legislature should appropriate the money now dedicated to school attendance enforcement directly to school districts through the school funding formula. To continue funding school attendance enforcement at the FY 1995 level (\$3,274,555), the Legislature could appropriate approximately \$140 in supportive services funding for each minimum program teacher unit (\$121 added to the supportive services amount in MISS. CODE ANN. Section 37-19-21 plus the additional 15.9% [\$19] in fringe benefits implemented through the appropriation). The Legislature should require districts to use the funds to enforce the compulsory attendance law. Such a system would allow maximum flexibility in addressing local needs, while accommodating the need for state-level oversight and accountability to the state's citizenry.

Also, the Legislature should:

- a. Require school districts to maintain accurate records documenting enrollment and attendance in a manner that allows third-party assessment of changes in enrollment and attendance, including dropout rates, and allows for analysis of compulsory attendance law enforcement.
- b. Require school districts to produce an annual report detailing performance in enforcing compulsory school attendance, including reduction of the number of dropouts and identifying attendance-related problems and proposed solutions, and provide the report to the State Department of Education.
- c. Require the State Department of Education to compile annually a statewide report on school district effectiveness in reducing absentee problems, dropout rates, and other attendance-related problems during the previous school year, incorporate the information into the annual *Mississippi Report Card* (required by CODE Section 37-3-53) on school district performance and offer technical assistance and coordination services to assist districts in improving performance.
- d. Require that the State Department of Education assist local districts in establishing minimum occupational qualifications for any needed personnel to help insure quality within the locally-defined attendance enforcement service structures.
- e. Require the Accreditation Commission and the State Board of Education to consider incorporating an attendance- and dropout-related component as a criterion for accreditation at all levels and provide a report on their deliberations and actions to the Legislature.

- f. Require that for one year, all public employers give preference in hiring to all former attendance officers for any employment position for which they qualify by education and experience.

Developed in Compliance with Senate Bill 3019,
1994 Session, Mississippi State Legislature,
And In Cooperation With
The Joint Legislative Committee on
Performance Evaluation and Expenditure Review
(PEER Committee)

School Attendance Officers:

An Historic and Multi-State Analysis

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November 1, 1994
Revised November 28, 1994

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Foreword

This study is the result of Senate Bill 3019, passed during the 1994 Session of the Mississippi Legislature. Section 11 of Senate Bill 3019 required the Performance Evaluation and Expenditure Review (PEER) Committee and the John C. Stennis Institute of Government to submit a report to the House and Senate Education Committees and the House Select Committee on Juvenile and School-Related Crime on the administration of school attendance officers (SAOs), including recommendations addressing which state or local public office is best suited to administer SAOs and the Compulsory Attendance Law.

In consultation with PEER, the Stennis Institute was assigned three (3) areas for study and analysis: 1) a review of academic and applied literature on compulsory education, truancy, and efforts to address truancy and drop-out rates; 2) development of a legislative history of compulsory education and school attendance officers in Mississippi; and 3) the collection and analysis of data from states and individuals across the nation as a means for making comparisons and recommendations in regard to Mississippi's Compulsory School Attendance Law and SAO program.

The John C. Stennis Institute of Government is pleased to have developed this study as a component of the overall PEER report to the Mississippi Legislature. Named for the former United States Senator and President Pro Tempore of the Senate, the Stennis Institute performs a threefold mission: 1) to enhance the efficiency and effectiveness of Mississippi state and local governments through basic and applied research, training, technical assistance and service; 2) to provide technical assistance and research for both rural development in Mississippi and regional activities in the Southeast; and 3) to promote civic education and citizen involvement in the political process. Through its affiliation with Mississippi State University and its various departments and resources, the Stennis Institute consistently seeks to provide meaningful research and programs that are both academic and applicable to the real-world issues faced by states and local governments.

As a means of accomplishing its mission, the Stennis Institute has in the past worked directly with the Department of Environmental Quality, the Department of Economic and Community Development, and the State Personnel Board, as well as numerous municipal and county governments and public organizations across the region. The addition of this cooperative arrangement with the PEER Committee and, indirectly, the Mississippi State Legislature has been welcomed as an additional opportunity for the Stennis Institute to assist in the improvement of government operations in Mississippi.

Literature Review

TRUANTS DEFINED

Although students from any background can become truants, Eastwold (1991) defines several characteristics that can help predict truancy. Typically they will be males in the eleventh or twelfth grade with lower educational abilities and ambitions who are less concerned with grades than are non-truants. Usually they come from families with low parental supervision and are likely to be truant more in the later part of the school year than in the beginning. The typical truant will suffer from low self esteem, anti-social behavior and other behavioral problems, and will often have a feeling of powerlessness in a school setting.

Bell, Rosen, and Dynlach (1994) note that in addition to the aforementioned characteristics, age, family background, the school itself, and other personal factors all play a direct role in a student's tendency to be truant. The older a student is the higher the likelihood of a truancy problem. Alcoholism, abuse, drug addiction, and other family problems can precipitate truant behavior. The school setting may contribute to truancy. Students often have the perception that school is too authoritarian, too difficult, too boring, or too dangerous, and therefore may justify their own truancy. Personal factors may include such things as school phobias, poor learning skills, or learning disabilities--diagnosed and undiagnosed (Bell, Rosen, and Dynlach, 1994).

Family characteristics such as parental knowledge of truancy, family attitude towards education, family SES, neglect, and parenting skills can contribute to a student's tendency toward truant behavior (Little and Thompson, 1983; Schultz, 1987; Amatu, 1981). Parental expectations more so than actual parental involvement have been shown to have a greater effect on attendance and skills (Speer, 1993).

According to Sommer (1985), school systems and their treatment of problematic students can be to blame for some portion of truancy. Furthermore, Reid (1982) found that institutional factors present in most schools contributed to 86% of students reasons for truancy. Truancy figures are one way to predict dropout figures and unchecked truancy often leads to a student dropping out of school permanently (Kominski, 1990). Many of today's truancy programs also try to return dropouts to school (Wingham, 1989; Chargot, 1991; Bloom, et al., 1994). A well educated workforce is the key to improving living standards and the competitiveness of our state and country (Kosters, 1990).

In a twenty-three year study of 15,000 people all born between March 3-9, 1958, British researchers found that truants were more likely to suffer marital breakdown by the age of 23, be heavy smokers, were more prone to depression and other psychological disorders. They also found that truants

were far more likely to have more children beginning at a younger age than non-truants (Hibbett and Fogelman, 1990a). In another study done the same year, they found that truants face lower status and lower paying jobs, less stable career patterns, and more unemployment. Truants generally have a higher rate of delinquency than do non-truants (Hibbett and Fogelman, 1990b).

