

EDUCATIONAL NEGLECT & COMPULSORY SCHOOLING: A STATUS REPORT

CENTER FOR SCHOOL IMPROVEMENT
& POLICY STUDIES
FINAL REPORT

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COMMISSIONED BY—



THE GOVERNOR'S TASK FORCE
ON CHILDREN AT RISK

PREPARED BY—



COLLEGE OF EDUCATION
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EXECUTIVE SUMMARY



Executive Summary

In an era of increasing educational accountability and economic demands, failure of a child to receive an adequate education generates tremendous costs both for the child and the larger society. Such failure constitutes educational neglect. Since the mid 19th century, it has been the responsibility of states to ensure that all students meet compulsory education requirements. Currently, even with our country focused on the federal policy *No Child Left Behind*, most states cannot identify all of their students. Unfortunately, educational neglect often fails to reach the policy threshold at which attention and resources are allocated to address the problem. This study sheds light on this phenomenon at the national level as well as for the state of Idaho specifically.

The Center for School Improvement & Policy Studies at Boise State University was contracted to investigate educational neglect for the Governor's Taskforce for Children at Risk. To provide a set of policy recommendations regarding educational neglect specific to Idaho, an examination of the available policies and enrollment data from the fifty states regarding educational neglect, compulsory education, habitual truancy and home-based education was conducted. At the state level, interviews were conducted with superintendents or attendance officers throughout Idaho to make the analysis more directly relevant to the Governor's Taskforce for Children at Risk. Relevant findings include:

National Data

- Of the approximately 49 million school-aged children for each state that exist in the 2003 federal census data, over 1.7 million children cannot be identified with any educational institution. This accounts for 3.5% of the compulsory school age population of the nation.
- Compulsory education ages vary beginning ages as low as 5 yrs. old to exiting ages as late as 18 yrs. old, yielding compulsory age ranges from 9-13 years, with 10 years being most common.
- States do not have a common definition of educational neglect. Twenty-four (24) states have no statutory definition of educational neglect.
- States do not have a common definition of habitual truancy. Ten (10) states have no definition at all.
- Effects of Truancy – According to National Incidence Study of Child Abuse and Neglect (1996), the effects of truancy are profound and carry a high cost for both the truant student and the larger society. Chief among these are
 - Academic Achievement – Students with 95% attendance were more than twice as likely to pass state achievement tests than those with 85% attendance.
 - Drug Use – Truancy is a more accurate predictor of drug use than GPA or sexual activity.

- Financial Effect of Dropouts – Each drop out will lose between \$535,800 and \$855,000 in lifetime earnings.
- Criminal Effect of Dropouts – Dropouts comprise 80% of the prison population, which produces a significant fiscal burden upon state and federal funds.
- While the National Center for Education Statistics (2004) estimates a home-educated population of 2.2% or 1.1 million children, state departments of education only record 365,129 children. Fifteen states record no home-educated children at all.

Idaho Data

- Of the 215,042 children within the state’s compulsory education range in 2003, Idaho is currently “missing” 13,954 children who exist in the census but are not recorded in any educational institution. This is approximately 6.5% of the population, or one out of every 15 Idaho school-aged children.
- If the 13,954 children unaccounted for in Idaho congregated, they would constitute the third largest district in the state.
- Idaho requires 9 years of compulsory education, from 7 to 16 years old.
- 67% of Idaho’s districts could not determine if any children residing within the district were not being educated. Of those that were able to provide a number of children, they primarily relied on informal information sources.
- 96% of Idaho’s districts had no written procedures for tracking students who fail to continuously enroll from one year to the next.
- Habitual truancy is defined in two main ways among Idaho’s districts; the “90% rule” or a specific number of absences per semester or year.
- The 2,921 Idaho dropouts from the academic year 2002-2003, generated a net loss of between \$1.5 billion and \$2 billion to the Idaho economy over their work careers.
- Idaho provides no oversight or monitoring of home educators and their students.
- Less than half of Idaho school districts were able to estimate the number of home-educated children within their district.

Policy Recommendations for Idaho

Based upon a review of state policies across the nation, insight from Idaho educators, the professional literature and highly regarded intervention programs, we offer the following policy recommendations for the state of Idaho.

Educational Neglect

1. Establish a clearly defined threshold of truancy that constitutes educational neglect.
2. Establish a clear statement of primary responsibility for educational neglect within the Department of Health and Welfare.
3. Development of an intervention program similar to the Missouri Family and Response Demonstration and the Idaho Community Resources for Families Program.

Habitual Truancy

1. Adopt a single statewide definition of habitual truancy.
2. Establish a combined, multi-agency approach to truancy reduction involving the Department of Education, the Department of Health and Welfare, and the Attorney General's Office.

Home Education

1. Identify children being home-educated in Idaho through registration with Department of Education.
2. Require annual standardized assessments of academic progress for *all Idaho children* in grade equivalents 3 through 10.

Implementing the above policy recommendations will improve Idaho's ability to meet its democratic obligation to ensure an educated citizenry. Continued failure to do so will result in a population ill-prepared to meet the intellectual and economic challenges of the future.

INTRODUCTION



Introduction

In an era of increasing educational accountability and economic demands, educational neglect is a phenomenon with tremendous costs. Unfortunately, in a world full of social ills and societal needs, educational neglect often fails to reach the policy threshold at which attention and resources are allocated to address the problem. This study helps to illuminate this phenomenon at the national level as well as for the state of Idaho specifically.

When addressing educational neglect, policymakers, social workers and educators must overcome several impediments. First is the problem of definition. Within the fields of social work and education, and certainly within statute, there appears to be no commonly agreed upon definition of educational neglect. Second, educational neglect exists as a problem between the jurisdictions of Departments of Health and Welfare and Departments of Education. Unfortunately for the neglected children, as in any endeavor involving multiple parties, where each “is responsible,” no one is. Hence, educational neglect is not addressed adequately by either department. Third, social service institutions have more pressing issues such as physical and/or sexual abuse and neglect. Their limited resources are directed to those children who are most in need. Fourth, educational neglect’s co-occurrence with other forms of neglect/abuse greatly complicates identification and treatment of educational neglect. Lastly, educational neglect is a phenomenon of non-occurrence, a lack of appropriate education. Documenting that an activity is not occurring is very difficult, especially when those guilty of educational neglect often actively avoid any governmental interaction and/or detection.

Educational neglect presents policymakers with a dilemma. While a majority of neglected children suffer from educational neglect, the response of policymakers at the state and local levels has been mixed at best. Unfortunately, those charged with addressing the needs of our children often find themselves in the position of only addressing the greatest of evils, while letting “minor” (non-life threatening) offenses slip through the bureaucratic cracks. Our system, as well as the children subjected to this regrettable abuse deserve the prompt action of policymakers, educators and social service providers to address our current state of educational neglect. Combating educational neglect benefits both the students in question through better preparation for life’s struggles, and the larger society providing better employment opportunities for these same students.

This report attempts to examine the issue of educational neglect through three different lenses. Our research team presents within these pages a national policy review, an examination of the current state of educational neglect in Idaho and nationwide, brief descriptions of interventions for educational neglect and truancy, and home education statutes. Finally, the report concludes with policy recommendations for the Governor’s Taskforce for Children at Risk (Idaho).

Compulsory Education Laws

Compulsory educational laws have a very long and checkered history in the United States. The first attempt to address compulsory education and educational neglect came from Puritan elders in 1642 when “taking into consideration the great neglect of many parents...in training up their children in learning,” mandated that elders “take account from time to time...of (children’s) ability to read and understand the principles of religion and the capital laws of this country” (in Katz, 1976, p.11). This edict was soon followed by the famous Old Deluder Satan Act of 1647 which stated,

It being one chief project of that old deluder, Satan, to keep men from the knowledge of the Scriptures, ... that so that at least the true sense and meaning of the original might be clouded and corrupted with false glosses of saint-seeming deceivers; and to the end that learning may not be buried in the grave of our forefathers, in church and commonwealth, It is therefore ordered that every township in this jurisdiction, after the Lord hath increased them to fifty households shall forthwith appoint one within their town to teach all such children as shall resort to him to write and read, whose wages shall be paid either by the parents or masters of such children, or by the inhabitants in general, ... And it is further ordered, that when any town shall increase to the number of one hundred families or householders, they shall set up a grammar school, the master thereof being able to instruct youth so far as they may be fitted for the university, ...

At best, the Old Deluder Satan Act met with mixed results regarding the enforceability of a compulsory education law in colonial America. However, as Kotin and Aikman (1980) note, in conjunction with compulsory education acts from 1642 and 1648, these laws established many of the fundamental principles upon which compulsory education in the United States still stands:

- 1) The education of children is essential to the proper functioning of the state.
 - 2) The obligation to furnish this education rests primarily upon parents.
 - 3) The state has a right to enforce this obligation.
 - 4) The state has a right to determine the type and extent of education.
 - 5) Localities may raise funds by a general tax to support such education.
- (p. 19)

Furthermore, these principles illustrate the inherent tension within compulsory education laws resulting from the convergence of three conflicting views of educational authority, that of the state, the parents, and the students themselves. Each party can, and has, offered legitimate arguments to educational authority.

The state’s claim to educational authority lies in its obligation to the overall well being of society. In early America, a diverse group of political leaders advocated for state

intervention into the arena of education to instill republican values and provide the intellectual skills necessary to contribute in a democratic society (Tyack, James, and Benevot, 1987). However, throughout the history of compulsory education numerous points of contention have arisen with state control; distrust of powerful centralized government, dislike of forced association with other ethnic groups or classes, and allegations of infringement upon parental rights to guide or control the future of their children.

In competition to states' educational authority are parental claims to the same, or superior, authority to guide a student's development. Their argument is based upon the precept that parents possess the natural right to educate their children, "thereby predisposing their children, through education, to chose a way of life consistent with their familial heritage" (Gutmann, 1999, p. 28). Additionally, advocates of parental educational authority appeal to the argument that parents, above all others, hold the student's best interests at heart and will act accordingly (Kirp, Levin, Moran, and Yudof, 2002, p. 4). Any infringement upon this process by the state constitutes a violation of this parental right.

The third claim to educational authority arises from the fundamentally American notion of individualism. John Stuart Mill (1869) summarized the position well, writing "All attempts by the state to bias the conclusions of its citizens on disputed subjects are evil" (On Liberty, ch. 5, para. 13). Individuals deserve the right to freedom of choice as opposed to indoctrination by a third party. In a society containing very different conceptions of the good life and right and wrong, children deserve freedom of educational choice to determine their own moral, political, and social positions.

Clearly, locating educational authority solely within any three of these parties is suboptimal. No one entity should assume sole responsibility for the moral, social, and political education of a nation's children. Ideally, in a democratic society educational authority should be shared amongst each of the three competing interests, creating a democratic state of education (Gutmann, 1999). This system of shared educational authority, then creates a system of checks and balances in which no one group's interest dominates those of another. Throughout the history of compulsory education law, the tensions inherent within this system have played out in legislation and the courts.

Three key court cases provide a quick review of the major issues involved in compulsory education. First, *Pierce v. Society of Sisters* (1925) addressed Oregon's state law requiring all children of compulsory age to attend public schools. The Society of Sisters, a Catholic order operating elementary schools, sued the state as a matter of due process under the 14th Amendment. The court upheld the challenge, writing in part

The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize

and prepare him for additional obligations (in Yudof, Kirp, Levin, and Moran, 2002, p. 12).

While the court affirmed parental rights to choose the form of education, its opinion also upheld the fundamental right of the government to compel education of all children. Writing for the court, Justice McReynolds stated

No question is raised concerning the power of the State reasonably to regulate all schools, to inspect, supervise and examine them, their teachers and pupils; to require that all children of proper age attend some school...that certain studies plainly essential to good citizenship must be taught, and that nothing be taught which is manifestly inimical to the public welfare (in Yudof, Kirp, Levin, and Moran, 2002, p. 12).

The state's power was further limited in 1972 in the landmark Wisconsin v. Yoder case. An Amish community challenged the breadth of Wisconsin's compulsory education law on the basis that it interfered with their First Amendment right to the "free exercise" of their religion. Specifically, the plaintiffs argued that participation in public education beyond basic schooling affected their children in such a manner as to interfere with their religiously-based lifestyle. In the majority opinion, the Supreme Court agreed that "formal high school education beyond the eighth grade is contrary to Amish beliefs" and that the informal vocational education offered to Amish children as members of their community sufficiently met the standard of compulsory education as defined in Wisconsin. Thus, Amish children were exempted from participation in formal schooling to meet the mandates of compulsory education statutes.

A further broadening of parental educational options came from the 1967 *State of New Jersey v. Massa*. Previously, law suits brought against parents who educated their children at home where decided in favor of the state upon the grounds that educating children at home inhibited their social development due to lack of interaction with other children (Aikman and Kotin, 1980, p. 146). However, in the Massa case, Justice Collins and the court discerned, "the intent of the Legislature as requiring only equivalent academic instruction," thus "the only remaining question is whether the defendants provided their daughter with an education equivalent to that available in the public schools" (in Kirp, Levin, Moran, and Yudof, 2002, p.71). This decision, in conjunction with other various other cases increased the permissibility of home education as a viable parental option, leading to the eventual permission of home education in all fifty states.

The rights of parents, however, are not insuperable. In the State of Indiana v. Bailey "the Indiana Supreme Court ruled that; "provision of and control over education is a valid state function because education is necessary to the welfare of the state. The Court confirmed the right of the state of compel a child's attendance despite the ancient common law rights of the parent, on the theory that those rights do not include the right to deprive a child of the advantages of education" (Aikman and Kotin, 1980, p. 28).

As compulsory education has progressed, struggles between the state and parents over the right to educational authority have established a system with some balance. While the voice of the individual student is limited, parents and the state hold established roles that complement each other, albeit contentiously. The state requires, enforces, and to some extent regulates education. However, parents hold the ability to choose from a limited range of alternative educational arrangements, providing the opportunity to educate their children in a manner compatible with their lifestyle or belief system. Thus, compulsory education laws have and continue to evolve toward a more democratic state of education in which all interested parties control a sphere of educational authority.

