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ABOLISH CHRONIC TRUANCY  
(ACT) NOW  
DIVERSION PROGRAM:  
EVALUATION REPORT

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## EXECUTIVE SUMMARY

As a precursor to more serious delinquent involvement, truancy is a significant problem to be addressed by educators and juvenile justice practitioners. The need for multidisciplinary prevention and intervention programs that address the multiple risk factors associated with truancy has indeed been recognized by juvenile justice professionals as well as school personnel and service providers, particularly in Pima County, Arizona. In response to high truancy rates in the county, the Pima County Attorney's Office (PCAO), working in conjunction with school districts and the Center for Juvenile Alternatives (a community-based youth service provider), designed a comprehensive diversion program to get truant youth back into school by providing needed services and holding their parents or legal guardians accountable for their children's attendance. The program, Abolish Chronic Truancy (ACT) Now, consists of three key elements:

- Enforcement of a mandatory State school attendance law, by holding parents accountable for ensuring that their children attend school;
- Provision of a diversion program that offers services to youth and their parents to address the root causes of the truancy; and
- Sanctions for parents and youth for continued truancy or for those who fail to successfully complete the diversion program.

The success of the ACT Now Program is premised on the added leverage of potential prosecution to get truant youth back into school, coupled with the opportunity for parents and guardians and youth to participate in the diversion program and receive services to address the cause of the truancy.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) awarded a grant to the American Prosecutors Research Institute (APRI) to conduct a process and impact evaluation of the ACT Now Program. The purpose of the evaluation was to assess the program's operations and to determine if the ACT Now Program has an effect on truancy. APRI's evaluation documented the planning process, program implementation and operations, and outcomes over three school years (1995-96, 1996-97, and 1997-98 school years).

APRI's evaluation found that the ACT Now Program has developed into a community-wide "institutionalized" response to truancy in Pima County. The program is seen by the schools, law enforcement, the Pima County Attorney's Office, service providers, and the local media as an integral part of the community's efforts to address truancy and associated problems that put youth at high risk of serious delinquent involvement. Among the factors found to be associated with the successful implementation of the program are:

- Development of clearly stated goals and objectives that addressed a problem that was of serious concern to stakeholders and provided a solution that they could participate in;

- Preparation and distribution of consistent written program guidelines and procedures;
- Provision of annual training for school administrators on the program goals and procedures;
- Clear delegation to the schools of the development and implementation of attendance policies and the determination of when a student is truant;
- Establishment of a minimum of three absences before making a truancy referral to the Center for Juvenile Alternatives (CJA), the community-based service provider;
- Development of a “new source of leverage” for schools to respond to truancy and a consistent response once a truancy referral is made;
- Development of a coordinated response that includes services to address the underlying causes of truancy;
- Allocation of staff resources within CJA and PCAO to work cooperatively with schools and law enforcement agencies in coordinating a community-wide response to truancy;
- Implementation of a consistent message to parents and youth regarding the seriousness of truancy by following through with enforcement of attendance statutes; and
- Effective use of media coverage of the program and its associated “truancy sweeps” to increase the community’s awareness of truancy, its consequences, and efforts to combat it.

Two shortcomings were observed in the implementation of the ACT Now Program. First, it appears that there is not adequate feedback to the schools about the youth they refer to ACT Now. This is seen as a critical component for maintaining consistent levels of participation by the school districts. Second, the program lacks a comprehensive database to track referrals, services, and recidivism. PCAO and CJA have worked over the years to implement such a database and have made steady improvements in data collection/maintenance efforts. In fact, in 1997-98, a more comprehensive method for record keeping at the individual level was implemented by both organizations.

APRI’s outcome evaluation focused on changes in school response to truancy, parental accountability, service delivery, and truancy rates. The evaluation found substantial evidence to suggest that the ACT Now Program has had a positive effect on truancy and related issues in Pima County. The outcome evaluation produced a number of key findings.

First, there has been an improved response to truancy on the part of the schools. The sound and consistent response to school referrals (i.e., CJA follow-up and service delivery

and PCAO prosecutions) has built confidence among school administrators in the program. In fact, there has been a steady increase in school participation and truancy reporting since the inception of the ACT Now Program.

Second, the ACT Now Program appears to be an effective deterrent on lack of parental supervision and accountability for their children's school attendance. Specifically, there is strong evidence that suggests the threat of prosecution has an effect on parental accountability for school attendance, demonstrated by the fact that 61 percent of parents overall respond to the school advisory letter and take action to address the truant behavior and avoid criminal prosecution. Another indicator of the effectiveness of the threat of prosecution is response to the advisory letters sent by CJA, which is the last step before PCAO begins its investigation and case processing. In the sample of school districts selected for the evaluation, more than half of the parents responded to the CJA advisory letters in 1997-98, expressing a desire to enroll in the diversion program.

Third, the evaluation found that the services provided to truant youth and their families as part of the diversion program are effective in addressing the root causes of the truant behavior. This is evidenced by the fact that 79 percent of the program participants successfully complete the diversion program. Moreover, individual level data reported by CJA for the 1997-98 school year demonstrated that only 8 percent of the youth referred to CJA were recidivists.

Fourth, PCAO has been effective in enforcing the compulsory school attendance law through criminal prosecution of parents. In fact, the number of parental prosecutions nearly doubled since 1994—one year prior to the pilot test of the ACT Now Program. Moreover, in cases where charges were filed, the majority of parents plead guilty to the charge and very few parents (less than 2 percent) were found not guilty in bench trials.

Finally, in all of the school districts in the sample, there has been a decrease in the number of reported trancies since the full implementation of the program in the 1996-97 school year. Similarly, there have been decreases in the number of dropouts in two districts, suggesting some impact on chronic truancy which leads to dropping out of school.

In total, the results of the evaluation provide support for the ACT Now Program, demonstrating positive effects on truant youth, parents, schools, and the community. Despite the strong evidence provided in the process and outcome evaluation of the program, these findings must be interpreted carefully. An inherent flaw in the evaluation was the lack of available individual level data and limited pre-program implementation data. Continued assessment, using the newly implemented ACT Now database that provides individual level tracking data, is important for establishing more concrete determinations of the program's effectiveness.

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## CHAPTER I

### INTRODUCTION AND PROJECT OVERVIEW

Every day, hundreds of thousands of children are absent from school; many, absent without an excuse, are truant.<sup>1</sup> Although there are no national data available on truancy rates (in part because no uniform definition of truancy exists), large cities report staggering numbers of trancies and chronic absenteeism. Approximately 31,000 students in the Los Angeles Unified School District are truant each day (Garry, 1996). In Detroit, school attendance officials investigated 66,440 chronic absenteeism complaints during the 1994-95 school year, and in Chicago, the average 10<sup>th</sup> grader missed 6 weeks of instructional time during the 1995-96 school year (Roderick et. al., 1997; Garry, 1996).

Although a relatively small proportion of truancy cases are handled in juvenile court, the juvenile justice system increasingly serves as the final stop for truants. Throughout the 1990s, there has been a steady increase in court involvement in these types of cases. In 1995, the courts processed 37,400 truancy cases nationwide—a 46 percent increase from 1991 (Sickmund et al., 1998). As the problems of truancy continue to increase, there also is an increased likelihood that truant youth will eventually progress further into the juvenile and criminal justice systems. Research shows that truant youth are often involved in more

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<sup>1</sup> Definitions of truancy vary and are usually established by school district policy. For the purposes of this report, truancy is generally defined as an unlawful absence from school or from class without parental/guardian knowledge or permission. The more specific definition of truancy used in Pima County, Arizona, is discussed in Chapters 2 and 3.



serious delinquent or criminal activity when they skip school further increasing the likelihood of contact with the justice system (Huizinga & Jacob-Chen, 1998; Garry, 1996; U.S. Department of Education, 1996; NSSC, 1994).

While the number of truancy cases petitioned to the courts has increased by 80 percent between 1986 and 1995, the percent of truancy cases adjudicated has decreased by half over the same period (Sickmund et al., 1998). This decrease may in part be attributed to an increasing awareness of the need for alternatives to adjudication as a primary response. The design and implementation of truancy prevention and intervention programs in recent years that involve juvenile justice practitioners, educators, and community-based agencies has resulted in a variety of new approaches to this long-standing problem.

This report documents the implementation and outcomes of such an intervention program—the Abolish Chronic Truancy (ACT) Now Program in Pima County, Arizona—designed by the Pima County Attorney’s Office. ACT Now is a joint effort between the prosecutor, school districts, and a community-based agency to get truant youth back in school by providing needed services and holding their parents or legal guardians accountable for their children’s attendance.

This report is organized into six chapters. Chapter 1 is a review of the research literature on truancy and truancy intervention strategies. An overview of the ACT Now Program design and the evaluation methodology also are provided in the first chapter. Chapter 2 focuses on the contextual conditions in Pima County, Arizona related to truancy and includes profiles of the Pima County school districts, the Pima County Attorney’s Office (PCAO), and the types of services available for at-risk and high-risk youth. Chapter 3 examines the implementation and operation of the ACT Now Program, the issues

encountered as part of the program implementation, and outcomes associated with program implementation. Chapter 4 provides the results of the outcome evaluation including an analysis of the program's effects on truancy. The final chapter provides conclusions and recommendations regarding truancy intervention and future research efforts.

## **1.1 RESEARCH ON TRUANCY: CONTRIBUTING FACTORS AND CONSEQUENCES**

There has been great interest among the education and juvenile justice communities in the factors that contribute to truancy and the short- and long-term consequences of truancy. Although a status offense, truancy is often viewed as a precursor to more serious delinquency, and it has been associated with psycho-social, familial, and community factors. Similarly, research has found that truant behavior is correlated with many problems later in life. The following sections summarize the literature on the factors associated with truancy and examine the relationship between truancy and subsequent problems in life.

### ***Contributing Factors***

Current delinquency research focuses on the relationship between a number of factors that contribute to the development of a problem—risk and protective factors—and delinquent behavior (Loeber, Huizinga, & Thornberry, 1996; Hawkins & Catalano, 1995). The risk and protective factor framework applies to truancy as well as other problem behaviors. In general, the factors that increase the risk of truancy fall into four broad categories:

- Individual/peer factors,
- Family factors,
- School factors, and

- Community factors.

***Individual/Peer Factors.*** Numerous individual and peer factors put youth at higher risk of truancy. These include socio-demographic factors, psychological problems, health problems, and attitudes toward the self and others. Among the socio-demographic variables found to be associated with truancy are gender, age, race, and socioeconomic status (Bell, Rosen, & Dynlacht, 1994). In particular, research shows the following associations between socio-demographic variables and truancy:

- As age increases, there is a concurrent increase in truancy (Bell, Rosen, & Dynlacht, 1994; Dryfoos, 1990; Rood, 1989). In addition, there is a correlation between truancy and youth who are somewhat older than their classmates (Stephens, Butterfield, Arnette, & James, 1994), which may not be a function of age but rather a function of academic failure also found to be related to truancy.
- White students have lower truancy rates than students of other races (Rood, 1989; Levine, Metzendorf, & VanBoskirk, 1986; Levanto, 1975).
- Truant students are more likely to come from disadvantaged or low-income families (Farrington, 1985; Reid, 1982).
- Boys are more likely to be truant than girls according to several studies (Galloway, 1982; Levanto, 1975); however, a more recent study found no significant differences in truancy between boys and girls (Triplett & Myers, 1995).

In addition to socio-demographic variables, research indicates there are a number of psychological and physical health problems that contribute to truancy. These problems include learning disabilities, conduct disorders, health problems, school phobia, poor social and emotional functioning, social adjustment problems, failure to learn or a learning style not in pace with the classroom, lack of goal orientation, and inability to tolerate structured activities (Bell, Rosen, & Dynlacht, 1994; NSSC, 1994; Rohrman, 1993; California Office of the Attorney General School Safety Center, 1982; Post, 1981).

Youth's attitudes toward themselves, their peers, and school (including faculty) play a significant role in truant behavior. Low self-esteem, ethnic or racial dissonance, and feelings of alienation are prevalent among truants (Arnette, 1995; Rohrman, 1993). Other studies indicate that truancy may be a learned behavior (Stephens, Butterfield, Arnette, & James, 1994). As such, youth often follow the school attendance patterns of older siblings and of peers. Finally, surveys conducted of youth regarding truancy find that the most frequently cited causes are boredom with/dislike of school, frustration, and influence of friends (Bell, Rosen, and Dynlacht, 1994; Rohrman, 1993; Dryfoos, 1990; California Office of the Attorney General School Safety Center, 1982).

***Family Factors.*** The effect of parental attitudes and behavior as well as family functioning on children's truancy is well documented. Bell, Rosen, and Dynlacht (1994) cite numerous studies that have found a relationship between truancy and parental knowledge of truancy, family attitude toward education, family socio-economic status (SES), child abuse or neglect, and parenting skills. Other family factors that contribute to children's truancy include:

- Pressures related to family health or financial concerns;
- Over-crowded living conditions;
- Absence of parental control or concern;
- Family history of truancy, school dropout, or academic failure;
- Family conflict; and
- Divorce or break-up of the family (Ingersoll & LeBoeuf, 1997; Garry, 1996; Hawkins & Catalano, 1995; Arnette, 1995; Breen, 1995; and Rohrman, 1993).

In addition, there is evidence that suggests children of highly educated mothers are less likely to be truant and/or drop-out of school than those of mothers with lower educational levels (Benjamin, 1993.)

*School Factors.* Factors within the school that increase the risk for truancy can be classified into two types: 1) academic achievement levels and 2) school system/institutional factors. Academic achievement levels have been found to have a strong relationship with truancy. Specifically, lack of basic skills, low math and reading scores, achievement below grade level, poor or declining grades, and school failure all have been associated with truancy (Hawkins & Catalano, 1995; NSSC, 1994). In addition to poor academic performance, classification as gifted and/or talented, which may lead to boredom with regular curricula, has been linked to truancy (NSSC, 1994).

At least one study finds that a primary contributor to truancy is the school system, including factors related to school policies, rules, curriculum, and teacher characteristics (Sommer, 1985). Sommer's findings are supported by several other studies that show such institutional factors are universally present in schools with high truancy rates. These institutional factors include:

- Teacher neglect,
- Lack of respect for students,
- Lack of encouragement, and
- Lack of attendance enforcement (Ingersoll & LeBoeuf, 1997; Arnette, 1995; NSSC, 1994; Rohrman, 1993; California Office of the Attorney General, 1982).

In addition, classrooms rated high in competitiveness and teacher control and low on teacher support had high truancy rates (Bell, Rosen, & Dynlacht, 1994).

***Community Factors.*** There are a number of factors within the youth's community and the community surrounding the school that have been found to influence truancy. Most commonly cited is violence near the youth's home or school which contributes to fear of crime and in turn leads to avoidance behaviors such as not going to school (Ingersoll & LeBoeuf, 1997; NCPC, 1995; Arnette, 1995; Hawkins & Catalano, 1995). Other community factors that have been associated with truancy and dropping-out of school include density of the community (urban and rural), poverty levels, and a transient population (Hawkins & Catalano, 1995; Dryfoos, 1990).

### ***Short- and Long-Term Consequences of Truancy***

Chronic absenteeism and truancy have a significant impact on youth, the educational system, and society in general. The impact can be seen in short-term negative behavioral changes of truant youth and in long-term negative impacts on adulthood, education, and society. These impacts are described below.

***Impact on Youth.*** Short-term consequences of truancy for youth generally appear in the teen-age years in the form of increased frequency of problem behavior and more serious delinquency. These problem behaviors and delinquent activities include the following:

- Increased smoking, heavy alcohol use, and drug use;
- Increased involvement with gangs and gang activity;
- Increased likelihood of dropping out of school;
- Deficits in primary academic areas; and
- Increased involvement in criminal activities such as burglary, auto theft, and vandalism (Garry, 1996; Huizinga, Loeber, and Thornberry, 1995; Bell, Rosen & Dynlacht, 1994; Rohrman, 1993; Dryfoos, 1990).

Research also indicates that truancy is frequently followed by a wide-range of subsequent behavioral and adjustment problems that continue from the teen-age years into adulthood. Much of the work in the area of developmental pathways to delinquency support the notion that many of the behavioral problems that manifest in the short-term, such as drug use and criminal activity, continue into adulthood with increasing severity and with an increased propensity for violent behavior (Kelley, Loeber, Keenan, & DeLamarte, 1997; Bell, Rosen, & Dynlacht, 1994; Dryfoos, 1990). Further, truants are more likely to exhibit the following characteristics in adulthood:

- Poor health and mental health,
- Lower paying jobs and increased chance of living in poverty,
- Less stable employment histories or higher likelihood of unemployment,
- More reliance on welfare support,
- Higher degrees of marital problems,
- Higher birth rates, earlier pregnancies, and children who exhibit problem behaviors,
- Illiteracy,
- Social alienation,
- Political powerlessness, and
- Increased likelihood of incarceration (Ingersoll & LeBoeuf, 1997; Hawkins & Catalano, 1995; Bell, Rosen, & Dynlacht, 1994; NSSC, 1994; Rohrman, 1993; Dryfoos, 1990).

***Impact on the Educational System.*** Truant youth pose significant problems for their schools. Truant youth often are the same youth who are disruptive in class, bring weapons to school, or threaten other students (Ingersoll & LeBoeuf, 1997). As a result, when they are in

school, truants disrupt the learning environment for other students, creating more disorganization and problems, factors that can then lead other students to becoming truants.

In addition to the impact of truancy on the school and learning environments, truancy can affect the administration and operation of the school system. Federal and state educational resources often are allocated to schools based on their attendance rates. Schools with high truancy rates have lower attendance, and as such truancy can result in a loss of hundreds of thousands of dollars in attendance-based revenues (Garry, 1996; Bell, Rosen, & Dynlacht, 1994).

***Impact on Society.*** As the effects of truancy permeate into a youth's adulthood and impact the educational system, reciprocal costs are incurred by society in general. Specifically, the academic deficits exhibited by truants lead to lower employability which results in increased unemployment and increased costs to businesses to train unskilled and uneducated workers (Ingersoll & LeBoeuf, 1997; Dryfoos, 1990). Moreover, the reduced earning capacity of truants affects the nation's economic system through lost earnings to businesses and foregone taxes (Ingersoll & LeBoeuf, 1997; Garry, 1996; Dryfoos, 1990).

The various behavioral and adjustment problems exhibited by truants in adulthood also can directly affect taxpayers in their communities. As a result of truants' involvement in criminal activities, unemployment, and other social service needs, taxpayers must pay for increased law enforcement, higher incarceration costs, and welfare costs (Ingersoll & LeBoeuf, 1997; Dryfoos, 1990).

The review of the literature shows that a seemingly "innocent" behavior, like "skipping school," can have serious consequences on individual youth in the short-term, and that chronic truancy and absenteeism can have detrimental long-term effects, altering a



child's life course and resulting in high costs to the educational system and society.

Accordingly, truancy is a behavior that must be addressed. Policy makers, juvenile justice practitioners, and educators have recognized this need and are responding by developing prevention and intervention strategies. The following section provides an overview of various prevention and intervention efforts that address truancy.

## **1.2 TRUANCY PREVENTION AND INTERVENTION EFFORTS**

Research on the risk and protective factor approach to delinquency prevention demonstrates that the effects of risk factors are cumulative, that is the more risk factors (and the fewer protective factors) that a child is exposed to, the greater the likelihood that the child will engage in delinquent behaviors, including truancy (Hawkins & Catalano, 1992). Consequently, prevention and intervention strategies should be comprehensive and address multiple risk factors and be aimed at increasing protective factors.

The need for multidisciplinary prevention and intervention programs that address the multiple risk factors associated with truancy has been recognized by juvenile justice professionals as well as school personnel and service providers. This recognition has led to the development of more comprehensive, integrated interventions that are the result of partnerships between prosecutors, local law enforcement, juvenile justice professionals, truancy officers, other school personnel, and private community-based service providers and organizations. In addition, there is an increased emphasis on parental or guardian accountability that may result in mandated counseling sessions, fines, or misdemeanor charges for parents.

In 1996, to aid schools and the juvenile justice system in their efforts to address truancy, the U.S. Department of Education developed and distributed two key documents: the *Manual to Combat Truancy* and *Creating Safe and Drug-Free Schools: An Action Guide*. The manual and action guide outline key concepts found to be effective in reducing truancy, and provide steps that schools can take to improve protocols and procedures for tracking attendance. These documents also highlight communities that have been the most successful in lowering truancy rates through the use of comprehensive strategies that emphasize incentives and sanctions for truants and their parents. School officials, parents, law enforcement officials and communities are provided with a comprehensive outline to assist them in their efforts to create successful prevention and intervention programs to combat truancy. The recommended components needed for a comprehensive community-based strategy and examples of these components in action are described in the following sections.

### ***Involve Parents In All Truancy Prevention Activities***

Because parents hold the potential to be the most influential role model in a child's life, it is crucial that parents be encouraged to communicate the importance of education to their children. Families and schools must establish a mutual trust in order to solve truancy problems. Truancy programs, such as the Community Service Early Intervention Program in Marion, Ohio, not only emphasize parental involvement as part of the solution but also require parental participation throughout the program. Such programs involve counseling and parent skills training as well as monitoring of students' progress and other services aimed at strengthening the family. Creating an open dialogue between parents and teachers,

including regular parent-teacher meetings to monitor their child's progress, is another way to address truancy (U.S. Department of Education, 1996).

### ***Ensure That Students Face Firm Sanctions For Truancy***

There should be a clear understanding between school administrators and students that there is zero tolerance for truancy. Some states, like Arizona, have incorporated penalties for truant students into their statutes. Arizona and other states have revised existing legislation on mandatory school attendance (or developed new laws) to include strict penalties for truant youth and their parents. These penalties include fines and sanctions for truants and their parents, restrictions on receipt or renewal of driver's licenses, and considering school and course attendance in the calculation of a student's grades. New York, for example, has initiated this link between truancy and course grades. Course grades are based on academic performance and attendance. Some states, such as Delaware and Connecticut, have instituted daytime curfews that permit law enforcement officers to check the legitimacy of any school-age child who is not in school during school hours. Truants in Wisconsin face juvenile court judges who may order the youth to counseling or education programs (U.S. Department of Education, 1996).

### ***Create Meaningful Incentives For Parental Responsibility***

Parents must assume responsibility for the behavior of their truant children. More and more states are mandating parental responsibility as indicated above. In some states, participation in parenting education programs is required for parents of truant youth. In other states, parents who fail to prevent truancy can be subject to formal sanction or lose eligibility for certain public assistance. Other penalties come in the form of monetary fines, as

incorporated into Operation Save Kids, in Peoria, Arizona.<sup>2</sup> Operation Save Kids compels school officials to contact the parents of students with three unexcused absences. Parents are expected to communicate with school officials regarding steps they have taken to ensure their children's regular school attendance. If a student continues to be truant, the cases are referred to the local district attorney's office for follow-up and participation in the program in which youth are required to participate in an intensive counseling program and the parents are required to attend a parenting skills training program. Failure to do so results in criminal charges for the youth, as well as a \$150 fine to the parents (U.S. Department of Education, 1996).

Another example of a program that creates incentives for parental responsibility is the THRIVE (Truancy Habits Reduced Increasing Valuable Education) initiative, in Oklahoma City, Oklahoma. Parents of children with 15 days of consecutive unexcused absences are subject to misdemeanor charges in an effort to encourage parents to be responsible and supportive of regular school attendance (U.S. Department of Education, 1996).

Communities can also provide positive incentives for responsible parents who ensure their child's regular school attendance. Networks of neighbors that watch for local kids out of school are an example of methods of community involvement aimed at preventing chronic absenteeism (U.S. Department of Education, 1996).

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<sup>2</sup> The Pima County Attorney's Office based its ACT Now Diversion Program on the Operation Save Kids program.

### *Establish Ongoing Truancy Prevention Programs In School*

Schools should make a concerted effort to address the individual needs of children by establishing truancy prevention programs aimed at the root causes of truancy, such as: drug use, violence at or near school, association with truant friends, lack of family support for regular attendance, emotional or mental health problems, lack of direction toward a defined career path, or inability to keep pace with academic requirements. An example of such an effort is the Atlantic County Project Helping Hand, in Atlantic County, New Jersey, which receives referrals from six Atlantic City and four Pleasantville elementary schools for youth in kindergarten through eighth grades who have five to 15 unexcused absences. Project Helping Hand provides short-term family counseling, monitoring, and aftercare services for truant youth (U.S. Department of Education, 1996).

Other examples of school-based truancy prevention programs are the Truancy Reduction Program in Bakersfield, California and a tracking system in Norfolk, Virginia. The Truancy Reduction Program in Bakersfield was formed by a consortium of school districts in Kern County to reduce the truancy problem by encouraging local schools to reach out to youth who have a history of truancy through parent contact, peer tutoring, and mentoring services. In Norfolk, Virginia, the school district uses a software program to attack its problem of absenteeism. The computer software collects data on students who are tardy, cut class, are truant but brought back to school by police, or are absent without cause. Within each school, there is a team composed of teachers, parents, and school staff that examine the data to identify truancy trends. For example, a team may try to pinpoint particular locations where truant students are found during school hours, and place additional monitors there. A team may also notice certain months when truancy is more prevalent and

then design special programs to curb delinquency during those months (U.S. Department of Education, 1996).

Another approach schools can take is developing new ways to engage their students in the learning process. Hands-on options such as career academies, school-to-work opportunities, and community service are steps in the right direction (U.S. Department of Education, 1996).

### ***Involve Local Law Enforcement In Truancy Reduction Efforts***

Establishing an open dialogue between school officials, local police, probation officers and juvenile and family court officials in order to enforce school attendance policies is a strategy many programs have incorporated. For instance, the Truancy Abatement and Burglary Suppression (TABS) initiative, in Milwaukee, Wisconsin, involves the efforts of parents, the police and the school system. When students are discovered to be truant by the police, they are brought to a Boys and Girls Club for counseling. In order to determine accurate levels of absenteeism, attendance is taken in every period in all high schools. When a child is truant, the school automatically notifies the parents by telephoning during the evening. Since evidence supports the involvement of the parent in the effort to reduce truancy, if the parent is unsupportive of regular attendance then the district attorney is contacted (U.S. Department of Education, 1996).

Another program that involves local law enforcement is the Stop, Cite and Return Program in Rohnert Park, California. This program entails officers issuing citations to suspected truants encountered during school hours. The truant students are then returned to the school to meet with their parents and a vice principal. Up to two citations are issued without penalty; the third citation results in referral to the appropriate support service. Police

departments report favorably on community-run temporary detention centers where they can drop off truant youth rather than bring them to local police stations for time-consuming processing. Police sweeps of neighborhoods in which truant youth are often discovered also have been an important factor in determining the success of the program when they are part of a comprehensive anti-truancy initiative (U.S. Department of Education).

### **1.3 OVERVIEW OF THE ABOLISH CHRONIC TRUANCY (ACT) NOW DIVERSION PROGRAM**

Throughout 1993 and 1994, a statewide working group in Arizona focused attention on the issue of youth and crime and developed recommendations for prevention and early intervention. One of its members was a former teacher turned prosecutor who shared the group's view that poor school attendance is an early warning sign of other problem behaviors, such as drug use, aggressive behavior, dropping out of school, and involvement in juvenile crime. As an outgrowth of her participation in this statewide discussion, this prosecutor initiated a program in Pima County, Arizona to address a key risk factor associated with youth crime: poor school attendance or truancy.

Armed with a new law that put “teeth” in the enforcement of the existing compulsory school attendance statute in the form of criminal fines and penalties for parents, the Office of the Pima County Attorney formulated a plan for a diversion program to address the high rates of truancy in the county. The resulting program—Abolish Chronic Truancy (ACT) Now Truancy Diversion Program—was designed to include three key elements:

- Enforcement of the mandatory attendance law, by holding parents accountable for ensuring that a child attend school;

- Provision of a diversion program that offers services to address the root causes of the truancy; and
- Sanctions for parents and youth for continued truancy or for those who fail to successfully complete the diversion program.

Critical to the success of the program is the active participation of school districts and local schools, law enforcement, and community agencies, all of whom have some responsibility for educating, providing services, assisting or intervening with youth.