ATTENDANCE POLICIES

TYPES OF INTERVENTION. There are many different types of policies and programs advocated nation wide. Some involve positive reinforcement or intervention such as rewards, some include punitive actions such as legal sanctions--fines, court, etc., some include school sanctions--in school or out of school suspensions, some tie welfare payments or driver's licenses to attendance, but all of them have elements that can make them successful when careful planning and consideration are implemented. For example, the use of doctor's notes is acceptable to excuse absences as long as it is not mandatory. Courts have ruled that it may be a violation of fourteenth amendment rights to make doctors notes mandatory (Bishop, 1989). Other problem areas include mandating that students who miss a certain number of days be retained in their current grade. This will work as long as a passing student is not held back. Another area that infringes on students' rights according to courts occurs when they are given a zero or F for work missed during an absence (Bishop, 1989).

More specifically, Bishop (1989), Stine (1989), Schultz (1987) and Troux (1985) advocate measures such as in school or out of school suspension policy for truants. As a cautionary note, Stine suggests that students on suspension for truancy not be allowed a "vacation" period, otherwise the suspension's meaning may be lost on the truant. Mandatory counseling programs run by social workers, attendance officers, or teacher/administrators are also effective measures to decrease truancy (Troux, 1985). Very little of the literature was devoted to the idea of using attendance officer sweeps of school districts although it may still be a necessity and a preventative solution.

GENERAL POLICIES. According to the literature, a key element to keeping students in school is a solid attendance policy, whether it is a positive reward system, a strict enforcement system, whether it is district-wide, school-wide, or state-wide, and whether it involves one agency or multiple agencies (Kube and Ratigan, 1992). Eastwold (1989) and others have found that the most effective attendance policies include some or all of the following elements:

- Expectations and outcomes are clear and well publicized;
- Policies followed consistently by everyone;
- Students are held responsible for their actions;
- Parental involvement.

Parents, teachers, the community, law enforcement agencies, and the courts should work especially hard to cooperate and work together to implement truancy programs (Kube and Ratigan, 1992). Monitoring and recording systems are important in any compulsory attendance system and should include the following:

- One person is assigned as supervisor of school attendance procedures and interventions.
- Phone calls are made to the home for all unexplained absences.
- Parents are involved in the process.
- Incentives are offered for good attendance.
- Other agencies are involved.
- Alternative educational programs are used.
- Administrators and teachers have high expectations for the students.
- A computerized attendance system should be instituted where possible.
- An autodialing machine used to contact parents to increase the number of families reached.
- Withholding credits or reducing grades for classes in which a student has been excessively absent.
- Exempting students with good attendance from final examinations.
- Offering employment as an incentive for potential dropouts to remain in school.

Enforcement has been shown to be effective *only* when it has the backing of courts, police, and parents, yet enforcement is key to any effective truancy plan (Kube, 1991; Stine, 1989; Wilson, 1993).

Some policies that have proven successful with exceptional cases such as students who fall under the Americans With Disabilities Act (ADA) include special individual and group counseling and support services by school staff as well as human services staff (Hess, Rosenberg, and Levy, 1990). One specific policy used for cutting the truancy rates of some slow learners which has attained quite a bit of success is to allow them to work with other students of their own "mental" age (Randall, 1989). For example, a 14 year old student identified as a habitual truant with academic skills below standard for his or her age group could be put into a "work" situation where the student teaches young children to swim, read, or other skills, thereby increasing the older student's self esteem and increasing his own personal skills (Randall, 1989).

CASE STUDIES

North Scott High School, Eldridge, Iowa: In 1988, in order to reduce absenteeism a committee was formed to review attendance patterns and administrative procedures used in recording attendance and absences. Problems that the system faced included student disregard for attendance policies because enforcement and record keeping was lax and the paper-work

required to track absences was time-consuming and often resulted in a log-jam of inefficiency with many unverified absences. All of this caused many teachers to feel frustrated with the whole system. The new North Scott attendance policy was a sharp break from tradition and somewhat controversial but has resulted in an effective, sound policy. It includes these provisions:

1. Students can be absent for a maximum of 10 classes in a course per semester and still receive credit.
2. If a student's parents don't verify an absence, it is counted as a truancy.
3. Truancy is disciplined with in-house Saturday suspension.
4. Students who have been absent must complete make-up assignments.
5. Perfect attendance in class may exempt a student from the semester-end examination in that class.
6. Parents and students are informed when the student approaches the 10 absence limit.
7. A student with 10 absences can appeal to the teacher for credit at the end of the semester.

The system is strict yet flexible. Its success was insured through clear delineation of expectations, parental and community support, and student enthusiasm over possible exemption from final exams. The use of a computer database and simplified forms were two necessary innovations used to keep track of attendance and to speed up the process of verification.

Furthermore, there has been a constant push to involve the school community. Before the program even went into effect, the committee mounted a media campaign and sent letters to parents explaining policy changes. Students were also briefed prior to implementation. Afterwards, the committee tried to make it easy for teachers and administrators to discuss any changes or problems. Finally, although the potential for paperwork went up, actual paperwork decreased as a result of improved attendance. In the program's first year the number of student absences decreased by 65%. Additionally, the number of truanancies declined by 78%. (Kube, B., et al. 1991: Education Digest, American School Board Journal, ERS Spectrum.)

Austin County Public Schools, Austin, TX: As both a success and a failure, Austin's truancy program is representative of ideas with and without careful planning. In the 1981-82 school year, annual attendance was 89.8%. A new tougher attendance policy was developed and implemented to combat truancy and unexcused absences. Its key elements were:

1. Students were allowed no more than 10 class period absences per semester in order to pass.

2. More than 10 absences could only be excused if the student maintained a passing average and requested an appeal hearing at the semester's end and presented convincing reasons for the excessive absences.

By 1983-84 yearly attendance was at the all time high of 93.5%. However, beginning in the 1984-85 school year, education reform mandated by a new Texas law set an attendance policy for the whole state. Under the new requirements, students could miss no more than 5 classes per semester to receive credit for a course. However, the state mandated that principals could excuse absences at their discretion. In the following year, a dramatic increase of unexcused absences and truancies began being reported. What happened? A tougher law which should have increased the number of pupils in the class had the opposite effect. The study examined here theorized that "students, parents, and school administrators had figured out the game and knew how to play it" (Ligon and Jackson, 1991). Specifically, the study proposed that obtaining an excused absence became routinely easy to acquire. Excused absences resulted in less paper work for teachers and less sanctions for students which in turn resulted in student apathy toward the attendance policy. This study presented findings showing essential elements of a good attendance policy: a) Denial of credit *must* be a reality, not a threat; b) absences must not be excused as they occur because this allows limitless absences--a formal appeals process is necessary; c) students must be allowed to make up missed class periods to avoid losing credit mid-semester and having no reason to attend class for the rest of the semester; d) parents must be informed of absences before limit is reached and must be a part of the appeals process after the limit is exceeded; and e) the administrative burden must not be so great as to foster subversion of the intent of the rule to avoid excessive paperwork.