FINDINGS

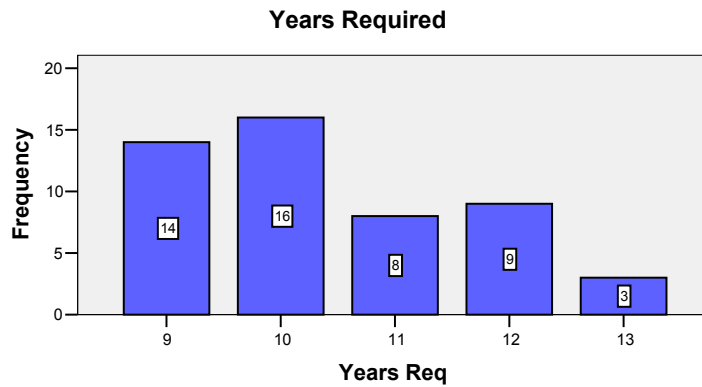
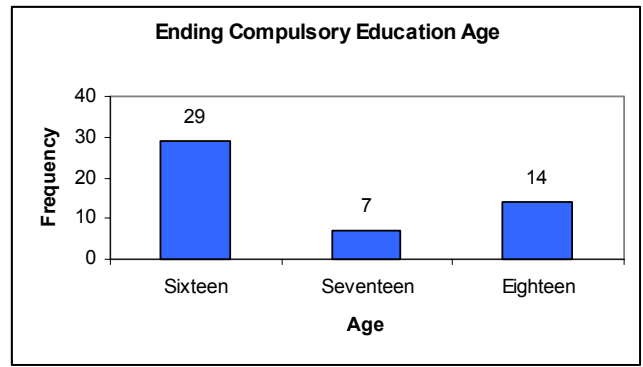
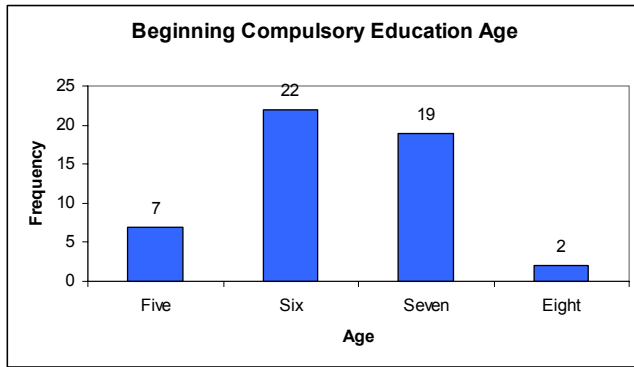


COMPULSORY EDUCATION – A National Perspective

Compulsory education statutes mandate a range of ages during which a child must be educated. The age range during which compulsory education statutes apply varies from state to state. Beginning ages range from five to eight years old, while ending ages vary between 16 and 18 years old. Thus, the number of years of education required of students can vary from nine to thirteen years. See the charts below for an analysis of the ages and years required by compulsory education laws.

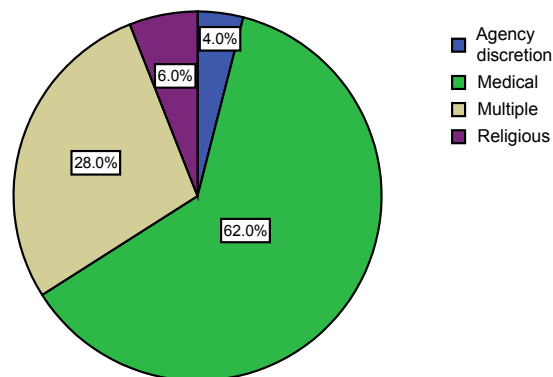
State	Ages	Years Required	State	Ages	Years Required
New Mexico	5--18	13	New Hampshire	6--16	10
Oklahoma	5--18	13	New Jersey	6--16	10
Virginia	5--18	13	New York	6--16	10
Arkansas	5--17	12	Rhode Island	6--16	10
Georgia	6--16	12	South Dakota	6--16	10
California	6--18	12	West Virginia	6--16	10
Florida	6--18	12	Wyoming	6--16	10
Hawaii	6--18	12	Louisiana	7--17	10
Ohio	6--18	12	Maine	7--17	10
Texas	6--18	12	Nevada	7--17	10
Utah	6--18	12	Washington	8--18	10
Wisconsin	6--18	12	Alabama	7--16	9
Delaware	5--16	11	Alaska	7--16	9
Maryland	5--16	11	Colorado	7--16	9
South Carolina	5--16	11	Connecticut	7--16	9
Mississippi	6--17	11	Idaho	7--16	9
Tennessee	6--17	11	Illinois	7--16	9
Kansas	7--18	11	Indiana	7--16	9
Minnesota	7--18	11	Missouri	7--16	9
Oregon	7--18	11	Montana	7--16	9
Arizona	6--16	10	Nebraska	7--16	9
Iowa	6--16	10	North Carolina	7--16	9
Kentucky	6--16	10	North Dakota	7--16	9
Massachusetts	6--16	10	Vermont	7--16	9
Michigan	6--16	10	Pennsylvania	8--17	9

The mean number of years required is 10.42, with a standard deviation of 1.25 years. The median and mode are ten years. The most common arrangement, displayed in the bar charts below is to begin at six years old and finish at 16, thus providing ten years of education.



Forty-eight of the 50 states require the local school district to report violations of compulsory education statutes. Hawaii and Mississippi relieve the local districts of this duty by locating primary reporting responsibility at the state level, within their respective Departments of Education. When shifting focus from reporting to enforcing, a different grouping of 48 states locate primary responsibility within Departments of Education, while Kansas and North Carolina rely upon their Departments of Health and Human Services. However, all states allow exemptions to compulsory education requirements for a multiple of reasons, with medical exemptions constituting 62% of the states.

Compulsory Education Exemptions



COMPULSORY EDUCATION – An Idaho Perspective

Idaho's constitution (Art. III, Sec. 1) guarantees the provision of system of public education for the children of Idaho. As is common in most state constitutions, the rationale for such provisions is to develop the intelligence of citizens upon which our government must rely.

ARTICLE III, EDUCATION AND SCHOOL LANDS

SECTION 1. LEGISLATURE TO ESTABLISH SYSTEM OF FREE SCHOOLS.

The stability of a republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the legislature of Idaho, to establish and maintain a general, uniform and thorough system of public, free common schools.

Within Idaho Code 33-202, Idaho requires 9 years of compulsory education between the ages of seven and sixteen (see below). It does not, however, compel parents to engage in

33-202. School attendance compulsory.

Statute text

The parent or guardian of any child resident in this state who has attained the age of seven (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. Unless the child is otherwise comparably instructed, the parent or guardian shall cause the child to attend a public, private or parochial school during a period in each year equal to that in which the public schools are in session; there to conform to the attendance policies and regulations established by the board of trustees, or other governing body, operating the school attended.

a particular form of education, only that children “be instructed in subjects commonly and usually taught in the public schools.” Thus, Idaho balances the rights of the state to ensure an educated citizenry with the rights of parents to control the manner in which their children are raised and educated.

EDUCATIONAL NEGLECT – A National Perspective

According to the Third National Incidence Study of Child Abuse and Neglect (NIS-3) (1996), Sedlak and Broadhurst offer a three part definition of educational neglect that includes

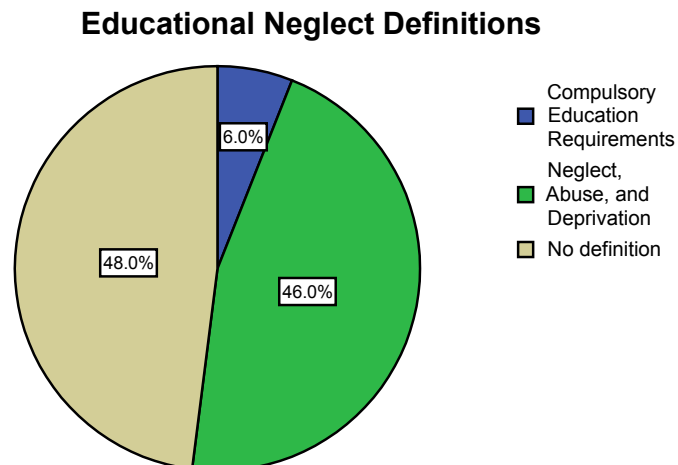
- Failure to Enroll,
- Permitted Chronic (Habitual) Truancy, and
- Inattention to Special Education Needs (p. 2-18).

The NIS-3 study reports an incidence rate of stand-alone educational neglect to be 5.9 children per 1,000. Based upon the compulsory attendance figures in the table below, this incidence rate predicts 291,208 children being educationally neglected nationally during the year 2003.

Predictors of Educational Neglect (NIS-3, 1996)

- Income effect – Children from families with incomes of \$15,000 or less were 78 to 97 times more likely to suffer from educational neglect than children from families earning \$30,000 or more.
- Single Parent effect – Children from single parent households are more than three times more likely to suffer from educational neglect than children in two parent households.
- Family Size effect – Children in families with two to three children were less likely to suffer from educational neglect than only children or children in families of four or more children.

This report focuses on the first two cases, non-enrolled children and habitual truancy. Non-enrolled children present a very difficult research dilemma. How does one document a non-event? If children are not enrolled in school or accounted for in some way, they are very difficult to identify. Some of the children's families actively avoid any interaction with governmental authorities, be they educators or law enforcement personnel.



Unfortunately, states do not adhere to a common definition of educational neglect. As seen above, almost half of the states do not have a definition in state code. Forty-six percent of states define educational neglect within the larger area of child neglect, abuse and deprivation. Only three states tie educational neglect directly to compulsory education regulations.

To estimate the number of children not enrolled in educational institutions including public schools, private schools and home schools, we needed to first estimate the number of children that actually exist within the compulsory education ranges for each state. From that number, we subtracted children identified in each of the above school types. The remainder indicated the number of children recorded as living, but not identified with an educational institution. The table below presents all fifty states ranked in descending order according to percent of children unaccounted for in educational institutions.¹

States	Compulsory Education Population	Children unaccounted in all schools	Percent of Comp. Ed. Population
Hawaii	224,147	39,142	17.5%
Virginia	1,422,261	217,611	15.3%
Missouri	818,295	112,559	13.8%
Oklahoma	701,435	96,472	13.8%
New Mexico	408,478	48,699	11.9%
Delaware	136,663	15,239	11.2%
Oregon	593,197	54,843	9.2%
Kentucky	620,697	57,187	9.2%
South Carolina	699,724	61,399	8.8%
Texas	4,515,918	364,889	8.1%
Alabama	639,026	49,465	7.7%
Wyoming	77,902	5,780	7.4%
Maryland	958,200	66,829	7.0%
Vermont	86,076	5,985	7.0%
Arkansas	499,209	33,663	6.7%
Idaho	215,042	13,954	6.5%
Arizona	921,317	43,038	4.7%
North Dakota	87,388	4,065	4.7%
Washington	985,071	43,448	4.4%
Tennessee	966,431	40,691	4.2%
Montana	130,245	5,408	4.2%
Colorado	653,308	24,989	3.8%
New Hampshire	203,296	7,696	3.8%
Kansas	485,657	17,899	3.7%
Ohio	2,129,724	73,891	3.5%
Illinois	1,872,478	52,580	2.8%
Utah	532,226	14,758	2.8%

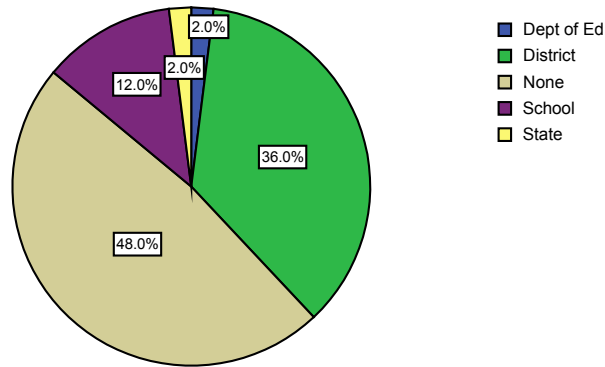
¹ Because the numbers within this table were gathered from the Federal Census and fifty state departments of education, they should be viewed as estimates. Please see the appendix for a detailed description of the methodology used to compile this table. All data is for the year 2003.

States	Compulsory Education Population	Children unaccounted in all schools	Percent of Comp. Ed. Population
Louisiana	752,709	20,743	2.8%
Maine	194,695	4,979	2.6%
California	7,140,346	175,407	2.5%
Alaska	112,726	2,690	2.4%
Minnesota	899,053	19,862	2.2%
South Dakota	123,684	2,669	2.2%
Wisconsin	1,023,802	18,835	1.8%
New York	2,964,927	51,243	1.7%
Massachusetts	951,854	16,156	1.7%
Nebraska	253,550	3,912	1.5%
Michigan	1,641,041	23,898	1.5%
Mississippi	523,668	6,948	1.3%
Iowa	448,591	5,151	1.1%
Pennsylvania	1,703,637	7,828	0.5%
Nevada	357,036	-84	0.0%
Rhode Island	159,985	-471	-0.3%
New Jersey	1,348,180	-9,051	-0.7%
Connecticut	496,900	-3,549	-0.7%
Georgia	1,423,849	-17,258	-1.2%
West Virginia	245,109	-3,190	-1.3%
Indiana	901,455	-19,250	-2.1%
North Carolina	1,164,982	-29,332	-2.5%
Florida	2,852,835	-82,838	-2.9%
TOTALS	49,357,351	1,708,764	Ave. 3.5%

The data presented above should be interpreted as rough estimates of children unaccounted for within the United States. The values range from 17.5% to -2.9%, with a mean of 3.5% and a standard deviation of 0.1%. Negative values indicate states in which the state departments of education indicated more children enrolled in schools than the Federal Census indicated lived in the state.

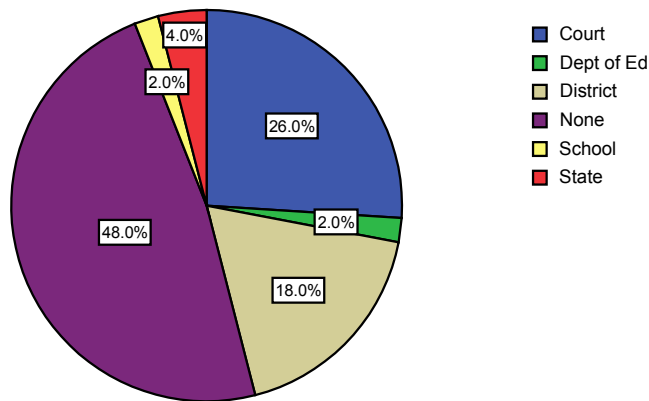
If identified, states vary in their treatment of educational neglect. Unfortunately, almost half of the states (48.0%) do not hold any agency responsible for reporting neglect. In other states, agencies responsible for reporting such neglect vary primarily between the local district (36.0%) and the local school (12.0%).