The foundation of the ACT Now Program is the added leverage of potential prosecution to get truant youth back in school, coupled with the opportunity for parents and guardians to participate in a diversion program and receive services to address the cause of the truancy. As a first step, schools notify parents of the truancy and they are encouraged to meet with school officials to discuss the matter. Parents who fail to contact the school to discuss their child's truancy are referred to the Center for Juvenile Alternatives (CJA) for follow-up. CJA, a community-based service provider/broker, notifies the parents of the intent to prosecute on behalf of the Pima County Attorney's Office (PCAO) and offers them an opportunity to defer prosecution through participation in the ACT Now Program. Once in the ACT Now Program, a needs assessment is conducted for truants and their parents and referrals are made to specific services based on the identified needs. Services include parenting skills training, parent education, family counseling, substance abuse services, mentoring, and other social services. Unsuccessful completion results in a referral to PCAO for further investigation and prosecution.

The cooperative efforts of these key stakeholders in the well-being of Pima County's youth has contributed to the community's awareness of the seriousness of the problem of truancy and the expansion of services for at-risk and high-risk youth. Further, the program



stimulated cooperative efforts among law enforcement and community agencies and expanded its reach as more schools throughout the county have elected to participate.

#### **1.4 OVERVIEW OF THE EVALUATION**

APRI conducted a process and impact evaluation of the Pima County Attorney's Office ACT Now Truancy Diversion Program. The purpose of the evaluation was to assess the program operations and to determine if the ACT Now Program has an effect on truancy. The evaluation focused on three school years:

- 1995-96 school year in which the program was initially piloted;
- 1996-97 school year—the year of full county-wide implementation; and
- 1997-98 school year which represented one year after full program implementation.

The process evaluation focuses on the planning, implementation, and operation of ACT Now to document the extent to which these activities were carried out as planned and to identify any obstacles that were encountered and how these obstacles were overcome. Based primarily on qualitative information collected through a background survey of the school districts participating, an extensive site visit, and a review of archival program material, APRI examined the planning process; key implementation steps and obstacles faced along the way; collaboration among the schools, CJA, and PCAO; and how the program operates. Among the key variables considered in the process evaluation were:

- School district participation,
- School truancy policies and referral procedures,
- Development of administrative and program materials,
- CJA intake process and types of services delivered,

- Criteria for successful completion, and
- Prosecutorial decision-making regarding the prosecution of parents and youth.

The primary foci of the outcome evaluation were the short-term activity outcomes on service delivery and referrals as well as the long-term impact potential of the ACT Now Program on truancy. Using a pre-/post-test design, the outcome evaluation documented the number of truancies immediately prior to the full implementation of the program and over the following two school years. Key variables considered in the outcome evaluation were the number of truancies over time, number of referrals to CJA, successful completion of CJA services, number of referrals to PCAO, number of cases prosecuted, and the number and type of case dispositions.

## **CHAPTER II**

### **PIMA COUNTY PROFILE**

Truancy, especially chronic truancy, is behavior that is associated with individual, family, school, social, and community conditions in a child's environment. Truancy prevention and intervention programs are typically designed to address specific conditions that contribute to truancy, but they must operate within the context of the services framework of the child's community. For this reason, the contextual conditions and service system in Pima County, Arizona where the ACT Now Program operates, are of paramount importance in understanding the program design, implementation, and effectiveness. This chapter will discuss the contextual conditions of Pima County and the structure and operation of public agencies and other organizations, e.g., schools, juvenile services, and the criminal justice system, that have a responsibility for various services for youth.

#### **2.1 CONTEXTUAL CONDITIONS**

Contextual conditions may encompass a wide range of factors including geographic location, population density, demographic characteristics of the community, economic conditions, crime rates, and others. Such environmental and social factors are important when considering the behavior to be addressed as well as the strategies that are used to address it.

### ***Population Demographics***

Pima County is located in the southern part of Arizona, covering approximately 9,200 square miles, and is situated on the U.S.-Mexico border. Nearly 70 percent of the county consists of Federal, State, and Native American-owned lands. Between 1980 and 1996, the county's population nearly doubled, and by 1996 it was the second-most populous county in the State, with an estimated population of more than 780,000 persons. Continued rapid population growth is expected over the next several decades. (Pima Association of Governments, 1997)

More than half of the county population resides in the city of Tucson, which is also the county seat, located in the northwestern part of the county. (See map, Appendix A.) Pima County has a relatively large Hispanic population (roughly 24%) as compared with 18 percent for the State and 9 percent for the nation. Whites comprise 67 percent of the county's population, while Native Americans, African Americans and Asian/Pacific Islanders constitute 3.0, 3.1, and 1.8 percent of the population, respectively. In addition, 51 percent of the population is female and 49 percent of the population is male. (Pima Association of Governments, 1997)

### ***Socio-Economic Characteristics***

Per capita personal income in Pima County was \$20,600 in 1990 and is low compared to the State average, which is 7 percent higher, and Maricopa County which is 17 percent higher than Pima. The relatively lower incomes in Tucson are attributed, in part, to the predominance of employment in lower-wage trade and services jobs. It is important to note, however, that while the per capita income in the county is lower, the

unemployment rate is also lower than average, 3.1 percent. (Pima Association of Governments 1997)

Nineteen percent of the Pima County population lives in poverty, and 26% of families with children between the ages of 5 and 17 live in poverty (U.S. Census, 1993 <[http://www.census.gov/hhes/www/saipe/saipe93/estimate/b93\\_04.htm](http://www.census.gov/hhes/www/saipe/saipe93/estimate/b93_04.htm)>). In recent years Pima County experienced dramatic increases in families receiving food stamps and Aid for Families with Dependent Children (AFDC). Since 1985, there has been a 33 percent increase in the number of families that receive food stamps, and a 48 percent increase in families that receive AFDC (Tucson, Unified School District, 1996 <<http://www.tusd.k12.az.us/tusd/family.htm>>).

In terms of educational attainment, more than 80 percent of the county's population have at least a high school diploma, and 23 percent have a bachelor's degree or higher. The apparent inconsistency between the high level of educational attainment and relatively low per capita income is attributed to the high number of retirees that have established residence in the county. (Pima Association of Governments 1997)

### ***Juvenile Crime and Truancy in Pima County***

Statistics compiled by the Pima County Juvenile Court Center's Research and Evaluation Unit show that, in 1993, 8,722 juveniles were referred to the Juvenile Court Center. Moreover, between 1993 and 1996, the number of referrals increased approximately 23 percent to 10,773. Since 1993, the most frequent referral has been for status offenses (accounting for roughly one-quarter of all referrals), which includes referrals for truancy. Misdemeanor theft, peace offenses, and fights/assaults also account

for a significant number of referrals to the Juvenile Court Center (Pima County Juvenile Court Research and Evaluation Unit, 1999).

While no specific statistics exist on the time of day in which these offenses occurred, research shows that a disproportionate amount of juvenile crime occurs during the daytime hours (Huizinga & Jacob-Chen, 1998; Garry, 1996; U.S. Department of Education, 1996; NSSC, 1994). Moreover, it is believed that much of the daytime crime can be attributed to truant youth. Thus, it is not surprising that Pima County's truancy rates between 1991 and 1995 were among the highest in the State, accounting for more than 50 percent of the State's chronic trancies, defined as 10 or more unexcused absences (Bernat, 1996)<sup>1</sup>. Of Pima County's 16 school districts, Amphitheater School District and Tucson Unified School District consistently have had the highest truancy rates in the State.

In the early and mid-1990s, school officials in Pima County expressed concern about reporting problems and enforcement of attendance laws. Traditional response to truancy was to process the youth through the Juvenile Court, which often resulted in diversion with no consequences. However, school officials reported a lack of confidence in this process (Bernat, 1996), and there was great frustration among school officials in Pima County about the high truancy rates and the lack of response to the issue. An official from a school in the Sunnyside School District reported that even if truant youth

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<sup>1</sup> Bernat's (1996) report, commissioned by the Governor's Division for Children, defines truancy as five or more unexcused absences (days in which school is in session, and a parent fails to notify the school within a reasonable time after the first day of absence relating a legitimate reason for the absence). Chronic truancy is defined as 10 or more absences.

are referred to the Juvenile Court and placed on probation, there were no sanctions for violation of probation (Bernat, 1996). Many principals and school district officials felt dramatic improvements were needed in truancy enforcement, follow-up, and intervention (Bernat, 1996).

Anecdotal information obtained by Bernat also found that most of the school districts in Pima County were in need of services to address the root causes of truancy. Principals in the Amphitheater School District cited a need for family counseling programs to address truancy, along with truancy prevention and enforcement programs for elementary, middle, and high schools (Bernat, 1996). In the Sunnyside, Marana, and Flowing Wells School Districts, principals suggested that a simpler and more efficient process for reporting and addressing truancy was needed and that improvements be made in the area of mandated counseling and follow-up for truancy cases (Bernat, 1996).

Interestingly, 42 percent of schools participating in Bernat's study (statewide) indicated that they did not have any trancies in the 1994-95 school year, but of those that did, the majority said that they relied on law enforcement (21%) and the county attorney's office (19%) to enforce school attendance.

Prior to the development of the ACT Now Program, few services addressed the root causes of truancy or the specific needs of truant youth. School officials throughout Pima County had no central source for truancy prevention or intervention except for limited services through the Juvenile Court.

## **2.2 PIMA COUNTY SERVICES FOR YOUTH**

A wide variety of public and private agencies and organizations are responsible for providing educational and rehabilitative services to youth in Pima County. The community service system includes schools, criminal justice agencies, the courts, and non-profit service providers. The organization, operation, and relevant characteristics of each organization are discussed below.

### ***Primary and Secondary Public Education in Pima County***

The county is served by 16 school districts; each governed by an elected school board. According to the 1990 U.S. Census, there were 188,198 persons 3 years of age or older enrolled in school, 100,154 of whom were enrolled in public elementary, middle, and high schools. By the 1996-97 school year, the number had increased by almost 25 percent, to more than 123,000. Nearly 51 percent of youth enrolled in Pima County public schools are enrolled in the Tucson Unified School District, the largest urban school district (Pima Association of Governments, 1997).

Seven school districts (not including Tucson Unified School District) participate in the ACT Now Truancy Diversion Program. Of these, the four most populous districts were selected to participate in the evaluation of ACT Now: Amphitheater, Sunnyside, Marana, and Flowing Wells school districts. All four school districts are located in the Tucson metropolitan area and their total student enrollment represents approximately 77% of the Pima County public school students who are not enrolled in Tucson Unified School District. The school districts vary considerably in several factors, including



enrollment, academic achievement, racial and ethnic background of students, indicators of socio-economic status, and geographic size and population density.

**Enrollment.** The 1996 student enrollment reported by each school district (Amphitheater, Sunnyside, Marana, and Flowing Wells) and the number of schools at each level (elementary, middle and high school) is displayed in Exhibit II-1. More than 46,000 students were enrolled in 57 schools in the four participating school districts in 1996. These districts comprise a total of seven high schools, 10 middle schools, and 38 elementary schools. Two schools vary from the typical grade level arrangement; one serves kindergarten through eighth grades and the other serves fourth through sixth grades. Amphitheater is the largest school district with more than 15,000 students and Flowing Wells is the smallest school district with nearly 6,000 students.

**EXHIBIT II-1**  
**SCHOOL DISTRICT 1996 ENROLLMENT**  
**(SCHOOLS PARTICIPATING IN THE EVALUATION)**

	<b>AMPHITHEATER</b>	<b>SUNNYSIDE</b>	<b>MARANA</b>	<b>FLOWING WELLS</b>	<b>TOTALS</b>
1996 Enrollment	15,303	14,406	10,712	5,948	46,369
# of High Schools (9-12)	2	2	2	1	7
# of Middle Schools (6-8)	3	4	2	1	10
# of Elementary Schools (K-5)	11	12	9	6	38
Other	1 (K-8)			1 (4-6)	2

**Academic Achievement.** The academic achievement of all students is measured by Arizona schools in the fourth, seventh, and tenth grades with administration of the Stanford 9 group achievement tests in three areas: reading, language, and math. The results show that students in three of the school districts in the study (Amphitheater,

Marana, and Flowing Wells) score at or above the average (50<sup>th</sup> percentile) in all three areas at the elementary level. Students at two districts (Amphitheater and Flowing Wells) score at or above average in all areas at the middle school level. Students at Sunnyside score significantly below average in all three areas in all grades. A downward pattern, or decline, is also apparent in the test scores of all school districts, i.e., the test scores of high school students tend to be lower than those of middle and elementary school students. Achievement scores for students in the four school districts in 1996 that participated in the ACT Now evaluation are presented in Exhibit II-2.

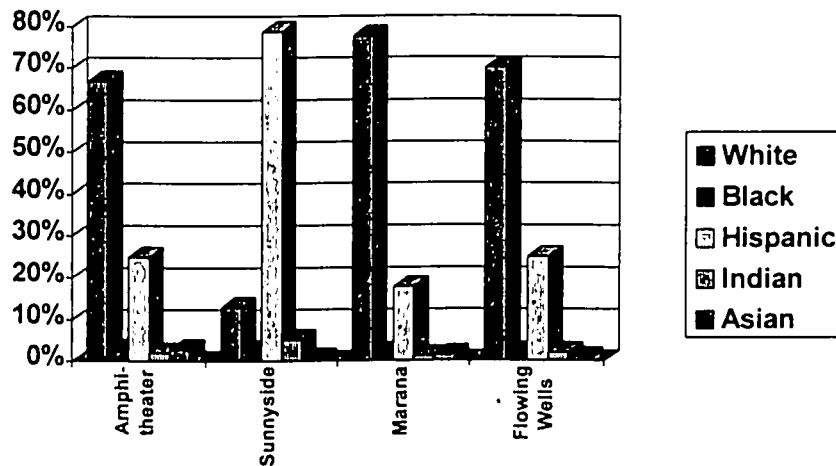
**EXHIBIT II-2**  
**STUDENT ACHIEVEMENT IN EVALUATION STUDY SCHOOLS**

<b>1996 STANFORD 9 (PERCENTILE SCORES)</b>				
	<b>Amphitheater</b>	<b>Sunnyside</b>	<b>Marana</b>	<b>Flowing Wells</b>
<b>4<sup>th</sup> Grade</b>				
Reading	64	33	59	59
Language	57	34	53	50
Math	61	31	53	52
<b>7<sup>th</sup> Grade</b>				
Reading	62	32	48	58
Language	58	33	41	53
Math	61	30	38	51
<b>10<sup>th</sup> Grade</b>				
Reading	44	24	34	48
Language	37	28	35	48
Math	43	30	39	52

**Racial and Ethnic Background.** Students in three of the participating school districts are predominantly white (Amphitheater 67%; Marana 78%; and Flowing Wells 70%). Each of these districts also has a significant population of Hispanic students (Amphitheater 25%; Marana 18%; and Flowing Wells 24%). The reverse pattern is true for one school district, Sunnyside, where students are predominantly Hispanic (79%), with approximately 13% white. All school districts have a small percentage of students

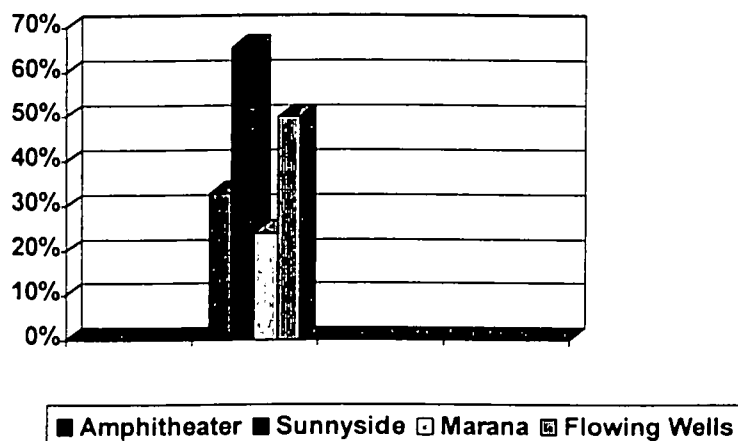
(2 to 8 percent) who represent other minorities (Black/African American, Native American, or Asian.) The racial and ethnic background of students is shown in Exhibit II-3.

**EXHIBIT II-3**  
**STUDENT RACIAL DISTRIBUTION**



**Socioeconomic Status.** The school districts also vary with regard to a school-based indicator of family income or socioeconomic status. Exhibit II-4 shows the percent of students in each district whose families meet the income eligibility requirements for federally subsidized free or reduced lunches. Approximately two-thirds of the students in Sunnyside schools (66%) receive this type of assistance, as well as half of the students at Flowing Wells, a third of the students at Amphitheater and nearly a quarter of the students at Marana. This indicates that two-thirds of the students at Sunnyside and half of the students at Flowing Wells live in poverty compared to only a quarter of the children at Marana.

**Exhibit II-4**  
**Percentage of Students on Free/Reduced Lunch**



**Geographic Location and Population Density.** The map in Appendix B shows the location and relative size of the four public schools districts included in the study. Amphitheater School District is located northwest of downtown Tucson, extending from an urban area several miles north into a transitional/rural area at the edge of the county. Sunnyside Unified School District covers approximately 100 square miles on the southern side of Tucson in an area that reportedly has a higher crime rate than the other districts in the study. Marana Unified School District is the largest district in the study geographically and covers the northwestern section of the county in a rural farming community that has become a suburban/transitional community in recent years. Flowing Wells School District is the smallest and most densely populated of the school districts, located north of Tucson, nestled between the boundaries of Amphitheater and Marana.

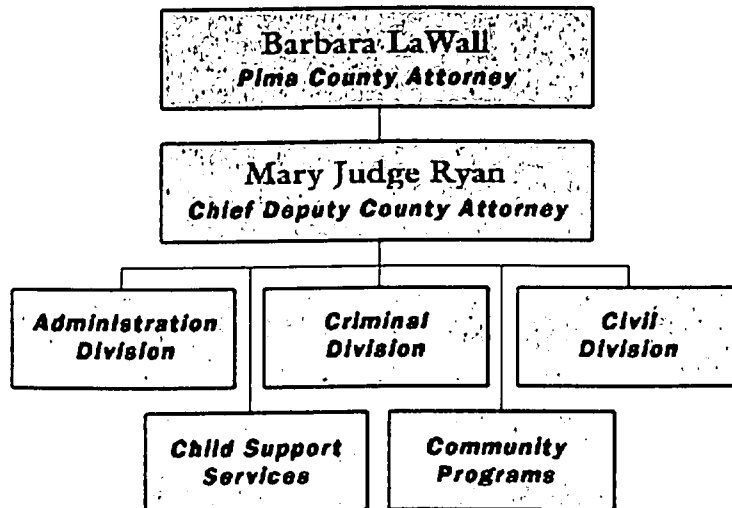
*Pima County Attorney's Office*

Criminal and civil prosecutorial responsibilities in Arizona are carried out by county attorneys' offices. The Pima County Attorney's Office (PCAO) serves all of Pima County, including the metropolitan area of Tucson. During FY 1996-97 at the time the ACT Now Program was implemented, PCAO processed 4,478 criminal cases, and employed a total of 407 employees. Employees included 66 prosecutors, 5 administrative attorneys, and 196 other staff funded by general funds. Another 14 attorneys and 105 staff persons were funded by special revenue or grant funds. In addition, there were 16 Victim/witness and 5 Adult Diversion employees.

PCAO is organized into several divisions, units, departments and programs. As shown in Exhibit II-5, these include:

- Administration Division
- Criminal Division
- Civil Division
- Child Support Services
- Community Outreach Unit

**EXHIBIT II-5  
PIMA COUNTY ATTORNEY'S OFFICE ORGANIZATIONAL CHART**



In addition to the divisions shown on the organizational chart, there is also a separate Victim Witness Program. In 1996-97, the program employed 21 persons including 12 victim/witness advocates and three support staff. The program was started in 1975 in cooperation with the Tucson Police Department and the Pima County Sheriff's Office to accomplish the following goals: "1) To enhance the quality of justice by satisfying the emotional, social and informational needs of victims and witnesses; 2) To increase the willingness of victims and witnesses to cooperate with police and prosecutors after they have reported a crime; and 3) To save time for the County Attorneys and law enforcement officers by reducing their social work functions." PCAO staff and volunteers from the community act as advocates for victims and witnesses and offer such services as on-site crisis intervention, social service referrals, notification and assistance, and community education.

In 1996-97, PCAO's Administration Division employed 28 full-time staff in the Administration Division, including two administrative attorneys. The Administration Division is responsible for the oversight and support of other divisions within PCAO. Under the direction of the County Attorney, the division develops and implements policies and procedures. Other responsibilities include fiscal management, personnel, and purchasing (Pima County Attorney's Office, 1999 [http://www.pcao.co.az.us/administration\\_division.html](http://www.pcao.co.az.us/administration_division.html)).

The Criminal Division is responsible for handling the prosecution of murder, assault, drug sales, burglary, theft, kidnapping, rape, armed robbery and all other crimes. In 1996-97, there were 57 attorneys in the Criminal Division, who were supported by 140 other staff including investigators and other clerical, administrative, and support staff.

The Division also houses several specialized units to address such crimes as child abuse, domestic violence, forfeitures, gang, homicide, juvenile, misdemeanor, narcotics, property crimes, sexual crimes, and vehicular offenses. In addition to prosecuting criminal cases, the Criminal Division operates a diversion program for first-time non-violent offenders. The diversion program focuses on restitution for victims and includes mandatory counseling and a rigorous rehabilitation program.

In 1996-97 the Civil Division employed 19 full-time attorneys, a full-time investigator, and 26 support staff. The Division is organized into several major units: employment, environmental, mandated and general services, tort and litigation, and tax and bankruptcy. Seven full-time attorneys and 109 other staff including investigators and support staff members worked in the Child Support Services Division in 1996-97. This Division works with parents to ensure that child support payments are made and provides legal assistance in locating non-supporting parents, establishing legal paternity and child support orders, and enforcing child support orders.

PCAO's Community Outreach Unit is responsible for the design and implementation of community-based programs to prevent and reduce crime, promote public safety, and improve the quality of community life. Community Outreach operates the ACT Now Program as well as the following:

- Community Prosecution—prosecutors who work directly with neighborhood residents to address quality of life crimes;
- Community Justice Boards—an intervention program in which neighborhood residents decide on the appropriate consequences for youth first- and second-time offenders;
- Ride the Waves Resiliency Program—a prevention program designed to teach youth how to live their lives successfully, which includes addressing the

issues of violence, drug use, gangs, teen pregnancy, domestic violence, and negative peer pressure;

- Children’s Advocacy Center—a child-friendly facility at a local hospital operated by a collaboration of 36 investigative and child-serving agencies to respond to cases of suspected physical or sexual abuse, neglect, and exploitation;
- Volunteer Program — a program that recruits and trains volunteers to assist with all PCAO programs; and
- Peace Builders—an organization supported by PCAO that works to prevent conflicts among youth by teaching non-violent conflict resolution skills.

### *Juvenile Court Services*

The mission of the Pima County Juvenile Court is to:

- Promote the interest and safety of the community;
- Promote the rehabilitation of children and families;
- Facilitate the protection of children who are abused and neglected; and
- Facilitate the provision of services to children and families involved with the Court; and
- All in accordance with the due process of law.

The Court has exclusive jurisdiction over all children under 18 years of age, who are referred for reasons of mental health, incorrigibility, and delinquency, as well as over issues concerning families involved in dependencies, severances, and adoptions. Until the mid-1990s, services for status offenders were brokered through the Juvenile Court.

However, the Court’s involvement with these offenders was ended following a federal review for compliance the *Juvenile Justice and Delinquency Prevention Act*.

Juvenile Court works with community, public and private agencies in the interest of promoting justice, education, and the prevention of delinquency and abuse. In fact, in October 1996, as part of its mission to provide community leadership, the Court was



named as one of nine Model Projects nationwide to begin implementing a plan to accelerate the judicial process involving children who are victims of abuse, neglect or abandonment.

### *Center for Juvenile Alternatives*

In 1995, PCAO, working with the Juvenile Court and a consortium of service providers, helped launch a new non-profit agency — the Center for Juvenile Alternatives (CJA). CJA serves as a community-based alternative to traditional court services and provides core services to status offenders in Pima County, such as:

- Intake and assessment;
- Crisis intervention and stabilization;
- Information and referral to continuing services;
- Outreach, aftercare, and follow-up support;
- Court adjustment and disposition services;
- 24-hour information/response line; and
- Accommodations for special needs clients.

CJA's main role is to broker services for status offenders and their families to help intervene in the cycle of problem behavior. Center staff also provide some services in-house, including those for the ACT Now Program. ACT Now services include a case management evaluation, referrals to needed social services, parenting skills classes, and Pima County Teen Court.

In fulfillment of its goal to create a family resource center responsive to community needs, it has formed a network of community partnerships. The community consortium of youth-serving agencies is administered by Open-Inn, Inc., which also runs

a program entitled, Open-Inn Shelter Programs, which responds to the immediate needs of children and youth who cannot remain in their own homes due to a crisis situation.

Other programs in partnership with the consortium include the following:

- Community Partnership of Southern Arizona (CPSA), which provides a continuum of behavioral healthcare services that include mental health, substance abuse, and prevention services that is risk and performance based;
- Wellness Centers, which provide medical and social services, counseling, recreational and education programs;
- Our Town Family Center, which provides crisis intervention, family counseling, family preservation, parenting skills training, and mediation to high-risk youth, juvenile runaways, and homeless youth; and
- Parents and Children Together (PACT), which provides counseling services to children, their families and adults in a variety of settings: homes, schools, and offices.

#### ***Additional Services for High-Risk and Court-Involved Youth***

The Pima County Community Services runs the Outside Agency Program, which provides funds to non-profit organizations for basic family and social services, including a variety of youth intervention and prevention programs. There are a number of community-based agencies that provide services targeted at high-risk youth. These include:

- Arizona's Children Association, which offers a variety of integrated services for families, children, and youth;
- Casa de los Niños is a non-profit organization that provides prevention, intervention, and treatment services for child abuse and neglect cases;
- Inner City Outings, an affiliate of the Sierra Club, which conducts community outreach activities for disadvantaged urban youth;
- YWCA, which provides services for women and girls ranging including counseling, health education, and leadership programs; and

- The United Way of Greater Tucson, which funds numerous community-based programs for youth in the city of Tucson and surrounding areas.

## CHAPTER III

### IMPLEMENTATION OF THE ACT NOW PROGRAM

The ACT Now Truancy Program was initiated by the Pima County Attorney's Office (PCAO) in 1994 to address truancy problems in the county and related juvenile crime issues, and became fully operational in 1996. The process evaluation of ACT Now was conducted during the 1997-98 school year, and covered the program's planning, implementation, and day-to-day operations during the study period (1996-98). In addition, the program's origin in 1994, initial planning, implementation, and evolution, are also described in this chapter. The methodology employed and examples of the data collection instruments are presented in Appendix C.

#### 3.1 PLANNING AND IMPLEMENTATION PROCESS

##### *A. Background and Antecedents*

The issue of youth and crime received statewide attention in 1993, when the Arizona Criminal Justice Commission formed the Youth and Crime Task Force to provide recommendations for statutory, legal and administrative changes to address the problem. As part of this effort, members convened the Schools and Crime Working Group to examine the problems associated with increasing school violence. Following extensive research, meetings, and public hearings, the Working Group developed a series of

recommendations aimed at ensuring that schools provide a safe learning environment through prevention and early intervention in problems of youth.

The Working Group agreed that poor attendance in school is a risk factor that is associated with and stands as an early warning sign for other problem behaviors, such as aggressive behavior, drug use, school drop out, and potential criminal involvement. As such, improving school attendance was identified as an early intervention strategy that could reduce other high-risk juvenile behaviors as well as juvenile crime. The Working Group also expressed concern that a decrease in parental supervision contributed to problems such as truancy, curfew violations, and other forms of inappropriate juvenile behavior. Approaches that focus on the root causes of poor school attendance, such as a lack of parental control due to insufficient parenting skills, child abuse or neglect in the home, or family instability, were encouraged by the Group as recommended methods of addressing poor school attendance and youth crime. The Group also suggested that requiring parents to increase the supervision of their children and holding the parents accountable, would increase school attendance and decrease juvenile crimes.