Wisconsin public schools: LEARNFARE. A program implemented under Governor Tommy Thompson (R) in 1988, it reduces the grants of welfare families with teenagers who are frequently absent or who drop out of school. It is possible that the welfare parent of a teenager with attendance problems or a teen parent can both face reductions in their benefits. Although there have been a huge number of successes in the program critics say that it has severely hurt some poor families. It operated with important linkages between school districts and social services agencies statewide. However, because it was implemented statewide immediately and not piloted the many problems (ex: synchronizing the state's computers, standardizing attendance forms, etc.) seemed overwhelming. However, Michigan's governor at the time, John Engler (R) was ready to embrace the program with one addition: he wanted to expand it to cover all teenagers. In the Michigan version, non-welfare families would lose their tax exemptions for children with poor attendance. The Learnfare program has not been nearly as successful as other similar programs tying welfare payments to school attendance primarily because enforcement has been weak and sporadic, and there have been several successful legal challenges. (Chargot, 1991)

Tulsa County, Oklahoma: Although it operates a number of attendance programs, taking truants to court has been by far the most effective. Through that program, Tulsa schools have seen a 45% reduction in the county's truancy problem since 1989. Under the state's compulsory school attendance laws, Oklahoma district attorneys can file charges against parents or guardians of students who are truant. However, in the sixteen (16) school districts in Tulsa County enforcement was rarely taken. Each school district had a different method for assembling and communicating truancy information to the local district attorney, who had to sort out each district's information. The county devised an reporting system with standardized forms coordinated by a single attendance officer--the county superintendent. In addition, the project offers supportive training in parental skills and operates a news media campaign to keep the public informed. The local schools also maintain strong ties with the police and local courts, a crucial factor in making a truancy prosecution program work. Other elements that led to the success of their program include:

1. Try truancy cases in district court not juvenile court.
 2. Offer support and training for families brought to court.
 3. Keep the news media informed of program achievements.
- Oklahoma's compulsory attendance laws cover children ages five (5) through eighteen (18) and imposes fines of \$25.00 for the first truancy offense, \$50.00 for the second offense, and \$100.00 for the third offense. (Wilson, 1993)

New York City public schools: A holistic approach. NYC schools are required to have an attendance coordinator, and to prepare a plan annually outlining procedures and detailing strategies for improvements. Each school and district must also form a committee on attendance, that is, an advisory group consisting of members of staff, parents, students, bureau of attendance staff and community representatives to provide guidelines and changes for the attendance plan. School attendance programs must include the appointment of a facilitator, a guidance service, a health service, and attendance incentives. NYC's program has a myriad of positive intervention programs set up to keep students in school such as certificates of merit at the regional level; prizes such as baseball tickets, pens, T-shirts, calculators, food vouchers, etc. for good attendance; special learning plans for dropouts who make an effort to return; and other "alternative" programs offering basic literacy as well as paid employment and job skills training. Furthermore NYC monitors its truancy problems through technology. It uses a central computer database to check daily attendance on its 920,000 students in 965 schools. To inform parents there are postcard mailings and TELSOL, an automated telephone system that can give positive as well as negative comments on a student's attendance. (Wingham, 1989)

Pocomoke City, MD: Arguing that many of today's attendance policies seem to be reactive and punitive rather than proactive, one school instituted a program that used positive reward to keep students enrolled. Their program included the following:

1. Giving a free T-shirt to each student in the tenth grade with the highest attendance during the first two marking periods.
2. Students who maintain perfect attendance during the first two marking periods have their names included in press leases.
3. Perfect attendance certificates are awarded to each student who maintained perfect attendance during the first and second marking periods.
4. A congratulatory letter from the principal is mailed to each tenth-grader who had maintained perfect attendance during only one of the first two marking periods.
5. A personal letter from the principal is mailed to each student who maintains perfect attendance during both of the marking periods.
6. The name of each student who has not missed a day of school during the first half of each of the first two marking periods will be sent to local media and will be announced at a district honors ceremony.

The findings at Pocomoke High showed that poor attenders did indeed show a significantly higher rate of attendance after the program was instituted and the school has received a great deal of parental support for their program (VanSciver, 1989-90).

LEAP: Ohio public schools. The Learning, Earning, and Parenting Program (LEAP) was developed by the Ohio department of Human Services for all of its 88 counties. It carries mandatory participation for all pregnant or custodial teens under twenty years of age who are receiving AFDC and who do not have a high school diploma or GED. This program differs from Learnfare in that it offers bonuses and incentives to stay in school as well as sanctions for those who do not. AFDC recipients can get an initial bonus of \$62 for meeting the attendance requirements when they enroll as well as an additional \$62 for each month that they meet all of the attendance requirements. This includes no more than 4 absences (not more than two unexcused) per month. Students who do not comply with the mandatory program's requirements are sanctioned \$62 per month of non-compliance. There is three month lag between the time the attendance is measured and whether or not bonuses or sanctions are used in order to take special circumstances into account. This program depends heavily on linkages between the schools and the county human services agencies. Furthermore, most of the counties chose to separate the two key LEAP functions--case management and welfare grant adjustment. And, since it provides no education services, LEAP relies very heavily on the local school environment for records. LEAP can be a flexible program because it allows for alternative

schooling as long as requirements are met and progress toward a GED or high school diploma continue. LEAP includes assistance for childcare services (not highly utilized) and transportation to schools for participants. LEAP has been extremely successful so far in promoting and attaining a return to school (regular high school or ABE/GED courses) for high risk welfare recipients, yet, according to the study, there is still room for expansion of the program. (Bloom, et al., 1994)

Remediation Programs: PROJECT P/R, Newport News, VA. A successful after-school program targeting students who come to school but who do not attend classes because they spend most of their time socializing with their friends. Students placed in the program are required to stay at least two months. They take four classes, are not given any free time, and cannot attend their home school while in the program. The program denies students the socialization they enjoyed at their old school until they show improvement.

PROJECT SUCCEED. A program that does not pull students out of their regular school, but which places a high priority on regular attendance and assignment completion. Behavior modification and extensive communication procedures are utilized in the program.

MERCY TUTORING SERVICES PROGRAM. An individualized program where at risk students receive instruction in basic academic and life skills. It is a program that works with drop outs as well as truants.

PROJECT SUCCESS. Prince George's County, MD. 100 at risk ninth graders are placed in special remediation classes where they receive personalized attention and instruction. Also, through this program parents of habitual truants are taken to court on charges for which the parents may receive stiff fines or even jail sentences.