Agency Responsible for Reporting Neglect



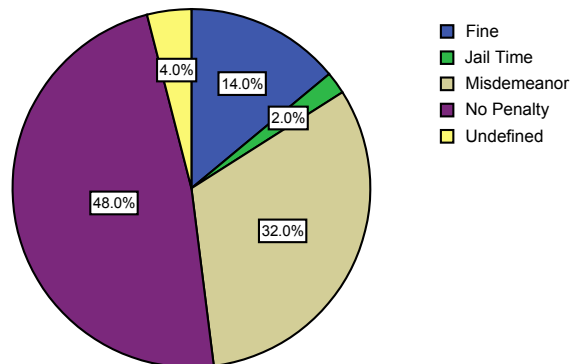
Once reported, a wider range of responses is evident in the pie chart below. A quarter of states rely on the court system to enforce educational neglect provisions, while 18.0% rely on the local district.

Agency Responsible for Enforcing Neglect Provisions



If a person is found guilty of educational neglect in one of the 26 states that pursue enforcement, penalties range from being undefined in Colorado and Kansas to a general misdemeanor charge with no clearly described penalty in 16 other states to jail time being imposed in Montana.

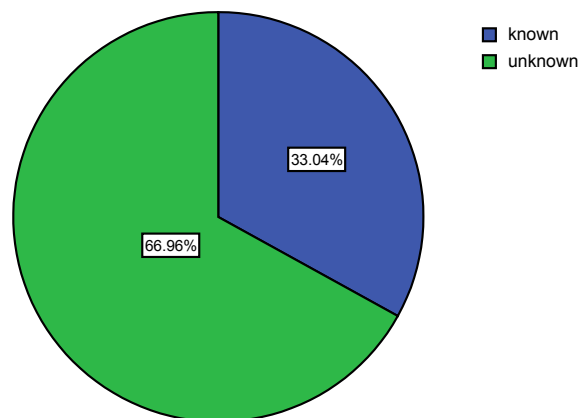
Penalties



EDUCATIONAL NEGLECT – An Idaho Perspective

When appropriate personnel were asked for the “number of children living within your district who are not attending either a public or private school,” fully two-thirds (n=75) responded they did not know and had no way of knowing. Of the third that did respond with a numerical answer, 8% responded that no children fit the criteria, while 25% responded with a non-zero number, ranging from 1 to “about 15% of the population” or 1472 children. Idaho public school officials report between 2041 and 2172 children are enrolled in neither a public nor private school. When compared to the numbers of children attending the local school district, the number of children not attending ranged from 0% to 100% of the total district enrollment. No relationship exists between region of the state and the number of non-enrolled students.

Districts' knowledge of non-enrolled children



Of the thirty-seven districts that were able to report numbers of non-enrolled children, six different methods were used for determining their reported numbers. Unfortunately, the most common method (32.4%, n=12) was “estimation,” which included a number of respondents who confessed they were making “educated guesses,” but had no reliable way of confirming their estimate. The second most numerous method (21.6%, n=8) relied on the small size of several of Idaho’s communities. In the words of one respondent,

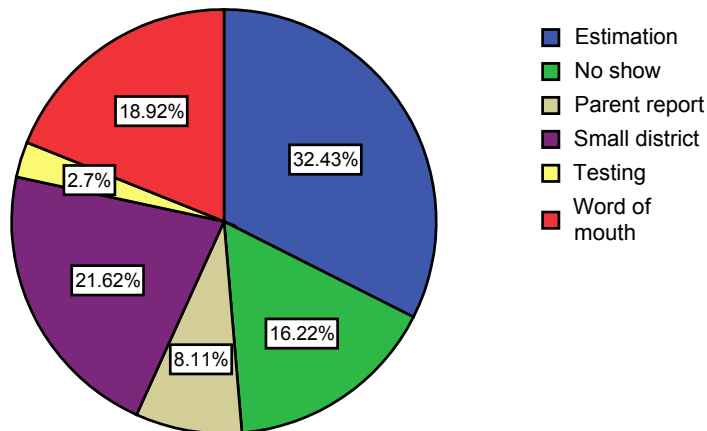
*We know the community. Our community has a population of a hundred.
We know who is pregnant, who is an upcoming student and who is enrolled.*

The average enrollment in districts that relied on the small size of their community was 161 students. Slightly larger districts showed a similar trait, relying on word of mouth to identify non-enrolled students (18.9%, n=7). Six districts (16.2%) estimated non-enrolled students from the number of students that failed to enroll from one academic year to the

next. See the table and pie graph below for a complete breakdown of the thirty-seven districts.

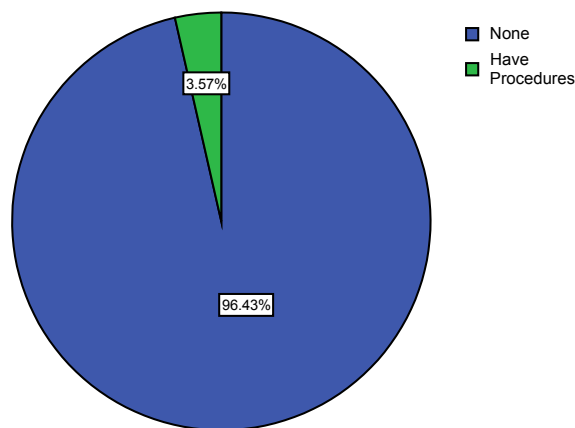
	Frequency	Percent
Estimation	12	32.4%
Small district	8	21.6%
Word of mouth	7	18.9%
No show	6	16.2%
Parent report	3	8.1%
Testing	1	2.7%
Total	37	100.0%

Method of accounting for non-enrolled children



When specifically asked about written procedures within district policies for tracking students who do not continuously enroll from one academic year to another, only four districts responded that they had such policies and/or procedures. Remarkably, 96.4% of Idaho's districts reported having no written procedures for tracking children who disappear from their enrollment.

Presence of procedures for tracking no shows



Actions taken for non-enrolled children

Even though 96.4% of districts failed to have written procedures/policies to address the problem of children missing from one year to the next, 58.9% (n=66) of districts report attempting to contact the “no shows,” students who fail to enroll for a new school year. Another 29.4% (n=33) treat the occurrence of “no shows” passively, either taking no action at all, assuming the students dropped out or simply holding the students’ files until they reappear.

Practice	Frequency	Percent
Attempt to contact	66	58.9%
No action	17	15.2%
Assume drop out	8	7.1%
Hold files	8	7.1%
No answer/Unable to answer	7	6.3%
Not a problem in our district	5	4.5%
Contact the authorities	1	0.9%
TOTAL	112	100.0%

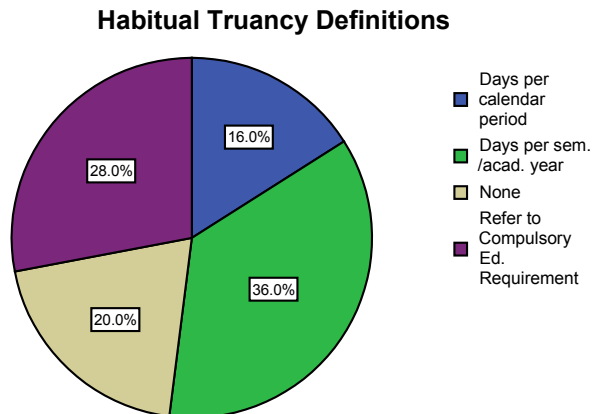
Respondents offered a wide variety of comments on this matter when given the opportunity. Some of their responses include

- *We attempt to contact them maybe. In many cases nothing is done and the student is deactivated in SASI (student accounting software).*
- *We check to see if the student is still in the community. If not, then we list them as a dropout. It is preferable to have them say home schooling, than to list them as dropouts because of the current financing system.*
- *If the family is still in the district, the school will contact them. Usually the family has moved or they claim “home schooling.”*
- *In high school we list them as dropouts. We feel strongly that somebody should look at that or we're going to pay for it one way or the other. Home school or no school is a big issue in Central Idaho. We have a huge tracking problem right now.*
- *Records have to come from district to district, after 10 days student is dropped from enrollment. My question to you is "who do we report to?" The compulsory law is the parents’ responsibility. This is more of a social service problem, schools cannot do much.*
- *We hold records until they are requested. Some families just disappear. We have no way to track, the district’s hands are tied.*
- *If there is no request, there is no action. We do not have the time or money.*
- *We are not an enforcement agency. Parents are not required to deal with the schools, we have transient parents and there is nothing in the state to back the district.*
- *We don't necessarily want to track. It would make us more accountable and liable.*

The sense of frustration expressed by several district officials was palpable, as is discernible from some of the comments above. Generally, district officials expressed frustration with their inability to track students when they disappear from their enrollments. Several offered home education as an explanation for some of the missing children, but others implied that some parents may be using “home schooling” as a shield to prevent investigation of their children’s absence.

HABITUAL TRUANCY – A National Perspective

Truancy is any unexcused absence from school. Habitual truancy results when a child accumulates more unexcused absences than is allowed by the local authorities, either school, district, local prosecutor or state officials. Unfortunately, no common definition of habitual truancy exists. Eighty percent of the states define habitual truancy, while ten



states fail to define it at the state-level. Among those with definitions, the largest portion (36%) define according to some academic time marker, either absences per semester or academic year. Other states (16%) refer to absences per calendar period such as 90 days or one month. Some states (28%) simply refer to the state compulsory education statutes, which is problematic because of the generality of such statutes.²

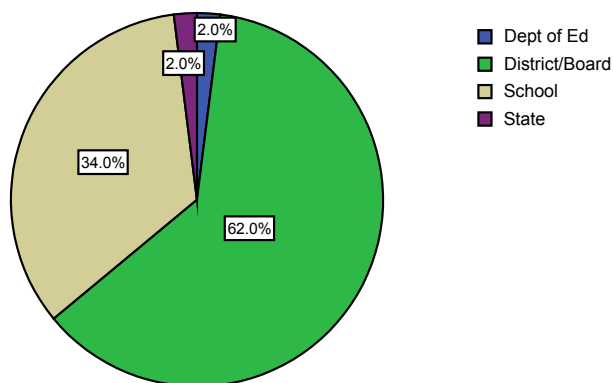
Effects of Truancy – According to NIS-3 (1996), the effects of truancy are profound and carry a high cost for both the truant student and the larger society. Chief among these are

- Academic Achievement – Students with 95% attendance were more than twice as likely to pass state achievement tests than those with 85% attendance.
- Drug Use – Truancy is a more accurate predictor of drug use than GPA or sexual activity.
- Financial Effect of Dropouts – Each drop out will lose between \$535,800 and \$855,000 in lifetime earnings. For the 2,921 Idaho dropouts from the academic year 2002-2003, this means a net loss of between \$1.5 billion and \$2 billion to the Idaho economy over their work careers.
- Criminal Effect of Dropouts – Dropouts comprise 80% of the prison population, which produces a significant fiscal burden upon state and federal funds.

Reporting of habitual truancy usually falls to school district central office personnel in 62% of the states, while another third (34%) leave the duty to the local school.

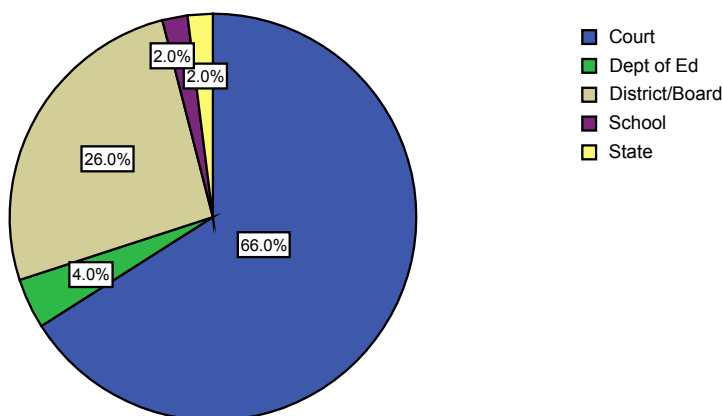
² See for example Idaho Code 33-202 (Compulsory Education) on page 10, and Idaho Code 33-206 (Habitual Truancy) on page 23 of this report.

Agency Reporting Habitual Truancy



Enforcing the statutes and regulations relating to habitual truancy falls to the court system in two thirds of the states. A quarter of the states (26%) leave responsibility for enforcement of regulations to the local district or school board.

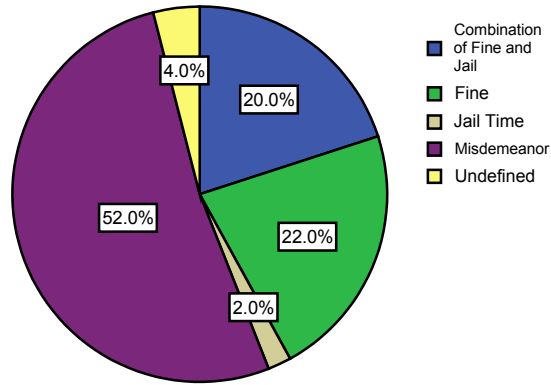
Agency Enforcing Habitual Truancy



While simple truancy may be a status offense,³ habitual truancy is a more serious matter that can involve criminal convictions, hefty fines and possible jail time. Twenty-six states however only classify violation of habitual truancy as a misdemeanor, without specific penalties tied to the infraction. Twenty-two percent of states cite fines as appropriate penalties for violators, while 20% combine fines with jail time.

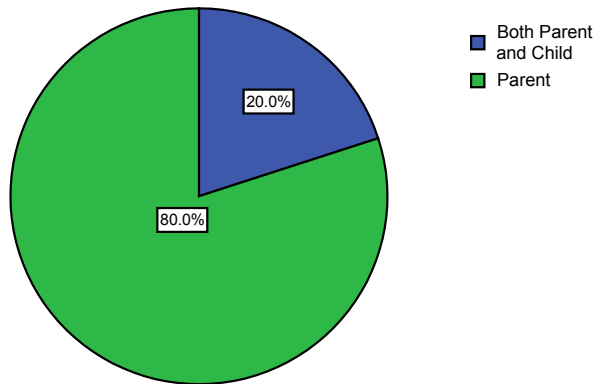
³ A status offense is “an act that is a crime due to the young age of the actor, but would not be illegal for someone older” (National Center for School Engagement, 2004).

Penalties for Habitual Truancy



When discussing penalties for habitual truancy, it is necessary to also address the question of who is the responsible party to punish. Criminally convicting young students for habitual truancy is not in the best interest of anybody. However as students mature, the question becomes a bit more controversial. At what point does primary responsibility for school attendance shift from parent to child? Who should be held responsible?

Person Penalized



The answer for 80% of the states is the parents. Ultimately, these states argue the parents are responsible for the actions of minor children. For 20% of the states, however, the question is not answered so clearly. These ten states allow for penalizing both parents and children.