Subsequently, in 1994, the Arizona legislature amended the state compulsory school attendance statute to introduce criminal sanctions for parents or guardians who do not ensure that their children attend school. The statute states that:

“Unless otherwise exempted, a parent of a child or a person who has custody of a child between 6 and 16...who does not provide instruction in a home school, and who fails to ensure that the child attends a public or private school is guilty of a class 3 misdemeanor.” (A.R.S. 15-802) A class 3 misdemeanor is punishable by up to 30 days in jail and a fine up to \$500.”

Enforcement of the state compulsory school attendance statute was seen as an important new component of intervention strategies aimed at disrupting the cycle of juvenile delinquency and crime.

The chair of this statewide Working Group was the chief administrative deputy county attorney from the Pima County Attorney's Office (PCAO), who later served as the catalyst for the development of a program to combat truancy in the southern-most county. Having responsibility for enforcement of civil and criminal statutes in the county, the former teacher and prosecutor was impressed with a truancy program in a small community, Peoria, AZ, that took steps to hold parents accountable for their children's failure to attend school. Building on information gathered by the Arizona Criminal Justice Commission's Schools and Crime Working Group, the deputy county attorney became convinced that the best way to combat truancy in Pima County was to create a program that held parents accountable for their children's school attendance, but also offered needed services to families of truant youth as part of a prosecution diversion program.

### ***B. Initial Planning and Development***

In 1994, the PCAO developed a vision and began to design a plan for addressing truancy in Pima County. Fashioning a unique approach to address the problem of truancy, the PCAO identified the following key elements of a new program:

- The compulsory school attendance law, with its new criminal sanctions, must be used effectively to give schools the "teeth" needed to get chronically truant youth back in school;
- Parents or guardians of truant youth must be offered an opportunity to avoid the criminal sanctions through the development of a diversion program;

- Needed services must be provided to the families of truant youth to address the underlying causes of truancy in order to prevent its reoccurrence.

The program was designed as a cooperative effort whose success depended upon the involvement and commitment of key stakeholders in preventing truancy: the schools, law enforcement, and community organizations and agencies that provide services to families. This initial conceptualization of the problem and key elements of an effective response to truancy served as the basis for development of a program that was the precursor of the ACT Now Truancy Diversion Program. Although the program changed its procedures in 1995 when the Center for Juvenile Alternatives became involved, the basic principles of the approach have remained constant since its systematic implementation in seven school districts in 1996.

Armed with a vision, a concrete plan and printed material to enable school officials to take action, the PCAO invited their potential partners to convene and discuss the problem of truancy in the spring of 1994. Invitations were issued to school superintendents in the Tucson metropolitan area and other school administrators, as well as law enforcement agencies. The issue struck a responsive chord, and more than 100 representatives of schools and law enforcement attended the initial meeting.

The deputy Pima County attorney led the meeting and presented information on the seriousness of truancy and its relation to juvenile crime and future criminal behavior. The meeting provided a forum for active discussion about the extent of truancy in the county, its causes and associated problems, and sparked new interest in addressing this long-standing problem. A major concern expressed was frustration with the ineffectiveness of current approaches to truancy for which there were no consistent sanctions and that often

led to the student's withdrawal or dropout. The combination of a new sanction that could be used as leverage with parents to keep truant youth in school, and the active support of the PCAO and law enforcement agencies, convinced many school administrators that this new initiative to address truancy could be more effective than previous efforts. As a result of the discussion at this initial meeting, several school districts and law enforcement organizations expressed interest in participating as partners in the new truancy diversion program.

The PCAO developed the basic materials that would serve as the "tools" that school administrators could use to take consistent action when truant behavior was identified.<sup>1</sup> The roles and responsibilities of the "partnering organizations" were spelled out in program materials, along with detailed, specific procedures that participating schools should follow when truancy occurs, and sample letters, forms and affidavits to be used by schools. The initial ACT Now Program (1994) material consisted of the following:

- I. Statement of Purpose
- II. Description of the Truancy Program
  - A. Schools and Law Enforcement as Partners
  - B. Parental Liability and Responsibilities
  - C. Pima County Attorney Intervention
  - D. Deferred Prosecution Diversion Program
  - E. Follow-up/Outcome Measurements
- III. Attachments
  - A. Arizona Revised Statutes
  - B. School Advisory Letter
  - C. Truancy Referral Form
  - D. Custodian of Records Affidavit

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<sup>1</sup> As discussed later, the materials included program goals, procedures for school, law enforcement, and prosecutor "partners," sample forms and letters, relevant state statutes, expectations of parents, sample truancy diversion program contract, and a list of three community agencies that provide parenting skills classes for parents of truant youth.



E. Prosecution Advisory Letter
F. Stipulation to Defer Prosecution
G. Truancy Diversion Program Contract
E. Prosecution Advisory Letter
F. Stipulation to Defer Prosecution
G. Truancy Diversion Program Contract

In the original program documents, the program was called the PCAO Truancy Prevention and Enforcement Diversion Program, *in partnership with six school districts*<sup>2</sup>, four law enforcement organizations<sup>3</sup>, and the Pima County Justice Courts. Later, the Pima County Teen Court Program was added as a “partnering” organization and information about the PC Teen Court Program and procedures for referring truant youth and their parents were added. The expressed purpose of the program was “to return the habitually truant minor to school.” The Truancy Diversion Program was to create and implement “a sound uniform truancy enforcement plan” that would “not require significant investment of resources and would be less costly than the alternative... allowing the problem of juvenile crime to multiply.”

The program design consisted of several key steps:

1. Participating schools monitor attendance closely and advise parents of the potential of prosecution through a letter after the first unexcused absence.<sup>4</sup> The letter advises the parents that the school “is working in close cooperation with the Pima County Attorney’s Truancy Enforcement Program” and that if the child has three or more unexcused absences, the “child’s attendance record” will be forwarded to the PCA Truancy Enforcement Program.

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<sup>2</sup> Amphitheater, Catalina Foothills, Flowing Wells, Marana, Sunnyside, and Tucson Unified were listed; however, Tucson Unified School District did not actively participate and only a few schools in all of the districts participated in the program in the 1994-1995 school year.

<sup>3</sup> Law Enforcement agencies listed included: Oro Valley Police, Marana Police, Pima County Sheriff, and Tucson Police. School resource officers were considered important “partners” in the program.

<sup>4</sup> Since school attendance is monitored by an attendance clerk at each individual school, attendance clerks and local school administrators were key figures in the implementation of the program.

2. After the third unexcused absence, a truancy referral form with identifying information and other background information, the child's official attendance record, and a notarized affidavit certifying the unexcused absences are sent to the PCAO.<sup>5</sup>
3. Upon referral with documentation, the minor child's parents are notified that they may be subject to misdemeanor prosecution and the child may be subject to a filing of a truancy petition in juvenile court. The opportunity to participate in a diversion program is offered and parents are asked to contact PCAO.
4. Upon contacting the PCAO, the parents or guardians are offered a deferred prosecution diversion program and asked to sign a written contract outlining terms of the agreement.
5. The parents and/or minor child who accept deferred prosecution are referred to: community agencies that provide counseling, parenting skills classes, and support groups; schools to perform community service; or the Pima County Teen Court Basic Training Program as a condition of the deferred prosecution contract.
6. Successful completion of the terms of the deferred prosecution contract results in dismissal of the case.<sup>6</sup>

To support the project, the PCAO indicated that it would establish a computerized database and tracking system and compile data on the number of truants and parents referred for prosecution and the outcome of the cases.

By the time school started in the fall of 1994, the program was re-named: the ACT Now Truancy Diversion Program (Abolish Chronic Truancy Now). During the initial phase of implementation of the program, school administrators were given copies of program materials and encouraged to participate. However, it is unclear how many schools received

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<sup>5</sup> The affidavit certifying the attendance record of the truant student was a critical component of the prosecution strategy, because it obviated the necessity of having school officials testify at court proceedings in each case. This represented a major inducement to school administrators, who did not relish the notion that staff time could be taken up with frequent court appearances.

<sup>6</sup> Participating service providers were asked to submit information to the PCAO verifying that referred parents had successfully completed the program and thus complied with the terms of the diversion agreement.

the full packet of information and procedures. Schools were also encouraged to include information about the program in their parent/student handbook.

The program materials indicate that “an instructional in-service training is critical to the success of the program,” primarily because student attendance policies are set at the district level and implemented at the local level. Each school has an attendance clerk who is responsible for collecting attendance information daily and forwarding the data to the district office. If referrals to PCAO were to be forthcoming, school administrators in each school would have to be familiar with the program and its procedures. However, no systematic in-service training was provided to schools in this first year.

While interest within the school community was widespread, only a small proportion of schools in the county participated in the first year of the ACT Now Truancy Diversion Program.<sup>7</sup> Participation within school districts was dependent upon whether the information was received, understood, and carried out by individual school administrators and attendance clerks.

During the 1994-95 school year, PCAO received numerous inquiries about the program; however, a relatively small number of parents were referred to PCAO for prosecution. Program plans called for the establishment of a dedicated phone line to take truancy project calls and the designation of a clerical staff person to monitor and maintain a database. Interview information indicates the chief deputy county attorney personally led the effort at PCAO, working with an administrative assistant. Furthermore, it is reported that the calls and referrals were labor-intensive and placed far heavier time demands than



anticipated on the prosecutor, who carried full-time managerial and caseload responsibilities, and the administrative assistant. In addition to responding to school truancy referrals, PCAO also identified and worked directly with family service agencies that would provide services to diverted truancy cases and report attendance and completion information to PCAO. Reportedly, the most difficult and time-consuming aspect of the new effort was coordinating the intervention services and monitoring the compliance of participating parents. Detailed records of the number of cases handled and the outcome are not available, however the PCAO reports that a total of 50 cases were prosecuted.<sup>8</sup>

### *C. Program Development and Modifications*

The role of responding to referrals, coordinating service providers, and monitoring the progress of cases in the truancy diversion program proved to be very time consuming for the PCAO. When the program was developed, no community agency was available to “partner” with PCAO, the schools and law enforcement and provide the case management/service component. This situation changed dramatically in March 1995, when issues related to the detention of juvenile status offenders prompted a consortium of service providers, acting in cooperation with the Pima County Juvenile Court, city and county law

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<sup>7</sup> PCAO records indicate that 15 schools reported any truancy cases and the total number of truancy cases handled by PCAO was 50.

<sup>8</sup> PCAO records indicate that 42.9% of defendants were sentenced to community service; 35.7% of defendants were sentenced to pay fines between \$101 and \$200; 7.1% of defendants were sentenced to pay a fine of less than \$100; and 14.3% of defendants were sentenced to unsupervised probation at sentencing.

enforcement, and other criminal justice professionals, to form the Center for Juvenile Alternatives (CJA).

CJA was established as a non-profit organization to provide a community-based alternative to the institutional detention of status offenders. The 1995-96 school year marked the first year in which CJA became involved in the ACT Now program, and the initial program operation was modified significantly. The director of CJA describes this year as a transition year, in which CJA was “just getting started with ACT Now.” During this time planning for full implementation of the new ACT Now Truancy Diversion Program was completed. Program materials were re-drafted, procedures were revised, and new plans for the systematic collection of data from each component of the program were developed.

Throughout the latter months of 1995, the new youth-serving agency became firmly established and gained experience in developing and delivering much needed services to youthful status offenders. During this time the ACT Now program was redesigned to reflect the pivotal role of CJA. In consultation with the PCAO, CJA assisted in revising the referral procedures so that when a minor was identified as having three unexcused absences, schools sent referral and attendance documentation to CJA rather than to PCAO. The new approach called for CJA to conduct a case management evaluation and identify intervention services needed. In addition to performing case assessment and management responsibilities, CJA would offer a diversion program on behalf of PCAO, execute the diversion contract, make referrals for appropriate intervention services, monitor compliance, and if diversion is not successful, refer the case to PCAO for prosecution.

The 1995-96 school year progressed without a major effort to inform or train school administrators about the ACT Now program, the creation of CJA and its role in the program, or how to make referrals. With little information being disseminated, the number of schools that reported truancy cases to CJA declined by approximately 50 percent when compared to the number of schools reporting truancy cases to PCAO in 1994-95<sup>9</sup>. With the approach of the 1996-97 school year, the ACT Now program was ready to be fully operational in its present form. As the CJA Director states, “in 1996 CJA really got started with the schools” and its efforts to combat truancy were expanded significantly.

### ***Program Implementation***

By the fall of 1996, the ACT Now Program had evolved from its pilot implementation and was fully implemented. The formal partners included:

- Pima County Attorney's Office,
- Seven school districts<sup>10</sup>,
- Center for Juvenile Alternatives,
- Five law enforcement organizations<sup>11</sup>, and
- Pima County Justice Courts.

The purpose of the ACT Now program, as described in 1996-98 program materials, is “to return habitually truant minor youth to school” through “the coordination and cooperation of participating schools, prosecution, law enforcement, and the Center for Juvenile Alternatives.” The program is grounded in the philosophy that “there has been a breakdown in parents’ supervision of their child(ren), resulting in truancy, curfew violations and juvenile involvement in a wide range of criminal and other unacceptable

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<sup>9</sup> Eight schools reported truancy cases to CJA in 1995-96.

<sup>10</sup> Altar Valley, Amphitheater, Catalina Foothills, Flowing Wells, Marana, Sunnyside, and Tanque Verde.

<sup>11</sup> Oro Valley Police, Marana Police, Pima County Sheriff, and Tucson Police.

behavior.” Enforcement of the state compulsory attendance statute is considered a key for early intervention in the truancy cycle, as well as a key to ending chronic truancy.

Intervention is designed to get truant youth back in school by implementing three key program components:

- Holding parents accountable for the supervision and control of their children;
- Diversion from prosecution for parents who cooperate; and
- The provision of parenting skills training, counseling or other family services to treat the underlying cause of the truancy.

While the PCAO provided the original leadership to create ACT Now, the establishment and involvement of CJA brought a partner that would perform case management and assessment responsibilities and promote development and expansion of the intervention component. CJA designated one full-time staff member, one part-time staff member and one intern to perform intake/assessment and case management activities for the program during the 1996-98 school years. Also in January of 1997, the newly elected county attorney created the Outreach Unit and delegated responsibility for ACT Now to staff in that Unit.<sup>12</sup> This increased level of effort permitted both organizations to refine operations and conduct more outreach with participating school districts.<sup>13</sup>

Working cooperatively with seven of Pima County’s 16 school districts, PCAO and CJA staff conducted in-service training to all school attendance clerks and other school administrators on how the ACT Now Truancy Diversion Program was to be implemented in the 1996-1997 school year. Each training was conducted in the district’s administrative

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<sup>12</sup> In November of 1996, the deputy county attorney who had initiated ACT Now was elected Pima County Attorney.

<sup>13</sup> The dedicated staffing level for ACT Now increased significantly in the fall of 1997 when a staff member of the Outreach Unit was designated to serve as full time ACT Now Program director.





offices as part of personnel meetings prior to the start of the school year. Program materials were distributed to these key officials at all of the schools, including a floppy disk version to facilitate the process of generating individualized letters from each school to parents of truants and referrals to CJA. Both English and Spanish versions of letters were included in the materials. The training sessions provided an opportunity to describe program goals and implementation procedures, identify contact persons at CJA and PCAO, answer questions, and encourage participation of all schools. The training was considered “critical to the success of the program” and was designed to ensure consistency in the implementation of referral procedures and use of program letters and forms. The systematic training also contributed to the increase in participating schools in the 1996-97 school year.

The package of materials distributed to school personnel (shown in Appendix D) contain the following documents<sup>14</sup>:

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<sup>14</sup> Materials distributed to schools to guide implementation of the ACT Now program have been revised each year by PCAO to reflect minor program refinements. These documents provide a chronicle of the evolution of the program from its inception as a prosecutor-led initiative in 1994 to a comprehensive, collaborative

- I. Statement of Purpose
- II. Description of Truancy Enforcement Deferred Prosecution Program Schools and Law Enforcement as Partners
  - A. Parental Liability and Responsibilities
  - B. Pima County Attorney Intervention
  - C. Deferred Prosecution Diversion Program
  - D. CJA Program Description
  - E. Follow-up/ Outcome Measurements
- III. Attachments
  - A. Relevant Arizona Revised Statues
  - B. School Advisory Letter
  - C. Truancy Referral Form
  - D. Custodian of Records Affidavit
    - Form A: School Case Tracking Form
    - Form B: District Enrollment Form
  - E. Superintendent of Schools Record Check
  - F. Prosecution Advisory Letter
  - G. Stipulation to Defer Prosecution
  - H. ACT Now Truancy Diversion Contract
  - I. Spanish versions of Forms B, G, and H
  - K. Plea Offer Sheet

The material was organized to present background information about the underlying philosophy and purpose of the program first. Section II provided a brief discussion of the roles and responsibilities of all parties involved in the ACT Now program, including schools, law enforcement, parents, CJA, and PCAO.<sup>15</sup> In addition, procedures to be used by all participating schools and agencies, as well as sample letters, referral forms and attached documentation, and forms for the submissions of data to monitor the program were included. The detailed, carefully worded material was designed to provide clear information to schools about what to expect from participation in the program and to

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intervention program in 1997. Program documents from 1997 are available in Appendix D.

<sup>15</sup> A grid showing the roles of responsibilities of all “partners” in the ACT Now Program is presented in Appendix E.

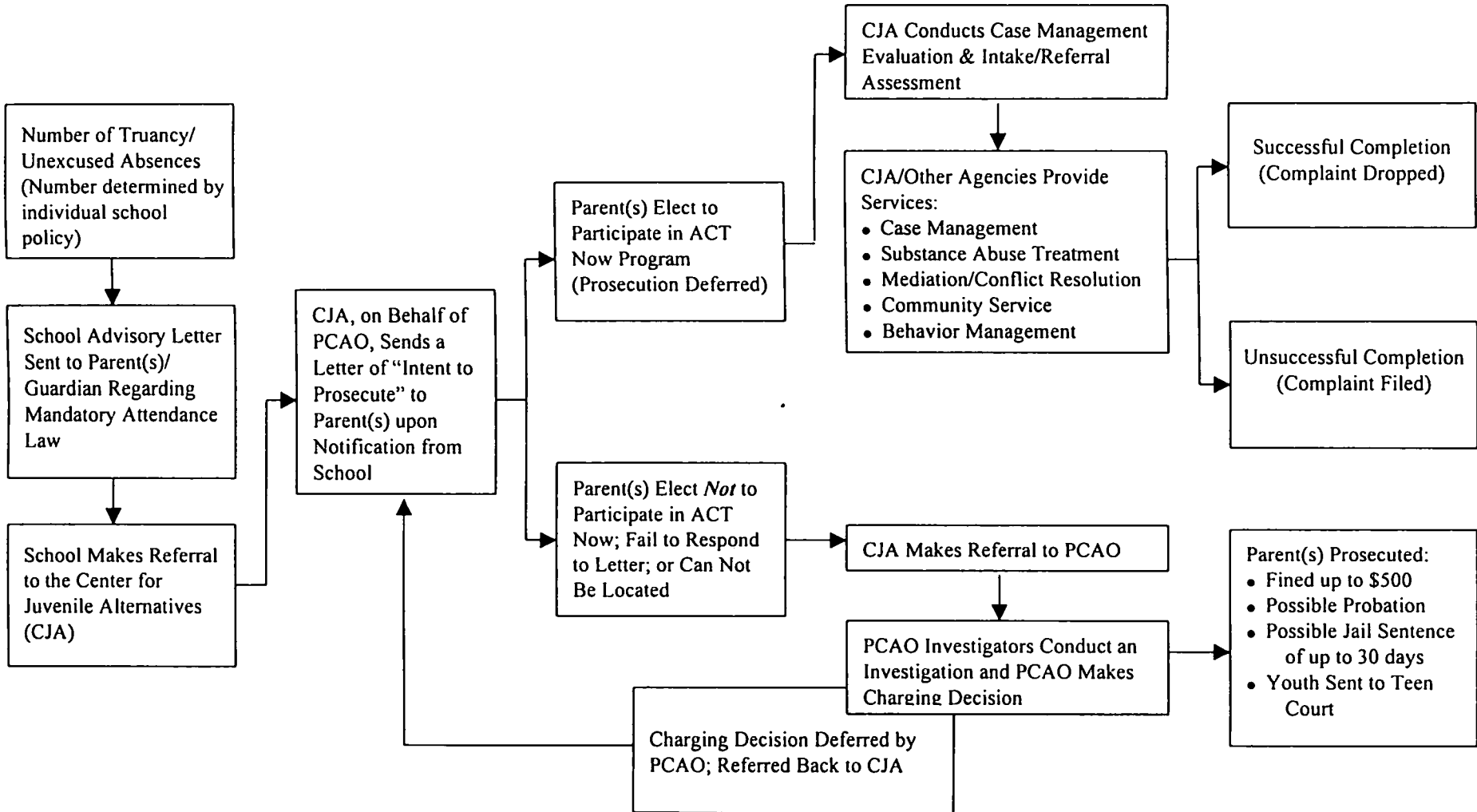
promote consistency across school districts, while preserving key decision and action points for school administrators.

### **3.2 PROGRAM OPERATIONS**

An overview of the operation of the ACT Now program is presented in a diagram at Exhibit III - 1.



**EXHIBIT III-1  
ACT NOW PROGRAM OPERATIONS**





As can be seen, involvement with the program begins when a school determines that a student's unexcused absence(s) should result in a letter advising parent(s)/legal guardian(s) of the potential penalties if they do not ensure that the truant minor attends school every day. If the parent(s)/guardian(s) do not respond or the problem persists, both the parent(s)/guardian(s) and student are referred to CJA for assessment and services. On behalf of PCAO, CJA notifies the parent(s)/guardian(s) of the option of diversion from prosecution, conducts an assessment and develops a diversion contract. Complaints against parent(s)/guardian(s) who complete all the requirements of the diversion contract are dropped at the end of the program. Parent(s)/guardian(s) who fail to meet the requirements of the diversion contract or do not participate in the diversion program are referred to PCAO for prosecution. Information about the outcome of prosecution is shared with the school that made the referral to CJA. To further explain how the program operates, each step of the process is discussed below in more detail. Information about implementation in the four school districts that participated in the study is included.

### ***Referral Process***

Responsibility for initiating referrals to the ACT Now program rests with administrators in participating local schools. Attendance clerks at each school record attendance one or more times a day and monitor whether absences are excused or unexcused, in accordance with school district policy.

**School Truancy Policies.** Attendance is considered an integral part of the academic process and each school district establishes and distributes written attendance policies that promote full attendance and participation of students. In such policies, acceptable reasons for student absence and procedures for obtaining approval for excused





absences are described. If an absence is unexcused, it is typically considered a truancy.

A comparison of the attendance and truancy policies of the four school districts participating in the evaluation is presented in Appendix F. Legitimate reasons for excused absence from school are quite similar among the four districts. Illness, bereavement, and observance of religious holidays are mentioned in all districts' policies. All four districts also list either emergencies or accidents. Vacations or other pre-arranged absences are also mentioned in the policies of two of the school districts (Amphitheater and Flowing Wells). Two school districts, Amphitheater and Marana, specifically mention referral to the PCAO ACT Now Truancy Program in their written policies on attendance and truancy.

It is the responsibility of parents to notify the school by written note or phone call of the reason for a student's absence. In accordance with Arizona law, elementary schools in this study indicate that they contact the parents of children who do not report for school each day. This often provides the opportunity for parents to explain the child's absence.

In general, truancy is described by the schools as any absence from school without permission or proper and timely excuse. In elementary and some middle schools, absence from school is typically recorded if the student is absent more than ½ day. In some middle schools and all high schools, attendance is recorded for each period or subject, and truanies are recorded similarly.

Local school attendance clerks and other administrators are key figures in any school district's effort to combat truancy because the implementation of school district attendance policies is delegated to each local school. These personnel are responsible for determining whether an absence is excused and monitoring the number of excused and unexcused absences a student may accumulate in a year. While attendance policies are

written with a degree of specificity, the application of policy to individual cases involves discretion of the administrator.

Information obtained while preparing for and conducting site visits to participating school districts<sup>16</sup> suggests that variations exist among school districts with regard to the involvement of district-level administrative personnel. In Amphitheater School District, the program was coordinated by an assistant superintendent who served as the district's ACT Now Program's point of contact. In Sunnyside, a district-level staff member whose office was located at Sunnyside High School and who was responsible for a wide variety of prevention programs served as the ACT Now liaison and coordinated all contacts with CJA. A lower level of district office involvement was apparent in both Flowing Wells and Marana.

In addition, variations were found to exist among individual schools in the application of attendance policies and the consistency with which attendance clerks monitor the number of absences – excused and unexcused. Some of these differences appear to be a by-product of the different resources that individual schools have available to them. For example, some schools have resource personnel who make home visits to families as a first point of intervention when the child did not attend school; this is seen most often at the elementary level. Other schools have more administrative personnel or

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<sup>16</sup> Site visits to each of the four school districts visited in the study were arranged following contact with the office of the superintendent. Arrangements to interview representatives of all high schools and middle schools and a sample of elementary schools were facilitated by an individual designated by the superintendent's office. In Amphitheater and Sunnyside, all arrangements and information gathering were handled by district-level staff. In the other two school districts, principals were designated to facilitate the site visit interviews and district personnel facilitated the data gathering from schools. In Marana, an elementary school principal who was particularly interested in truancy prevention arranged the interviews and in Flowing Wells the principal of the high school arranged the interviews.



automation available to assist with tallying of attendance patterns and production of reports that identify students with poor attendance records. Finally, individual discretion appeared to be a factor in many decisions that result in the identification of truancy and the initiation of a referral to CJA.

**Notification Letters to Parents.** Key decisions regarding whether a student is considered truant and when to take action rest with local school administrators. The ACT Now program procedures indicate that after a school determines that a student has one (or more) unexcused absences, parents should be contacted and informed of the mandatory school attendance/truancy laws through receipt of the PCAO School Advisory Letter.<sup>17</sup> The PCAO School Advisory Letter is designed to impress upon parents the seriousness of truancy and prompt immediate contact with the school. The letter:

- Indicates the number of unexcused absences the child has;
- Informs parents of their legal obligation to ensure that their minor child attends school and that failure to do so may subject the parent to criminal prosecution<sup>18</sup>;
- Expresses the school's willingness to work with parents to correct the truancy problem; and
- Indicates that the parents must immediately contact the school and that failure to contact the school within 24 hours will result in a referral to the PCAO ACT Now Truancy Enforcement Program for prosecution.

On-site discussions with representatives of elementary, middle and high schools in four school districts indicated that the content of the letter represented a marked change

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<sup>17</sup> Early experience with school districts (1994-1996) indicated that originally proposed guidance stating that schools must send the PCAO School Advisory Letter “after the first unexcused absence” did not provide schools with enough flexibility in following their own internal procedures. Thus, the words “or more” were added to this section of the program documents.

<sup>18</sup> A.R.S. 15-802: School Instruction: violation is class 3 misdemeanor punishable by up to 30 days in jail and up to a \$500 fine; A.R.S. 15-803 School Attendance: defines “habitually truant” and “truant child.”

from letters or actions previously developed by schools to respond to truancy. Some attendance clerks and principals described the letter as “putting teeth into their efforts” to prevent the negative consequences of truancy. Others said that, in many instances, the letter “got parents’ attention” in a way they had not seen before. Representatives of all school districts expressed support for the content of the letter and its usefulness to them. This is consistent with the finding that only one elementary school reported making any wording changes in the school advisory letter. While the benefits of the letter were universally voiced, a few elementary school administrators also indicated that they had never sent the letter reportedly because they did not have any truancy during the year.