TENNESSEE SCHOOLS: One school places students with attendance problems in two-week individualized special program through which they catch up on regular class assignments and receive study help and counseling. Another Tennessee school has a nine-week training program for chronic truants that has proven itself very effective in reducing truancy by teaching the skills students need to succeed in school. It has a follow-up monitoring program also. (Eastwold, 1989)

Legislative History of School Attendance Officers (SAO) and Compulsory Education in Mississippi

Though receiving more publicity as a component of the Education Reform Act of 1982, the contemporary history of compulsory education and school attendance personnel in Mississippi began with House Bill 119 of the 1977 Legislative Session (General Laws, 1977, Ch. 483). This Act was approved and effectuated on April 15, 1977. The short title of House Bill 119 declared it to be "An Act to establish a comprehensive attendance counseling program; to provide attendance of children between certain ages who are not otherwise exempted or in private schools; and for related purposes."

The method for establishing compulsory education in this Act took the form of requiring all children (with some exemptions for mental or physical incapacities to attend) who had reached the age of seven (7) years by December 1, 1977 to attend school, public or private, for "at least the minimum number of days generally required for promotion" (General Laws, 1977, Ch. 483, § 4(1)). Each successive year, up to the 1983-84 school term, would add a year to the age level of children required to attend school. This, then, set an eventual upper limit of compulsory education at age thirteen (13) years. At the end of that 1983-84 school year (July 1, 1984), the Act was scheduled for repeal.

School attendance personnel were referred to as "school attendance counselors" in House Bill 119. This description was more accurate than the current terminology of school attendance officers (SAOs) due to more effort in regard to the counseling responsibilities than in the enforcement aspects of the new compulsory education law.

Each school district in the state was mandated to designate these attendance counselors. School attendance counselors could also have other employment or could be individuals employed by the district in another capacity. No qualification requirements were established, no compensation methods were implemented, and no budgeting or other administrative guidelines were established in regard to the operations of these school district employees.

Attendance counselors were given one general and four specific responsibilities through the legislation. The counselors were to be designated by the school districts "as needed to insure that every child of the district covered by the provisions of this act shall attend school as provided for in this act" (General Laws, 1977, Ch. 483, § 2). Their delineated responsibilities consisted of cooperating with any agency to locate and identify all children of school age not attending school (apparently including more children than those under the new compulsory education requirements); initially determining if such children were mentally and physically capable of attending school; providing counseling to encourage all children to complete high school; and attempting to secure social or welfare

services that might have been required to enable such children to attend school.

Enforcement of the attendance requirements were not an actual part of the attendance counselors' responsibilities. Enforcement fell to the parents ("It shall be the duty of the parent, guardian, or other person having control... to require said child to attend a school as provided... and to supply, encourage and support said child in the required attendance" (General Laws, 1977, Ch. 483, § 6)) and state officials, departments, and agencies through cooperation with local school districts (General Laws, 1977, Ch. 483, § 7). In short, enforcement provisions in the 1977 Act relied on the good will and concern of parents and public officials rather than establishing procedures for addressing violations of the new law.

Under the educational reform efforts of Governor William Winter (1980 - 1984), compulsory education was made the third plank in a four part platform (Mullins, 1992, p.74). However, more legislative and media discussion took place over public kindergartens and educational funding. The 1982 regular session of the Mississippi Legislature did have bills introduced on the subject, three (3) in the House of Representatives and two (2) in the Senate but the most vocal and watched aspects of education reform quickly changed to kindergartens and funding. It was not until the special session of 1982 that legislation encompassing all of the reforms and compromises finally passed, including a relatively strong compulsory education law.

The primary language used in the conference report of House Bill 4 of the 1982 Extraordinary Session establishing the "Mississippi Compulsory School Attendance Law" and the office of school attendance officers (General Laws, 1982 Ex. Sess., Ch. 17, § 21; codified as §37-13-91, Mississippi Code, Annotated 1972) remains the basis for all subsequent modifications passed up to the 1994 amendments. The Education Reform Act of 1982 established a compulsory education law that covered children who had reached the ages of six (6) through fourteen (14) years by September 1 of each calendar year on a staggered schedule. Children who were six (6) and seven (7) years of age by September 1, 1983 but who had not reached the age of eight (8) years or more were under the compulsory education law the first school year of its effectuation (1983-84 term). Each subsequent school year added one (1) year to the age of children falling under the compulsory school attendance law up to the 1989-90 school term at which time the maximum age of fourteen (14) years had been reached. (General Laws, 1982 Ex. Sess., Ch. 17, § 21(2)(f))

School attendance officers were to be full-time employees of the youth or family court "...assigned to monitor compulsory school attendance, to investigate nonattendance..., and to counsel all school-age children to attend school (General Laws, 1982 Ex. Sess., Ch. 17, §21(2)(g))." They were required to have the same qualifications as employees of the now defunct Department

of Youth Services assigned to youth counseling, probation, and aftercare programs.

There was to be at least one (1) attendance officer in each territory of a youth or family court judges' jurisdiction and a maximum limit of five (5) per county. Between these limits, the number of SAOs per district was determined by the formula of one (1) SAO per each one thousand five hundred (1,500), or major fraction of that number, of compulsory-school-age-children within the jurisdiction. The State Board of Education was required to review this formula allocating the number of SAOs by January 1, 1985 and to make modifications to the formula as necessary to reduce the number of SAOs. (General Laws, 1982 Ex. Sess., Ch. 17, § 21(8))

For each increase in the number of SAOs per district, justification had to be certified by the youth court or family court in order for the State Department of Education to approve funding. However, the actual funding for SAOs was assigned to the state ("The state shall provide funding for...") without specifying which agency's or division's budget would serve as a source. The State Board of Education had the responsibility of *approving* funding requests for more than one SAO, but no clear responsibility for the actual payments of funds. (General Laws, 1982 Ex. Sess., Ch. 17, § 21(8))

During the 1983 Regular Session, House Bill 1090 (General Laws, 1983, Ch. 201) appropriate state general funds for chancellors, circuit judges, district attorneys, and others, including school attendance officers "employed by the youth court or family court judges..." The total amount appropriated came to \$1,538,871 and established individual maximum limits on reimbursements for salaries (\$10,956), fringe benefits (\$2,191), travel (\$2,400), and office expenses (\$1,000) per year (General Laws, 1983, Ch. 201, §4). The funds were to be paid by the State Treasurer on warrants issued by the State Auditor of Public Accounts (General Laws, 1983, Ch. 201, §5).

Taking House Bill 1090 of 1983 and the provisions of the Education Reform Act of 1982 together, funding for SAOs took on a rather circuitous route. First, based on the formulas set forth and subject to the established minimum and maximum numbers of SAOs, youth court and family court judges would certify the need for more than the required one (1) SAO for their jurisdiction to the State Board of Education (General Laws, 1982 Ex. Sess., Ch. 17, § 21(8)).

The Board of Education would then approve or disapprove of the number requested, certifying their decision (General Laws, 1982 Ex. Sess., Ch. 17, § 21(8) and (General Laws, 1983, Ch. 201, §4(1)) upon which the Auditor of Public Accounts could then act. The Auditor would issue warrants to the State Treasurer who would then pay out the appropriate amounts from the state general fund (General Laws, 1983, Ch. 201, §5).