HABITUAL TRUANCY- An Idaho Perspective

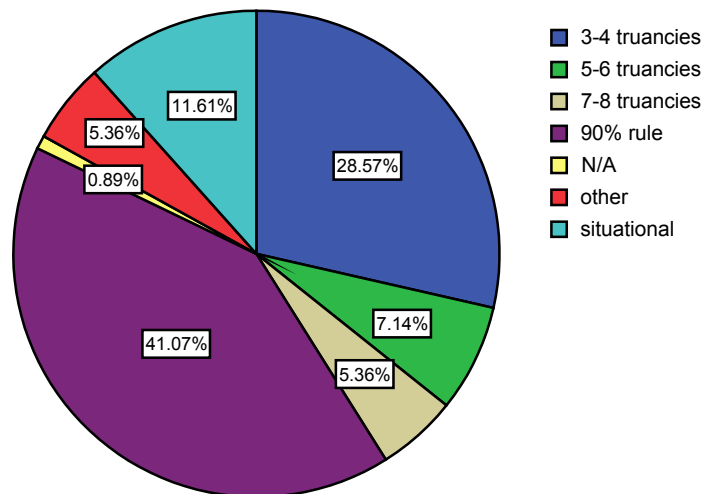
Idaho Code 33-206. Habitual truant defined.

Statute text

An habitual truant is any public school pupil who, in the judgment of the board of trustees, repeatedly has violated the attendance regulations established by the board; or any child whose parents or guardians, or any of them, have failed or refused to cause such child to be instructed as provided in section 33-202, Idaho Code, and the child shall come under the purview of the juvenile corrections act if he or she is within the age of compulsory attendance.

When interviewing district officials about habitual truancy, it quickly became clear that no common definition informed the practice of Idaho’s educators or law enforcement personnel. Three major categories of definitions arose from our interviews. The most popular definition is the 90% rule (used in 41.1% of districts) initiates truancy proceedings when a student fails to maintain a 90% attendance rate within a semester or academic year. Another 41.1% of the districts use a specific number of days to determine truancy. Within this report, we disaggregated such districts into three groups, 3-4 truanancies (28.6%), 5-6 truanancies (7.1%), and 7-8 truanancies (5.4%). The last significant group of districts (11.6%) use a situational approach, considering such factors as the pattern of unexcused absences, or the academic proficiency of the student.

Habitual Truancy Criteria



Once a student is considered habitually truant, most Idaho districts follow one of two paths. Most (55.4%) report the truant directly to law enforcement officials, while 35.7% prefer to operate through the local Board of Trustees before involving the authorities. When probed about whether or not the actions taken to address truancy were working to reduce its occurrence, only 57.1% (n=64) of the districts could respond definitively either yes (46.4%, n=52) or no (10.7%, n=12). Unfortunately, fully a quarter (25.9%, n=29) could not answer or answered as “unsure.” The remainder (17.0%, n=19) offered “sometimes” as their response.

HOME-BASED EDUCATION – A National Perspective

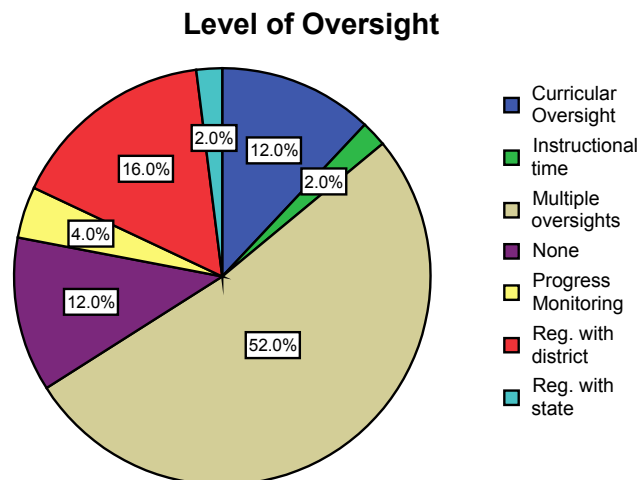
Home-based education or home schooling is a growing phenomenon within the United States. Current estimates place the number of home-educated children at approximately 2.2% of the population or 1,096,000 (National Center for Educational Statistics, 2004). For the year 2003, the NCES figure of 1.1 million is reduced to 985,361 children within compulsory education ages. In our effort to identify all educated children, our research team used the counts of home-educated children published by the fifty state departments of education for the same year, resulting in a count of 365,129 students. These counts are shown below.

States	Compulsory Education Population	Compulsory Education Enrollment	Percent of Comp. Ed. Population
Oregon	593,197	20,183	3.4%
Kansas	485,657	13,427	2.8%
Montana	130,245	3,372	2.6%
Arkansas	499,209	12,442	2.5%
Maine	194,695	4,391	2.3%
North Carolina	1,164,982	24,978	2.1%
Indiana	901,455	19,159	2.1%
Georgia	1,423,849	30,226	2.1%
Wisconsin	1,023,802	21,031	2.1%
Vermont	86,076	1,758	2.0%
Maryland	958,200	18,672	1.9%
Minnesota	899,053	17,346	1.9%
South Dakota	123,684	2,324	1.9%
Nebraska	253,550	4,616	1.8%
Kentucky	620,697	10,621	1.7%
New Hampshire	203,296	3,419	1.7%
Florida	2,852,835	47,157	1.7%
Mississippi	523,668	8,080	1.5%
New Mexico	408,478	6,243	1.5%
Delaware	136,663	2,082	1.5%
Pennsylvania	1,703,637	22,539	1.3%
Utah	532,226	6,950	1.3%
Virginia	1,422,261	18,105	1.3%
Colorado	653,308	7,465	1.1%
Nevada	357,036	3,823	1.1%
Louisiana	752,709	5,842	0.8%
New York	2,964,927	15,839	0.5%
Tennessee	966,431	5,047	0.5%
Rhode Island	159,985	758	0.5%
Connecticut	496,900	1,972	0.4%
North Dakota	87,388	164	0.2%
New Jersey	1,348,180	2,300	0.2%
South Carolina	699,724	719	0.1%
Michigan	1,641,041	1,583	0.1%

States	Compulsory Education Population	Compulsory Education Enrollment	Percent of Comp. Ed. Population
Illinois	1,872,478	495	0.0%
Alabama	639,026	0	0.0%
Alaska	112,726	0	0.0%
Arizona	921,317	0	0.0%
California	7,140,346	0	0.0%
Hawaii	224,147	0	0.0%
Idaho	215,042	0	0.0%
Iowa	448,591	0	0.0%
Massachusetts	951,854	0	0.0%
Missouri	818,295	0	0.0%
Ohio	2,129,724	0	0.0%
Oklahoma	701,435	0	0.0%
Texas	4,515,918	0	0.0%
Washington	985,071	0	0.0%
West Virginia	245,109	0	0.0%
Wyoming	77,902	0	0.0%
TOTAL	49,268,025	365,129	Ave. 1.0%

Home education is a way for parents to exert more influence in the education and development of their children. It constitutes one way in which the educational authority may be shared between the state and the parents. However, fifteen state departments of education do not report home-educated children in any manner. This greatly inflates the number of children unaccounted for within officially recognized, or accredited educational institutions.

A review of legal code and home schooling statutes paints a different picture than that gleaned from departments of education. According our review of the relevant statutes, only 12.0% or six states do provide oversight of home educated students. Over half of the states report multiple levels of oversight. Another 18.0% of states require registration with either the local district (16.0%) or the state (2.0%).

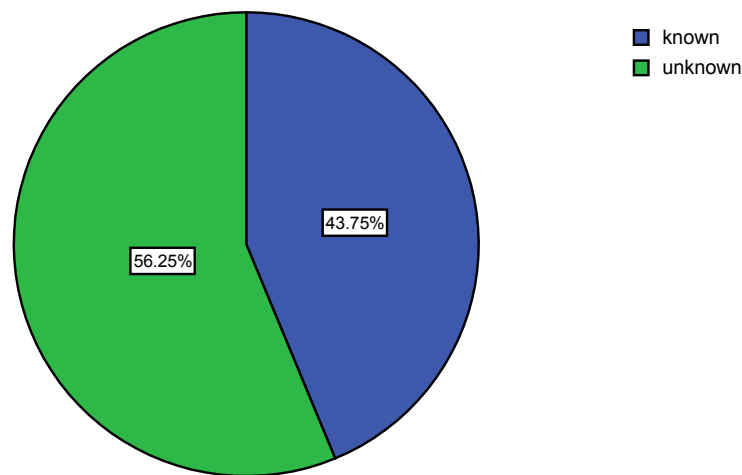


HOME-BASED EDUCATION - Idaho

Idaho public school officials report between 1079 and 1094 children appear to be home-educated. There exists no relationship between region of the state and the number of non-enrolled or home-educated students. When appropriate personnel were asked for the “number of declared home-educated children,” more than half (n=63, 56.2%) responded they did not know and had no way of knowing. Furthermore, 30% of these respondents specifically pointed to the lack of Idaho legislation requiring any communication between home educators and public school officials. Typical comments included:

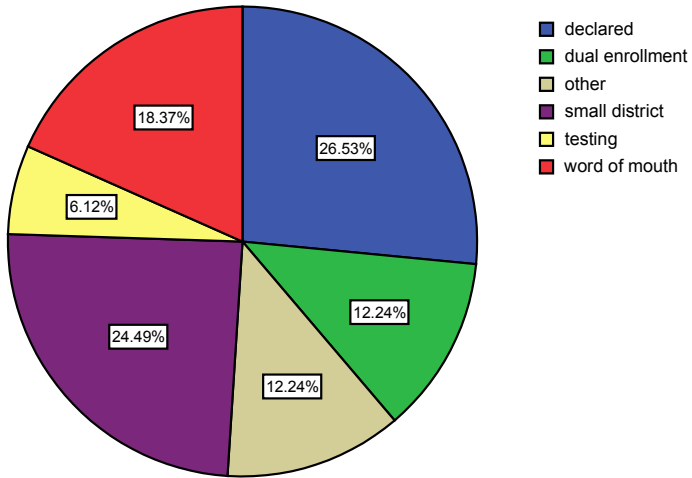
- *I don't have a clue. There is no law; therefore there is no way knowing.*
- *There is no way to know, families are not required to report.*
- *We have no idea, and no responsibility to report.*

Districts' Knowledge of Home-educated Children



Among the 43.8% (n=49) of districts able to report the number of home-educated children, twenty-one districts relied on community relations or word of mouth to identify home-educated students. While twenty-two districts relied on official action, such as parental declaration (n=13), dual enrollment arrangements (n=6), or participation in state-mandated testing (n=3).

Method of accounting for home-educated children



PROGRAMS & POLICIES



Programs and Policies

Within this section of the report, we examine addressing educational neglect from different approaches. First, we present two programs that utilize a more holistic approach, incorporating several social services to address family needs which usually underlay educational neglect. The first program described is the Missouri Family Assessment and Response Demonstration initiative which purposefully directs children and families to relevant resources, some supportive, some prosecutorial. The second program is the Idaho Community Resource Worker program, which through close community ties helps struggling families to find the resources necessary to address their needs.

These are followed by an examination of truancy and specific policy approaches to combating habitual truancy. The third program examined is the state of Washington's legislative approach to habitual truancy, Becca's Bill, which has significantly reduced trancies statewide. Finally, we shift our focus to home educators and examine various levels of oversight of home education.

The Missouri Family and Response Demonstration Impact Evaluation

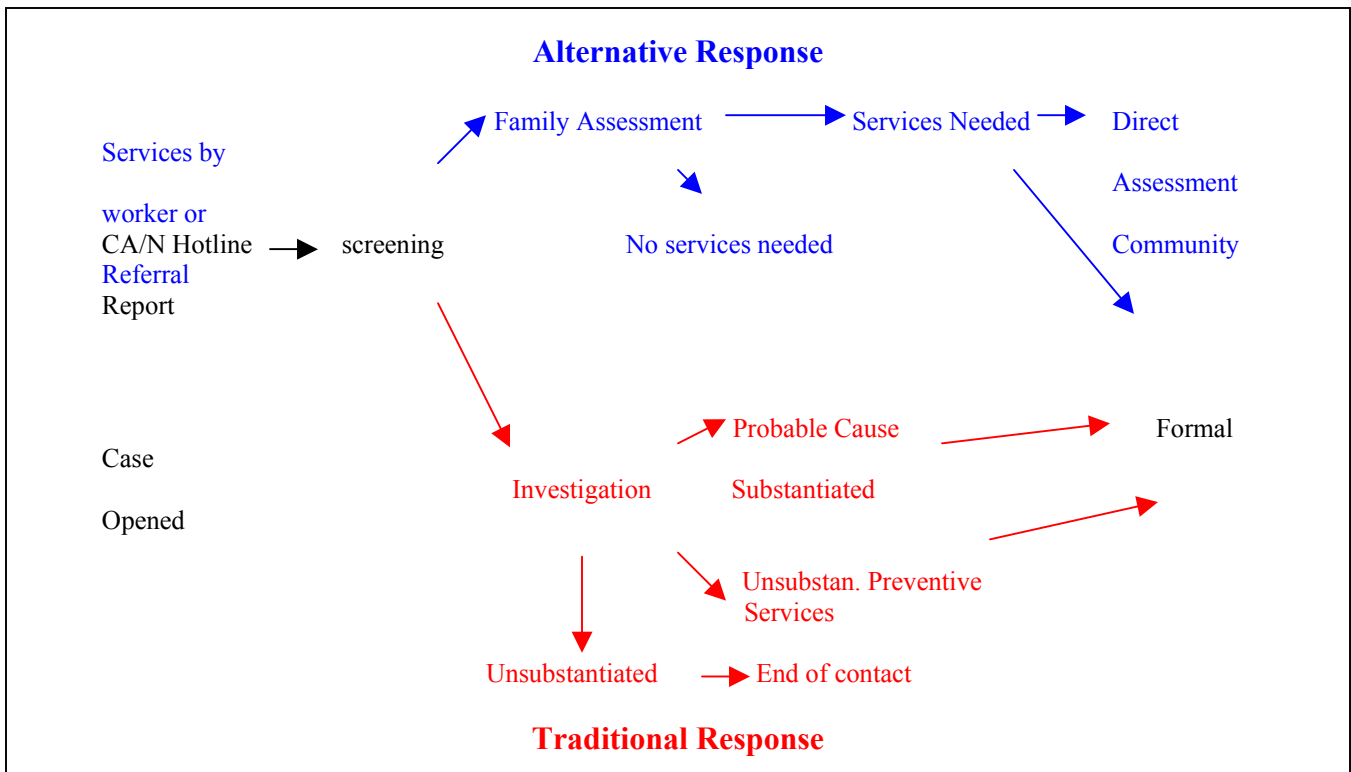
In 1994 a new approach to investigating child abuse and neglect reports was implemented by Missouri Senate Bill 595. The Bill created a pilot alternative approach to investigating child welfare reports entitled the Missouri Family Assessment and Response Demonstration (MFARD). Twenty counties in Missouri participate in the MFARD (Loman and Siegel, 2000).