The evaluation also indicates that the decision to send an Advisory Letter is influenced by school-specific factors and is not consistently applied across participating schools. Examples include: the attendance clerk’s knowledge or understanding of the family’s past efforts or current needs, the ability of attendance clerks to regularly monitor the cumulative number of trancies for a particular student, or the extent to which the school administrators embrace this response to truancy. For example, a few school administrators reported making numerous referrals of students who had accumulated more than three unexcused absences, while a handful of others expressed the view that prosecution was too harsh a response to many of the absentee situations that they handled. Some inconsistency in practice appears to be present in all districts, even in two school districts that have incorporated ACT Now procedures into their written policies and procedures on attendance and truancy, Amphitheater and Marana.

An individualized approach to implementing ACT Now was developed by Sunnyside School District in the fall of 1997. One staff member of CJA was designated to



serve as on-site liaison with Sunnyside School District because of concern about the school's high truancy rates. Working closely with Sunnyside's attendance officer and the district's ACT Now coordinator, this staff member spent up to 20 hours per week at Sunnyside High School to build an individualized approach to the truancy problem. The team coordinated efforts to review cases, make home visits, and meet with students who had repeated trancies. They reported that their efforts reduced the number of referrals to CJA by providing additional services before the referral was made.

### **Referral to the Center for Juvenile Alternatives**

If the parents do not respond to the School Advisory Letter or if three or more unexcused absences (as determined by the school) are accumulated during the year, parents and truant students may be referred to the Center for Juvenile Alternatives. Participating schools are required to use the PCAO Truancy Referral Form and notarized Affidavit to provide the following key information needed for prosecution:

- Name of student
- Age, date of birth, gender, and race
- Name and address of mother and father
- Dates of unexcused absences
- Dates of enrollment in school
- Dates juvenile expelled, if any
- List of contacts with parents and student, actions taken and dates of each
- Date School Advisory Letter sent
- Response of parent
- Name of school representative who could testify to verify information: the student's enrollment, absences and how records are kept
- School name, district, address, phone
- Name, title, phone, and signature of person submitting referral
- Notarized Affidavit indicating the name of the custodian of school records and that the accompanying student's school attendance records are true and accurate.

Representatives of all school districts interviewed reported consistent use of the





required referral forms. Generally, the forms are faxed to CJA, with original copies following in the mail. No interviewees expressed concern about the requirements for referral. Most understood that the Affidavit was intended to provide sufficient verification of the accuracy of school records to make it unnecessary for school attendance clerks to testify in court. In fact, no school administrators indicated that they had been required to testify in court in a truancy case.

The 1997-98 ACT Now program materials indicate that “a minimum of three unexcused absences will result in the school forwarding referrals to CJA;” however, the materials also indicate that “the number of unexcused absences prior to a referral may be determined by the school.” This wording represents a change over previous years and signifies the acknowledgement that implementation of the program in each school district is voluntary and at the discretion of school administrators. The guidance on this matter has evolved significantly since the program was first established.<sup>19</sup>

Upon receipt of a referral to the ACT Now program, CJA checks the juvenile justice information system, JOLTS (Juvenile On Line Tracking System), to determine whether the student is currently on probation. If the student is on probation, the information is forwarded to the probation officer for follow-up and CJA sends a letter to parents asking them to contact the probation office. Interview information from CJA

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<sup>19</sup> Representatives of schools indicated that in 1994, the initial program material indicated that “participating schools must agree” to send a School Advisory Letter after the first unexcused absence and “forward the matter to the PCAO Truancy Enforcement Prevention Program after 3 unexcused absences.” Similar language continued through the 1996-97 school year. However, increased experience with the program and an enhanced understanding of school district attendance policies and procedures prompted CJA and PCAO to change the wording to its present form. To implement a more tailored approach to participating schools and promote consistency in the application of program procedures, the 1997-98 program materials indicate that PCAO must have a copy of the school referral policy on file.

indicates that approximately 30 percent of referrals have an active probation file.

### **CJA Processing and Service Delivery**

In response to school truancy referrals, CJA sends a letter to the parents<sup>20</sup> on behalf of PCAO and signed by the county attorney or an assistant county attorney, indicating the following:

- The parents' child has had at least three unexcused absences since the beginning of school;
- The law requires parents and legal guardians to send a child to school full time;
- Failure to ensure that the child attends school subjects parents to criminal prosecution;
- Penalties for failing to ensure that the child attends school include: a class 3 misdemeanor punishable by 30 days in jail and a fine of up to \$500 (A.R.S. 15-802), and a class 1 misdemeanor punishable by 6 months in jail and a fine of up to \$2,500 (A.R.S. 13-3613);
- Parents may defer prosecution by participating with their child in the PCAO ACT Now Truancy Deferred Prosecution Program;
- Successful completion will result in non-prosecution;
- Parents must respond within 5 working days of receipt of the letter;
- Failure to respond will result in the filing of criminal charges against the parent;
- Immediate contact should be made directly with CJA.

During the first year of CJA's involvement in ACT Now, CJA used a variety of methods to contact parents when they did not respond to the initial letter, including attempting to verify current addresses with the referring school, making home visits, and sending as many as four prosecution advisory letters. The result was that several weeks sometimes passed before non-responding parents were referred to PCAO. As the program progressed and CJA gained more experience with referring schools, the number of referrals increased and it became impossible to conduct home visits. In the second year, the

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<sup>20</sup> Since all ACT Now procedures are implemented with parent(s) or legal guardian(s), references to parents are intended to refer to single parents, parents, and legal guardians who are responsible for ensuring that a minor child attends school.

procedures were modified to be more consistent and reduce the time between sending the “intent to prosecute letter” and referring parents to PCAO. In 1997, the process was formalized to ensure that all parents were sent two letters and given two weeks to respond; if no response is received after two weeks, in a referral is made to PCAO for prosecution.

If parents/guardians respond to the “intent to prosecute” letter, parents and their child are scheduled for an intake interview, for which a “sliding scale” fee may be charged.<sup>21</sup> The goal of the intake interview is to determine why the truancy is occurring and to assess parent and child needs, as well as gain information about family structure and life, school, employment status, mental health history, family coping skills, problem solving strategies, child abuse, and drug use.

At the end of the assessment, an Action Plan is developed and referral information is provided to parents for services that are recommended. An Action Plan may contain referrals to one or more services as needed. The types of services recommended for the truant and his/her parent(s) may include the following:

- **ACT Well Class:** The ACT Well Class (formerly known as the Triumph Program), is a six- hour training program designed to provide information and skills aimed at preventing truancy. The ACT Well Class is specifically designed for the parents of youth and youth ages 12-17 who have been arrested during truancy sweeps or who have school attendance issues. All truants and their parents referred to CJA must participate in the ACT Well Class, and are required to sign an agreement indicating that they understand the objectives.<sup>22</sup> Typically, 20-25 families are registered for the classes, which are held monthly. The overall goals of the class are to inform parents and teens about the consequences of chronic truancy, to educate parents and teens about state truancy and school attendance laws, to help evaluate their values about education, to increase school attendance, and to promote positive relationships

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<sup>21</sup> Fees ranging from \$5.00 to \$75.00 are charged depending upon the parents' ability to pay.

<sup>22</sup> While all referred persons must participate in the ACT Well Class, it may not be the primary service recommended.

between parents and their teens. The class specifies certain objectives for parents and teens together, objectives for parents only, and objectives for teens only. Objectives for parents and teens together include addressing and defining the value of education, promoting positive relationships between parents and their teens, and writing a rule about going to school and the consequences for breaking or keeping the rule. Objectives for parents include examining the roles and responsibilities among the school, the parents, and the child for the child's attendance at school, and creating a plan to restore equilibrium to the family school attendance system. Objectives for teens include listing the reasons for truancy, examining the costs and payoffs of truancy, and practicing a decision-making process regarding the decision to go to school.

- **Family Resource and Wellness Centers (FRWCs):** The FRWCs, also known as *Wellness Centers*, offer educational, health, mental health, recreational, and social services Monday through Friday generally from 8:00 a.m. to 4:00 p.m. and by appointment. The Centers are funded by the school system. Every school district in Pima County has at least one Wellness Center, most districts have four or more such Centers. The Centers are located on-site at elementary, middle, and high schools throughout the districts. The specific services offered at the Wellness Centers include individual, group and family counseling; parenting classes; anger management and stress reduction classes; social services assistance (clothing help, emergency food, housing); and medical services for uninsured children and adults.
  
- **Options Class:** The Options Class is designed for youth ages 12-17, who show poor decision-making skills at school, home, or in the community, or who have frequent conflicts with others. The six-hour class teaches decision-making and conflict resolution skills to provide youth the information and skills they need to positively impact their lives and the lives of others around them. The overall goals of the program are to help community youth make good decisions about their behavior; promote safer, healthier lifestyles for youth; and provide skills to youth which build positive relationships with friends and family.
  
- **Community Partnership of Southern Arizona (CPSA) Intake:** CPSA is a regional behavioral health managed care organization whose subcontracted partners are responsible for providing a continuum of behavioral health care services, inclusive of mental health and substance abuse treatment as well as prevention services. Specifically, CPSA
  - Assesses the service needs in the region and develops plans to meet those needs.
  - Coordinates alcohol, drug and mental health services for all populations.
  - Develops networks of providers to deliver a full range of behavioral health care services, including prevention programs for adults and children.

- Develops a full continuum of services for adults with substance abuse and general mental health disorders, adults with serious mental illness, and children with emotional/behavioral disorders.

For parents and youth referred by CJA, CPSA conducts an extensive intake interview to thoroughly assess their needs. During the intake, pertinent background information about the client is collected, including contact information, financial information, and clinical history. Generally, the intake interview lasts 1 ½ hours, during which time the intake worker has the opportunity to get to know the client and begin the treatment planning process. If it is determined from the intake that the person is in need of behavioral health services, a case manager is assigned to the case to develop a specific treatment plan. Treatment services and service providers will then be identified and a referral is made. The case manager's role at this point is to monitor the delivery of treatment.

Interview information from CJA indicates that most of the previously listed service providers charge a nominal fee for services, while some charge no fee or fees on a sliding scale. Depending upon family income, CJA may pay for up to three counseling sessions per family. CJA monitors compliance with the Truancy Diversion Program Contract and the participating service providers submit information to CJA regarding parental completion of classes or other services.

The Truancy Diversion Program Contract (containing a listing of any classes or services that the parent must participate in) is offered and the Stipulation to Defer

Prosecution is presented. By signing the Stipulation form, the parent:

- Admits that the truancy of his or her minor child on specified dates occurred;
- Agrees to exercise reasonable control over the minor child;
- Agrees to participate in the Truancy Diversion Program;
- Agrees to cooperate with the CJA case manager; and
- Agrees to complete the requirements of the ACT Now Truancy Diversion Contract.

The Truancy Diversion case manager also signs the Stipulation form on behalf of

PCAO, indicating that, if the parent successfully completes the requirements of the Diversion Contract, then the State will not file charges against the parent(s).

By signing the Truancy Diversion Program Contract, the parent(s) agree to meet with the case manager and school officials if requested, and complete participation in the programs that were recommended and listed in the contract within one month. Failure to complete the requirements will result in prosecution for the violations listed in the Stipulation form.

At the completion of all requirements, CJA notifies parents and the referring school and the case is closed. Interview information from schools in the four study districts indicated that some schools did not receive timely feedback, especially during the 1996-97 school year, while others reported that they received written monthly reports from CJA indicating the status of referrals. Some school administrators reported that there have been several instances in which they learn that parents have been prosecuted from the parents themselves before any official notice from CJA or PCAO comes to the school. Those who did receive feedback from CJA indicated it was helpful to them to have information about whether the case was still open with CJA and receiving services versus being prosecuted, since the processing usually takes several weeks and often the children are still enrolled in school. Several representatives of schools recommended that the “feedback loop” be improved so that coordination between referring schools and CJA is more effective.

If parents do not respond to the “intent to prosecute letter” within two weeks, or they fail to complete the requirements of the Diversion Contract with the agreed-upon timeframes, the case is referred to PCAO for review and prosecution.

Although program materials state that “three unexcused absences may also result in

the filing of an incorrigibility petition” against the minor child in PC Juvenile Court, interview information from CJA indicates that this option is almost never used.

### **Pima County Attorney’s Office Case Processing**

Information obtained during interviews with representatives of all partners in the ACT Now Program indicates a consensus that prosecution of parents for not ensuring that their minor children attend school is not the desired outcome. The possibility of criminal prosecution is viewed as leverage and an incentive to prompt parents to exercise more control over their children and as a deterrent from recurring truancy. However, many of those interviewed expressed the belief that it was a necessary consequence for some parents.

When referrals from CJA are received by PCAO, an investigator is assigned to locate the parents and interview them. In some instances, the investigator may cite the parents during the interview for failure to send the child to school.<sup>23</sup> After the investigation, the prosecutor assigned to the case reviews it to make a determination about whether charges will be filed. Charges may include a class 3 misdemeanor or a class 1 misdemeanor.<sup>24</sup> While the prosecutor has discretion in evaluating the case, PCAO has developed guidelines for pleas from parents who are charged, including cases that represent first, second, and third offenses. The guidelines promote consistency in charging and in the fall of 1996 were distributed to schools in the program materials.

Finally, PCAO sends a letter to the school that made the truancy referral to provide

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<sup>23</sup> PCAO Investigation Unit is the only prosecutor-based investigation unit in Arizona with authority to issue a citation.

<sup>24</sup> For a presentation of the number of prosecutions and the types of sentences imposed see Chapter



information about the outcome of the case, when PCAO completes the handling of each case.<sup>25</sup> This letter informs the school of whether charges were prosecuted or dismissed. Reasons for the dismissal of charges are also provided, e.g., insufficient information to locate parents, family moved from Pima county, parent received no prior notice of their violation, or other. Schools are also urged to contact PCAO directly with referral and attendance documentation if the child is absent again without a valid excuse.

#### **Follow-up / Outcome Data**

The establishment of a computerized database and case tracking system was envisioned for the ACT Now program from its inception. The original plan called for PCAO to develop and maintain the database of case information and publish reports twice each year. When CJA became an integral part of the program, both organizations agreed to dedicate staff resources to develop and maintain the database and participate in systematic collection of data for tracking cases and outcomes, and measuring effectiveness.

This component of the ACT Now program has been the most difficult to achieve, primarily because sufficient resources for designing and implementing a data collection component to track cases and monitor the impact of the program have not been available until the 1997-98 school year. However, the importance of data was recognized in from the beginning, and it appears that each year the effort to collect data was expanded. During the first year of operation of the "pilot program" in 1994, PCAO kept track of the number of cases prosecuted and the outcome. In its first two years of operation, CJA gathered data

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IV.

<sup>25</sup> During the 1996-97 school year this letter was signed by the prosecutor; throughout the 1997-98 school year the letter was signed by the ACT Now Program Director.

that was aggregate-level data about services provided. This was expanded in 1997. In 1996, CJA and PCAO included a form for schools to report attendance figures in program materials and further refined the data requirements from the schools in 1997. By the 1997-98 school year, ACT Now had implemented the desired data tracking component and it continued to be refined and expanded in the 1998-99 school year.

**The Role of Law Enforcement.** Since the introduction of the ACT Now Program in 1994, several local law enforcement organizations have been named as “partners.” Although no responsibilities of law enforcement are expressly stated in program materials, their involvement has primarily been demonstrated by their active support and involvement in the planning and conducting of a series of “truancy sweeps” in targeted neighborhoods in Pima County. One truancy sweep has been successfully executed each year since 1996.<sup>26</sup> Each sweep was planned by PCAO in cooperation with Tucson Police, Pima County Sheriff, and CJA staff. During the two most recent sweeps, CJA staff played an integral role in the handling of truant juveniles who were picked up during the sweeps. The youth were brought to a central location where CJA staff interviewed them and oversaw their transfer to parents who were contacted. This degree of cooperation and coordination of intervention is seen by CJA staff as further evidence of the community-wide support for truancy enforcement and prevention.

**Media Coverage of ACT Now.** The issue of truancy has garnered extensive local media coverage of its prevalence in Pima County, its negative impact, and efforts to combat

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<sup>26</sup>A grid listing the dates, areas targeted, and number of truants picked up and charged is shown at

it since 1996.<sup>27</sup> Most of this coverage has been a result of the establishment of the ACT Now Program and the activities that have spun-off from it, such as the successful “truancy sweeps.” Partners in ACT Now report that they believe media coverage of the arrests of truants in truancy sweeps<sup>28</sup> and the prosecution of parents for not ensuring that their children attend school<sup>29</sup> serves to promote the goals of ACT Now by sending the message that the community is serious about preventing truancy, and will vigorously enforce school attendance laws.

### **3.3 SUMMARY OF PROCESS EVALUATION FINDINGS**

The process evaluation documented the planning, implementation, evolution, and operation of ACT Now from the time the program was initiated in 1994 through the 1997-98 school year. The primary focus of the evaluation was to determine the extent to which program activities were carried out as planned and to identify obstacles that were encountered and how they were overcome. In addition, the results of the evaluation provide an understanding of the program’s strengths that contribute to success and shortcomings that represent areas for programmatic improvement.

The evaluation results indicate that, while the purpose of the ACT Now Program – to prevent chronic truancy by holding parents accountable for their children’s school attendance and offering deferred prosecution along with services to address the causes of truancy – have held constant since its inception in 1994, the program operation has

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Appendix G.

<sup>27</sup> A compilation of 11 newspaper articles focusing on some aspect of truancy published between April 1, 1996 and March 30, 1998 are presented at Appendix H.

<sup>28</sup> See “A Bad Day to Ditch” and “76 Arrested for Truancy Violations” in Appendix H.

<sup>29</sup> See “ACT Now Truancy Program Hits Home” and “Truancy Prosecutions Up Tenfold” in

continued to evolve throughout its implementation with changes resulting in improved operation and expanded reach.

As originally conceived by the deputy county attorney who founded it, the ACT Now Program proved to be more time consuming than anticipated for PCAO staff in its initial year of operation. The introduction of CJA to provide assessment and case management services, proved to be both timely and critical to the success of the program. CJA contributed significantly to the development and implementation of effective intervention services by providing additional dedicated resources to expand outreach to schools and tap a wider array of potential service providers.

Since the program was redesigned to include CJA as a full partner and became fully operational in 1996, the basic structure and operation of the program has changed little. Key components of the ACT Now Program implementation that contributed to its success appear to be:

- The development of clearly stated goals and objectives that addressed a problem of concern to community stakeholders and a proposed solution that they could participate in implementing;
- The preparation and distribution of consistent written guidelines on program procedures, including sample letters to parents (in both English and Spanish) and referral forms;
- The provision of annual training for key school administrators to discuss program goals and procedures and to provide participants with contacts at CJA and PCAO to answer questions about referrals during the year;
- Clear delegation of the development and implementation of attendance policies and the determination of when a student is truant to schools;
- Establishment of a minimum number of absences (three) before referring a

student to CJA while recognizing local school decision-making in determining when a referral is appropriate;

- The development of “a new source of leverage” for schools to respond to truancy and a consistent response when they refer parents of truant students to schools after a minimum of three unexcused absences;
- The development of a coordinated response that includes services to address the underlying causes of truancy;
- Allocation of staff resources within CJA and PCAO to work cooperatively with schools and law enforcement agencies in coordinating a community-wide response to truancy;
- Implementation of a consistent message to parents and youth regarding the seriousness of truancy by following through with enforcement of attendance statutes; and
- Finally, effective use of media coverage of the program and its associated “truancy sweeps” to increase the community’s awareness of truancy, its consequences, and efforts to combat it.

The process evaluation also identified two key shortcomings in the implementation of the program as designed and planned. First, the program has not implemented a consistent method of providing timely feedback to referring schools about the status of referrals to CJA, the outcome of the intervention, and whether a case is being prosecuted. Second, the clear delineation of data that schools, CJA, and PCAO should collect to track cases and monitor program outcomes and effectiveness was not fully implemented until the fall of 1997. While this has improved significantly since the program was initiated, it will require conscientious follow through with all program participants to be effective in the future. Continued improvement in these two areas is recommended to enhance the program.

While the vision for ACT Now originated with one organization, PCAO, the

success of ACT Now in preventing truancy depends upon the cooperation and investment of key stakeholders in the education and safety of youth. The “success through partnership” theme was present from the start and has continued to grow as the program developed and expanded to serve more schools and respond to more referrals. Successful community partnerships are built upon the shared understanding of a common problem and a willingness to commit resources to develop cooperative and collaborative solutions. In addition, clearly defined roles and responsibilities among participants are also essential for effective operation.

There is considerable evidence that the successful cooperation and collaboration among agencies involved in the program has contributed significantly to the program’s success and represents an unintended consequence of the program’s implementation. As a result of these cooperative activities, community stakeholders in Pima County’s services for youth have developed linkages for communication and action that did not exist before, and will serve as the basis for future joint activities of benefit to the community.

## CHAPTER IV

### PROGRAM EFFECTS: OUTCOMES AND EVIDENCE OF SUCCESS

Previous chapters have discussed the first part of the evaluation—the process evaluation—and documented the evolution of the program over time as well as implementation and operational issues. The second part of the evaluation focused on the short-term effects of the ACT Now Program on service delivery and referrals as well as the potential for long-term impact on truancy. This chapter provides a brief discussion of the outcome evaluation methodology and the results of the analyses.

#### 4.1 EVALUATION QUESTIONS AND METHODOLOGY

The American Prosecutors Research Institute (APRI) originally proposed an outcome evaluation that had been designed to compare trends in attendance and truancy for a sample of the eligible youth population for a period just prior to the implementation of the ACT Now Program and for a second period after implementation. Further, comparisons of attendance, truancy, and other violations would be made between the ACT Now Program participants and a comparison group. To measure the outcomes, an interrupted time-series design was proposed. Very early in the implementation of the evaluation, it was determined that such a design would not be appropriate for this evaluation for a number of reasons.

First, the proposed interrupted time series analyses required individual-level attendance and truancy data submissions every two weeks. Schools participating in ACT Now were unable to provide these data. Second, because the ACT Now Program was implemented in all but one of the school districts in the Tucson metropolitan area during the 1996-97 school year, the planned matched comparison group within the county no longer existed. Finally, the data collection and tracking system that was to be developed as part of the ACT Now Program was not initiated until the 1995-96 school year (and continues to evolve today). Thus, the only data available were at the district and school level in aggregate form.

As a result of these data collection issues, a revised outcome evaluation methodology, using a pre- and post-test design, was submitted to and approved by OJJDP. The revised evaluation was designed to answer the following evaluation questions:

- What impact has the ACT Now Program had on school response to truancy and reporting practices?
- What effect does the threat of prosecution have on parental accountability for their children's school attendance?
- To what extent are truant youth and their parents/guardians receiving services to address the root causes of the truancy?
- How has the number of trancies and dropouts in a sample of the participating school districts changed over time?



To answer these questions, APRI collected data on attendance rates (year-end attendance<sup>1</sup>), number of truancies and dropouts, referrals to CJA and PCAO, services provided to youth and their families, and successful program completion/case disposition. As discussed in Chapter III, the ACT Now *concept* implementation occurred over a two-year period beginning initially in a few schools in the 1994-95 school year. In the 1995-96 school year, the Center for Juvenile Alternatives was developed and the ACT Now *program design* was finalized, and *full* implementation began in the 1996-97 school year. Because the program was not fully conceived and implemented until the 1996-97 school year, pre-test data on truancy, attendance, and referrals were taken from 1995-96 school year records.<sup>2</sup>

APRI also selected a sample of four school districts, which represent 77 percent of the school population in the county (excluding Tucson Unified School District), for a more in-depth analysis of service delivery outcomes in the 1997-98 school year and attendance/truancy patterns over time. The results of the outcome evaluation are presented in the following sections.

## **4.2 SCHOOL RESPONSE TO TRUANCY AND REPORTING PRACTICES**

At the time the ACT Now Program was implemented, truancy in Pima County was among the highest in the State. During the 1993-94 school year and again in the 1994-95 school year, Pima County schools accounted for 52 percent of the State's total

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<sup>1</sup> APRI also attempted to collect mid-year attendance data (100<sup>th</sup> day enrollment) but was unable to get this information for all schools or all years. Because there was a substantial amount of missing information, these data were dropped from the analyses.

<sup>2</sup> Data on the number of youth referred to PCAO for truancy also were available for the 1994-95 school year from a small number of schools, and these data are included in the analysis of referrals over time.

chronic truancies (Bernat, 1996).<sup>3</sup> Despite the high truancy rate in the county, there was a limited response by the schools or the juvenile court. Schools would refer truants to juvenile court, where the youth were put on probation with little or no follow-up. Moreover, the juvenile court records indicate there were few referrals from the schools and police—between 1993-94 only 24 youth came before the court on truancy offenses. Once in juvenile court, there seemed to be no penalty for the truancy as demonstrated by the fact that of the 24 juveniles with truancy charges in the court, none were adjudicated (Pima County Juvenile Court Research and Evaluation Unit, no date).

As a result of the limited options for responding to truancy and the lack of follow-up on those referrals that were made, school reporting practices became inconsistent. The design and implementation of the ACT Now Program was intended to improve truancy reporting and provide schools with a mechanism for holding parents accountable for their children's attendance at school with the threat of legal sanctions.

To assess how school response to truancy has changed over time, three variables were considered: 1) the number of truancy referrals made by the schools, 2) the number of schools making such referrals, and 3) the total number of schools participating in the ACT Now Program.<sup>4</sup> As shown in Exhibit IV-1, the number of truancy referrals has steadily increased over time as has the number of schools participating in the ACT Now Program. The data indicate that there has been an increase in awareness of the program and an improvement in truancy reporting since the initial pilot phase of the program in

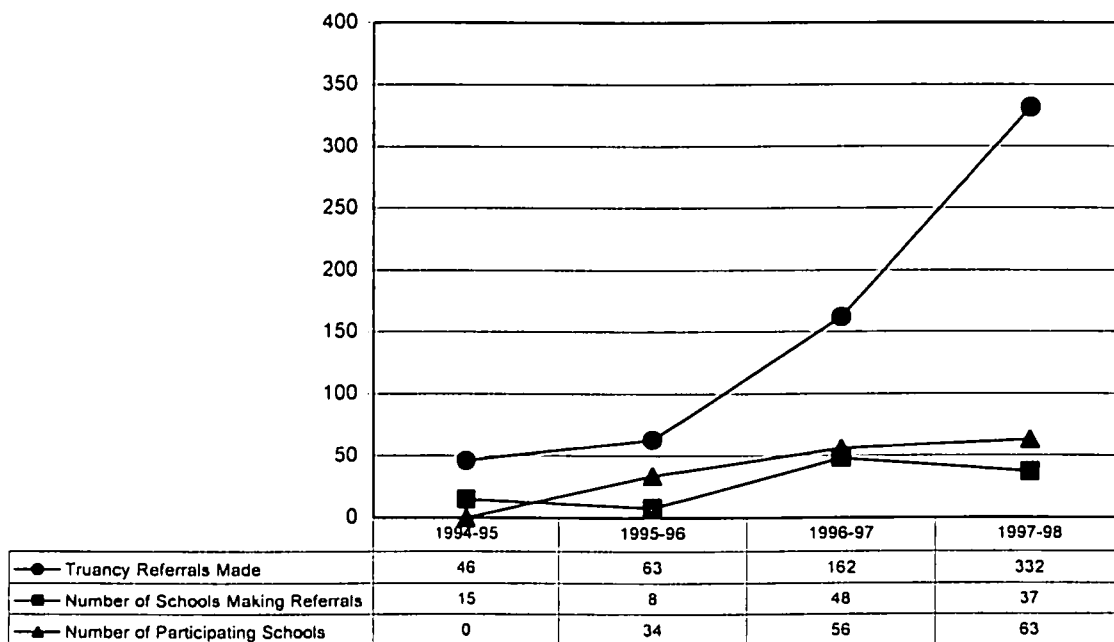
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<sup>3</sup> Chronic truancies were defined as 10 or more unexcused absences per 100 students enrolled.

<sup>4</sup> Not all participating schools made truancy referrals.