Through provisions in the 1982 Education Reform Act, the responsibilities for SAOs increased considerably over the school attendance counselors established in the 1977 Act. In addition to the general responsibilities listed previously and the duties established attendance counselors in the prior legislation (identification of compulsory-school-age-children, cooperation with agencies, providing counseling to encourage all children to complete high school, and attempting to secure social or welfare services) SAOs were required to:

- cooperate with courts of competent jurisdiction other than family and youth courts;
- investigate "...cases of nonattendance and unlawful absences by compulsory-school-age children not enrolled in a nonpublic school...;"
- visit the home or residence of compulsory-school-age children when that child is absent without permission and to return the child to the parents or to the school;
- visit the home of each compulsory-school-age child who is not enrolled in school or in attendance at public school without a valid written excuse and to notify the parent, guardian, or custodian of the enrollment or attendance requirements;
- "[p]erform all other duties relating to compulsory school attendance established by the youth court or family court;" and
- after making all attempts to enroll or cause the attendance of a child under the compulsory attendance requirements without success, file a petition with the youth or family court.

The court was then mandated to expedite a hearing and an adjudication to ensure compliance with the law. (General Laws, 1982 Ex. Sess., Ch. 17, § 21(7)) As can be seen in this list of responsibilities, the Compulsory School Attendance Law as passed through the Education Reform Act provided enforcement efforts that were lacking in the 1977 Act.

One area of enforcement was left out, however. Under the definition of "unlawful absence" (General Laws, 1982 Ex. Sess., Ch. 17, § 21(4) -- "...the provisions of this subsection shall not apply to children enrolled in a nonpublic school...") and again when defining the responsibilities and duties of SAOs (General Laws, 1982 Ex. Sess., Ch. 17, § 21(7)(c) -- "...Investigate all cases of nonattendance and unlawful absences by compulsory-school-age children not enrolled in a nonpublic school..."), it was made clear that certain aspects of the attendance law and some duties of the SAOs were inapplicable to children enrolled in any schools except public schools.

Section 21 of the Education Reform Act (i.e., "The Mississippi Compulsory Education Law") was effectuated on July 1, 1983.

Five sessions later, Senate Bill 2119 took up the Compulsory School Attendance law in order to amend the upper age of compulsory attendance,

the qualification requirements for SAOs, and the formula for allotting them. Section 37-13-91 of the Mississippi Code, Annotated 1972 was amended to increase the compulsory school age to seventeen (17) years through an annual increment of two (2) years of age (General Laws, 1987, Ch. 460, §1(2)(f)). SAO qualifications were amended to require a "...college degree with a major in a behavioral science or a related field..." except for SAOs employed prior to January 1, 1987 (General Laws, 1987, Ch. 460, §1(2)(g)).

The formula for calculating the number of SAOs remained with a minimum of one (1) SAO per youth or family court jurisdiction and a maximum of five (5) per county, but in between these limits the ratio was changed to one (1) SAO per two thousand (2,000) compulsory-school-age children enrolled in public schools within the jurisdiction. The State Board of Education was again charged with review of the formula and modifications as necessary to reduce the numbers, but no date was set for completion of such a review. (General Laws, 1987, Ch. 460, §1(8))

Another, seemingly minor amendment, was produced in Senate Bill 2119. In regard to funding of SAOs and their allotment, the language was changed from "...in no case shall a county be allotted more than five (5) school attendance officers..." (General Laws, 1982 Ex. Sess., Ch. 17, § 21(8)) to read "...in no case shall state funds be used to fund more than five (5) attendance officers per county..." (General Laws, 1987, Ch. 460, §1(8)). This then could be interpreted to mean that more than five (5) SAOs could serve in a county as long as state moneys were not used in their funding. No youth or family court is known to have attempted to test this, however.

That session, an appropriations bill established funding amounts for school attendance officers (General Laws, 1987, Ch. 173). The funds were to be issued by the State Treasurer upon warrants issued by the State Fiscal Management Board.

Senate Bill 2119 took effect July 1, 1987.

During the 1991 Legislative Session, House Bill 30 (General Laws, 1991, Ch. 308) amended the Mississippi Compulsory School Attendance Law to provide that absences due to disciplinary suspensions were not to be considered "excused" absences. Such absences, therefore, became unlawful absences. This amendment set the SAOs' enforcement requirements (to return compulsory-age children to school when found in violation of the attendance law and *etcetera*) against the disciplinary authority of school principals and superintendents (the authority to suspend a child from school). House Bill 30 took effect July 1, 1991.

In that same Session, House Bill 28 (General Laws, 1991, Ch. 539) amended the compulsory attendance law in other ways while incorporating the earlier amendment from House Bill 30. The later act (HB 28) required SAOs, while

in the performance of their duties, to carry a badge and an identification card indicating that individual's position as a school attendance officer of the county. The identification card was to be designed by the Commissioner of Public Safety and issued by the appropriate youth or family court judge but without bearing the name of any elected public official. (General Laws, 1991, Ch. 539, §2(7))

School superintendents, or their designees, were mandated to report student suspensions and expulsions, in addition to "unlawful absences," to the school attendance officers through an amendment to subsection 8 (General Laws, 1991, Ch. 539, §2(8)). Following on the heels of the House Bill 30's definition of disciplinary suspensions as unlawful absences, this amendment allowed for more conflict between SAO and school official authority.

While the formula for allotting SAOs was not amended directly by House Bill 28, the funding scenario was. This legislation inserted the phrase "To the extent of funds appropriated, and to the extent of the number of attendance officers specified in the legislative appropriation for a given fiscal year, the state shall provide funding..." at the beginning of subsection (8) (General Laws, 1991, Ch. 539, §2(8)). In addition, while the results remained the same, requirements for justification and certification of more than one SAO per district was amended in order to include the mandate that "...the State Board of Education shall continue to fund the total number of attendance officers approved and funded on August 31, 1990" (General Laws, 1991, Ch. 539, §2(8)). This appears to be a clear distinction as to which agency was to serve as the source for funding SAOs. However, as shall be seen from other actions, the confusion over funding sources was not yet clarified.

House Bill 28 took effect on the same date as House Bill 30: July 1, 1991.

The 1992 Legislative Session produced two separate Acts that simultaneously amended sections of the Mississippi Compulsory School Attendance Law. By direction of the Attorney General, amendments to Section 37-13-91, Mississippi Code, Annotated of 1972 made by Senate Bill 2238 (General Laws, 1992, Ch. 524, §8) has been set out as the latest expression of legislative intent. However, for purposes of this legislative history, both Senate Bill 2238 and House Bill 1037 (General Laws, 1992, Ch. 516) set forth the same amendments in regard to school attendance officers.

Both the House and Senate Bills attempted to clarify compliance with the Compulsory School Attendance Law by declaring that a compulsory-age child could enroll in a nonpublic school subsequent to enrolling in a public school and remain in compliance as long as the certificate of enrollment was sent to the appropriate school attendance officer (General Laws, 1992, Ch. 516, §1(3) and General Laws, 1992, Ch. 524, §8(3)).