Before MFARD was implemented, a child protection report followed a traditional response, resulting in investigations of only the most severe cases. Consequently, most cases were not adequately investigated. There were four central goals of the new program:

- Promote the safety of the child
- Preserve the integrity of the family
- Remedy the abuse/neglect of the defining family problems
- Prevent future abuse or neglect

Senate Bill 595 offered an alternative approach called the family assessment approach. The family assessment approach differs in the fact that when a report is made to Child and Family Services the report undergoes a screening. The screening determines if the case follows the traditional route or proceeds to the family assessment approach. Reports of sexual abuse and severe physical abuse are automatically routed to the traditional approach. After a case is assigned to its designated track, an assessment occurs with the family and worker to address current concerns in the family. The assessment results in a set of recommendations for services, which a family may accept or decline. If a family accepts services the case manager and family work together to establish goals to address

their needs or community referrals are made for the family. A formal case is not opened unless a family requires services for a period longer than thirty days. See diagram below:



The family assessment approach offers the opportunity to address a wider range of cases rather than the most severe cases. According to the Impact Evaluation (2000)

other less severe incidents could be screened for family assessment and kept out of the Central Registry. The family assessment response was meant to be non accusatory and supportive, offering needed services as soon as possible without the trauma, stigma, or delay of the investigative process, and to involve the family in a collaborative response to problems and needs.⁸

Findings from the participating 20 counties indicate “there was a decline in the number of child abuse/neglect incidents reported to the state’s hotline in pilot areas during the demonstration, and fewer repeat calls on the same families. One reason for this finding is the change that took place in building community relationships. An important element of the new approach involved establishing stronger ties to resources within in the community that were able to assist children and families” (Loman 2000).⁸ Specifically addressing educational neglect, the Impact Study (2000) states

to one degree or another, every pilot office made a concerted effort to establish stronger working ties to schools in their areas. This provided the possibility for a variety of problems, including those related to

educational neglect, to be addressed immediately through joint action by school and agency personnel heading off the need for a report to be filed.

The MFARD provided a broader approach in investigating reports including educational neglect. Expanding the options of intervention beyond the traditional social services approach resulted in improvements for the families involved in MFARD. Loman (2000) found

- services were provided in a more timely manner,
- safety of children was not compromised,
- greater case continuity with the family assessment, and
- greater utilization of community resources.

Through stronger working ties with local school district personnel, the MFARD service providers were able to head off cases of educational neglect “before reports were made and facilitating quicker, more preventive, and better informed intervention in other types of case” (Loman, 2000). Thus, children and families in need were able to receive the services specifically needed in the unique circumstances.

Implementing a program analogous to the MFARD would offer a new approach to addressing child abuse and neglect cases in Idaho. However it would require creating a new program within Health and Welfare which could result in hiring and training new employees and establishing regulations to effectively run the new program. This program did not create extra cost for the state of Missouri, which reallocated Health and Welfare funds.

Community Resources for Families Program/Community Resource Worker

The Community Resources for Families Program (CRFP) started in 1994 through the Boise Independent School District, Idaho Department of Health and Welfare, Region IV Family and Children Services, and Central District Health Department, and was funded primarily by Aid to Families with Dependent Children (AFDC). The program expanded to Northern Idaho through Region I, Idaho Department of Health and Welfare, Family and Children Services, and Eastern Washington University’s School of Social Work. AFDC was abolished and replaced with the Temporary Assistance to Needy Families (TANF), who continued funding the program and expanded it statewide. The three main goals of the CRFP program were:

1. To increase the safety and well-being of children
2. To increase the school readiness of children
3. To increase the self-reliance of families

CRFP placed Community Resource Workers (CRW) in elementary schools to assist children and families that may be suffering from emotional, behavioral, and safety issues. CRWs received referrals from teachers, nurses, administrators, and concerned citizens. Upon receiving a referral, the CRW conducted an assessment with the families to address

their needs and concerns. The family would then voluntarily choose to participate in the program receiving financial assistance, referrals, and school resources. The family could participate in either the Assessment and Referral (A&R) or the Emergency Assistance (EA) programs. Generally, families needing financial or housing assistance were assigned to the EA track. Referrals relating to school readiness were assigned to the A&R track. When a family chose to participate their case would remain open for 30 days in the A&R track for home-based supportive services. If the family requested additional services they were transferred to the EA track and their case continued for an additional 90 days. Families that received EA services would receive case management and additional funding for necessary expenses such as electricity, or rent payments.

Because of the educational neglect emphasis of this report, the focus will be on school readiness of children. When a referral was made regarding school readiness, CRWs assessed three areas: behavior, attendance, and academic performance. According a program evaluation conducted in 2001 by Phillips (2001) “school referrals represented 21% of the total referrals.”¹ Sixty-five families participated in the program evaluation. Phillips determined that:

- 87% of the cases demonstrated that the child’s behavior improved,
- 81% of the cases increased the child’s likelihood of school success, as rated by teachers,
- 61% of the cases increased the child’s school attendance,
- 28% of the cases were referred for attendance problems, 61% of these cases improved after services were provided,
- 25% of the cases were referred because of low grades, 71% of these cases improved after services was provided, and
- 24% of the cases were referred for school behavior problems, 87% of these cases improved after services. (Phillips, 2001)

Funding to implement this program began with a federal grant for 6 million dollars. However, the CRW program in Idaho has diminished due to recent reductions in funding. According to Curran (2004), during the 2002-2003 academic year, the funding stream for CRFP shifted from the Department of Health and Welfare to the Department of Education. When the Idaho Joint Finance and Appropriations Committee (JFAC) did not specifically designate the transferred funds to CRFP, the Department of Education chose to reallocate those previously designated funds to other programs.

In an effort to continue providing services to families in need, in some Idaho districts with enough discretionary funds, “the funding is shared by the school districts and Health and Welfare. For every \$2 schools pay, Health and Welfare will pay \$1” (Layton, 2005, personal communication). Unfortunately, many schools have dropped the program due to fiscal constraints. In addition, an Idaho Community Resource Worker, reports “the requirements for a referral have changed to either an eviction notice or electricity shut off” (personal communication, January 2005). Services now provided to families consist mainly of referrals to other agencies, educational, financial, and counseling. In 2004, Curran conducted an impact study examining the perceptions of educational professionals regarding the CRFP. Seventy-six surveys were completed by principals,

school counselors, school nurse practitioners, and teachers who were involved in the CRFP. Curran concluded from the surveys that:

- 95% reported the CRF program was an overall success,
- 95% were in favor of having the program reinstated in their school,
- 81% of the respondents reported the CRF program increased school readiness,
- 72% of the respondents reported that overall academic performance improved,
- over 50% of the respondents reported that disciplinary measures have increased since the program was eliminated in the district, and
- 34% of the respondents reported student academic performance has declined, since the discontinuation of the CRF program.²

The CRFP has been and continues to be an effective solution to addressing educational neglect. According to the impact study, many professionals are in favor of reinstating the Community Resource Worker program in Idaho. Positive outcomes have been documented regarding this program, as have the negative consequences of its discontinuance due to funding reallocation. It may be the simplest program to implement due to the fact that the program was previously implemented in Idaho. Some concerns for implementing the program are training new employees, allocating more funds specifically for this program, and reestablishing the necessary rapport with the school district personnel.

Truancy Approaches

In recent years, school attendance has become a great concern for school administrators, communities, and the juvenile justice system. Efforts to reduce the number of habitual truants are an offshoot of this concern and have resulted in a proliferation of programs around the country designed to counter truancy. Many of these programs treat cases of truancy as educational neglect since family variables have been identified as a reason for truancy; this emphasis on parental responsibility is especially prevalent in programs designed for elementary school truants. Most research demonstrates that truancy results from a variety of factors that may or may not overlap. Bell et. al. (1994) listed the etiological causes of truancy as being: personal factors, student attitudes, family variables, the school system, and societal variables. Additionally, Bimler and Kirkland (2001) identified parental variables as a reason for chronic truancy in adolescents. In the words of the Office of Juvenile Justice and Delinquency Prevention, “Parental neglect is a common cause of truancy. Many parents of truant students do not value education. Some children are kept at home to work or babysit preschool siblings. Others are prevented from attending school because of problems at home, at school, or in their neighborhood” (Garry, 1996). Clearly these examples constitute cases of educational neglect. Consequently, truancy reduction programs treat educational neglect as a subtype of the greater truancy problem.

Due to truancy’s diverse and overlapping causes, as well as the variety of agencies interested in preventing truancy, intervention programs employ a multi-modal approach that programs and research have demonstrated to be effective (Bell et al., 1994, Baker et

al., 2001, and Bynum et al., 2004). In a review of truancy intervention programs throughout the country, Mogulescu and Segal (2002) found that programs take one of three different approaches;

- 1) Early prevention programs, typically established at the elementary school level.
- 2) Programs designed to assist truant students that would otherwise be referred by their schools to family court as status offenders.
- 3) Programs designed to address truant students against whom status offender petitions have already been filed and who are at risk of detention and placement. (Mogulescu and Segal, 2002)

The result of these approaches is an underlying assumption about who is responsible for the student’s truancy. Approach number one assumes that parents are to blame for their young child’s truant behavior whereas the other two approaches tend to address older students and place a greater amount of responsibility on the student. Since approach number one deals with chronically truant pre-adolescents it may be seen as intervening exclusively in cases of educational neglect.

General Model

Step 1 Identification of Truants – through attendance records or a referral process.
Step 2 Parental Notification – of their child’s absences by letter, phone call, or home visit by attendance officer, police officer, or sheriff’s deputy
Step 3 Intervention/Mediation – if child’s attendance does not improve after notification. Typically involves a member of the school staff, law enforcement, social services. Analyze causes and problems and offer services.
Step 4 Continued Monitoring/Case management – student’s attendance continues to be monitored. Additional services may be offered.
Step 5 Prosecution – if student’s attendance fails to improve.

For a more complex model see www.hawaii.edu/wccc/pact/truantmap.pdf .

Furthermore, truancy intervention programs have demonstrated the ability to pay for themselves (Houston Independent School District, 1997). While others have resulted in significant savings for counties that implement intervention programs since effective prevention eliminates the need for more extensive and expensive services (Garry, 1996, p.3). These programs also present the possibility for even greater savings when

calculating the possibility of future costs stemming from school failure (Colorado Foundation for Children and Families, 2003).

Becca Bill

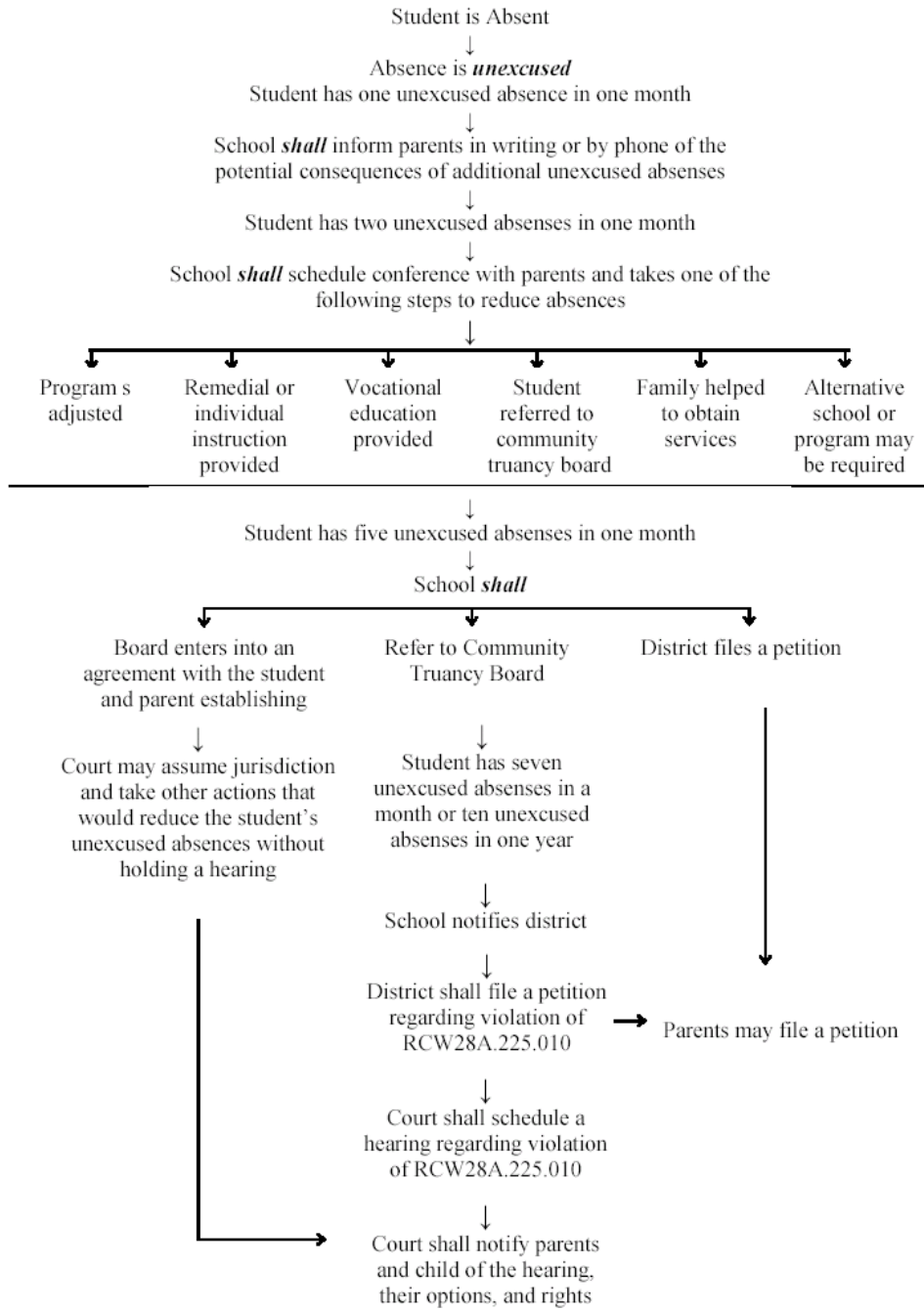
In 1995 the Washington State Legislature passed the Legislative Bill RCW 28A.225.030, the Becca Bill. The three main areas addressed in this bill are: run-away children, substance abuse, and truancy. Most relevant to educational neglect is truancy. According to the Washington State Institute for Public Policy (2003), “in passing the bill, the legislature recognized that truancy is linked to poor academic performance, dropping out of school, substance abuse, and criminal behavior.”

The Becca Bill enforces Washington’s compulsory education age by focusing on early intervention in an adolescent’s life. According to the Washington State Institute for Public Policy (Aos, 2005) “2,664 additional high school students are enrolled today as a result of the Becca Bill.” Yu et. al. (1999) determined “in 1998 there were 4,841 truancy petitions filed in King County Superior Court. The number of hearings totaled 3,941, but school districts reported 80% of those students have returned to school.”