1995-96. In the years prior to full program implementation (1994-95 and 1995-96), there were few truancy referrals. The initially low number of schools reporting truan- cies in 1995-96 can be attributed to a lack of information being disseminated about the ACT Now Program. In addition, prior to 1995 all referrals were made directly to PCAO; when CJA was developed and became involved in the ACT Now Program, there was very little information disseminated to schools about the role of CJA and the referral process, which could have led to a decrease in reporting. When the ACT Now Program became fully operational and reporting procedures were formalized during the summer of 1996, just prior to the 1996-97 school year, the number of schools reporting truan- cies (and the proportion of schools that reported to those that participated) increased substantially.

**EXHIBIT IV-1  
TRUANCY REFERRALS BY PARTICIPATING SCHOOLS**



When the 1996-97 and 1997-98 school year data are examined more closely, one finds that fewer schools made truancy referrals, but those schools made *more* referrals. This finding may be attributed to two factors. First, with respect to the number of schools that made referrals, the data may indicate that there are schools that did not have any truanancies to refer, and thus there may have been an impact on truanancies. Second, it is possible that increase in the number of truanancies reported is a function of more consistent referral practices in a subset of schools within districts. One indication of this latter point is that more schools in the Amphitheater School District have begun making referrals and in fact constitute 58 percent of all referrals to CJA.<sup>5</sup>

#### **4.3 RELATIONSHIP BETWEEN THREAT OF PROSECUTION AND PARENTAL ACCOUNTABILITY**

One of the key elements of the ACT Now Program is the use of the compulsory school attendance law and its criminal sanctions to hold parents accountable for their children's school attendance by addressing the parents' lack of supervision. As described in Chapter III, schools send advisory letters to the parent(s)/guardians of truant youth to inform them of the law, PCAO's interest in truancy, and penalties for non-compliance if the truancy is not addressed. Failure to address the truancy results in a referral to CJA, which in turn sends a letter on behalf of PCAO notifying the parent(s)/guardian(s) that they can be prosecuted for lack of supervision and offering them an opportunity to defer prosecution by participating in the ACT Now Program.

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<sup>5</sup> Detailed information about CJA referrals and the four school districts is provided in Section 4.4.

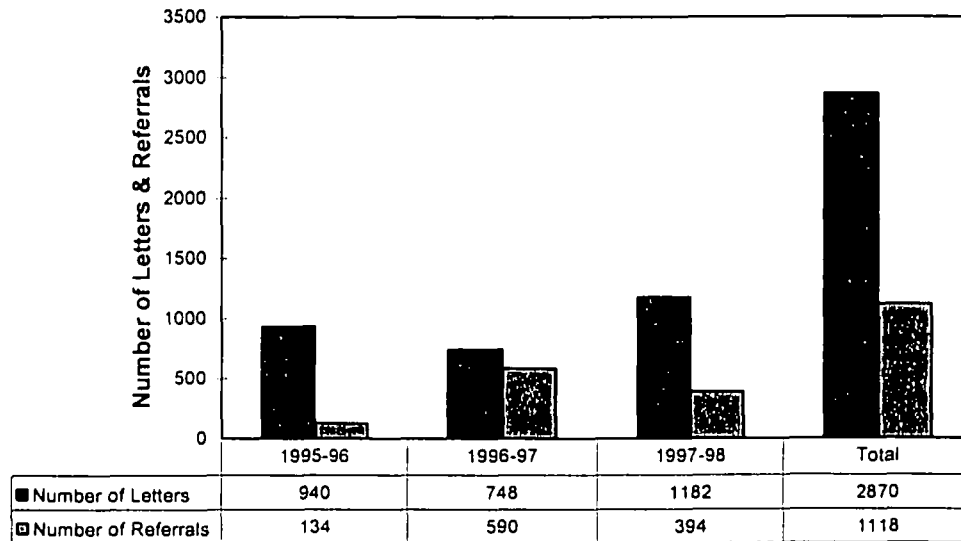
To determine what effect the threat of prosecution has on parental accountability, two measures were applied: 1) the number of advisory letters sent to parents compared with the number of subsequent referrals to CJA, and 2) PCAO prosecution of parents.

### *Effect of School Advisory Letters on Parental Response*

The ACT Now Program notification and referral process is designed to allow parents an opportunity to address their children's truancy. Therefore, advisement of the compulsory attendance law and the criminal penalties for failure to comply should prompt parents to take action that will address the truancy, and thus no further action should be warranted on behalf of the schools (i.e., referral to CJA). If the process has an effect on parental accountability, the number of referrals to CJA should be less than the number of advisory letters sent to parents, indicating that some action was taken to address the truancy at the time the letter was received and before a referral needed to be made to CJA. These data were examined in two ways: 1) for all school district participating in ACT Now in Pima County, and 2) for the sample of 4 school districts participating in the evaluation.

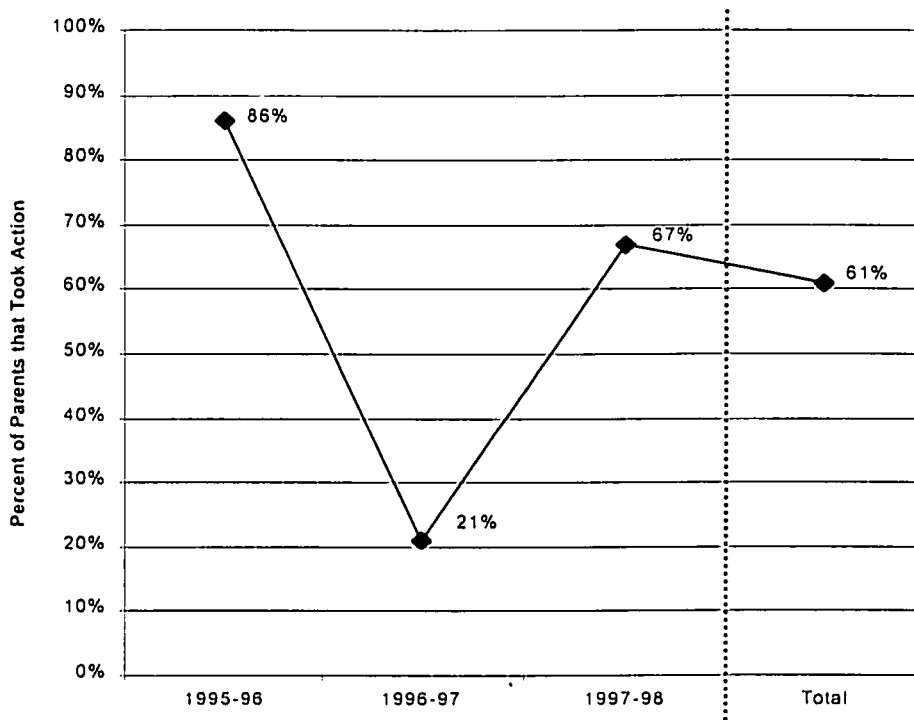
As shown in Exhibit IV-2, between 1995 and 1998, participating schools county-wide sent a total of 2,870 advisory letters to parents/guardians of truant youth. During the same period, schools made a total of 1,118 referrals to CJA based on the parents'/guardians' failure to address the truancy, which is substantially less than the number of advisory letters sent.

**EXHIBIT IV-2**  
**NUMBER OF SCHOOL ADVISORY LETTERS COMPARED WITH THE**  
**NUMBER OF REFERRALS TO CJA**



Overall, as shown in Exhibit IV-3, the threat of prosecution prompted 61 percent of parents/guardians to take corrective action to address their child's truancy; however, when the effect on parental response is examined by school year, there is a marked decrease in the 1996-97 school year. This variation over time can be attributed to a number of changes that were occurring in the program.

**EXHIBIT IV-3**  
**PERCENT OF PARENTS THAT TOOK ACTION**



One would expect a fairly large parental response in the first year of the program as demonstrated above. There is heightened awareness among parents and uncertainty about the likelihood of sanctions, which prompts a large number of parents to take action to address the truancy. The decrease in parental response between the 1995-96 and the 1996-97 school years can be linked to the fact that the ACT Now Program had yet not been formalized in 1995-96, and numerous changes were being made to the program. The 1995-96 school year also was the first year that schools referred trancies directly to CJA rather than PCAO. There was very little outreach to the schools during this time by CJA to explain their role or to build confidence among school administrators in the procedures. Both factors may account for the low number of referrals in the 1996-97

school year. Throughout the 1996-97 school year, CJA and PCAO conducted more extensive outreach to the schools and disseminated more information about the program that resulted in a more consistent and improved school response to truancy (as described in the previous section) leading to an increase in parental response to the letters in the 1997-98 school year.

An examination of the threat of prosecution and parental responsiveness by school district reveals another interesting finding. The four districts in the evaluation sample—Amphitheater, Sunnyside, Marana, and Flowing Wells—show marked differences in parental response. The Flowing Wells and Marana School Districts show a consistent 75 percent or higher response. For both school districts, the number of advisory letters steadily decreases over time; while the number of referrals stays relatively constant. The fact that the number of letters decreases but the number of referrals stays constant may be attributed to two factors. First, both Flowing Wells and Marana are small districts and are likely to have stronger relationships with parents than larger districts. As a result, attendance officers may be more likely to contact the parent directly in lieu of sending a letter in order to address the truancy. (See Chapter III for further discussion of this issue.) Second, there may be a “core” group of chronic truants and unresponsive parents that make up the majority of the letters sent and referrals to CJA, suggesting that the process is effective for a portion of the population.

The larger school districts (Amphitheater and Sunnyside) show less pronounced effects. Parental response in the Sunnyside School District varies from 33 percent in the 1996-97 school year to 82 percent in the 1997-98 school year, which follows the same general pattern illustrated in Exhibit IV-2. Parental response in the Amphitheater School



District, however, steadily decreases from 67 percent in the 1995-96 school year to 47 percent in the 1997-98 school year. Moreover, the total number of letters sent since the 1995-96 school year in proportion to the total district enrollment is quite low (570 letters to 15,303).

While the proportion of letters to district enrollment appears low, it is likely a result of incomplete recordkeeping by the Amphitheater School District of the number of letters sent to parents. The requirement that schools keep track of the number of referrals was not formally implemented as part of the written program guidelines until the 1997-98 school year. Schools were verbally asked to keep this information in the 1996-97 school year, and it appears that there was variation in the extent to which the recordkeeping actually occurred during that year. Moreover, information gathered as part of the process evaluation shows that the Amphitheater School District was among the most actively involved in the ACT Now Program from the inception, to the point of incorporating the ACT Now procedures into their district truancy policy, further suggesting that the low number of referrals is a result of incomplete data.

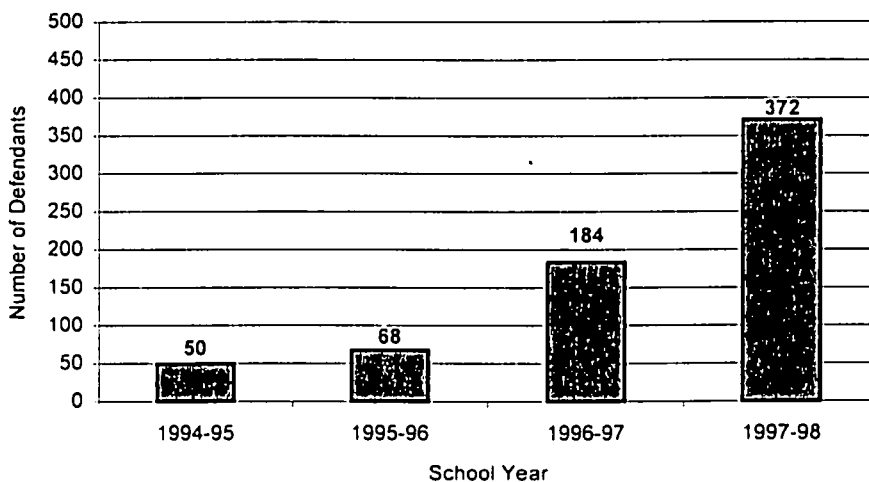
The data provide initial support for the hypothesis that the threat of prosecution has an effect on parental accountability. Further analyses were conducted on the number of prosecutions to determine the extent to which PCAO action was required.

#### ***Pima County Attorney's Office Prosecution of Parents***

Failure to supervise their children's school attendance, failure to address their children's truancy, or failure to participate in the ACT Now Diversion Program results in a PCAO investigation and criminal prosecution of the parent(s)/guardian(s). Between 1994 and 1998, the PCAO handled 674 truancy cases. As shown in Exhibit IV-4, the

number of defendants has increased over time with the most dramatic increases occurring in the 1996-97 and 1997-98 school years. Between the 1995-96 and 1996-97 school years, the number of defendants increased more than 170 percent; similarly, there was a 102 percent increase in defendants between the 1996-97 and 1997-98 school years. Overall, nearly 65 percent of the cases represented truants between the ages of 13 and 15, and 22 percent were truants between the ages of 10 and 12. The youngest truants, ages 6 to 9, represented approximately 11 percent of the cases.

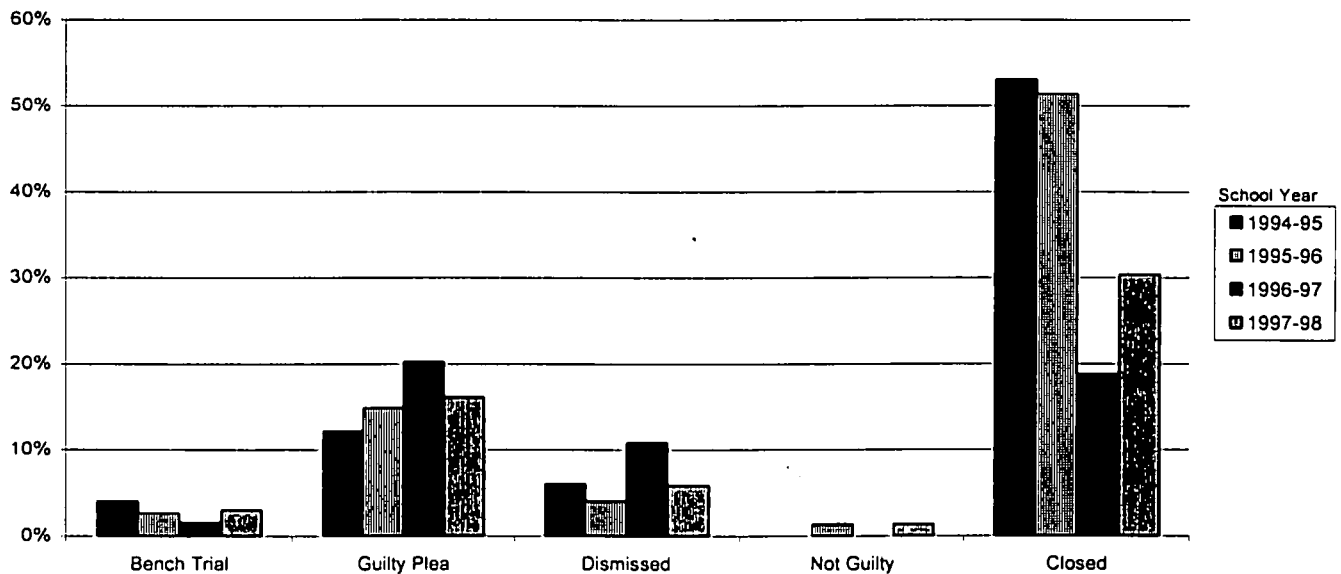
**EXHIBIT IV-4  
NUMBER OF DEFENDANTS**



In order for the ACT Now Program to have an impact on parental accountability, there should be consistent penalties for non-compliance and/or failure to successfully complete the diversion program. The threat of prosecution must be more than simply implied, that is, PCAO must demonstrate that prosecution will occur if parents fail to take responsibility for their children's school attendance. Using prosecutorial discretion in determining the appropriateness of filing truancy charges, PCAO did not file charges in

all of the 674 cases. An analysis of PCAO truancy case processing by school year shows that the majority of cases were closed with no disposition (see Exhibit IV-5).<sup>6</sup> More than half of the cases were closed in school years 1994-95 and 1995-96. By the 1996-97 school year, this number decreased, and more parents were prosecuted. Of those cases that were not closed by PCAO, the majority resulted in guilty pleas, and of those that were resolved through a bench trial, less than 2 percent were found not guilty.

**EXHIBIT IV-5**  
**PCAO CASE PROCESSING BY SCHOOL YEAR**



For those closed or dismissed cases, PCAO may have offered a second diversion option—Teen Court—that would allow parents and their children a second opportunity to defer prosecution. In fact, between 1995 and 1998, 65 cases were diverted through Teen Court. Additionally, the number of cases that were dismissed may be an indication that the threat of an impending prosecution triggered the necessary parental response.

<sup>6</sup> Cases may be closed for a number of reasons, but generally it is because the parent(s) cannot be located.

It is interesting to note that while a substantial number of cases were closed by PCAO without prosecution and the number of referrals to PCAO for prosecution has increased over time, the actual percentage of cases prosecuted has increased by nearly one-third since the 1994-95 school year:

- In school year 1994-95, 27 percent of cases were prosecuted,
- In school year 1995-96, 23 percent of cases were prosecuted,
- In school year 1996-97, 41 percent of cases were prosecuted, and
- In school 1997-98, 41 percent of cases were prosecuted.

***Sanctions Imposed***

For those parents who are prosecuted, the most commonly imposed sanctions include community service or a \$200 fine as shown in Exhibit IV-6. In the initial phase of the ACT Now Program (during the 1994 to 1996 school years), almost half of parents (42.9%) were sentenced to perform community service and slightly more than one-third (35.7%) were fined \$200.

**EXHIBIT IV-6  
SANCTIONS IMPOSED BY THE COURT**

	SCHOOL YEAR			
	1994-95	1995-96	1996-97*	1997-98
\$100 Fine	7.1%	0.0%	0.0%	0.6%
\$200 Fine	35.7%	31.3%	43.5%	35.2%
\$200 - \$300 Fine	0.0%	0.0%	4.3%	1.2%
\$300 - \$400 Fine	0.0%	0.0%	8.7%	2.4%
\$400 - \$500 Fine	0.0%	0.0%	0.0%	2.4%
Community Service	42.9%	56.3%	6.1%	36.4%
Probation	14.3%	12.5%	0.0%	21.8%

\* The totals for the 1996-97 school year do not add to 100 percent. Incomplete data were reported for this year.

By the 1996-97 school year, the range of sanctions had expanded to include higher fines between \$300 and \$500 suggesting an increased emphasis by the juvenile court and the PCAO to hold parents accountable for their children's attendance at school. There also are fewer community service sanctions imposed and more sentences to unsupervised probation and payment of fines. Another explanation for the change in types of sanctions is the fact that the community service option has not worked as originally planned. Under the initial program plans, schools were supposed to develop community service projects at the school for parents to complete as part of their sentence. There was reluctance on the part of the schools to be involved in the supervision of community service, and as a result, few schools developed such projects. Anecdotal information gathered during the site visits and through telephone interviews indicates that because the community service concept is not working as planned, it is being "phased out" as a sentencing option.

While the effect of the truancy reporting/referral procedures on parental response varies over time, there is evidence to support the hypothesis that the threat of legal sanctions has an effect on parents' responsiveness to the issue of truancy. Further, the increased responsiveness equates to a greater accountability over the long-term.

#### **4.4 SERVICE DELIVERY**

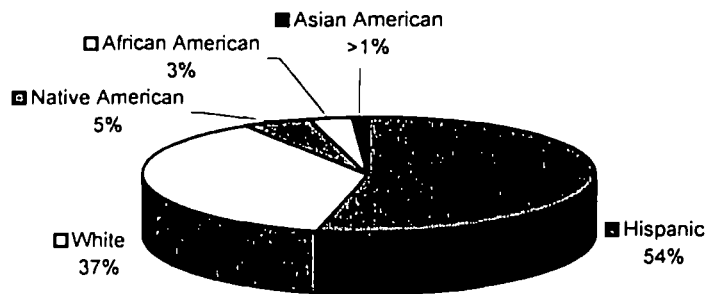
There is evidence that suggests that parental accountability, when combined with an array of services designed to address the root causes of the problem, can be effective in preventing truancy (see Chapter I for more detail). A primary focus of the outcome evaluation examines this aspect of truancy prevention and intervention. In particular,

analyses were conducted to determine the extent to which truant youth and their parent(s)/guardian(s) are receiving services to address the truancy problem. Aggregate data from the CJA provide an overview of the youth that are receiving services, including demographics, grade in school, living arrangements, and distribution of referrals to various services. These are summarized below.

### ***CJA Demographic Data***

Overall, 54 percent of all youth referred to CJA are of Hispanic descent, followed by 37 percent White, 5 percent Native American, 3 percent African American, and less than 1 percent Asian American as shown in Exhibit IV-7. The racial and ethnic breakdown of youth referred to CJA indicates an over-representation of Hispanics that are referred to CJA, when compared to the county demographics (24% Hispanic).

**EXHIBIT IV-7  
RACIAL/ETHNIC COMPOSITION OF CJA REFERRALS**



Slightly more girls than boys are referred to the program (52% compared to 48%), which runs counter to research that finds boys are more likely to be truant than girls and supports recent studies that found no difference in truancy rates between boys and girls (Triplett & Myers, 1995). The fact that more girls are referred than boys is not

significant however, given that this proportion follows the general population demographics in the county—51 percent female and 49 percent male. The majority of youth referred to CJA are between the ages of 14 and 15, which is consistent with other research on truancy. The age at which youth are being referred has remained relatively stable over time. Overall, 26 percent of referrals were 14-year olds and 23 percent were 15 year olds. There is a slight decrease in the number of 13 year olds referred between 1995 and 1998 and a slight increase in the number of 15 year olds referred over the same time period (see Exhibit IV-8). In addition, most youth were in grades 7 through 9 at the time of referral.

**EXHIBIT IV-8  
AGES OF YOUTH REFERRED TO CJA**

AGE	SCHOOL YEAR			TOTAL <sup>a</sup>
	1995-96	1996-97	1997-98	
TEN	16%	12%	16%	14%
ELEVEN	4%	4%	5%	4%
TWELVE	14%	12%	12%	12%
THIRTEEN	23%	19%	16%	19%
FOURTEEN	26%	28%	24%	26%
FIFTEEN	17%	25%	26%	23%
SIXTEEN	2%	1%	1%	1%

<sup>a</sup> Percentages do not add to 100% due to rounding and missing data marked as age unknown.

Because family factors can influence truancy, analysis was conducted on the living arrangements of referred youth to determine the distribution of youth living with their biological parents, a single parent, or in other settings. Exhibit IV-9 shows that more than half of all referred youth (53%) lived with a single parent, which is high compared to the county population demographics in which 27 percent of households with children are headed by a single parent. Overall, 28 percent lived with their biological

parents. On average, 12 percent lived with a stepparent which follows the overall population statistics that show 12 percent of children live with a stepparent. Very few of the referred youth were adopted or in another alternative living arrangement, and no youth were in foster homes.

**EXHIBIT IV-9  
LIVING ARRANGEMENTS**

LIVING ARRANGEMENT	SCHOOL YEAR			TOTAL
	SY1995-96	SY1996-97	SY1997-98	
BIOLOGICAL PARENTS	26%	30%	29%	28%
SINGLE PARENT	54%	54%	53%	53%
STEPPARENT	11%	11%	13%	12%
PARENT & LIVE-IN PARTNER	2%	1%	1%	1%
GRAND PARENT	3%	2%	2%	2%
OTHER RELATIVE	2%	1%	2%	1%
ADOPTIVE PARENT	0%	1%	0%	0%
FOSTER HOME	0%	0%	0%	0%
OTHER LIVING ARRANGEMENT	3%	1%	0%	1%

***Service Delivery***

CJA service referrals are made based on the findings of an intake assessment conducted by CJA staff. Services are tailored to the specific needs of truant youth and their families in order to address the root causes of truancy as well as other factors related to family social and physical health. Services range from assessments and evaluations to counseling to living assistance. Exhibit IV-10 shows the total number of referrals to various services over time for youth from all districts in the county. The data presented in Exhibit IV-10 show the number of referrals to various types of services, not the number of youth referred to such services. Anecdotal information from the site visits indicates that youth often are referred to multiple services; however, because the data in



Exhibit IV-10 are at the aggregate level, it is impossible to determine how many youth received such services.

**EXHIBIT IV-10**  
**SERVICE REFERRALS BY SCHOOL YEAR FOR ALL DISTRICTS**

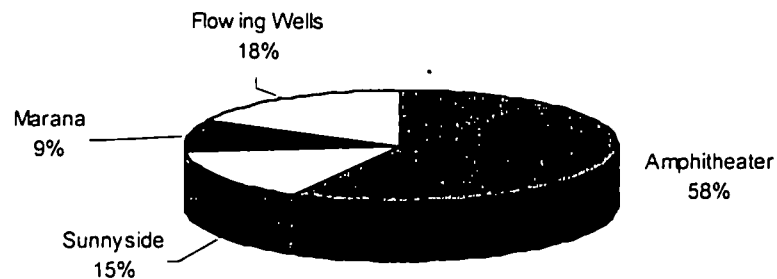
TYPE OF SERVICE	SCHOOL YEAR			
	SY1995-96	SY1996-97	SY1997-98	Total
Counseling	12	119	71	202
Case Management	115	115	74	304
Mediation	0	28	24	52
Substance Abuse Treatment	0	12	7	19
Shelter Services	0	4	1	5
Transitional Living	0	1	1	2
Behavior Management	1	49	25	75
Parent Education	1	28	17	46
Support Group	2	5	18	25
Domestic Violence	0	10	6	16
Cognitive Skills Training	0	2	1	3
Conflict Resolution	2	11	36	49
Psychological Evaluation	2	13	17	32
ACCM Intake	8	8	12	28
Community Service	0	2	10	12
Act Well Classes	0	0	70	70
Adult Education	0	1	6	7
CPS	0	1	1	2
Family Preservation	0	35	0	35
Family Support Group	0	40	0	40
Intake Assessment	0	0	266	266
Juvenile Corrections	0	0	0	0
Life Skills Training	0	0	2	2
CJA Meals Program	0	0	0	0
Parents Anonymous	0	3	0	3
PCJCC	0	6	11	17
Overnight Shelter	0	1	0	1
CJA Transport	0	0	0	0
Triumph	0	97	1	98
Other	54	2	37	93
Yearly Totals	197	593	714	1506

To further assess service delivery, additional *individual-level* data were collected for the 1997-98 school year for the *four school districts in the sample*. These data allow for an additional analysis of the types of services to which youth were referred as well as

comparisons of parents' responsiveness to the letters sent by CJA on behalf of PCAO and successful completion of the program.

In the 1997-98 school year, there were a total of 394 youths from the Amphitheater, Sunnyside, Marana, and Flowing Wells Schools Districts referred to CJA (the distribution is shown in Exhibit IV-11). Most youths referred to CJA were from the Amphitheater school district, which has the largest enrollment in Pima County (excluding Tucson Unified School District). The second largest number of referrals came from the Flowing Wells School District, which is among the smallest districts in the county.

**EXHIBIT IV-11**  
**1997-98 REFERRALS BY SCHOOL DISTRICT**



The majority of the youth referred to CJA (60%) were enrolled in middle school (grades 6-8) during the 1997-98 school year, except for those referred from the Marana School District. More than half of the referrals from the Marana School District (52%) were elementary school children (grades K-6).

It is thought that socioeconomic status (SES) and academic achievement levels are related to truancy, and considering that the Sunnyside School District has the highest percentage of students on free/reduced lunches (an indicator of SES) and the lowest

academic achievement levels of the four schools in the sample, one would expect that the majority of referrals to CJA would be from the Sunnyside School District. Rather, we find that Amphitheater School District made the most referrals to CJA in the 1997-98 school year and yet the district has the second lowest percentage of students on free/reduced lunch and high academic achievement levels.

Although these findings seem to run counter to other research studies that show a relationship between SES, academic achievement levels, and truancy, it is likely that the apparent lack of relationship in this study is a function of an added effort by CJA to address truancy in Sunnyside. In the 1996-97 school year, the Sunnyside School District recorded more trancies than the other school districts in the sample (more than 55,000<sup>7</sup> as compared with roughly 5,000 in the Marana School District; see Exhibit IV-14), which may indicate that, in fact, there is a relationship between SES, academic achievement levels, and truancy. As a result of the concern about the high number of trancies in the 1996-97 school year, CJA placed a staff person on-site in Sunnyside High School two days a week to work on an individual level with truants from that district. The initiation of this additional individual-level attention in only one district—Sunnyside—confounds the assessment of a relationship between SES, academic achievement levels, and truancy.