Both pieces of amending legislation addressed the funding of SAOs by declaring that the Department of Finance and Administration would "continue" funding, out of appropriations for that purpose, the one hundred twenty-one attendance officers allotted as of May 1, 1992 (General Laws, 1992, Ch. 516, §1(8) and General Laws, 1992, Ch. 524, §8(8)). Any unused portion of the funds appropriated for SAOs due to vacancies would revert to the State General Fund.

Both bills were approved on May 14 and were scheduled to take effect on July 1 of 1992.

Section 37-13-91, Mississippi Code Annotated of 1972, was amended again during the following Legislative Session. House Bill 955 (General Laws, 1993, Ch. 543) provided for school superintendents, at their discretion, to assign compulsory-age children ordered by the youth court to enroll or reenroll in school to an alternative school established pursuant to Section 37-13-92, Mississippi Code Annotated of 1972. The alternative schools for cases such as this and other difficult youth were first permitted in 1991 and later mandated for all school districts beginning with the 1993-94 school term (§37-13-92(1) and (2), Mississippi Code Annotated, 1972).

Also during the 1993 Session, school attendance officers were addressed in a second piece of legislation. Senate Bill 2487 (General Laws, 1993, Ch. 602), a bill addressing a number of education issues, set new training requirements "[s]ubject to the availability of funds appropriated therefor..." (General Laws, 1993, Ch. 602, §16(1) and (2)). Every SAO was required to attend and complete an annual course of training and education conducted by the Mississippi Judicial College beginning with the first seminar conducted after their appointment (General Laws, 1993, Ch. 602, §16(1)). The course itself was to consist of at least twelve (12) hours of training per year with the content, time, and location of the training determined by the Mississippi Judicial College (General Laws, 1993, Ch. 602, §16(2)). A certificate would be awarded to each SAO upon completion of the course and the certificate was to become a part of the permanent record of the appointing youth or family court. Failure to receive this certificate within the first year of their appointment would nullify the SAO's authority and any compensation normally due until the certificate had been obtained (General Laws, 1993, Ch. 602, §16(3)). These requirements were effectuated on July 1, 1993 and codified as §37-13-107, Mississippi Code Annotated, 1972.

Senate Bill 3019 of the 1994 Legislative Session brings the history of compulsory education and school attendance officers up to date. The Mississippi Compulsory School Attendance Law's provisions regarding SAOs had been addressed by the State Supreme Court which declared the selection and supervision of SAOs through the youth and family courts was a violation of the constitution. This ruling occurred during the session and the

Senate immediately attempted to address the situation. (Senate Bill 3019, §1(8))

Among other, peripherally related amendments, appointment of SAOs was removed from the courts and placed in the hands of the district attorneys. After October 1, 1994, supervisors in counties greater than 45,000 in population were given the discretion to appoint one or more SAOs in addition to those appointed by the district attorneys. Those SAOs appointed by county supervisors were to be funded from the county's general fund (Senate Bill 3019, §1(7)). The remaining 121 allotted as of February 17, 1994 (the date of the State Supreme Court ruling) were to remain funded through the Department of Finance and Administration and were to be considered employees of the respective youth and family courts until the effective date of the bill. In either case, however, no SAO was required to perform any duty in the district attorney's office which was not directly related to the enforcement of the provisions of the Mississippi Compulsory School Attendance Law. (Senate Bill 3019, §1(8)).

No other questions on funding of SAOs were addressed in this bill. But an appropriations bill during this Session provided a total of \$3,274,555 for school attendance officers statewide, "as certified by the State Board of Education" (House Bill 1750, §2(c)). Individual salaries had a maximum limit of \$17,600 and maximum amount of fringe benefits set at \$5,368. House Bill 1750 also reiterated that the Department of Finance and Administration would continue funding the one hundred twenty-one (121) SAOs.

With Senate Bill 3019, SAOs could now file a petition with youth courts or a court of competent jurisdiction "as it pertains to parent or child" when other means of securing enrollment or attendance of a compulsory-age child had failed (Senate Bill 3019, §1(1)(7)(h)). Previously, petitions were mandated at the youth court/family court level.

Training of SAOs would continue to be conducted by the Mississippi Judicial College as had been required in General Laws, 1993, Ch. 602, §16 (Senate Bill 3019, §1(8)).

Section (11) commissioned a report, conducted by the Legislative Performance Evaluation and Expenditure Review Committee (PEER) and the John C. Stennis Institute of Government at Mississippi State University, on the administration of SAOs. The report, which is to include recommendations on the level of government "best suited to effectively administer" SAOs and compulsory education, was to be filed with the Education Committees of both chambers and the Select Committee on Juvenile and School-Related Crime in the House of Representatives on or before December 1, 1994. (Senate Bill 3019, §1(11))

RESULTS OF STUDENT ATTENDANCE OFFICERS (SAO's) SURVEY

The SAO survey was conducted at the 1994 conference of the International Association of Pupil Personnel Workers (IAPPW) in Knoxville, Tennessee. The IAPPW is an association of attendance officers and other officials involved in implementing attendance policies and related social and educational services. The survey was constructed in such a manner as to obtain information on how attendance policies are currently operated and enforced and recommendations those involved to improve that enforcement. Responses were obtained from officers from Georgia, Illinois, Kentucky, Louisiana, Michigan, Maryland, Missouri, Mississippi, North Carolina, New York, South Carolina, Tennessee, and Texas. The following results were tabulated based on their answers to this survey.

EMPLOYMENT

The first area of study through this survey was the actual employment of SAOs. A large majority of those responding are currently employed by their local school boards (63.2%) with the others employed primarily by various public agencies at some level, the exception being 3.9% employed by private schools. When asked which organization they believed should be employ attendance officers, there was a slight decrease in the number supporting local school boards, from 63.2% to 56.9%, with a sharp increase in the number supporting employment by a state agency, from 9.7% to 29.4%. An overwhelming majority favored the idea of the organization that employed them also being responsible for the payroll and other support functions (80.9%).

Table 1.

“What organization employs you?”

state	9.7%
city	21.1%
county	2.1%
school board	63.2%
juvenile court	0.0%
private organization	3.9%

Table 2.

“In your opinion, under what agency or organization should attendance officers be located?”

state dept. of education	29.4%
local school boards	56.9%
individual school administrators	5.9%
juvenile justice courts	5.9%
local law enforcement	0.0%
district attorney	2.0%

Table 3.

“Should this agency [above] be responsible for the payroll and administrative support cost?”

yes	80.9%
no	19.1%

When looking at these responses, one can easily see the beginnings of a trend for the reality and preference of a combined management operation. A system in which many of the functions are localized but in which the state plays a meaningful role. This continues through other items on the survey.