The Becca Bill has been effective in addressing truancy as a form of educational neglect in Washington. A former Washington local superintendent (personal communication November 2004) reported he worked in Washington prior to Idaho and was impressed with the effects of the Becca Bill and would like to see it implemented in Idaho. The Becca Bill could be used in Idaho as well. However, this law may be difficult to implement due to the bureaucratic change that would have to occur, and the funding that would need to be allotted for developing and enforcing the new law. Implementing this program would standardize requirements across Idaho regarding truancy and punishments.

The truancy petition process within the Becca Bill is presented on the following two pages.

THE TRUANCY PETITION PROCESS
 RCW 28.225.010, 28.225.020, Chapt. Law 1995 c 312 (66-69), and Chapt. Law 1996 c 134.



If preponderance of evidence supports petition: Court shall grant the petition and assume jurisdiction for any period of time it deems necessary

The court may order:

-
- Student to attend current school
 - Student to attend another public school or alternative education program, skill center, or drop-out prevention program contingent upon space availability
 - Student to attend a private or non-sectarian school or education center
 - Student may be referred to Community Truancy Board
 - Student takes a drug assessment test
-

Student *fails* to attend school

School notifies district

District *shall* report to the court additional unexcused absences

District files a contempt motion in court that student violated the court order, court schedules and holds a hearing to determine if the student violated the court order → Student shall receive legal representation and parents may request legal representation

Court rules student/parent violated the court order and *may*:

-
- Order student to report to county detention
 - Impose alternatives to detention such as community service
 - Order parent(s) to perform community service or pay fine up to \$25 a day for each unexcused absence
-

Idaho's Driver's License Law

Idaho Code 49-303A states that students who drop out of school will have their license suspended. Citizens under 18 years of age who fail to regularly attend school or its equivalent are ineligible for an Idaho driver's license. Typically, a letter of intent is sent home indicating the state's intention to suspend the driver's license unless the family requests a hearing and prevails. If there is no request or if the family does not prevail, the student's license is suspended. Notice of suspension is then provided unless the child has re-enrolled, provides a course of home study, religious exemption, presents diploma, GED, or demonstrates previous enrollment elsewhere **prior** to the suspension date. If students do not provide proof of any of the above options, then their license is suspended until their 18th birthday with a reinstatement fee.

Idaho Code specifically addresses the issue of home education in 49-303A, (1d) which allows the granting of a driver's license to a minor if the minor

(d) Is enrolled in a home education program and satisfies the requirements of rules of the state board of education and the state department of education for such programs; provided that students shall be in compliance with the requirements and have been enrolled in the home education program for at least one (1) school year prior to verification of the attendance request, unless documentation of meeting the requirements of this section in the school year contiguous to enrollment in the home education program can be provided...

Seventeen states withhold driver's licenses for excessive truancy, dropping out, or in some cases, extremely low grade point averages (Kelderman, 2004).

Costs and Benefits of Truancy Reduction

According to research conducted by the RAND Corporation (Vernez, Krop & Rydell, 1999) each dropout will lose more than \$800,000 in lifetime income. In current dollars, the cost is approximately \$200,000. When compared to the costs of truancy reduction programs, the cost/benefit ratio clearly favors current investment to reduce long-term economic loss. Heilbrunn (2003), in an attempt to quantify this relationship, studied the costs and benefits of three truancy reduction programs and three truancy courts operating in Colorado. He determined that:

a) Since one high school dropout costs the economy \$200,000 in current dollars, the truancy programs operating in Adams County and Denver, each of which cost about \$50,000 per year, can each operate for four years for the same cost generated by one high school dropout. Currently, these programs serve 85 students per year.

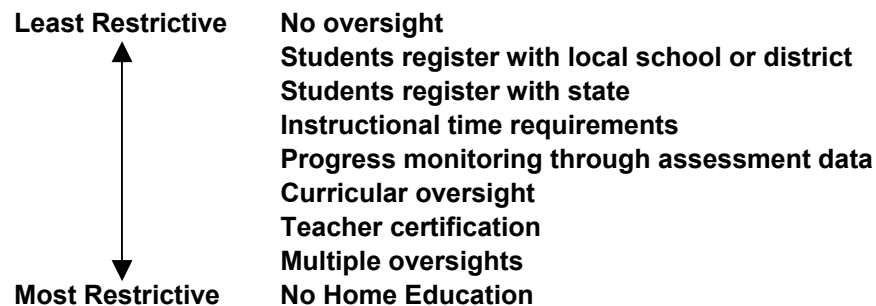
- b) Therefore, even if those programs only save one out of 300 program participants, they will yield a positive return on their investment.
- c) The truancy courts break even in terms of their costs and benefits of operation if they save one of 500 petitioned truants in Adams County to graduate, one of 740 in Denver, and one of 290 in Pueblo.
- d) ... it is highly likely that all the truancy reduction programs and the courts pay for themselves many times over.

The merit of truancy reduction programs can also be defended according to concurrent reductions in criminal activity during school hours. Berger and Wind (2000) report in the *FBI Law Enforcement Bulletin*, that during a truancy crackdown in North Miami Beach, that removed school aged youth from the streets during school hours, crime significantly decreased. Specifically, car burglaries decreased 22%, residential burglaries by 19% and criminal mischief by 19%.

Saving only 10% of Idaho dropouts from only one year can generate up to \$200 million in the state economy. A well-developed statewide program can provide a financial boon to our struggling state economy and the tax revenues generated therein.

Home Education Laws

A wide range of options are available to state policymakers when addressing the issue of balance between home education and compulsory education. While drafting and enforcing stricter home education laws can assist the state in monitoring the education of all children, policymakers must be careful not to be overly intrusive in the parent-child relationship. Below is a range of options, from no oversight to banning home education. It is useful to know the range of options within which a state may operate. Addressing educational neglect in this manner however restricts the freedom that comes with home-based education. There is strong resistance in the community. Cost would vary according to model. Currently in Idaho home education may administered if the attendance and subjects taught are the same as public schools. A variety of models with differing home education laws are listed below.



Least Restrictive – Idaho

Idaho Code 33-202. School attendance compulsory.

Statute text

The parent or guardian of any child resident in this state who has attained the age of seven (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. Unless the child is otherwise comparably instructed, the parent or guardian shall cause the child to attend a public, private or parochial school during a period in each year equal to that in which the public schools are in session; there to conform to the attendance policies and regulations established by the board of trustees, or other governing body, operating the school attended.

Idaho has a very hands-off approach to home educators, requiring almost no oversight of students participating in home education. Typically, the parents of a home-educated child need only inform the local school to have their child removed from enrollment records. No standardized collection of this data occurs within Idaho. Idaho Code 33-202 only requires that parents “*shall cause the child to be instructed in subjects commonly and usually taught in the public schools...*” This allows parents providing home education to their children a great deal in latitude. To date, no Idaho parent has ever been convicted of educational neglect.

In the 1990 Fourth District Court decision, *In the interest of Patterson*, the court decided that Idaho school districts, not parents, have the burden of proof regarding the compliance of home education with the compulsory education law, Idaho Code 33-202. In the decision, Judge Dutcher wrote,

... the state must prove lack of comparable instruction ... and the burden does not shift to the defense (home educators) to affirmatively defend, or prove compliance, since the full panoply of criminal procedural due process applies to juvenile prosecutions.

Further strengthening the position of home educators, another 1990 Fourth District Court decision, *Welker v. Independent School District of Boise City No. 1*, ruled that home educators need not provide any information requested by a school district. Judge McKee concluded,

While the parents have objected to answering the questions on constitutional grounds, in practicality they could have simply discarded the document (questionnaire) without comment. There is no statute or rule which compels them to answer, and there is no direct sanction provided for any refusal to do so.

As a result of not monitoring home education at all, Idaho currently has more than twice the national average of children officially unaccounted for in any educational institution. For the 2003-2004 academic year, Idaho's educational system was missing 13,965 children or 6.5% of the children identified in the census.

Minimally Restrictive - Indiana

Indiana Code allows home educators to designate themselves as private, unaccredited schools which are "not bound by any requirements set forth in Indiana Code 20 or Indiana Code 21 with regard to curriculum or the content of educational programs offered by the school" (I.C. 20-8.1-3-17.3). However, all Indiana schools must maintain accurate attendance records, "solely to verify the enrollment and attendance of the particular child upon the request of the state superintendent ... or the superintendent of the school corporation in which the private school is located (IC 20-8.1-1-3-23).

Moderately Restrictive - Oregon

Oregon statute 339.030 (1)(d) exempts Oregon children from public schooling if they are "being educated in the children's home by a parent or legal guardian." Citizens of Oregon may establish and operate a home school rather freely. Attendance, subjects to be taught, qualifications, and record keeping are not required. However, the local district must be notified in writing when children are being taught at home. Furthermore, children must participate in an approved comprehensive test in grades 3, 5, 8, and 10 administered by a qualified neutral person. If a child withdraws from school a test must be administered within 18 months of withdrawal.

Oregon allows tremendous flexibility to home educators. The only interaction between home educators and the state are 1) initial notification of home education and 2) periodic

standardized testing in grades 3, 5, 8, and 10. As long as children score above the 15th percentile on the assessments, the state will not interfere with the parent-child educational process.

Strongly Restrictive – Georgia

The state of Georgia requires multiple levels of oversight and monitoring of home education. Below is the Georgia Declaration of Intent to Utilize a Home Study Program which every parent must complete and comply with to legally home educate their children.

Declaration of Intent to Utilize a Home Study Program

In accordance with provisions established by Georgia Law (O.C.G.A. § 20-2-690.1) requiring that every parent, guardian, or other person(s) residing within this state having control or charge of any child(ren) between six and sixteen years of age shall enroll and send such child to a public school, a private school, or a home study program, I hereby give notice to the superintendent of _____ School System, of my intent to provide for the child(ren) named below a home instruction program that meets the following requirements.

1. Parents or guardians may teach only their own children in the home study program, provided the teaching parent or guardian possesses at least a high school diploma or a general educational development (GED) equivalency diploma, but the parents or guardians may employ a tutor who holds a high school diploma or a general educational development diploma to teach such children;
2. The home study program shall provide a basic academic educational program which includes, but is not limited to, reading, language arts, mathematics, social studies, and science;
3. The home study program must provide instruction each 12 months to home study students equivalent to 180 school days of education with each school day consisting of at least four and one-half school hours unless the child is physically unable to comply with the rule provided for in this paragraph;
4. Attendance records for the home study program shall be kept and shall be submitted at the end of each month to the school superintendent of the local school district in which the home study program is located.
Attendance records and reports shall not be used for any purpose except providing necessary attendance information, except with the permission of the parent or guardian of a child, pursuant to the subpoena of a court of competent jurisdiction, or for verification of attendance by the Department of Public Safety for the purposes set forth in subsection (a.1) of Code Section 40-5-22;
5. Students in home study programs shall be subject to an appropriate nationally standardized testing program administered in consultation with a person trained in the administration and interpretation of norm reference tests to evaluate their educational progress at least every three years

beginning at the end of the third grade and records of such tests and scores shall be retained but shall not be required to be submitted to public educational authorities; and

6. The home study program instructor shall write an annual progress assessment report which shall include the instructor's individualized assessment of the student's academic progress. Reports shall be retained by the parent(s) or guardian of children in the home study program for a period of at least three years.

As a result of monitoring home education closely, Georgia is one of the few states in the survey of unaccounted for children that actually produced a surplus of children in schools that did not exist in the census. For the 2003-2004 academic year, Georgia's educational system had an additional 17,258 children, or 1.2% of the children identified in the census. While any discrepancy indicates an error in the accounting for students, Georgia's error is toward the overcounting of students rather than not accounting for them.

POLICY RECOMMENDATIONS



Policy Recommendations for the Governor's Taskforce for Children at Risk

Educational Neglect

Based upon a review of state policies across the nation, insight from Idaho educators, the professional literature and highly regarded intervention programs, The Center for School Improvement & Policy Studies at Boise State University offers the following policy recommendations for the state of Idaho.

- 1. Establish a clearly defined threshold of truancy that constitutes educational neglect.** – Our interviews revealed no common definition or understanding of educational neglect.
- 2. Establish a clear statement of primary responsibility for educational neglect within the Department of Health and Welfare.** – In conversations with both the Idaho Department of Education and the Department of Health and Welfare, neither department accepted responsibility for addressing educational neglect. We recommend locating primary responsibility within the Department of Health and Welfare because of the multitude of problems that often co-occur with educational neglect. Institutionally, HEW is in a better position to lead efforts in addressing the variety of needs troubled families encounter. The Department of Education must play a necessary supportive role. The two departments must maintain open lines of mutual support and communication to best address educational neglect.
- 3. Development of an intervention program similar to the Missouri Family and Response Demonstration and the Idaho Community Resources for Families Program.** – While the Idaho Community Resource Workers (CRWs) were able to quickly and flexibly meet the needs of local families in crisis, the reliance on local autonomy and support resulted in widely varying levels of service throughout Idaho. The Missouri program (MFARD) provides a needed level of programmatic coordination while still allowing local flexibility to immediate needs.

Habitual Truancy

- 1. Adopt a single, statewide definition of habitual truancy.** – Interviews throughout Idaho identified two main definitions. Approximately 40% of the districts rely on what they call the “90% rule,” meaning if students miss more than 90% of a semester or academic year, they are considered habitually truant. Another 40% of Idaho districts rely on a specific number of unexcused absences before beginning truancy proceedings.
- 2. Establish a combined, multi-agency approach to truancy reduction involving the Department of Education, the Department of Health and Welfare, and the**

Attorney General’s Office. – Our review of the literature indicates that a multi-pronged approach, emphasizing both support (academic and social services) and law enforcement produce optimal results. Involuntary truants need the support services and academic services their families fail to adequately provide. Their parents need to change their behaviors with the assistance of the state through its law enforcement procedures. For voluntary truants, they directly need both the support and enforcement services. Plainly spoken, truants and their families need to know that Idaho is serious about truancy. A combination of support and enforcement most clearly delivers this message.

Home Education

- 1. Identify children being home-educated in Idaho through registration with Department of Education.** – According to the calculations discussed earlier in this document, Idaho’s educational institutions are “missing” almost 14,000 children, or 6.5% of all children within the state’s compulsory education age range. It is the constitutional duty of the state to ensure that all Idaho children are provided with an adequate education. Registering with the Department of Education is minimally invasive and allows the state to account for the education received by home educators. Furthermore, to maximize registrations, this process should be allowed to occur either locally through a public school or directly through the state offices.
- 2. Require annual standardized assessments of academic progress for all Idaho children in grade equivalents 3 through 10.** – In a move to support the goals of the No Child Left Behind legislation, the Idaho State Board of Education expanded the application of its provisions beyond Title I schools to every public school in the state. If Idahoans truly believe that no child should be left behind, then annual standardized assessments of academic progress can help to ensure that *all Idaho children* continue to achieve at academically appropriate levels or above.