An examination of the services recommended for youth referred from the four districts in the sample shows that CJA recommended services for more than half of all

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<sup>7</sup> In the high schools and some middle schools, trancies are recorded for every class period missed without an excuse, thus if a high school student is absent from all 7 of his/her class periods in a day, it would be recorded as 7 trancies. This method of counting is consistent throughout the county and indicates the majority of trancies in the Sunnyside School District were high school (and some middle school) students, which explains, in part, the large number of trancies.

youth referred by the four school districts in the sample during the 1997-98 school year. Services were recommended only for those youth whose parents responded either to the first or second CJA advisory letter (a total of 57 percent). For those that did not respond, more than one-third were referred for parental prosecution. For others (roughly 10 percent), the case was closed and no recommendations were made either because the parents/youth could not be located or had moved, the youth was in an out-of-home placement, the youth was in home-school, or the referral was withdrawn by the school. For those youth whose parents did respond to the notification letter, the following services were recommended:

- ACT Well Class (42%),
- Wellness Center (15%),
- Case management (14%),
- Options Class (14%),
- Counseling services (14%), and
- CPSA intake (2%).<sup>8</sup>

The diversion contract recommendation data maintained in CJA's database (from which the above data were taken) are the primary recommendations only based on the presenting problem identified in the psycho-social evaluation conducted by CJA during the intake. Additional services are generally a part of the diversion contract and are maintained in the case file. For instance, according to CJA staff, most parents and youth are referred to the ACT Well Class as part of their diversion; however, it may not be the primary need and as such is not reflected in the data above.

For youth referred to services, there was a 79 percent success rate in terms of program completion, and the charges were dismissed. As shown in Exhibit IV-12,

parental response to the first letter from CJA is a strong predictor of successful program completion (chi-square = 3.737;  $p = .05$ ).

**EXHIBIT IV-12**  
**RELATIONSHIP BETWEEN RESPONSE TO LETTERS AND**  
**SUCCESSFUL PROGRAM COMPLETION (1997-98 SCHOOL YEAR)**

		NUMBER OF REFERRALS SUCCESSFULLY COMPLETING PROGRAM		TOTAL
		YES	NO	
Count	1 <sup>st</sup> Letter Response	119	19	138
	2 <sup>nd</sup> Letter Response	34	12	46
	Total	153	31	184
% of 1 <sup>st</sup> Letter or 2 <sup>nd</sup> Letter	1 <sup>st</sup> Letter Response	86.2%	13.8%	100%
	2 <sup>nd</sup> Letter Response	73.9%	26.1%	100%
	Total	83.2%	16.8%	100%

Chi-square = 3.737 ( $p = .05$ )

Overall, 86.2 percent of cases in which the parent(s) responded to the first letter fulfilled the terms of the diversion contract and had charges dropped, and 73.9 percent of those responding to the second letter completed the program successfully.

Preliminary evidence suggests that there are lasting effects of the services provided on subsequent truancy and parents' lack of supervision. In the 1997-98 school year, only 33 of the 394 youths (8%) referred from the four school districts in the sample were recidivists suggesting that the ACT Now Program and related services have an effect on truancy.<sup>9</sup> Ideally, individual level tracking data that permit an assessment of prior performance in the ACT Now Program would provide further indication of the

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<sup>8</sup> A description of these services is provided in Chapter II.

<sup>9</sup> Recidivism data are not available for the years prior to the 1997-98 school year. The 1997-98 school year marks the first year in which these type of data were tracked.

strength of the relationship between successful program completion and recidivism. However, the data available for this evaluation were not sufficient for more in-depth analysis.

Overall, the results of the analyses from the sample of school districts demonstrate that a majority of youth referred to CJA receive needed services and complete the ACT Now Program successfully. Moreover, the likelihood of successful completion can be predicted based on how quickly parent(s) respond to the CJA letters.

#### **4.5 CHANGE IN TRUANCY AND DROPOUTS**

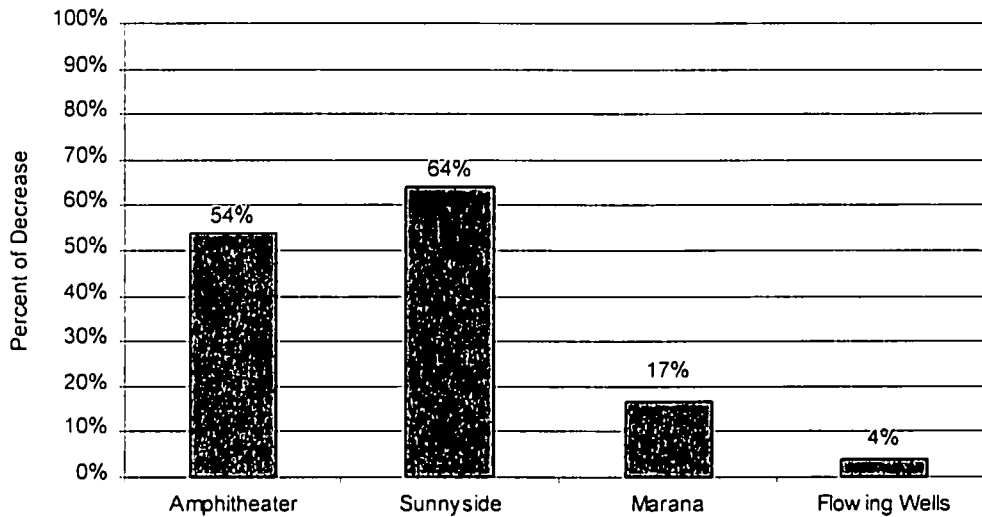
The final measure of the program's success is whether or not truancy and dropout rates have decreased as a result of the ACT Now Program. Two variables were used to assess change in truancy and dropouts: 1) school reports of the number of truanancies and 2) cumulative number of dropouts. Data were collected from PCAO and the four sample school districts for the following school years: 1996-97 and 1997-98.<sup>10</sup>

To determine whether or not there has been a relative change in the number of truanancies, comparisons were made between the 1996-97 school year (the year of full program implementation) and the 1997-98 school year (one year after the program implementation). As shown in Exhibit IV-13, there have been decreases in truancy in the four school districts between the 1996-97 and 1997-98 school year.

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<sup>10</sup> Ideally, the evaluation would consider pre-test truancy from the 1995-96 school year. However, reliable truancy data were not available for the four school districts.

**EXHIBIT IV-13**  
**PERCENT OF DECREASE IN TRUANCIES**  
**(SCHOOL YEAR 1996-97 TO 1997-98)**



Truancy reports in the 1996-97 school year were high because of the full implementation of the ACT Now Program, and although there were limited truancy data available prior to the ACT Now Program implementation (from the 1995-96 school year), there is some evidence to suggest that the number of truancies reported in 1996-97 was dramatically higher than in previous years attributed in part to more consistent record-keeping. (For example, the Sunnyside School District reported 1,635 truancies in 1995-96 and 55,039 truancies in 1996-97.) By 1997-98, the number of truancies begins to drop markedly in the Amphitheater and Sunnyside School Districts, suggesting a potential program impact on truancy. Each of these school districts exhibits a decrease of more than 50 percent in the 1997-98 school year. Marana and Flowing Wells School Districts also show a decrease in the number of truancies between 1996-97 and 1997-98 although less dramatic. While these numbers indicate an impact of the ACT Now Program in truancy, the drop could also be attributed to decreased reporting by the schools as

opposed to changed behavior among youth. Our reason for suggesting such an alternative cause comes from the fact that the number of advisory letters sent by the schools (another indicator of the truancy problem) also decreased over this same time period. Further analysis of subsequent years' data should be conducted to determine if it marks the beginning of a decline in truancy.

Without individual level truancy data, it is impossible to determine recidivism. Because truancy is a precursor to dropping out of school, we have used the number of dropouts as a proxy variable for subsequent, chronic truant behavior (i.e., recidivism). If the ACT Now Program is effective in addressing chronic truancy, there should be a decrease in the number of dropouts relative to the number of trancies being reported. Such a finding would provide initial support for the hypothesis that ACT Now is effective in breaking the cycle of truancy before it leads to dropping out of school. Exhibit IV-14 shows the number trancies and dropouts reported by each of the four school districts during the 1996-97 and 1997-98 school years.

**EXHIBIT IV-14  
REPORTED TRUANCIES AND CUMULATIVE DROPOUTS**

DISTRICT	VARIABLE	SCHOOL YEARS	
		1996-97	1997-98
Amphitheater	No. of trancies/unexcused absences	689	318
	Cumulative dropouts	475	375
Sunnyside	No. of trancies/unexcused absences	55,039	19,999
	Cumulative dropouts	1,073	1,042
Marana	No. of trancies/unexcused absences	5,208	4,339
	Cumulative dropouts	272	282
Flowing Wells	No. of trancies/unexcused absences	2,130	2,051
	Cumulative dropouts	287	296



With the exception of the Marana and Flowing Wells School Districts, there has been a decrease in truancies and cumulative dropouts between the 1996-97 and 1997-98 school year. In Marana and Flowing Wells, there was a slight increase in the number of dropouts between 1996-97 and 1997-98. These figures provide initial support for the hypothesis that the ACT Now Program is effective in reducing chronic truancy and ultimately school dropouts. No further concrete conclusions can be drawn from these data, however, because the number of truancies reported does not equate to the number of youth who have been truant. Individual level truancy data are necessary to determine whether or not the proportion of dropouts to truants has changed over time. Moreover, without individual level truancy and dropout data, we are unable to make concrete statements about the relationship between truancy and dropping out of school.

#### **4.6 SUMMARY OF OUTCOME EVALUATION FINDINGS**

PCAO's ACT Now Program was designed to address truancy problems by holding parents accountable for ensuring that children attend school, providing services to address the root causes of the truancy through a diversion program, and sanctioning parents for their children's continued truancy or failure to successfully complete the diversion program. A secondary consideration of the ACT Now Program was to address school response to truancy. The focus of the outcome evaluation was to assess the extent to which these goals were met by determining changes in school response to truancy, parental accountability, service delivery, and truancy rates. There is substantial evidence that suggests the ACT Now Program has had a positive effect on truancy and related issues in Pima County.

Awareness of the problem, school participation, and school reporting of truancy have all improved since the initiation of the ACT Now Program in at least some of the schools and school districts. Anecdotal information exists that suggests there will be continued increases in school participation and reporting, supported by the fact that during the 1997-98 school year, schools continue to “join” the program, including some schools in the Tucson Unified School District.

The sound and consistent response to school referrals (i.e., CJA follow-up and service delivery and PCAO prosecutions) has built confidence in the program among school administrators. In fact, one school administrator from the Marana School District reported, “We are very optimistic about the truancy diversion program . . . With the support from Pima County [and] this new program, we are able to express to the parents that we now have law enforcement to support us in enforcing truancy laws, and we now have much more support from the parents in our community.” (Bernat, 1996).

The ACT Now Program also appears to be an effective deterrent on lack of parent supervision and accountability for their children’s school attendance. Specifically, there is strong evidence that suggests the threat of prosecution has an effect on parental accountability for school attendance, demonstrated by the fact that 61 percent of parents overall respond to the school advisory letter and take action to address the truant behavior and avoid criminal prosecution. This finding would be further strengthened by an assessment of individual level data and interviews with parents.

Another indicator of the effectiveness of the threat of prosecution is response to advisory letters sent by CJA, which is the last step before PCAO begins its investigation and case processing. In the sample of districts, more than half of the parents responded to

the CJA advisory letters in 1997-98, expressing a desire to enroll in the diversion program. Once in the program, participants receive a variety of needed services tailored to address the root cause of the truant behavior, and more importantly, 79 percent of participants successfully complete the diversion program. Further, the four school districts in the sample had only an 8 percent recidivism rate in the 1997-98 school year, indicating that the program has an effect on subsequent truant behavior.

The outcome evaluation also found that PCAO has been effective in enforcing the compulsory school attendance law through criminal prosecution of parents, nearly doubling the number of prosecutions since 1994. Moreover, in cases where charges are filed, the majority of parents plead guilty to the charge and very few parents (less than 2 percent) are found not guilty in bench trials.

The final indicator of effectiveness is the impact of the ACT Now Program on truancy. In all four of the districts in the sample, there has been a decrease in the number of reported trancies since the full implementation of the program in the 1996-97 school year. Similarly, there have been decreases in the number of dropouts in two districts, suggesting some impact on chronic truancy which leads to dropping out of school.

In total, the results of the evaluation provide support for the ACT Now Program, demonstrating positive effects at all levels of the truancy problem. However, these findings can not be considered conclusive. An inherent flaw in the evaluation was the lack of data at the individual level and only limited pre-program data available. As noted in Chapter III, PCAO planned to develop a comprehensive database that would provide this level of information about youth, parents, truant behaviors, types of services, and recidivism. While both PCAO and CJA have improved their data collection efforts each

year, it was not until the 1997-98 school year that this database came on-line. Continued assessment of the ACT Now Program, using these new data, is important for establishing more concrete determinations about the program's effectiveness.

## CHAPTER V

### CONCLUSION

Originally initiated as an innovative concept in 1994, the ACT Now Truancy Diversion Program has developed into an institutionalized response to truancy in Pima County. The program is seen by the schools, law enforcement, the Pima County Attorney's Office (PCAO), service providers, and the local media as an integral part of the community's efforts to address truancy and associated problems that put youth at high risk of serious delinquent involvement.

The implementation process was fueled by the energy and commitment of PCAO and enthusiasm of school administrators, but hindered by limited staff, a lack of systematic outreach to the schools, and limited follow-up with schools after referrals were made. By the second year of the program (1995-96 school year), processes and procedures were enhanced by the development of the Center for Juvenile Alternatives (CJA) which added a new dimension to the program — a central source for assessment and referral, coordination, and monitoring. Prior to the development of CJA, services for high-risk youth and their family were decentralized and fragmented. In addition, the relationships built among the schools, law enforcement, the juvenile court, and PCAO around juvenile issues are an important, but unintended, outcome of the program.

The 1996-97 school year marked the first year of full implementation as well as the largest and most consistent school district participation levels since the program was

initially piloted in the 1994-95 school year. It also proved to be a pivotal year in which the ACT Now Program became widely used and accepted. Extensive outreach to and training of school administrators helped to obtain their “buy-in,” and an increase in truancy reporting followed.

The ACT Now Program has suffered two shortcomings in its implementation. First, it appears there is not adequate feedback to the schools about the youth they refer to ACT Now. School officials have expressed a desire for a formal “feedback loop” that would keep them informed of truants’ progress and case disposition. This is seen as a critical component for maintaining consistent levels of participation by the school districts, and it is one of the recommendations to CJA and PCAO. Such feedback could be provided in the form of a monthly “newsletter”/memo to partners or in regular partner meetings.

The second shortcoming in the program implementation has been the lack of a comprehensive database to track referrals, services, and recidivism. PCAO and CJA have worked over the years to implement such a database and have steadily made improvements in data collection/maintenance efforts. The lack of a database in the early years of the program (1994-1997) hinders PCAO and CJA in their ability to demonstrate that the program is or is not working. Moreover, the lack of individual-level data used to track truants was a significant weakness for the evaluation of the program. In 1997-98, a more comprehensive method for record keeping at the individual level was implemented by CJA and PCAO.

The individual level data reported by CJA for the 1997-98 school year provided initial support for the ACT Now Program in terms of its effect on truancy. This support

includes the fact that in the 1997-98 school year, only 8 percent of the youth referred to CJA were recidivists. Other evidence that suggests the program is effective is the fact that truancies appear to be decreasing and the threat of prosecution has a positive impact of parents' accountability for their children's school attendance.

This evidence, however, must be interpreted carefully as it is based primarily on aggregate data. Individual level data on truants, parents, and recidivism would provide stronger evidence of the ACT Now Program's effectiveness. With the implementation of individual-level tracking by CJA and PCAO, such an assessment is possible, and it is strongly suggested that further data be collected. APRI recommends a follow-up data collection period for school years 1997-98 and 1998-99 to track individual truancy in a sample of high school, middle school, and elementary school youth. Additionally, information from parents regarding their perception of the ACT Now Program and its impact on their supervision of school attendance would further enhance the current evaluation's findings.

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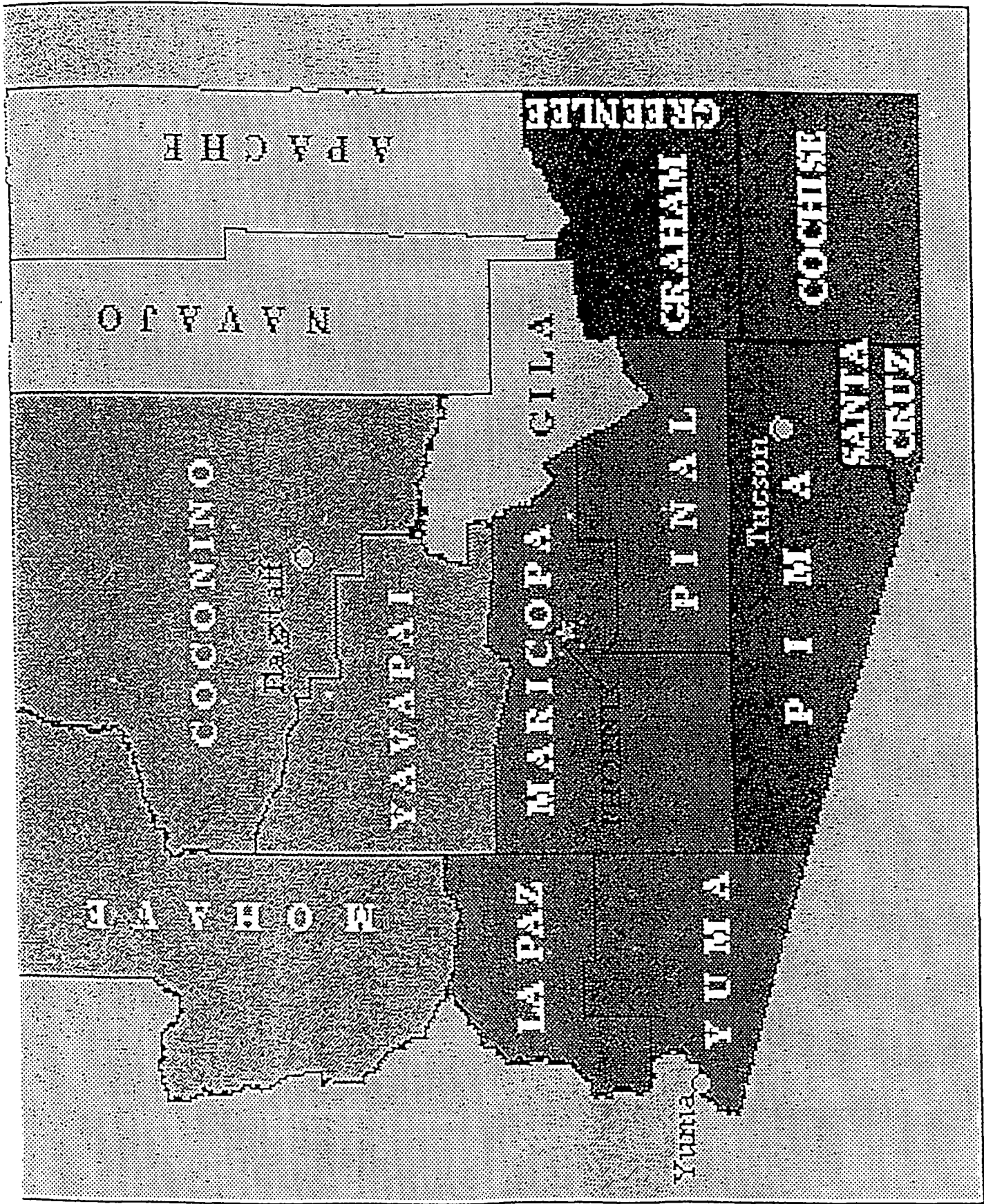
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**APPENDIX A**

**Map of Arizona Counties**



ARIZONA

NEW MEXICO

PHOENIX

COLORADO

UTAH

NEVADA

NEVADA

CALIFORNIA

MARIPOSA

CLACKAMA

YUMA

YUMA

PINAL

TUCSON

PIMA

SANTA

CRUZ

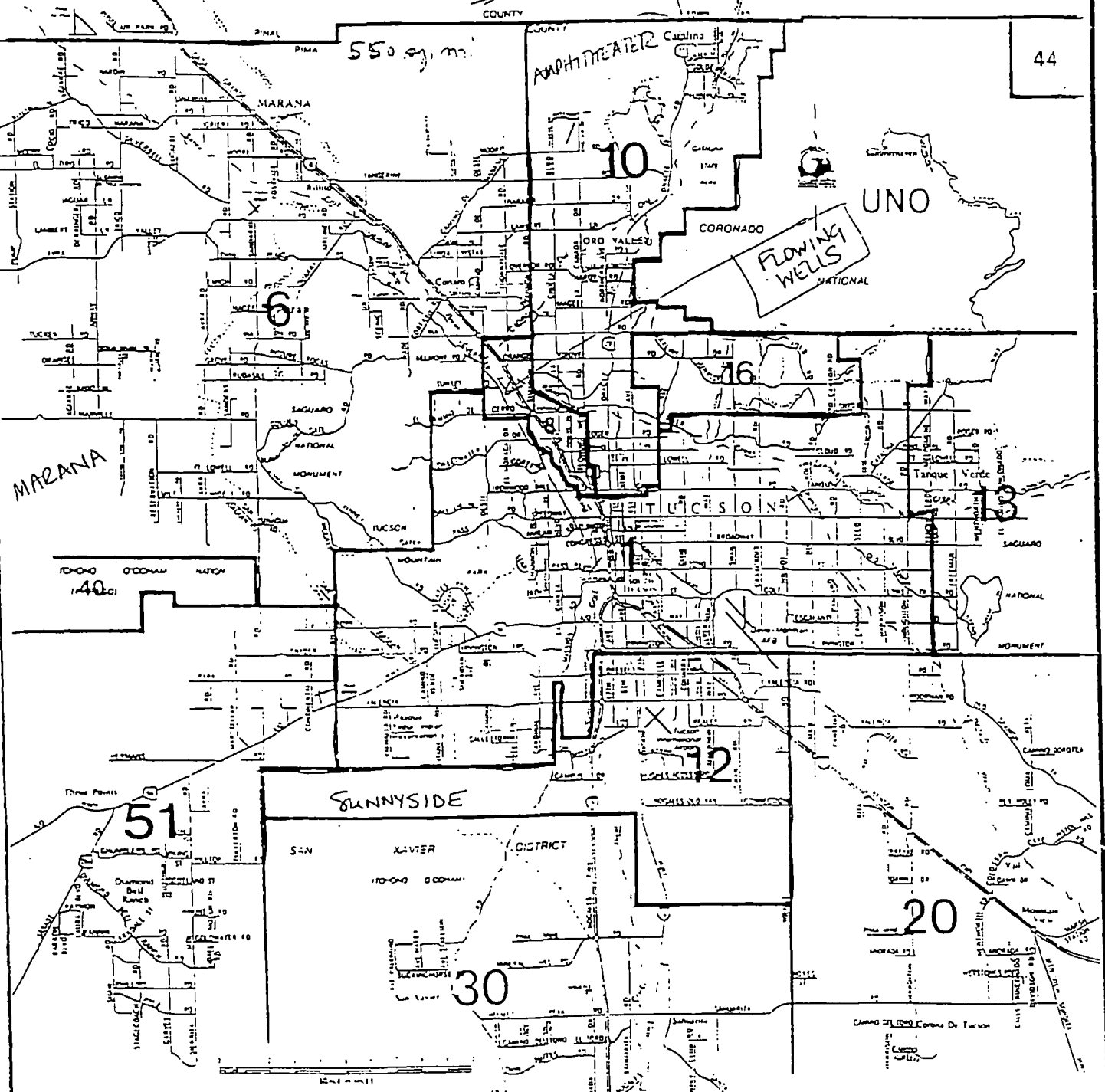
GRAND

GREENLEE

COCHISE

# Public School Districts

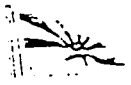
## METROPOLITAN TUCSON ARTERIAL STREETS



### LEGEND:

- |                           |                   |
|---------------------------|-------------------|
| 1 - TUCSON UNIFIED        | 20 - VAIL         |
| 6 - MARANA                | 30 - SAHUARITA    |
| 8 - FLOWING WELLS         | 39 - CONTINENTAL  |
| 10 - AMPHITHEATER UNIFIED | 40 - INDIAN OASIS |
| 12 - SUNNYSIDE            | 44 - REDINGTON    |
| 13 - TANQUE VERDE         | 51 - MARY E. DILL |
| 15 - CATALINA FOOTHILLS   |                   |

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American Prosecutors Research Institute  
Evaluation of ACT Now Truancy Diversion Program

<i>Name:</i> _____	<i>Phone:</i> _____
<i>Title/Position:</i> _____	
<i>School District:</i> _____	
<i>Address:</i> _____	
_____	

School District Background Information - for 1996/97 School Year

- 1) How many students were enrolled in your school district? \_\_\_\_\_
- 2) What was the total number of classroom teachers in your district? \_\_\_\_\_
- 3) What was your annual expenditure per student? \$ \_\_\_\_\_
- 4) What percentage of students in your district received free or reduced lunches?  
\_\_\_\_\_ %
- 5) What percentage of your teachers hold a Master's degree or higher? \_\_\_\_\_ %
- 6) What is the pupil/classroom teacher ratio? \_\_\_\_\_

Student Population Information - for 1996/97 School Year

- 7) What percentage of students in your school district are
  - a) White/Caucasian \_\_\_\_\_%
  - b) Hispanic \_\_\_\_\_%
  - c) Black/African American \_\_\_\_\_%
  - d) Asian \_\_\_\_\_%
  - e) Other \_\_\_\_\_%

8) What percentage of students in your district are

- a) Male
- b) Female

9) What were the average SAT or ACT scores of students in your district?

SAT: Verbal \_\_\_\_\_ Math \_\_\_\_\_ ACT: \_\_\_\_\_

9a) What were the average ITBS and/or CTBS scores in your district's elementary schools?

ITBS: Composite \_\_\_\_\_

Reading \_\_\_\_\_

Language \_\_\_\_\_

Math \_\_\_\_\_

Reference Skills \_\_\_\_\_

Science \_\_\_\_\_

CTBS: Composite \_\_\_\_\_

Reading \_\_\_\_\_

Language \_\_\_\_\_

Math \_\_\_\_\_

10) What percentage of students in your district go on to Higher Education?

\_\_\_\_\_ %

#### Attendance Policy and Referral Procedures

11) Please describe the district's policy on attendance, excused and unexcused absences.  
(Please attach a copy of this policy).

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12) How is *truancy* defined in your district?

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#### Additional Information

13) Please describe any changes in the participation of schools in your district in the ACT Now Program from its inception in the 1995-96 school year to the 1997-98 school year.

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14) What is your role regarding handling attendance and truancy matters?

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15) What is your role in the ACT Now Truancy Program?

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List of Persons Interviewed  
during Site Visit

Tuesday, March 17, 1998

9:00 a.m. - 5:00 p.m.

Pima County Attorney's Office

Mike Burns, Prevention Resiliency Specialist

Ken Janes, Chief Investigator

Kevin Krejci, Head, Misdemeanor Unit

Barbara LaWall, Pima County Attorney

Lindsay Luke, ACT Now Coordinator

Kurt Zobenica, Research Analyst

Wednesday, March 18, 1998

8:30 a.m. - 1:00 p.m.

Amphitheater School District

Richard Evers, Department Chair for District Schools

Brad Shankles, MIS Director of Student Records

Rick Werbylo, Attendance and ACT Now Coordinator, Canyon del Oro H.S.

Linda Wilford, Attendance Clerk, Canyon del Oro H.S.

Patti Green, Assistant Principal, Amphitheater H.S.