ENFORCEMENT POWER

The second issue surveyed dealt with powers of enforcement when dealing with truancy cases. Over two-thirds (68%) of those surveyed had the power to refer the truancy case to a juvenile court system. This ability was usually accompanied with the power to return the truant child to school. Another 26% of the SAOs reported that they were limited to only the ability to return the child to school. In addition to enforcement through actions taken regarding the school age child, 82% reported that they had the power to hold parents accountable for the truancy of their children, but only 6% reported the authority to file charges against the parents of compulsory-age children.

Table 4.

“What powers [of enforcement] do you have available to you?”

return child to school	26.0%
arrest child	0.0%
remand child to juvenile/family court	68.0%
file charges against parents	6.0%

Table 5.

“Do you have the authority to hold parents legally responsible for their children's truancy?”

Yes	82.0%
No	18.0%

TRUANCY PROGRAMS

The SAOs were also asked to rate certain enforcement procedures as to their effectiveness in dealing with truancy based on their own experiences. Two enforcement procedures in regard to compulsory-age children were rated as very positive by a majority of the SAOs: counseling (53.2%) and alternative schools (51.2%). Of the options provided to the respondents, in-school detention received the lowest percentage of "very positive" responses at 21.4%. As one might expect, a large number of respondents indicated that enforcement procedures against parents positively affected truancy rates (94%). Of the options on enforcement directed against parents, "Arrest" received the greatest positive response (75.8%) followed by "Fines" (73%). These responses are especially interesting when one considers the general inability of attendance officers to file charges against parents (6%, see Table 4 above) even though they report authority to hold parents legally responsible for the child's truancy (82%, Table 5 above).

Counseling efforts have also been seen as an effective method of dealing with truancy, though not as highly regarded as the other options rated. However, the effectiveness rating of parental counseling (40.5%) is higher than the rating given the arrest of the child (36.6%), in-school suspension (22.0), or in-school detention (21.4%). This seems to indicate the need to involve parents in whatever enforcement option is ultimately used.

Table 6.

“In your opinion, what enforcement procedures involving the child have the greatest positive effect on truancy?”

	very positive	somewhat positive	no effect
counseling	53.2%	42.6%	4.3%
arrest	36.6%	51.2%	12.2%
in-school detention	21.4%	64.3%	14.3%
in-school suspension	22.0%	65.9%	12.2%
alternative school	51.2%	39.0%	9.8%

Table 7.

“In your opinion, do enforcement procedures involving the parents have a positive effect on truancy?”

yes	94.0%
no	6.0%

Table 8.

“What procedures [involving the parents] have the greatest effect?”

	very positive	somewhat positive	no effect
counseling	40.5%	59.5%	0.0%
fines	73.0%	24.3%	2.7%
arrest	75.8%	21.2%	3.0%

PROSECUTION

The final issue area for this survey was the actual prosecution of truancy cases. Prosecution responsibility appears to be spread through a variety of agencies with the largest percentages single number of responses being that of juvenile justice courts (47.1%) and district attorneys (37.3%), indicating a localized application of prosecution. When asked which agency should be responsible for prosecution, the district attorney's office was highest with 36% followed by local law enforcement with 22%. Juvenile/family courts had support from 18% of the respondents. The preferred level for prosecution of truancy cases followed the current placement, remaining at local levels.

Table 9.

“What agency is responsible for the prosecution of truancy cases?”

district attorney	37.3%
juvenile court	47.1%
human services	3.9%
attendance officers	3.9%
dept. of juvenile justice	2.0%
department of education	2.0%
district court	2.0%
j.p. court	2.0%

Table 10.

“In your opinion, what agency should be responsible for prosecution of truancy cases?”

local law enforcement	22.0%
district attorney	36.0%
human services	6.0%
all of the above	4.0%
juvenile/family court	18.0%
attendance officer	4.0%
dept. of education	4.0%
school district	4.0%
juvenile services	2.0%

OTHER METHODS

While attending the IAPPW conference, Stennis Institute staff collected anecdotal information in addition to the data gathered through the survey instrument. The SAOs were very supportive of the idea of linking school attendance to the ability of children under the age of 18 to get a driver's license or learner's permit. SAOs from Louisiana and Tennessee both reported that they had found this policy very effective in lowering drop-out and truancy rates. The general idea rests on the requirement that a school report truancy cases to the state motor vehicles department (MVD). The MVD then suspends the license of the truant until notified in writing by the school that the case has been resolved. Each state applied its own definition of what constituted a truancy case. This method was preferred to the idea of linking welfare payments to school attendance which was not seen as an effective deterrent to truancy.

Another method of dealing with truancy was developed by a husband and wife team in Chicago. This method centered around the need of counseling

truant children. These children would be separated into small groups and given counseling and self-esteem building help. This method was found to be very effective in lowering truancy rates among the children that had gone through the program. It also follows the statistical evidence from the survey that indicates counseling as effective means of dealing with truancy.

RESULTS OF THE STATES' SURVEY

The survey of states was conducted by the Stennis Institute by contacting the departments of education in each state. Following this initial contact, either a telephone interview with the appropriate officials was conducted or a faxed copy of the survey was sent to those officials. The survey was constructed in such a way as to determine the structure of the attendance system in each state and the authority of the SAOs within that system. Surveys were collected from: the District of Columbia, Florida, Georgia, Idaho, Illinois, Kentucky, Louisiana, Maine, Maryland, Nevada, Nebraska, New Mexico, New York, South Carolina, Texas, Virginia, Vermont, West Virginia, and Wyoming.

ATTENDANCE LAWS

The first area of study determined if each state had a mandatory attendance law and if so, to what age. All states responding (100%) did have a mandatory attendance law. In regard to the upper age for compulsory attendance, 16 years was the most common answer (52.9%). One state reported that students must attend through the 7th grade.

Table 11.

Does your state have mandatory attendance laws?

yes	100%
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if yes, to what age?

16	52.9%
17	23.5%
18	17.6%
7th grade	5.9%

EMPLOYMENT

Another determination attempted through the survey of states dealt with the creation of SAO positions and the agency responsible for hiring SAOs. The highest percentage of the states reporting indicated the position as mandated by compulsory attendance laws (66.7%). Of the states reporting on the hiring

of SAOs, the most commonly cited hiring organization was the local school districts (87.5%).

Table 12.

How was the school attendance officer's position created?

Mandated in attendance law	66.76%
Created by Local School Boards	13.3%
Created in a Budget Bill	6.7%
Created by Regional Supervisor	6.7%
Created by Executive Agency	6.7%

Table 13.

What person or agency is responsible for hiring a school attendance officer?

Local School Districts	87.5%
State Dept. of Education	6.3%
Other local agency	6.3%

POLICY AND ADMINISTRATION

The survey next questioned agency responsibility for the formulation of policies and for payroll and administrative functions. The agency most often reported as the policy maker was the local school districts (40%), immediately followed by a combination of local school districts and the state departments of education (26.7%) and state departments of education alone (20%). In maintaining payroll and administrative functions, local school districts rated highest (87.5%).