Implementing the above policy recommendations will improve Idaho’s ability to meet its democratic obligation to ensure an educated citizenry. Continued failure to do so will result in a population ill-prepared to meet the intellectual and economic challenges of the future.

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Appendix A

Methodology

This study was designed to investigate educational neglect along three different paths. Our research team simultaneously worked on a national policy review, an examination of the current state of educational neglect in Idaho and nationwide, and an extensive literature review. Each of these research strands are described individually below.

National Policy Review

We collected every state statute relevant to educational neglect, compulsory education, truancy, and home education. Once collected, these state laws were coded for similarities by the Social Sciences Research Center at Boise State University. The coding process was guided by the principal investigators.

Educational Neglect Codes

1. Statutory definition of educational neglect

- No definition
- Refers to compulsory education requirements
- Refers to neglect, abuse, or deprivation within social services

2. State agency responsible for reporting educational neglect

- School
- Local District
- State Officials
- Department of Health & Human Services
- Department of Education
- None

3. Agency responsible for enforcement regarding educational neglect

- School
- Local District
- State Officials
- Department of Education
- Department of Health & Human Services
- Court System
- None

4. Penalty for education neglect

- No penalty
- Fine
- Jail time
- Misdemeanor (unspecified)
- Undefined

Compulsory Education Codes

1. Exemptions to compulsory education

- None
- Religious exemption
- Medical exemption
- Agency discretion
- Multiple exemptions

2. Agency responsible for reporting violations of compulsory education

- None
- Local District
- State Authorities

3. Agency responsible for enforcing compulsory education provisions

- None
- Department of Education
- Department of Health and Welfare

Appendix A

Methodology

Habitual Truancy Codes

1. Statutory definition of habitual truancy

- No definition
- Refers to compulsory education requirement
- # days per academic time
- # days per calendar period

2. Agency responsible for reporting habitual truancy

- Local School
- Local District
- State Authorities
- Department of Health & Human Services
- Department of Education
- None

3. Agency responsible for enforcement regarding habitual truancy

- Local School
- Local District
- State Authorities
- Department of Education
- Department of Health & Human Services
- Court System
- None

4. Person penalized for habitual truancy

- No penalty specified
- Parent/guardian
- Child
- Both parent and child

5. Penalty for habitual truancy

- No penalty specified
- Fine
- Misdemeanor (unspecified)
- Jail time
- Loss of driving privileges
- Combination of penalties
- Undefined

Home Education Codes

1. Level of Oversight

- None
- Register with local district
- Register with state officials
- Progress monitoring through assessment
- Curricular oversight
- Instructional time
- Teacher certification
- Multiple oversights

2. Diploma Provision

- Yes
- No

3. Testing required of home educated-students

- Yes
- No
- Undefined

Educational Neglect in the Nation

Because of the lack of common definitions nationwide regarding educational neglect, habitual truancy, and home education, the research team needed a standard way to gather data from each of the states. Further complicating matters is the inherent difficulty of identifying students suffering from educational neglect. By definition, they are either actively avoiding interaction with the educational system or being withheld from the same. In either case, identifying these students is extremely difficult.

Appendix A

Methodology

To address the dilemma of counting students “missing” from the data, our research team decided to use a strategy employed by Donahue and Plank (2003) in estimating the number of home educated children in Michigan. Basically, Donahue and Plank subtracted the number of students in school from the number of students that should be in school. To calculate the number of children who should be in school but are not, we first needed to determine how many children, within each state’s compulsory education age range, simply existed in each state. To do this, we started with the 2000 federal census population figures. We then adjusted the numbers of children within the compulsory education range by the overall population shifts between 2000 and 2003 for each state.

To identify the number of children being educated, we used a standard data source in each state, the state department of education. Within this number we included students enrolled in public schools, private schools, and home schools. Depending on the format of data collection used by individual states, we were sometimes forced to distribute separately counted special education students into the total state count of children. Furthermore, some states aggregated home-educated children into age bands, such as 5-10 yrs., 11-15 yrs., and 15+ yrs., or grade equivalent bands such as K-3, 4-8, and 9-12. In these instances we evenly distributed the aggregate number into each grade level. Other states simply had one aggregate total for home-educated students in the state. For these states, we proportionally distributed the population based on trends observed in states that monitor home education enrollment at each individual grade level.

In an effort not to overestimate the number of children unaccounted for within educational institutions, we also included dropouts within the compulsory education age range for each state within the accounted for students. While they optimally should be in school, we reasoned that they were actually accounted for by the system even though they were not participating. Thus our formula for calculating the number of children who *may* be suffering from educational neglect, or at least not being monitored by education officials is

$$\begin{aligned} & (\# \text{ of comp. ed. children in census}) \\ & - (\# \text{ of comp. ed. public sch. students}) \\ & - (\# \text{ of comp. ed. private sch. students}) \\ & - (\# \text{ of comp. ed. home sch. students}) \\ & - (\# \text{ of comp. ed. drop outs}) \underline{\hspace{2cm}} \\ & \# \text{ of children unaccounted for within schools} \end{aligned}$$

Educational Neglect in Idaho

While Idaho was included in the above calculation, we needed to piece together a more intimate portrait of what was occurring in Idaho’s schools and districts. Toward that end a series of telephone interviews was conducted with every public school district or independent public school in the state of Idaho (n=115). Three school districts failed to return multiple contacts. Approximately 400 phone calls were conducted to compile 112 completed interviews. Interviews lasted from 15 to 60 minutes and were conducted

Appendix A

Methodology

between May 2004 and March 2005. The interview protocol included the following questions

1. (a) How many children living within your district are not attending either a public or private school?
1. (b) How do you know?
2. (a) How many declared home educated children live within your district?
2. (b) How do you know?
3. What actions does your district take regarding children living within your district who are neither attending public schools nor being home educated?
4. What procedures are written into your district policies for tracking those that do not continue from one year to the next without a request for records?
5. What criteria must a student meet to be considered habitually truant?
6. (a) Once a student is considered habitually truant, what actions does your district take?
6. (b) Are these actions working?

Literature review

Conducting a literature review regarding the phenomenon of educational neglect was challenging. Because research focused solely on educational neglect is sparse, we expanded our search to the more inclusive social services arena. Often educational neglect was subsumed within larger child abuse and neglect studies. We also examined the historical and philosophical bases for compulsory education statutes upon which claims of educational neglect are based. To further explore the phenomenon of educational neglect as a legal matter, we identified and summarized landmark legal cases that provide precedent for today's decisions. Finally, recent efforts at addressing educational neglect, truancy, and home education were examined and formed the basis of the policy recommendations found in the final section of this report.

Appendix B

National Figures for Calculating Non-enrolled Children

	Comp Ed. Ages	Comp Ed. Pop	Public School Enrollment Data		Private Schooling Enrollment Data		Home Education Enrollment Data		Total Enrollment Data		Dropout Data		Missing Children	
			CEEnroll	%of Ed. Pop	Enroll	%of Ed. Pop	Enroll	%of Ed. Pop	Enroll	%of Ed. Pop	Dropouts	%of Ed. Pop	Missing from	%of Comp Ed. Pop
Alabama	7--16	639026	585647	91.6%	0	0.0%	0	0.0%	585647	91.6%	3,914	0.6%	49,465	7.7%
Alaska	7--16	112726	104763	92.9%	3215	2.9%	0	0.0%	107978	95.8%	2,058	1.8%	2,690	2.4%
Arizona	6--16	921317	861419	93.5%	0	0.0%	0	0.0%	861419	93.5%	16,860	1.8%	43,038	4.7%
Arkansas	5--17	499209	422942	84.7%	0	0.0%	12442	2.5%	435384	87.2%	30,162	6.0%	33,663	6.7%
California	6--18	7140346	6298772	88.2%	599600	8.4%	0	0.0%	6898372	96.6%	66,567	0.9%	175,407	2.5%
Colorado	7--16	653308	580559	88.9%	35528	5.4%	7465	1.1%	623552	95.4%	4,767	0.7%	24,989	3.8%
Conn.	7--16	496900	445921	89.7%	50718	10.2%	1972	0.4%	498611	100.3%	1,838	0.4%	-3,549	-0.7%
Delaware	5--16	136663	96418	70.6%	21936	16.1%	2082	1.5%	120436	88.1%	988	0.7%	15,239	11.2%
Florida	6--18	2852835	2548799	89.3%	319656	11.2%	47157	1.7%	2915612	102.2%	20,061	0.7%	-82,838	-2.9%
Georgia	6--16	1423849	1311637	92.1%	81798	5.7%	30226	2.1%	1423661	100.0%	17,446	1.2%	-17,258	-1.2%
Hawaii	6--18	224147	182437	81.4%	0	0.0%	0	0.0%	182437	81.4%	2,568	1.1%	39,142	17.5%
Idaho	7--16	215042	194845	90.6%	4985	2.3%	0	0.0%	199830	92.9%	1,258	0.6%	13,954	6.5%
Illinois	7--16	1872478	1606571	85.8%	194049	10.4%	495	0.0%	1801115	96.2%	18,783	1.0%	52,580	2.8%
Indiana	7--16	901455	800596	88.8%	97878	10.9%	19159	2.1%	917633	101.8%	3,072	0.3%	-19,250	-2.1%
Iowa	6--16	448591	409183	91.2%	33218	7.4%	0	0.0%	442401	98.6%	1,039	0.2%	5,151	1.1%
Kansas	7--18	485657	422837	87.1%	27911	5.7%	13427	2.8%	464175	95.6%	3,583	0.7%	17,899	3.7%
Kentucky	6--16	620697	549727	88.6%	0	0.0%	10621	1.7%	560348	90.3%	3,162	0.5%	57,187	9.2%
Louisiana	7--17	752709	606230	80.5%	106431	14.1%	5842	0.8%	718503	95.5%	13,463	1.8%	20,743	2.8%
Maine	7--17	194695	171679	88.2%	12342	6.3%	4391	2.3%	188412	96.8%	1,304	0.7%	4,979	2.6%
Maryland	5--16	958200	731166	76.3%	136275	14.2%	18672	1.9%	886113	92.5%	5,258	0.5%	66,829	7.0%
Mass.	6--16	951854	827831	87.0%	102743	10.8%	0	0.0%	930574	97.8%	5,124	0.5%	16,156	1.7%
Michigan	6--16	1641041	1482782	90.4%	132778	8.1%	1583	0.1%	1617143	98.5%	0	0.0%	23,898	1.5%
Minnesota	7--18	899053	772709	85.9%	78129	8.7%	17346	1.9%	868184	96.6%	11,007	1.2%	19,862	2.2%
Mississippi	6--17	523668	461660	88.2%	42952	8.2%	8080	1.5%	512691	97.9%	4,029	0.8%	6,948	1.3%
Missouri	7--16	818295	701470	85.7%	0	0.0%	0	0.0%	701470	85.7%	4,266	0.5%	112,559	13.8%
Montana	7--16	130245	114493	87.9%	6104	4.7%	3372	2.6%	123969	95.2%	868	0.7%	5,408	4.2%
Nebraska	7--16	253550	214905	84.8%	30117	11.9%	4616	1.8%	249638	98.5%	0	0.0%	3,912	1.5%
Nevada	7--17	357036	335327	93.9%	13829	3.9%	3823	1.1%	352979	98.9%	4,141	1.2%	-84	0.0%
New Hamp.	6--16	203296	174795	86.0%	17386	8.6%	3419	1.7%	195600	96.2%	0	0.0%	7,696	3.8%

Appendix B

National Figures for Calculating Non-enrolled Children

			Public School Enrollment Data		Private Schooling Enrollment Data		Home Education Enrollment Data		Total Enrollment Data		Dropout Data		Missing Children	
	Comp Ed.	Comp Ed.	%of Comp	%of Ed	%of Comp	%of Ed	%of Comp	%of Ed	%of Comp	%of Ed	CompEd	%of Comp	Missing from	%of Comp
States	Ages	Pop	CEEnroll	Ed. Pop	Enroll	Ed. Pop	Enroll	Ed. Pop	Enroll	Ed. Pop	Dropouts	Ed. Pop	Comp Ed.	Ed. Pop
N. Jersey	6--16	1348180	1167869	86.6%	183122	13.6%	2300	0.2%	1353291	100.4%	3,940	0.3%	-9,051	-0.7%
N. Mexico	5--18	408478	319149	78.1%	31369	7.7%	6243	1.5%	356761	87.3%	3,018	0.7%	48,699	11.9%
New York	6--16	2964927	2465209	83.1%	414420	14.0%	15839	0.5%	2895468	97.7%	18,216	0.6%	51,243	1.7%
N. Carolina	7--16	1164982	1084658	93.1%	72030	6.2%	24978	2.1%	1181666	101.4%	12,648	1.1%	-29,332	-2.5%
N. Dakota	7--16	87388	77568	88.8%	5223	6.0%	164	0.2%	82955	94.9%	368	0.4%	4,065	4.7%
Ohio	6--18	2129724	1815875	85.3%	222826	10.5%	0	0.0%	2038701	95.7%	17,132	0.8%	73,891	3.5%
Oklahoma	5--18	701435	595644	84.9%	7938	1.1%	0	0.0%	603582	86.0%	1,381	0.2%	96,472	13.8%
Oregon	7--18	593197	512004	86.3%	0	0.0%	20183	3.4%	532187	89.7%	6,167	1.0%	54,843	9.2%
Penn.	8--17	1703637	1439401	84.5%	220318	12.9%	22539	1.3%	1682258	98.7%	13,551	0.8%	7,828	0.5%
Rhode Is.	6--16	159985	136600	85.4%	22145	13.8%	758	0.5%	159503	99.7%	953	0.6%	-471	-0.3%
S. Carolina	5--16	699724	587046	83.9%	46317	6.6%	719	0.1%	634082	90.6%	4,243	0.6%	61,399	8.8%
S. Dakota	6--16	123684	104059	84.1%	14632	11.8%	2324	1.9%	121015	97.8%	0	0.0%	2,669	2.2%
Tenn.	6--17	966431	914327	94.6%	0	0.0%	5047	0.5%	919374	95.1%	6,366	0.7%	40,691	4.2%
Texas	6--18	4515918	4133878	91.5%	0	0.0%	0	0.0%	4133878	91.5%	17,151	0.4%	364,889	8.1%
Utah	6--18	532226	489947	92.1%	14550	2.7%	6950	1.3%	511447	96.1%	6,021	1.1%	14,758	2.8%
Vermont	7--16	86076	74446	86.5%	3460	4.0%	1758	2.0%	79664	92.6%	427	0.5%	5,985	7.0%
Virginia	5--18	1422261	1175089	82.6%	0	0.0%	18105	1.3%	1193194	83.9%	11,456	0.8%	217,611	15.3%
Wash.	8--18	985071	865361	87.8%	54872	5.6%	0	0.0%	920233	93.4%	21,390	2.2%	43,448	4.4%
W. Virginia	6--16	245109	234793	95.8%	11749	4.8%	0	0.0%	246542	100.6%	1,757	0.7%	-3,190	-1.3%
Wisconsin	6--18	1023802	853363	83.4%	124248	12.1%	21031	2.1%	998642	97.5%	6,325	0.6%	18,835	1.8%
Wyoming	6--16	77902	71686	92.0%	0	0.0%	0	0.0%	71686	92.0%	436	0.6%	5,780	7.4%
		49,357,351											1,708,764	3.5%