Gilda Escobedo, Attendance Clerk, Amphitheater H.S.

Tim Dooley, Assistant Principal, Cross M.S.

Patti Andrews, Attendance Clerk, Cross M.S.

Carolyn Carter, Counselor, Amphitheater M.S.

Donna Mattausch, Attendance Clerk, Amphitheater M.S.

Julie Cota, Counselor, LaCima M.S.

Rebecca Flores, Attendance Clerk, LaCima M.S.

Mary Ann Fuereta, Office Clerk, Nash Elementary

Josie Marmolejo, Office Clerk, Rio Vista Elementary

Wednesday, March 18, 1998  
1:30 p.m. - 4:00 p.m.  
Flowing Wells School District

Deidra McAdam, Assistant Principal, Flowing Wells H.S.

Jered Ball, Assistant Principal, Flowing Wells M.S.

Thursday, March 19, 1998  
8:00 a.m. - 12:30 p.m.  
Center for Juvenile Alternatives

Victor Flores, Program Director  
Mario Lugo, Intake Specialist

1:00 p.m. - 4:00 p.m.  
Marana School District

Carol McGorray, District Coordinator for Attendance

Jan Truitt, Assistant Principal, Mountain View H.S.  
Sharon Axtell, Attendance Clerk, Mountain View H.S.  
Lynne Prouty, Assistant Principal, Marana H.S.  
Cruz Frederico, Attendance Clerk, Marana H.S.

Gary Waller, Administrative Assistant, Tortolita M.S.  
Sally Hoffman, Attendance Clerk, Tortolita M.S.

Jim Pryne, Assistant Principal, Marana Junior H.S.  
Cheryl Haggard, Attendance Clerk, Marana Junior H.S.

Mike Dayton, Principal, Roadrunner Elementary  
Kathy Huffman, Attendance Clerk, Roadrunner Elementary  
Deboie Penn, Attendance Clerk, Ironwood Elementary  
Rick Lesko, Principal, Desert Winds Elementary  
Debbie DellVeneri, Attendance Clerk, Desert Winds Elementary

Thursday, March 19, 1998

1:00 p.m. - 3:30 p.m.

Truancy Subcommittee Meeting

*Representatives from:*

Pima County Attorney's Office (4)

Center for Juvenile Alternatives (1)

Juvenile Court (1)

Pima County Sheriff's Department (1)

Tucson Police Department (1)

Tucson Unified School District (1)

Sunnyside School District (1)

Friday, March 20, 1998

9:00 a.m. - 2:00 p.m.

Sunnyside School District

Bernadette Galarza, Project Assistant, Prevention Office

Alice Ramirez, Project Director, Prevention Office

John Chadnik, Assistant Principal, Sunnyside H.S.

Olga Lozano, Attendance Clerk, Desert View H.S.

Alice Long, Attendance Clerk, Chaparral M.S.

Bruce Hawk, Assistant Principal, Sierra M.S.

Laura Chavez, Attendance Clerk, Sierra M.S.

Debra Sanders, Assistant Principal, Challenger M.S.

Dave Daves, Student Advisor, Challenger M.S.

Pat Garcia, Attendance Clerk, Los Ninos Elementary

Pat Durbin, Attendance Clerk, Los Ninos Elementary

## ACT Now Site Visit Schedule

Tuesday, March 17	Wednesday, March 18	Thursday, March 19	Friday, March 20
<p>9:00 a.m. - 1:00 p.m. Pima Co. Attorney's Office: Lindsay Luke, ACT Now Coordinator, Youth as Resources Liaison; Barbara Lawall, Co. Attorney; Ken James, Chief Investigator; Kevin Krejci, Prosecutor (Head, Misdemeanor Cases); Kurt Zobenica, Research Analyst; Mike Burns, Prevention Resiliency Specialist</p>	<p>8:30 a.m. - 1:00 p.m. Amphitheater School District Richard Evers, Dept. Chair for District Schools; Brad Shankels, MIS Director of Student Records; representatives from all High Schools, Middle Schools and a sample of Elementary schools</p>	<p>8:00 a.m. - 12:00 p.m. Center for Juvenile Alternatives; Victor Flores, Program Director; Mario Lugo, Intake Specialist</p>	<p>9:00 a.m. - 1:30 p.m. Sunnyside School District Prevention Office Staff; Truancy Officer; representatives from all High Schools, Middle Schools and a sample of Elementary schools</p>
	<p>1:30 p.m. - 4:30 p.m. Flowing Wells School District Dr. Nic Clement, Principal, Flowing Wells High School; Dr. Karyn Blair, Principal, Flowing Wells Middle School</p>	<p>1:00 p.m. - 4:00 p.m. Marana School District Carol McGorray, District Coordinator for Attendance; representatives from all High Schools, Middle Schools and a sample of Elementary schools</p> <hr/> <p>1:30 p.m. - Law Enforcement Subcommittee meeting; Pima Co. Sheriff's Dept.; Tucson Police Dept.; CJA staff; PCAO staff; School officials</p>	

Name:

Title:

District:

School:

Date/Time of Meeting:

Phone:

## EVALUATION OF ACT NOW TRUANCY DIVERSION PROGRAM

### Interview Instrument for School Personnel

#### I. Development of ACT Now

- 1) How was the ACT Now program planned?
  - a) Who were the major participants in the planning of the program?
  - b) What was your role in the planning of this program?
  - c) What difficulties surfaced in the early planning stages?
  - d) How were the difficulties rectified?

2) What were the original objectives of the ACT Now program?

a) Was there a consensus on the objectives? If no, how serious was the level of disagreement and how was it resolved?

3) What organizational relationship between the school system, the prosecutor's office and the Center for Juvenile Alternatives was envisioned to facilitate the information exchange regarding which students would be targeted for the program?

a) How did this relationship evolve in actuality?

b) Who was initially seen as responsible for ensuring that parents receive advisory letters?

## II. Implementation of ACT Now

4) What changes in program structure and/or program activities have taken place since the program's inception?

a) Were the changes intended changes or did they evolve unintentionally?

b) If they were intentional, what precipitated the changes?

c) How effective do you believe the changes have been?

### III. Documentation

5) Do you have any documents that help explain the intended purpose, objectives, and activities of the program and any relevant historical information (such as contract proposals, or other documents that initiated the program)?

6) Do you have available and/or accessible any materials for review such as intra-office and inter-office memoranda, letters, minutes of planning meetings, staff directives and early periodic reports on the planning progress?

### IV. School Policies and Procedures

7) What are your policies on attendance, excused and unexcused absences?

8) Do your attendance/truancy policies apply district wide or are they school specific?

a) Who is responsible at each school for enforcing the attendance policies and for tracking and reporting attendance?

9) Is participation in the ACT Now program voluntary in your district?

10) After how many unexcused absences do you send a notification letter to the parents?

a) Who is responsible at the schools to keep track of when notification letters should be sent?

b) Are notification letters sent directly from the school or from the district office?

c) Are notification letters sent in languages other than English?



11) After how many unexcused absences do you make a referral to the Center for Juvenile Alternatives?

a) Who is responsible for making the referral?

b) What steps are involved in making a referral?

c) After a referral is made, does the school follow-up on the students' progress in the ACT Now program?

12) Have you noticed any seasonal differences in truancy rates?

13) What has been the response by parents to the ACT Now program? Have you received any positive/negative feedback from parents?

14) In what program areas do you see a need for improvement?

V. Data Availability

15) Do you have the following data for 1995-96, 1996-97 and 1997-98:

a) Number of schools participating in ACT Now

1995-96:

1996-97:

1997-98:

b) Number of students enrolled in each school

1995-96:

1996-97:

1997-98:

c) 40<sup>th</sup> day report (ADA/ADM)

1995-96:

1996-97:

1997-98:

d) 100<sup>th</sup> day report (ADA/ADM)

1995-96:

1996-97:

1997-98:

e) Year-end report (ADA/ADM)

1995-96:

1996-97:

1997-98:

f) Number of non-transfer withdrawals/drop-outs

1995-96:

1996-97:

1997-98:

g) Number of unexcused absences/truancies

1995-96:

1996-97:

1997-98:

h) Number of notification letters sent to parents

1995-96:

1996-97:

1997-98:

i) Number of referrals made to CJA

1995-96:

1996-97:

1997-98:

Name:

Title:

Organization: Pima County Attorney's Office

Date/Time of Meeting: Tuesday, March 17, 1998, 9 a.m.

Phone:

## EVALUATION OF ACT NOW TRUANCY DIVERSION PROGRAM

### Interview Instrument

#### I. Development of ACT Now

1) How was the ACT Now program planned?

a) Who were the major participants in the planning of the program?

b) In what way did they participate in the program's planning?

c) What was your role in the planning of this program? How long have you been involved in the ACT Now program?

d) What difficulties surfaced in the early planning stages?

e) How were the difficulties rectified?

2) What were the original objectives of the ACT Now program? How were these identified?

a) Was there a consensus on the objectives? If no, how serious was the level of disagreement and how was it resolved?

b) Over what period of time were the objectives expected to be reached?

c) How was progress toward meeting objectives to be assessed?

3) What were the original key elements of the ACT Now program?

a) Explain the sequence of program activities that make up the ACT Now program.

b) What organizational relationship between the school system and the prosecutor's office was envisioned to facilitate the information exchange regarding which students would be targeted for the program?

c) How did this relationship evolve in actuality?

d) What organizational relationship between the Center for Juvenile Alternatives and the prosecutor's office was envisioned to facilitate the information exchange regarding which students would be targeted for the program?

e) How did this relationship evolve in actuality?

f) Who was initially seen as responsible for ensuring that parents receive advisory letters?

g) How does the prosecutor's office determine if the diversion program failed to improve attendance in specific cases?

h) What special steps do prosecutors take in the prosecution of parents and students not complying with the directives of the program regarding unexcused absences?

## II. Implementation of ACT Now

4) To what extent do actual program activities reflect the original plans for program implementation?

a) What changes in program structure and/or program activities have taken place since the program's inception?

b) Were the changes intended changes or did they evolve unintentionally?

- c) If they were intentional, what precipitated the changes?
  
  
  
  
  
  
  
  
  
  
- d) How effective do you believe the changes have been?
  
  
  
  
  
  
  
  
  
  
- 5) What organizational elements of the program have proven to have the most influence on program operations?
  - a) What organizational characteristics have enhanced program operations?
  
  
  
  
  
  
  
  
  
  
  - b) What characteristics have been most problematic?

### III. Documentation

- 6) Do you have any documents that help explain the intended purpose, objectives, and activities of the program and any relevant historical information (such as contract proposals, or other documents that initiated the program)?



7) Do you have available and/or accessible any materials for review such as intra-office and inter-office memoranda, letters, minutes of planning meetings, staff directives and early periodic reports on the planning progress?

8) Do you have copies of the Arizona law on the prosecution of parents of truant students?

#### IV. Prosecuting Parents of Truants

9) How many cases have you prosecuted since the passing of the law and the inception of ACT Now? How many cases resulted in deferred prosecution?

10) What was the outcome of the prosecuted cases?

11) Of the deferred cases, what number/percentage fulfilled the requirements of the ACT Now program? What happened to those cases who did not fulfill the requirements?

12) What is the frequency of utilizing the Teen Court? How many parents have been referred to Parenting Skills Classes?

13) Are there any follow-up procedures after prosecution? If yes, what kind?

14) Have you noticed any seasonal differences in truancy rates?

15) Describe the involvement of local law enforcement in the ACT Now program. Has this changed since the program's inception?

16) Explain the format and procedure of the in-service training.

17) In what areas do you see a need for improvement?

18) Has this program previously been evaluated? Do you conduct any internal evaluations?

19) What, if any, has the community's response been to this program?

20) Describe the media coverage of the ACT Now program since it began.

Name:

Title: Program Director

Organization: Center for Juvenile Alternatives

Date/Time of Meeting: Thursday, March 19, 1998, 8:00 a.m.

Phone:

EVALUATION OF ACT NOW TRUANCY DIVERSION PROGRAM  
Interview Instrument

I. Development of ACT Now

1) How was the ACT Now program planned?

a) When did CJA become involved with ACT Now?

b) What was your role in the planning of this program? (Timeframe)

c) Who were the major participants in the planning of the program? (Timeframe)

d) What difficulties surfaced in the early planning stages? (Timeframe)

e) How were the difficulties rectified?

2) What were the original objectives of the ACT Now program? How were these identified?

a) Was there a consensus on the objectives? If no, how serious was the level of disagreement and how was it resolved?

b) Over what period of time were the objectives expected to be reached?

c) How was progress toward meeting objectives to be assessed?

3) What were the original key elements of the ACT Now program?

a) Explain the sequence of program activities that make up the ACT Now program.

b) What organizational relationship between the school system and the Center for Juvenile Alternatives was envisioned to facilitate the information exchange regarding which students would be targeted for the program?

c) How did this relationship evolve in actuality?

d) What organizational relationship between the Pima County Attorney's Office and CJA was envisioned to facilitate the information exchange regarding which students would be targeted for the program?

e) How did this relationship evolve in actuality?

f) How are parents notified that their case is being referred for prosecution?

g) How is follow-up done between CJA and the Pima County Attorney's Office after a case is referred for prosecution?

## II. Implementation of ACT Now

4) To what extent do actual program activities reflect the original plans for program implementation?

- a) What changes in program structure and/or program activities have taken place since the program's inception? (Timeframe)
  
  - b) Were the changes intended changes or did they evolve unintentionally?
  
  - c) If they were intentional, what precipitated the changes?
  
  - d) How effective do you believe the changes have been?
- 5) What organizational elements of the program have proven to have the most influence on program operations?
- a) What organizational characteristics have enhanced program operations?
  
  - b) What characteristics have been most problematic?

### III. CJA Procedures

- 6) How long has the Center for Juvenile Alternatives been in operation?
  
- 7) Please explain your agency's procedures after a school makes a referral to your office.
  - a) Describe the Intake Process of CJA.
  
  - b) How do you determine which services a child/family needs?
  
  - c) What type of intervention services does your office provide? What proportion of cases receive what type of intervention?
  
  - d) What agencies do you refer to? Do you have a list of agencies you refer to? Has this list changed since the program began?
  
  - e) What does your case management consist of?



- f) How have office procedures changed since the program's inception?
- 8) Are there any follow-up procedures after fulfilling the requirements of the ACT Now program? If yes, what kind?
- 9) Describe the involvement of local law enforcement in the ACT Now program. Has this changed since the program's inception?
- 10) In what areas do you see a need for improvement?
- 11) What, if any, has the community's response been to the ACT Now program?
- 12) Describe the media coverage of the ACT Now program since it began.

#### IV. Documentation and Data

- 13) Do you have any documents that help explain the intended purpose, objectives, and activities of the program and any relevant historical information (such as contract proposals, or other documents that initiated the program)?
  
- 14) Do you have available and/or accessible any materials for review such as intra-office and inter-office memoranda, letters, minutes of planning meetings, staff directives and early periodic reports on the planning progress?
  
- 15) How many truancy cases have been referred to you since the inception of ACT Now?  
(By calendar year, by School District, by school)
  - a) Do any referrals come from sources other than participating schools?
  
  - b) How many have been referred from other sources (e.g. law enforcement officers)?
  
  - c) Did all referrals receive intake assessment? If not, what else might be offered? What services were provided? Have these changed? Do you have data that tracks services and follow-up by case?

d) What number/percentage of these referrals fulfilled the requirements of the ACT Now program?

e) What happened to the cases that did not fulfill the requirements?

f) Do you have data that shows when kids are repeat referrals?

16) Have you noticed any seasonal differences in truancy rates?

17) Do you have any reports that show referral numbers and services provided since the program started?

18) Has the ACT Now program previously been evaluated?

a) Do you conduct any internal evaluations? Do you produce an annual report of CJA services? May we have a copy (3-4 years)?

**APPENDIX D**

**1997 ACT Now Program Materials**

ACT Now  
Abolish Chronic Truancy Now

PIMA COUNTY ATTORNEY'S OFFICE  
TRUANCY PREVENTION AND ENFORCEMENT  
DEFERRED PROSECUTION DIVERSION PROGRAM

*in partnership with*

Center for Juvenile Alternatives

Pima County School Districts:

Altar Valley  
Amphitheater  
Catalina Foothills  
Flowing Wells  
Marana  
Sunnyside  
Tanque Verde

Law Enforcement Agencies:

Oro Valley Police  
Marana Police  
Pima County Sheriff  
Tucson Police

Pima County Justice Courts

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## L STATEMENT OF PURPOSE

Pursuant to Arizona Revised Statutes, the Arizona Criminal Justice Commission is charged with preparing "an analysis and review of the criminal justice system, including crime prevention." On behalf of the Arizona Criminal Justice Commission, the Youth and Crime Task Force was formed in 1993, to provide to the Governor and legislature recommendations for statutory, legal and administrative revisions on a criminal justice issue of special timeliness, the issue of youth and crime.

The Schools and Crime Working Group participated as volunteers from July 1993 through July 1994 to address the problem of ever increasing school violence. The working group was charged with recommending workable and comprehensive solutions to making our schools safe and secure educational environments where learning is the primary focus.

The recommendations of the Working Group focus on prevention and meaningful intervention. From the data presented, the Working Group determined that one risk factor and early warning sign of a troubled and potentially criminally involved youth is **poor attendance in school**. Youth who possess a propensity for crime, aggressive behavior, drug use, school-drop out and other dysfunctional behaviors are often significantly truant during periods of their life.

Studies show that poor school attendance is often a direct consequence of lack of familial stability, lack of parental control due to insufficient parenting skills, child abuse or neglect in the home. Preventing youth crime and violence must begin early with intervention to correct and reverse the known root causes of truancy.

After extensive research, public hearings, and from first hand experience with the problem, the members of the Working Group published a series of recommendations aimed at prevention and early intervention directed toward the child, parent and family as the key to disrupting the cycle of juvenile crime and disruptive conduct by youth. One key to early intervention can be achieved best by enforcement of the state compulsory attendance statute. Prosecution of the parents who fail to send their minor children to school and minors who fail to go to school provides an opportunity for effective early intervention.

Now is the time for a sound uniform truancy enforcement plan. The Pima County Attorney's Office, in partnership with the Center for Juvenile Alternatives (CJA), several Pima County school districts and various law enforcement agencies has developed a truancy prevention intervention plan. The proposed program does not require significant investment of resources and is far less costly than the alternative, which is allowing the problem of juvenile crime to multiply and ravage our city, state and country.

## II. ACT NOW TRUANCY

### Working Together to Keep Kids in School

#### A. SCHOOLS AND LAW ENFORCEMENT AS PARTNERS:

1. The Abolish Chronic Truancy Now Program is designed to return the habitually truant minor to school. This program requires coordination and cooperation with participating schools, prosecution, law enforcement, and the Center for Juvenile Alternatives. Administrators, teachers, school attendance officers, law enforcement and school resource officers are vital to the success of a truancy enforcement and prevention program.
2. An instructional in-service training is critical to the success of the program. Participants will be provided with sample forms, suggested form letters, critical time lines and an overall indoctrination to the enforced truancy prevention program, and an overview of the criminal justice system. The Pima County Attorney's Office in conjunction with the Center for Juvenile Alternatives will provide in-service training as requested for each school district.
3. It is strongly suggested that participating schools include a summary of the program in their parent/student handbook.
4. The Pima County Attorney's Office and the Center for Juvenile Alternatives will offer technical assistance, case management and tracking and monitoring of outcomes. Center for Juvenile Alternatives and participating schools will provide the appropriate diversion programs and/or appropriate consequences (e.g.: school based graffiti abatement, school-based community service) for habitually truant student(s) and their parent(s).
5. Participating schools must agree to closely monitor attendance, send an advisory letter to the parent(s) after the first unexcused absence, forward the matter to the Pima County Attorney ACT Now Truancy Program at the Center for Juvenile Alternatives after a minimum of 3 unexcused absences, and provide requested data to the Pima County Attorney for program evaluation.
6. If a case is referred for prosecution, the Pima County Attorney's Office will provide outcome information for each school to the district office.



## B. PARENTAL LIABILITY AND RESPONSIBILITIES:

1. The Schools and Crime Working Group concluded that there has been a significant breakdown in parents' supervision of their child(ren), resulting in truancy, curfew violations and juvenile involvement in a wide range of criminal and other unacceptable, inappropriate behavior. The Working Group has suggested that by holding parents legally accountable for the supervision and control of their child(ren), school attendance will increase while crimes committed by minors will decrease. Parents who fail to ensure that their minor(s) is in school, must be held accountable and penalties must be imposed against them.

*In addition to enforcing Arizona's truancy laws, this program is intended to be rehabilitative in scope. The threat of legal sanctions will be used to promote compliance with the law and encourage truants and their families to seek and follow through in obtaining services and case management.*

2. State law imposes an affirmative duty on parents to send their minor child(ren) to school, unless exempt by statutes.

*A.R.S. §15-802 requires that a person having custody of a child between six (6) and sixteen (16) years of age must send the child to school full time when the school is in session, unless statutorily excused. Failure to ensure that a child attend school is a criminal offense and subject to a fine of up to \$500 plus surcharges and a possible jail sentence of up to 30 days.*

*A.R.S. §§13-3613 and 13-3612 also require parents to not commit any act which causes, encourages or contributes to a child's dependency. A dependent child is one who, among other acts, refuses to attend school. Contributing to the Dependency of a Minor is a criminal offense which carries a fine of up to \$2500 and a possible jail sentence of up to six (6) months in the Pima County jail.*

3. Pursuant to school policy, the school will notify a parent(s) upon determining that the minor child is absent from school without permission. The parent(s) or legal guardian must contact the school within 24 hours of the notice regarding the unexcused absence and inform the appropriate school personnel the reason for the absence.
4. *The school must determine if the excuse is valid and acceptable.* (The Pima County Attorney does not make this determination). School personnel may require further documentation to substantiate the reason for the absence. Students and parents must understand that school attendance is not a matter of choice, but a legal requirement.

## C. SCHOOL PARTICIPATION AND RESPONSIBILITIES:

1. Appropriate school personnel will, in the course of their normal duties, identify students with one (or more) unexcused absences, and contact their parents and/or guardians. Parents/guardians will be informed of the mandatory attendance/truancy laws through receipt of a Pima County Attorney's Office school advisory letter and personal or telephonic contact with school personnel.
2. Each school must keep track of the number of Pima County Attorney's Office school advisory letters sent to parents.
3. The school will notify the parent(s) of intent to take action and enforce the truancy laws. A minimum of three (3) unexcused absences will result in the school forwarding referrals to the Center for Juvenile Alternatives for each truant student.

The number of unexcused absences prior to a referral may be determined by the school, however, for prosecutorial reasons, the Pima County Attorney's Office must have a copy of your policy on file.

4. School referrals must include
  - (a) a completed Truancy Referral Form,
  - (b) a copy of the truant's official school attendance records, and
  - (c) a *notarized* custodian of records affidavit for each referred truant student.  
(No photocopies can be accepted)
5. Participating schools must agree to implement and monitor court ordered diversion program consequences which require community service to be served at the minor truant's school.
6. To effectively evaluate the program, each participating school district must provide the statistics requested on the attached District Enrollment Form (Form A), to the Pima County Attorney's Office twice each year, once after the 100 day ADA/ADM report and once after filing the end-of-year report. Please submit your figures promptly. Failure to submit these figures may result in being dropped from the program.

D. THE CENTER FOR JUVENILE ALTERNATIVES and  
THE PIMA COUNTY ATTORNEY'S OFFICE  
COLLABORATION

Center for Juvenile Alternatives Program Description

The CENTER FOR JUVENILE ALTERNATIVES is designed to provide core services - intake, assessment and referral - as well as extended support services to the juvenile status offender population of Pima County (truancy, curfew violations, runaway etc.). The CENTER was created by a Consortium of Providers - Desert Hills, Open Inn, Our Town and Parents And Children Together (PACT) - in cooperation with the Pima County Juvenile Court and county and city law enforcement. The CENTER serves as a community-based alternative to traditional court services. The CENTER is operational 7 days a week, 24 hours a day, 365 days a year to assist law enforcement.

Case Disposition

1. After 1 unexcused absence, participating schools are required to send the parent(s) or legal guardian(s) a school notification letter advising of the truancy, and requiring the parent(s) or legal guardian(s) to inform the school of the measures they have taken to ensure their minor child is attending school. (See sample Pima County Attorney's Office school advisory letter, Form A.)
2. 3 unexcused absences will result in the Pima County Attorney's Office option to prosecute the minor child's parent(s) or legal guardian for failure to ensure the child's attendance pursuant to state truancy statutes, and for contributing to the dependency of the child, a class one (A.R.S. §13-3613) and a class three misdemeanor (A.R.S. §§15-802, 15-803).
3. 3 unexcused absences may also result in the filing of an incorrigibility petition for habitual truancy in Pima County Juvenile Court against the minor child.
4. Before filing criminal charges against the parent(s) and/or minor child for truancy, a file will be referred to the Center for Juvenile Alternatives.

CJA Intervention

1. Upon receiving a completed truancy case on a juvenile, the CJA staff will query JOLTS and immediately notify the juvenile probation officer in the event that the truant is an active juvenile probation case.

2. On behalf of the Pima County Attorney's Office, the Center for Juvenile Alternatives will:
  - (a) send an "intent to prosecute" letter setting forth the criminal allegation and potential consequences to the parent(s) of the minor truant,
  - (b) acquire an official records check by the Pima County Superintendent of the schools.
  - (c) set an initial interview with the parent(s) and child.
3. The parent(s) and minor child will have the opportunity to *defer prosecution* by participating in the Pima County Attorney Truancy Diversion Program administered by the Center for Juvenile Alternatives.
4. If prosecution is deferred, the CJA staff will perform a case management evaluation of each truancy referral. Based upon professional judgment and the facts of the case, the Center for Juvenile Alternatives may elect to:
  - (a) Offer intervention services to the family and/or truant on a voluntary basis;
  - (b) Decline to accept the referral and forward the case to the Pima County Attorney's Office for prosecution;
  - (c) Assess and collect, on a sliding fee scale, a program fee not to exceed \$75.00. CJA will have the discretion to refer truants and their families to other appropriate community and/or school based services in addition to or in lieu of in-house services.
5. Successful completion of all terms and requirements of the deferred prosecution program contract by parent(s) and minor will result in **non-prosecution**.
6. Failure to participate in the diversion program will require the filing of a criminal complaint against the parent(s) and prosecution of the parent(s) in Justice Court. Depending upon circumstances, an incorrigibility petition may be filed against the minor child in the Pima County Juvenile Court for habitual truancy.

### Truancy Prosecution Diversion Program

1. Rather than immediately prosecuting parents, the Pima County Attorney's Office will offer a Truancy Prosecution Diversion Program through the Center for Juvenile Alternatives. The purpose of the program is to intervene in the circumstances that are

contributing to the truancy, behavior and attendance problems, and to provide rehabilitative services. The threat of legal sanction will be used to promote compliance with the truancy law and to encourage truants and their families to seek services and case management assistance.

2. Participation in parenting skills classes and/or Pima County Teen Court will be programs used by the CJA for deferred prosecution for parents and truant students identified by each participating school. The school districts, the individual schools, the CJA, and the Pima County Attorney's office will work collaboratively and collectively with both parents and minors.
3. Parents who opt for deferred prosecution will be required to meet with a case manager from the Center for Juvenile Alternatives and complete a diversion program contract.
4. If parents and truant students choose deferred prosecution and successfully complete the terms of the stipulated agreement, the case will not be filed for prosecution. If the terms and conditions of the diversion agreement are not met, the diversion agreement is vacated and criminal prosecution is required.

## E. FOLLOW-UP/OUTCOME DATA

1. If a case is referred for prosecution, it is the responsibility of the Pima County Attorney's Office to send outcome information to the district office.
2. The CJA and the PCAO will maintain a computerized data base and tracking system. They will track data regarding the numbers of truants and parents referred for prosecution, the numbers entering diversion, the numbers successfully completing diversion, the numbers of complaints and petitions filed, changes of plea, trials held, magistrates' verdicts and sentences. The accumulated data may be accessed by the schools upon a written request to the Pima County Attorney's Office.
3. The Pima County Attorneys Office and the Center for Juvenile Alternatives will dedicate resources to the ACT NOW program, and provide clerical staff to monitor and maintain the data base tracking system.