As with the previous survey of IAPPW conference attendees, these responses on policy-making, payroll, and administration of attendance officer programs indicate evidence of combined management and administration. Each level, state or local, involved in efforts to reduce truancy and dropout rates.

Table 14.

What organization establishes attendance policies to be implemented by the SAOs?

Local School Districts	40.0%
State Dept. of Education	20.0%
Local and State	26.7%
Local and Other State	6.7%
Regional Supervisor	6.7%

Table 15.

What agency is responsible for maintaining payroll and other administrative functions of SAOs?

Local School Districts	87.5%
State Dept. of Education	6.3%
Regional Supervisor	6.3%

ENFORCEMENT POWER

In regard to enforcement powers of the SAOs, the enforcement power most commonly reported was the power to refer to family court (36.4%). Though lower than figures for the individual SAOs surveyed at the conference, over a third of the state agencies (53.8%) responding indicated that SAOs had the authority to hold parents responsible for a child's truancy. When asked what a SAO was *required* to do upon finding a truancy case, 26.7% reported that all a SAO had to do was return the child to school.

Table 16.

What legal power do SAOs have?

Refer to DA	9.1 %
Return to school	9.1%
Refer to Family Court	36.4%
Detain the child	9.1%
Police powers	9.1%
File Complaint in Family Court	9.1%
Other	18.2%

Table 17.

Do SAOs have the authority to hold parents accountable for their children's truancy?

yes	53.8%
no	46.2%

if yes, what tools do they have?

Fines	25.0%
Fines and Arrest	12.5%
Refer to Family Court	50.0%
Police powers	12.5%

Table 18.

What action is required of SAOs when they discover a truancy case?

Return child to school	26.7%
Provide counseling	6.7%
File Complaint	20.0%
Return child & report to police	6.7%
Notify parents	13.3%
Return and counsel	20.0%
Report to Human Services	6.7%

Discussion and Recommendations

The review of literature and the two separate surveys conducted as the basis for this study have combined to provide a basic framework for understanding compulsory education, truancy, and enforcement efforts geared towards reducing truancy and dropout rates. Three trends seem to appear: local hiring and enforcement, state and local cooperation on management and administration, and enforcement methods untried in the state of Mississippi. The surveys have provided ample evidence that the majority of the states surveyed have developed a system which allows for local autonomy and flexibility on the hirings and daily operations of school attendance officers. Further, when asked what organization should employ attendance officers, responding officers at the IAPPW conference confirmed this arrangement as a more preferable system. The majority of respondents to both surveys indicated local school boards as the most common employer currently.

Combined with this, however, is the obvious role of state agencies in the overall program. The data points to the fact that a large majority of school attendance officer programs were created through state legislation (66.7%) and attendance policies implemented by these officers are the result of combined efforts between local school boards (40%), state departments of education (20%), and a direct alliance of the two (26.7%). Likewise, prosecution is handled at the local level by state organizations such as district attorneys (37.3%) and juvenile or family courts (47.1%). The preferred method for prosecution, as indicated through the IAPPW survey, also reflects this mix. Conference members saw local law enforcement (22%), district attorneys (36%), and juvenile or family courts (18%) as the agencies who should be responsible for the prosecution of truancy cases.

Regarding enforcement methods, a number of options have been brought forward by academic studies, the survey data, and anecdotal information. Many of these options have not been tried in Mississippi while others have been instituted on a lower scale. While enforcement of the Mississippi Compulsory School Attendance Law is in itself a necessary endeavor, the enforcement methods should be focused on efforts to reduce truancy and drop-out rates. From this perspective, counseling students, assignments to alternative schools, linking "excessive" truancy or drop-outs to drivers licenses, and the involvement of parents in the enforcement efforts have all been indicated as effective means. More to the point, the ability to arrest or fine parents for chronic truants or dropouts is seen by attendance officers as having the most positive effect (75.8% and 73% respectively). Even counseling parents is seen as having a greater positive effect than arresting the child (40.5% to 36.6%). It is obvious the parental involvement must play a role in enforcement efforts.

Based on this study, the John C. Stennis Institute of Government makes the following recommendations regarding the Mississippi Compulsory School Attendance Law and the SAO program.

1. *Mississippi should develop a structure which allows a mixed management approach combining state level guidelines, funding, and employee requirements with local flexibility for hiring, daily operations, enforcement procedures, and prosecution of truancy and drop-out cases. A combined management approach has been indicated as workable and as preferred in that it allows shared responsibilities while accommodating various local needs based on school district type, socio-economic variables within the district, and community norms and values.*
2. *Candidates for school attendance officers, hired at the local level, should meet minimum occupational qualifications as established through state-wide requirements under the state's classification system. The State Personnel Board should incorporate SAO positions into the state public employment system and develop minimum qualification standards. Applicants for SAO positions should follow appropriate testing and qualifying procedures similar to those for current state employees.*
3. *SAO positions should be allowed the same opportunity for compensation and benefits as other state employees. Professional personnel should be entitled to professional compensation. SAOs should be incorporated into the state's variable compensation plan (VCP), state health pool, and state retirement plans.*
4. *The State Department of Education should study the ability to broaden the scope of SAO authority to include compulsory-age children enrolled in non-public schools. As currently written, the Mississippi Compulsory School Attendance Law does not give SAOs authority to return truant compulsory-age children to non-public schools. While there may well be a philosophical debate over the state's authority *vis a vis* a private institution, the purpose of the Attendance Law is to ensure that all school-age children are attending school. The state has a legitimate concern in seeing that children attend class, whether it is in a public or private school.*
5. *SAOs should be provided the authority for holding parents legally responsible for cases involving chronic truancy. Parental involvement in education has long been viewed as a method for improving local schools. This study indicates that the same involvement can have a positive effect on truancy and drop-out rates. The only question comes as to the form of that authority to hold parents responsible.*
6. *Enforcement efforts should include student counseling and assignment to alternative schools, as currently allowed in the Mississippi law, but should also include parental counseling and the ability to sentence or fine parents of*

chronic truants or drop-outs. Mandatory counseling of parents and students should be required in "excessive" truancy cases. Funds received through fines of parents could be used to develop a counseling program similar to the Mississippi Alcohol Safety Education Program which would allow both the compulsory-age child and the parents of that child to participate. Discretionary sentencing of parents to attend school with the child could prove effective in reducing truancy as well as provide for direct involvement in the overall education system.

7. *In extreme cases of chronic truancy or failure to enroll compulsory-age children, enforcement efforts should link the ability to receive a learner's permit or driver's license to school attendance.* Anecdotal evidence and academic case studies have indicated this enforcement option as having a very positive effect on the more extreme truancy and drop-out cases which seem unaffected by other efforts.

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