Appendix C

Educational Neglect Statutes

State	Ed Neglect Definition	Agency Responsible	Agency Responsible	Penalties	Penalized Party
Alabama	No definition	None	None	No Penalty	Not Specified
Alaska	No definition	None	None	No Penalty	Not Specified
Arizona	No definition	None	None	No Penalty	Not Specified
Arkansas	Negl, Abs, Dep	District	Court	Fine	Parents
California	No definition	None	None	No Penalty	Not Specified
Colorado	Negl, Abs, Dep	District	District	Undefined	Not Specified
Connecticut	No definition	None	None	No Penalty	Not Specified
Delaware	No definition	None	None	No Penalty	Not Specified
Florida	No definition	None	None	No Penalty	Not Specified
Georgia	Negl, Abs, Dep	School	Court	Misdemeanor	Parents
Hawaii	Negl, Abs, Dep	Dept of Ed	Dept of Ed	Misdemeanor	Parents
Idaho	Comp Ed. Reqs.	District	Court	Misdemeanor	Parents
Illinois	No definition	None	None	No Penalty	Not Specified
Indiana	Negl, Abs, Dep	District	Court	Misdemeanor	Parents
Iowa	No definition	None	None	No Penalty	Not Specified
Kansas	Negl, Abs, Dep	District	Court	Undefined	Parents
Kentucky	Negl, Abs, Dep	District	District	Fine	Parents
Louisiana	No definition	None	None	No Penalty	Not Specified
Maine	Negl, Abs, Dep	District	District	Misdemeanor	Parents
Maryland	No definition	None	None	No Penalty	Not Specified
Massachusetts	No definition	None	None	No Penalty	Not Specified
Michigan	No definition	None	None	No Penalty	Not Specified
Minnesota	Negl, Abs, Dep	District	District	Misdemeanor	Parents
Mississippi	Negl, Abs, Dep	State	State	Misdemeanor	Parents
Missouri	Negl, Abs, Dep	District	Court	Misdemeanor	Parents
Montana	Comp Ed. Reqs.	District	District	Jail Time	Parents
Nebraska	No definition	None	None	No Penalty	Not Specified
Nevada	Negl, Abs, Dep	School	District	Misdemeanor	Parents
New Hampshire	No definition	None	None	No Penalty	Not Specified
New Jersey	Negl, Abs, Dep	School	School	Fine	Parents
New Mexico	Negl, Abs, Dep	District	Court	Misdemeanor	Parents
New York	Negl, Abs, Dep	District	Court	Fine	Parents
North Carolina	No definition	None	None	No Penalty	Not Specified
North Dakota	Negl, Abs, Dep	District	Court	Misdemeanor	Parents
Ohio	Negl, Abs, Dep	District	District	Fine	Parents
Oklahoma	No definition	None	None	No Penalty	Not Specified
Oregon	Negl, Abs, Dep	District	District	Misdemeanor	Parents
Pennsylvania	No definition	None	None	No Penalty	Not Specified
Rhode Island	Negl, Abs, Dep	School	Court	Fine	Parents
South Carolina	Negl, Abs, Dep	District	Court	Fine	Parents
South Dakota	Negl, Abs, Dep	District	State	Misdemeanor	Parents
Tennessee	Negl, Abs, Dep	District	District	Misdemeanor	Parents
Texas	No definition	None	None	No Penalty	Not Specified
Utah	No definition	None	None	No Penalty	Not Specified
Vermont	No definition	None	None	No Penalty	Not Specified
Virginia	Negl, Abs, Dep	School	Court	Misdemeanor	Parents
Washington	No definition	None	None	No Penalty	Not Specified
West Virginia	No definition	None	None	No Penalty	Not Specified
Wisconsin	No definition	None	None	No Penalty	Not Specified
Wyoming	Comp Ed. Reqs.	School	Court	Misdemeanor	Parents

Appendix D

Habitual Truancy Statutes

State	Truancy Definitions	Person Penalized	Agency Reporting	Agency Enforcing	Penalties
Alabama	Refer to Comp Ed	Parent	School	District/Board	Combination
Alaska	Refer to Comp Ed	Parent	District/Board	District/Board	Misdemeanor
Arizona	Days/acad time	Parent and Child	District/Board	Court	Misdemeanor
Arkansas	None	Parent	School	Court	Fine
California	Days/year	Parent and Child	District/Board	Court	Misdemeanor
Colorado	Days/year	Parent	District/Board	Court	Undefined
Conn.	Days/year	Parent	District/Board	State	Fine
Delaware	Days/year	Parent and Child	School	Court	Combination
Florida	Days/non acad time	Parent and Child	District/Board	Court	Misdemeanor
Georgia	None	Parent	School	Court	Misdemeanor
Hawaii	None	Parent	Dept of Ed	Dept of Ed	Misdemeanor
Idaho	Refer to Comp Ed	Parent	District/Board	Court	Misdemeanor
Illinois	Days/year	Parent and Child	District/Board	Court	Misdemeanor
Indiana	None	Parent	District/Board	Court	Misdemeanor
Iowa	Refer to Comp Ed	Parent	School	Court	Combination
Kansas	Days/year	Parent	District/Board	Court	Undefined
Kentucky	Days/year	Parent and Child	District/Board	District/Board	Combination
Louisiana	Days/non acad time	Parent	District/Board	Court	Combination
Maine	Days/year	Parent	District/Board	Court	Misdemeanor
Maryland	Refer to Comp Ed	Parent	District/Board	Court	Combination
Mass.	Days/non acad time	Parent	District/Board	Court	Fine
Michigan	None	Parent	School	Court	Misdemeanor
Minnesota	Days/non acad time	Parent	District/Board	District/Board	Misdemeanor
Mississippi	Refer to Comp Ed	Parent	State	Court	Misdemeanor
Missouri	None	Parent	District/Board	Court	Misdemeanor
Montana	Refer to Comp Ed	Parent	District/Board	District/Board	Jail Time
Nebraska	Days/non acad time	Parent	District/Board	District/Board	Misdemeanor
Nevada	Days/year	Parent	School	District/Board	Misdemeanor
New Hamp.	Refer to Comp Ed	Parent	District/Board	District/Board	Fine
New Jersey	Refer to Comp Ed	Parent	School	School	Fine
New Mexico	Days/non acad time	Parent and Child	District/Board	Court	Combination
New York	None	Parent	District/Board	District/Board	Fine
N. Carolina	Days/year	Parent and Child	School	Court	Misdemeanor
N. Dakota	None	Parent	District/Board	Court	Misdemeanor
Ohio	Days/year	Parent and Child	School	District/Board	Combination
Oklahoma	None	Parent	School	Court	Misdemeanor
Oregon	Days/non acad time	Parent	District/Board	District/Board	Misdemeanor
Penn.	Days/year	Parent	District/Board	District/Board	Fine
Rhode Is.	Refer to Comp Ed	Parent	School	Court	Combination
S. Carolina	Days/year	Parent	District/Board	Court	Fine
S. Dakota	Refer to Comp Ed	Parent	District/Board	Dept of Ed	Misdemeanor
Tennessee	Days/year	Parent	District/Board	District/Board	Misdemeanor
Texas	None	Parent	District/Board	Court	Misdemeanor
Utah	Days/non acad time	Parent	District/Board	Court	Misdemeanor
Vermont	Refer to Comp Ed	Parent	School	Court	Fine
Virginia	Days/year	Parent	School	Court	Misdemeanor
Wash.	Refer to Comp Ed	Parent and Child	School	Court	Fine
W. Virginia	Refer to Comp Ed	Parent	District/Board	Court	Fine
Wisconsin	Days/year	Parent	School	Court	Combination
Wyoming	Days/year	Parent	School	Court	Misdemeanor

Appendix E

Compulsory Education Statutes

	Exemptions	Agency Reporting	Agency Enforcement
Alabama	Medical	Local District	Dept of Ed
Alaska	Medical	Local District	Dept of Ed
Arizona	Multiple	Local District	Dept of Ed
Arkansas	Multiple	Local District	Dept of Ed
California	Agency discretion	Local District	Dept of Ed
Colorado	Medical	Local District	Dept of Ed
Connecticut	Medical	Local District	Dept of Ed
Delaware	Medical	Local District	Dept of Ed
Florida	Multiple	Local District	Dept of Ed
Georgia	Medical	Local District	Dept of Ed
Hawaii	Multiple	State	Dept of Ed
Idaho	Medical	Local District	Dept of Ed
Illinois	Multiple	Local District	Dept of Ed
Indiana	Medical	Local District	Dept of Ed
Iowa	Medical	Local District	Dept of Ed
Kansas	Agency discretion	Local District	HHS
Kentucky	Multiple	Local District	Dept of Ed
Louisiana	Multiple	Local District	Dept of Ed
Maine	Multiple	Local District	Dept of Ed
Maryland	Multiple	Local District	Dept of Ed
Massachusetts	Multiple	Local District	Dept of Ed
Michigan	Multiple	Local District	Dept of Ed
Minnesota	Medical	Local District	Dept of Ed
Mississippi	Medical	State	Dept of Ed
Missouri	Medical	Local District	Dept of Ed
Montana	Medical	Local District	Dept of Ed
Nebraska	Medical	Local District	Dept of Ed
Nevada	Medical	Local District	Dept of Ed
New Hampshire	Medical	Local District	Dept of Ed
New Jersey	Medical	Local District	Dept of Ed
New Mexico	Religious	Local District	Dept of Ed
New York	Medical	Local District	Dept of Ed
North Carolina	Medical	Local District	HHS
North Dakota	Medical	Local District	Dept of Ed
Ohio	Medical	Local District	Dept of Ed
Oklahoma	Medical	Local District	Dept of Ed
Oregon	Medical	Local District	Dept of Ed
Pennsylvania	Medical	Local District	Dept of Ed
Rhode Island	Medical	Local District	Dept of Ed
South Carolina	Medical	Local District	Dept of Ed
South Dakota	Religious	Local District	Dept of Ed
Tennessee	Medical	Local District	Dept of Ed
Texas	Multiple	Local District	Dept of Ed
Utah	Medical	Local District	Dept of Ed
Vermont	Multiple	Local District	Dept of Ed
Virginia	Religious	Local District	Dept of Ed
Washington	Medical	Local District	Dept of Ed
West Virginia	Multiple	Local District	Dept of Ed
Wisconsin	Medical	Local District	Dept of Ed
Wyoming	Medical	Local District	Dept of Ed

Appendix F

Home Education Statutes

States	Exemptions	Level of Oversight	Diploma Provision	Testing?
Alabama	Medical	Multiple oversights	No Diploma	No provision
Alaska	Medical	Reg. with district	No Diploma	No provision
Arizona	Religious	Reg. with district	No Diploma	No provision
Arkansas	Multiple	Multiple oversights	No Diploma	Testing
California	Agency discretion	None	No Diploma	No provision
Colorado	Medical	Multiple oversights	No Diploma	Testing
Connecticut	Medical	Curricular Oversight	No Diploma	No provision
Delaware	Agency discretion	Curricular Oversight	No Diploma	No provision
Florida	Multiple	Multiple oversights	No Diploma	No provision
Georgia	Medical	Multiple oversights	No Diploma	Testing
Hawaii	Multiple	None	No Diploma	No provision
Idaho	Medical	None	No Diploma	No provision
Illinois	Multiple	Curricular Oversight	No Diploma	No provision
Indiana	Medical	Multiple oversights	No Diploma	No provision
Iowa	Medical	Multiple oversights	No Diploma	Testing
Kansas	Agency discretion	Multiple oversights	No Diploma	No provision
Kentucky	Multiple	None	No Diploma	No provision
Louisiana	Multiple	Multiple oversights	No Diploma	Testing
Maine	Multiple	Multiple oversights	No Diploma	No provision
Maryland	Multiple	Curricular Oversight	No Diploma	No provision
Massachusetts	Multiple	Reg. with district	No Diploma	No provision
Michigan	Multiple	None	No Diploma	No provision
Minnesota	Medical	Progress Monitoring	No Diploma	No provision
Mississippi	Medical	Reg. with state	No Diploma	No provision
Missouri	Medical	Multiple oversights	No Diploma	No provision
Montana	Medical	Multiple oversights	No Diploma	No provision
Nebraska	Medical	Reg. with district	No Diploma	No provision
Nevada	Medical	Reg. with district	No Diploma	No provision
New Hampshire	Medical	Curricular Oversight	No Diploma	Testing
New Jersey	Medical	None	No Diploma	No provision
New Mexico	Religious	Reg. with district	No Diploma	No provision
New York	Medical	Multiple oversights	No Diploma	Testing
North Carolina	Medical	Multiple oversights	No Diploma	Testing
North Dakota	Medical	Multiple oversights	No Diploma	Testing
Ohio	Medical	Reg. with district	No Diploma	Testing
Oklahoma	Religious	Instructional time	No Diploma	No provision
Oregon	Medical	Progress Monitoring	No Diploma	Testing
Pennsylvania	Medical	Multiple oversights	No Diploma	Testing
Rhode Island	Medical	Multiple oversights	No Diploma	Testing
South Carolina	Medical	Multiple oversights	No Diploma	Testing
South Dakota	Religious	Multiple oversights	No Diploma	Testing
Tennessee	Medical	Multiple oversights	No Diploma	Testing
Texas	Multiple	Curricular Oversight	No Diploma	No provision
Utah	Medical	Multiple oversights	No Diploma	No provision
Vermont	Multiple	Multiple oversights	No Diploma	Testing
Virginia	Religious	Multiple oversights	No Diploma	Testing
Washington	Medical	Multiple oversights	No Diploma	Testing
West Virginia	Multiple	Multiple oversights	No Diploma	Testing
Wisconsin	Medical	Multiple oversights	No Diploma	No provision
Wyoming	Medical	Reg. with district	No Diploma	No provision