## APPENDIX A

### Relevant Legal Information

## RELEVANT ARIZONA STATUTORY PROVISIONS

### A.R.S. 15-802: School Instruction

- A. Every child between the ages of 6 and 16 years, shall be provided instruction in at least the subjects of reading, grammar, mathematics, social studies and science. The person who has custody of the child shall choose a public private or home school to provide instruction.
- B. The parent or person who has custody of the child shall do the following:  
1. If the child will attend a public or private school, enroll the child in and ensure that the child attends a public or private school for the full time school is in session....
- E. Unless otherwise exempted ... a parent of a child or a person who has custody of a child between 6 and 16 ... who does not provide instruction in a home school, and who fails to ensure that the child attends a public or private school ... is guilty of a class 3 misdemeanor...

*(a class 3 misdemeanor is punishable by up to 30 days in the Pima County jail and up to \$500 fine)*

### A.R.S. 15-803: School Attendance

- A. It is unlawful for any child between 6 and 16 years of age to fail to attend school during the hours school is in session....
- B. A child who is habitually truant ... may be adjudicated an incorrigible child.
- C. As used in this section:  
1. "Habitually truant" means a truant child who is truant for 10 school days within a school year.  
2. "Truant child" means a child between 6 and 16 years of age who is not in attendance at a public or private school during the hours that school is in session..

### A.R.S. 13-3613: Contributing to the Delinquency or Dependency of a Minor

- A. A person who by any act, causes, encourages or contributes to the delinquency or dependency of a child as defined by ARS 13-3612, or who for any cause is responsible therefore, is guilty of a class 1 misdemeanor.

*(a class 1 misdemeanor is punishable by up to six (6) months in Jail and up to \$2500 fine)*

### A.R.S. 13-3612: Dependency (definitions)

- A. A dependent child is defined (in relevant part) as a person under the age of 18 years old who:
- (e) has no parent or guardian willing to exercise, or capable of exercising, proper parental control over him/her,
  - (k) who persistently refuses to obey the reasonable orders or directions of his/her parents or guardian;
  - (o) who, being not over the age of 14, refuses to attend public or private school as directed by his parent, guardian or legal custodian;
  - (q) who, from any cause, is in danger of growing up to lead an idle, dissolute or immoral life.



# PIMA COUNTY ATTORNEY'S OFFICE

## TRUANCY CHANGE OF PLEA CONDITIONS

### 1st Offense

1. Plead to 1 count §15-802 C3M  
Dismiss 1 count §13-3613 C1M
2. \$100 fine and surcharges.
3. (Within 10 days) Parent must contact and enroll truant minor in Teen Court. Parent and child must attend Teen Court Basic Training Program.
4. Parent to serve 4 hours Community Service (to be served at child's school: work in classroom as teacher's helper, work in cafeteria, patrol campus, work in attendance office calling parents whose kids are not in school, etc.)

### 2nd Offense

1. Plead to 1 count §15-802 C3M  
Dismiss 1 count §13-3613 C1M
2. \$300 fine and surcharges.
3. (Within 10 days) Parent must contact and enroll truant minor in Teen Court. Parent and child must attend Teen Court Basic Training Program.
4. (Within 10 days) meet with school truancy administrator and complete a written plan (to be submitted to the court and prosecutor) re: what steps they will be taking to ensure their child's attendance in the future.
5. Parent to serve 8 hours Community Service (to be served at child's school: work in classroom as teacher's helper, work in cafeteria, patrol campus, work in attendance office calling parents whose kids are not in school, etc.)

### 3rd Offense

1. Plead to §13 - 3613 C1M  
Dismiss §15-802 C3M
2. \$500 fine and surcharges.
3. (Within 10 days) Parent must contact and enroll truant minor in Teen Court. Parent and child must attend Teen Court Basic Training Program.
4. (Within 10 days) meet with school truancy administrator and complete a written plan (to be submitted to the court and prosecutor) re: what steps they will be taking to ensure their child's attendance in the future.
5. Parent to serve 12 hours Community Service (to be served at child's school: work in classroom as teacher's helper, work in cafeteria, patrol campus, work in attendance office calling parents whose kids are not in school, etc.)
6. 24 hours jail (minimum).

*APPENDIX B*

Forms For the Center for Juvenile Alternatives

## PROSECUTION ADVISORY LETTER

Date:  
Parent's Name:  
Address:  
Re: (Name of Minor Child)

Dear Mr/Mrs/Ms:

Your child's school has informed this office that your child has not been attending school, and has had a minimum of three (3) unexcused absences since the beginning of the school year. Arizona law requires that a person having custody of a child between six (6) and sixteen (16) years of age must send the child to school full time when the school is in session, unless excused pursuant to A.R.S. §15-802 (D).

Failure to ensure that your child attends school is a criminal offense and subjects you to criminal prosecution, to a fine of up to \$500 plus surcharges and a possible jail sentence of up to 30 days.

In addition to the above statute, your failure to ensure that your child regularly attends school *also* subjects you to criminal prosecution by this office for the criminal offense of Contributing to the Dependency of a Minor (A.R.S. §13-3613) a class 1 misdemeanor (which carries a possible penalty of 6 months in jail and up to a \$2500 fine).

The Pima County Attorney's Office will permit you the opportunity to defer prosecution by participating with your child in the Pima County ACT NOW Truancy Deferred Prosecution Program. *Successful completion of the program will result in non-prosecution.* If you wish to participate, please read and sign the enclosed Stipulation to Defer Prosecution Agreement.

You must complete the attached agreement and FAX, mail or deliver it to the Center for Juvenile Alternatives at 1927 E. 7th Street, Tucson, AZ 85719 PHONE: (520) 670-9040 FAX: (520) 670-9101. Please return within 5 working days of receipt. *Failure to do so will result in the filing of criminal charges against you, the parent.*

If you have questions about this letter, please call the Center for Juvenile Alternatives at 670-9040 and ask to speak with a representative from the ACT Now Truancy program.

Sincerely,

Barbara LaWall  
Pima County Attorney

cc: School Attendance Clerk

## STIPULATION TO DEFER PROSECUTION

It is hereby agreed between the Pima County Attorney and \_\_\_\_\_, parent or legal guardian of minor child, (hereinafter "Parent") that prosecution of Parent and minor child will be deferred for a period not to exceed one month (30) days from this date.

The Parent admits and stipulates that \_\_\_\_\_ is his/her minor child, and that Parent and minor child were in violation of A.R.S. §§15-802, 15-803 by failing to ensure regular attendance of minor on \_\_\_\_\_ (list dates).

The parent agrees during the period of deferred prosecution to exercise reasonable care, supervision and control over the Parent's minor child(ren). The parent further agrees to meet with an assigned case manager and successfully complete the requirements determined by agreement in the ACT Now Truancy Diversion Program contract.

In the event the Parent fails to successfully complete the terms of the Truancy Diversion Program Contract, the Parent acknowledges that the State may file a criminal complaint alleging the Parent's violation of A.R.S. §§15-802, 15-803 and 13-3613.

The parties agree that the deferment of prosecution serves the ends of justice. If the parent successfully completes the requirements of the ACT Now Truancy Diversion Program contract, the State hereby agrees not to file any criminal charges and/or to dismiss any outstanding criminal complaint.

\_\_\_\_\_  
Parent/Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Truancy Diversion Case Manager

\_\_\_\_\_  
Date

**ACT NOW  
TRUANCY DIVERSION PROGRAM CONTRACT -**

In order to satisfactorily complete ACT NOW the Truancy Diversion Program, I understand the following are conditions of my voluntary participation in this program:

I, \_\_\_\_\_, parent or legal guardian of  
\_\_\_\_\_, a minor student  
at \_\_\_\_\_ School, hereby

**AGREE TO:**

1. Meet with a case manager from the Center for Juvenile Alternatives.
2. Meet with the school principal, other school administrator and/or counselor if s/he wishes a meeting.
3. **(Option):** Attend all classes of one cycle of parenting skills classes as determined by the school's diversion program requirements. The classes will be conducted by, held at the following location, at the following dates and times:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. **(Option):** Enroll my minor child, and ensure his/her attendance in the Pima County Teen Court, as indicated:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. **(Option):** Additional obligations:  
\_\_\_\_\_  
\_\_\_\_\_

**IN RETURN, THE STATE OF ARIZONA AGREES TO:**

1. Defer or suspend filing criminal charges pursuant to A.R.S. §§15-802, 15-803, and 13-3613.
2. Upon satisfactory completion of the Act Now Truancy Diversion Contract by the Parent, to dismiss all charges permanently.
3. Provide referral services to the Parent and/or the minor child in the area(s) or need (s) which are identified by the Center for Juvenile Alternatives case manager and/or the Parent.

This agreement is in addition to and in conjunction with any and all other program requirements.

I understand that in order to be satisfactorily terminated from the ACT Now Truancy Diversion Program, all requirements must be completed and complied with within one (1) month from this date. It is also understood that in addition to any failure to cooperate or comply with any or all Diversion Program requirements, any involvement of the minor child in additional unexcused absences will result in unsatisfactory termination from this program, and the resumption of criminal charges.

\_\_\_\_\_  
Parent or Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Legal Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Act Now Truancy Diversion Case Manager

\_\_\_\_\_  
Date

RECORDS CHECK BY THE  
PIMA COUNTY SUPERINTENDENT OF SCHOOLS  
FOR EXCUSES OR EXEMPTIONS FROM SCHOOL ATTENDANCE

RE: \_\_\_\_\_ (D.O.B.) \_\_\_\_\_

The records of the Pima County Superintendent of Schools were checked to determine whether the above-named child is excused or exempted from the school instruction and attendance requirements of Arizona Revised Statutes §15-801 et. seq. According to this records check, the above-named child HAS \_\_\_\_\_ / HAS NOT \_\_\_\_\_ been excused by the Pima County Superintendent of Schools from the instruction requirements and further HAS \_\_\_\_\_ / HAS NOT \_\_\_\_\_ filed with the Pima County Superintendent of Schools an affidavit of intent to provide instruction in a private school or in a home school.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature - Custodian of Records

\_\_\_\_\_  
Please print name and office telephone number of  
Records Custodian

Please return signed form to:

Sandy Bean  
Center for Juvenile Alternatives  
1927 E. 7th Street  
Tucson, AZ 85719

Thank you.

# Appendix C

## Relevant School Forms



Pima County Attorney's Office  
SCHOOL ADVISORY LETTER

\* (Date)

\*  
\*  
\*

Re: Attendance of your child\*

Dear Mr/Mrs/ Ms:

Your child, \_\_\_\_\_, who is enrolled in this school has had \_\_\_\_\_ unexcused absences since the beginning of the school year. Arizona law requires that a parent or legal guardian must ensure that their minor child between the age of six (6) and sixteen (16) is in school for the full time school is in session, unless otherwise legally excused pursuant to A.R.S. §§15-802 or 15-803.

This school is working in close cooperation with the Pima County Attorney's ACT NOW Truancy Enforcement Program. Failure to ensure your minor child attends school may subject you and your child to criminal prosecution. We are interested in having your child in the classroom, and not on the streets. We are willing to work with you and assist you in correcting your child's truancy problem.

Upon receipt of this letter, you must immediately contact this office. Failure to contact us within 24 hours will result in a referral to the Pima County Attorney's ACT NOW Truancy Enforcement Program for criminal prosecution.

Sincerely,

School Attendance Officer

telephonic contact attempted on: \_\_\_\_\_

read letter to parent/guardian on: \_\_\_\_\_

**PIMA COUNTY ATTORNEY'S OFFICE  
TRUANCY REFERRAL FORM**

DATE: \_\_\_\_\_

The following child is not in compliance with the truancy laws of the State of Arizona, as defined in A.R.S. §§15-802, 15-803. As a result, the child is being referred to the Pima County Attorney's Office for prosecution. Please...

- 1) complete all information on this form,
- 2) attach a legible copy of the juvenile's attendance record (please include a ledger for your schools attendance codes) and,
- 3) attach the official notarized affidavit from the school attendance officer or other official custodian of records (we can not accept copies of the affidavit).

**PART I:**

Child \_\_\_\_\_  
*(last name)* *(first name)* *(middle name)*

Age \_\_\_\_\_ Date of Birth \_\_\_\_\_ Sex \_\_\_\_\_ Race \_\_\_\_\_

Mother's Name \_\_\_\_\_ Mother's Phone \_\_\_\_\_

Mother's Address \_\_\_\_\_ Zip \_\_\_\_\_

Father's Name \_\_\_\_\_ Father's Phone \_\_\_\_\_

Father's Address \_\_\_\_\_ Zip \_\_\_\_\_

(If other than parent above) Child resides with: \_\_\_\_\_

Address \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

**PART II:**

A. List all dates juvenile was absent from school, without parental excuse:  
\_\_\_\_\_  
\_\_\_\_\_

B. List date juvenile enrolled in school:  
\_\_\_\_\_

TRUANCY REFERRAL FORM - CONTINUED

C. List dates, if any, juvenile has been expelled from school:

\_\_\_\_\_  
\_\_\_\_\_

D. With regard to truant behavior, what discipline has occurred? Please list contacts with parents and juvenile, actions taken, and dates on which each have occurred:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Advisory letter sent on what date? \_\_\_\_\_

F. Response from parent(s)? \_\_\_\_\_

\_\_\_\_\_

G. If necessary, who is the representative of the school who can testify as to the identification of the juvenile, to the juvenile being duly enrolled, to how the records are kept, and to the dates of absences? \_\_\_\_\_

PART III: REFERRING AGENCY INFORMATION

School Name: \_\_\_\_\_ District: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

City & State: \_\_\_\_\_ Zip: \_\_\_\_\_

\_\_\_\_\_  
*Print: Name of person submitting report*

\_\_\_\_\_  
*Title and Position*

\_\_\_\_\_  
*Phone*

\_\_\_\_\_  
*Signature*

*You may mail or FAX (670-9101) this form to:*

*CENTER FOR JUVENILE ALTERNATIVES  
ACT Now Truancy Program  
1927 E. 7th Street/Tucson, AZ 85719  
Phone: (520) 670-9040 FAX: (520) 670-9101*



Form A

## DISTRICT ENROLLMENT FORM

PLEASE SUBMIT ONE FORM FOR EACH SCHOOL

NAME OF SCHOOL: \_\_\_\_\_

SCHOOL DISTRICT: \_\_\_\_\_

DATE: \_\_\_\_\_

Check one:

\_\_\_\_\_ 100-day \*report for the period:  
\_\_\_\_\_

\_\_\_\_\_ Year-end \*\*report dated:  
\_\_\_\_\_

\*For the period from day 1-100

\*\*For the period from day 101 to years end

Total # Enrollment (ADM)	Total # Unexcused Absences**	Total # Non-Transfer Withdrawals	Total # Advisory Letters Sent
	-	-	

\*\* Assumed to be full day absence unless school indicates alternate definition.

Name and telephone number  
of contact  
person: \_\_\_\_\_

Mail this form to: ACT NOW Truancy Program      or      FAX the form to: 791-3946  
Pima County Attorney's Office  
32 N. Stone Avenue, #1400  
Tucson, AZ 85701



APPENDIX D

Spanish versions of the

School Advisory Letter  
Prosecution Advisory Letter  
Stipulation to Defer Prosecution Contract

(Dia)

Esta carta es un recordatorio de la carta consultiva escolar enviada a usted con fecha \_\_\_\_\_. Una copia de esta carta esta incluida.

Usted tiene cinco (5) dias laborales a partir de la fecha de esta carta para responder. Si no lo hace dentro de los cinco dias su expediente sera enviado a la oficina de el Pima County Attorney's Office para proseguir con cargos criminales en su contra.

Favor de ponerse en contacto con el Center for Juvenile Alternatives (Centro Juvenil de Alternativas). Pregunte por Sandy Bean, especialista de admision al (520)670-9040.

Atentamente,

Especialista en Admision

Spanish School Advisory Letter



(Dia)

La escuela de su hijo(a) ha informado a esta oficina que su hijo(a) ha faltado la escuela y que tiene un minimo de tres ausencias sin permiso desde el comienzo del ano escolar. La ley de Arizona requiere que una persona que sea tutor de un menor de edad desde los 6 a los 16 anos de edad debe mandarlo a la escuela durante el periodo escolar a menos que tenga permiso de acuerdo con los Estatutos Revisados de Arizona A.R.S. §15-802 (D).

El hecho de no asegurar de que su hijo(a) asista a la escuela es un delito de ofensa criminal y lo puede exponer a usted a cargos criminales y ser multado con hasta \$500 ademas de los sobrecargos y quizas una condena en la carcel de hasta 30 dias.

Ademas del estatuto anterior el hecho de que usted no asegure que su menor de edad asista a la escuela con regularidad tambien lo puede exponer a usted a cargos criminales a traves de esta oficina por el delito criminal de Contribuir a la Dependencia de un Menor de Edad (Estatuto Revisado de Arizona A.R.S. §13-1336). Un delito menor de Primera Categoria que puede ser de una sentencia de hasta 6 meses en la carcel y una multa de \$2,500.

La oficina del Pima County Attorney le permitira a usted la oportunidad de que los cargos sean aplazados si usted participa con su hijo en el Pima County Act Now Truancy Deferred Prosecution Program (Programa que dilata la prosecucion por el absentismo). Si el programa es llevado en una manera exitosa los cargos criminales seran retirados. Si usted desea participar, favor de leer y firmar el convenio de estipulacion adjunto.

Usted debe completar el convenio adjunto y mandarlo por FAX, enviarlo por correo o llevarlo al Center for Juvenile Alternatives (Centro Juvenil de Alternativas) a la siguiente direccion: 1927 E. 7th Street, Tucson, AZ 85719 con telefono (520)670-9040 y con FAX (520)670-9141. Favor de enviarlo dentro de dos dias despues de recibirlo. El hecho de no enviarlo resultara en cargos criminales en contra de usted, el padre, y su menor de edad absentista.

Si tiene preguntas, por favor llamar al telefono al Center for Juvenile Alternatives con telefono 670-9040.

Atentamente,

Barbara LaWall  
Pima County Attorney

copia a: Secretaria de Asistencia Escolar

Spanish Prosecution Advisory Letter

## ESTIPULACION PARA APLAZAR LA PROSECUCION

Por la presente se ha convenido entre el Pima County Attorney y \_\_\_\_\_ padre o tutor legal del menor de edad (a quien se denomina "padre") que la persecucion del padre y del menor de edad sea aplazada por un periodo de no mas de 30 dias a partir de esta fecha.

El padre reconoce y admite que \_\_\_\_\_ es su hijo(a) menor de edad y que el padre y el menor de edad infringieron el Estatuto Revisado de Arizona A.R.S. §§15-802, 15-803 por el hecho de no asegurar la asistencia con regularidad a la escuela durante el periodo escolar.

El padre estara de acuerdo en que durante el periodo en que la prosecucion sea aplazada ejercera cuidado, supervision y control razonable sobre el menor de edad. Ademas el padre estara de acuerdo en reunirse con el administrador del caso y lograr completar los requisitos determinados por el convenio ACT Now Truancy Diversion Program.

En el caso de que el padre por el hecho de no lograr cumplir con las condiciones del contrato Truancy Diversion Program, el padre reconocera que el Estado puede hacer cargos en contra de el, alegando la infraccion del Estatuto Revisado de Arizona A.R.S. §15-802 y tambien de los siguientes Estatutos: A.R.S. §§15-803 y 1336.

Las partes estaran de acuerdo en que al aplazar la prosecucion servira a los propositos de la justicia. Si el padre logra cumplir con los requisitos del ACT Now Truancy Diversion Program el Estado por la presente estara de acuerdo en no hacer ningun cargo criminal y de retirar cualquier demanda criminal que tenga pendiente.

\_\_\_\_\_  
Padre/Tutor Legal =

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Padre/Tutor Legal

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Administrador del Caso Truancy Diversion

\_\_\_\_\_  
Fecha

Spanish Stipulation to Defer Prosecution Contract

## **APPENDIX E**

### **Roles and Responsibilities of “Partners” in the ACT Now Program**

## Appendix E

<b>Roles and Responsibilities of ACT Now Truancy Diversion Program “Partners”</b>				
<b>Parents/Guardians /Youth</b>	<b>Schools</b>	<b>CJA</b>	<b>PCAO</b>	<b>Law Enforcement</b>
<b>Initiation</b>				
<p>Fulfill legal requirement to ensure that minor children attend school daily except when excused for reasons defined in school policy.</p>	<p>Attend in-service training and cooperate with program procedures.</p> <p>Include information about Truancy Diversion Program in parent/student handbook.</p> <p>Closely monitor attendance of all children.</p> <p>Determine whether excuse for absence is valid and acceptable.</p>	<p>Jointly with PCAO provide training to participating schools, prepare and distribute materials, and provide technical assistance as needed.</p>	<p>Jointly with CJA provide training to participating schools, prepare and distribute materials to schools (including program goals, procedures, sample letters and forms), and provide technical assistance as needed.</p>	<p>Cooperate with PCAO, CJA, and schools in planning and conducting periodic truancy sweeps.</p>
<b>Implementation</b>				
<p>Contact school within 24 hours of receiving Parent Advisory Letter to explain absence.</p>	<p>After 1<sup>st</sup> unexcused absence send Advisory Letter to parent/guardian stating:</p> <ol style="list-style-type: none"> <li>1.) School working closely with PCAO: Truancy Enforcement</li> <li>2.) Program and parent and child may be prosecuted.</li> </ol> <p>Establish contact with parent/guardian by phone.</p>			

Parents/Guardians /Youth	Schools	CJA	PCAO	Law Enforcement
<b>Implementation (cont'd.)</b>				
	<p>After 3<sup>rd</sup> unexcused absence refer parent/child to CJA</p> <p>Send to CJA:</p> <ol style="list-style-type: none"> <li>1.) Truancy Referral Form</li> <li>2.) Official attendance record,</li> <li>3.) Notarized affidavit from records custodian to eliminate need to testify re: absence.</li> </ol>	<p>Query JOLTS to determine if truant is on probation and notify probation officer.</p>	<p>Authorize CJA to act on behalf of PCAO.</p>	
<p>Contact CJA for appointment.</p>		<p>On behalf of PCAO, send Prosecution Advisory Letter to parent/guardian:</p> <ol style="list-style-type: none"> <li>1.) Outline intent to prosecute;</li> <li>2.) List criminal penalties of up to \$500 and 30 days in jail (ARS, §15-802(D)), or up to \$2500 and 6 mos. in jail (ARS, §13-3613);</li> <li>3.) Offer deferred prosecution.</li> </ol>		
<p>Participate in CJA assessment.</p> <p>If parent agrees to deferred prosecution:</p> <ol style="list-style-type: none"> <li>1.) Stipulate to violation of law; and</li> <li>2.) Sign Diversion Agreement Contract.</li> </ol> <p>Meet with CJA case manager and school personnel as needed; complete classes, counseling, teen court program, etc.</p>		<p>Perform case assessment;</p> <p>Refer to develop Diversion Contract for the appropriate services;</p> <p>Manage case and monitor compliance;</p> <p>Assess fee up to \$75.</p>		

Parents/Guardians /Youth	Schools	CJA	PCAO	Law Enforcement
<b>Implementation (cont'd.)</b>				
Complete terms of Truancy Diversion Program Contract within time frame.		Inform PCAO of successful completion of Diversion Contract.	Dismiss charges if conditions of Diversion Contract are met.	
		Refer parent/child to PCAO if parent fails to complete contract.	Prosecute parent/guardian if parent fails to complete Diversion Contract.  File petition for Truancy in Juvenile Court when appropriate for juveniles.	
<b>Data Collection/Follow-up</b>				
	Submit case tracking form to CJA monthly.  Submit attendance and truancy data to CJA monthly.	Maintain a computerized database and tracking system. (# of parents and truants entering and completing diversion, pleas, sentences, etc.)	Maintain a computerized database and tracking system. (# of parents and truants entering and completing diversion, pleas, sentences, etc.)	
			Provide outcome information to schools following referral for prosecution.	
		Dedicate resources to ACT Now and support data collection and tracking system.	Dedicate resources to ACT Now and support data collection and tracking system.	
	Provide CJA with complete attendance record of student whose parents do not complete diversion program.	Submit names of students whose parents do not complete diversion program to school district for attendance records check.  Forward complete attendance records to PCAO.	Review records for potential prosecution.	

## **APPENDIX F**

### **Attendance and Truancy Policies for Four Pima County School Districts**

## Appendix F

### School District Excused Absences and Truancy Policies

Attendance Categories	Amphitheater	Sunnyside	Flowing Wells	Marana
Excused Absence: Elementary & Middle Schools	Any absence more than ½ day due to illness, vacation, death in family, religious observance, accident or other unusual circumstance, provided a telephone call or note from parent/guardian is received within 24 hrs of student's return to school	Absences are excused only for necessary and important reasons such as illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. Teachers are responsible for checking and formally recording attendance twice daily.	Absence from any class caused by illness, death in family, mandated court appearances, approved religious absences, or an emergency outside the control of the student.	Absences are excused only for necessary and important reasons such as illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith.
Excused Absence: High School	Absence during an assigned period excused for the above-stated reasons.	Absence from 20 minutes of a class period for the above-stated reasons.	An absence from more than ½ of a class period for the above-stated reasons.	Same as above.
Unexcused Absence	Any absence without a written excuse or call from parent/guardian.	All absences are unexcused unless written note from parent delivered to school.	Absences not considered prearranged or excused	Not available
Truancy	Any unexcused absence from school.	Any absence from a class or classes without permission.	The failure to attend class or a required school function without proper and timely excuse.	Any unauthorized absence from school or assigned class.



Actions Taken in Response to Absence or Truancy	Amplitheater	Sunnyside	Flowing Wells	Marana
Elementary Schools & Middle Schools	<p>Contact parent of elementary student within 2 hrs. if absent.</p> <p>5 unexcused – letter notifying parent of possible court intervention and school conference</p> <p>7 unexcused– referral to PCAO for truancy</p>	<p>Contact parent of elementary student within 2 hrs. if absent.</p> <p>Middle:</p> <p>1st truancy – parent notified &amp; student to attend detention</p> <p>2nd truancy – parent notified &amp; conference held</p> <p>3rd truancy – parent conference &amp; referral notice</p> <p>4th truancy – short term student suspension</p>	<p>Contact parent of elementary student within 2 hrs. if absent.</p>	<p>Contact parent of elementary student within 2 hrs. if absent.</p> <p>2 unexcused – parent notification letter and request for explanation.</p> <p>3 unexcused absences – file notification with PCAO.</p>
High Schools	<p>After every absence, automated call to parent</p> <p>5 Unexcused-- letter to parent</p> <p>7 unexcused – student placed on contract &amp; conference held</p> <p>10 unexcused – letter notifying parent of possible court intervention</p> <p>13 unexcused—referral to PCAO</p>	<p>4 absences – attendance notice sent to parents</p> <p>7 absences – attendance notice sent to parents</p> <p>10 absences – attendance notice sent to parents</p> <p>4 unexcused absences in a class – student placed on contract</p>	<p>1<sup>st</sup> unexcused - parent notified</p> <p>2<sup>nd</sup> unexcused – parent notified</p> <p>3<sup>rd</sup> unexcused – parent notified</p> <p>Parent notified after 5<sup>th</sup>, 10<sup>th</sup>, and 14<sup>th</sup> excused/prearranged absences</p> <p>12 absences (excused, unexcused, and prearranged) student will be withdrawn from class &amp; parents notified.</p>	<p>Same as above.</p>

## **APPENDIX G**

### **Truancy Sweep Information**

## Truancy Sweep Statistics

Date	December 14, 1996	November 7, 1997	May 4, 1998
Location	Areas surrounding Tucson High School	South of Speedway	North of Grant West of Campbell
Juveniles questioned		101	90
Truant Offenders	51	80	50
Charged with truancy	43 (this include Runaway, Health Welfare and Morals charges)	67	43
Youngest		6 years old	8 years old
Elementary School		3 Elementary School Students	1 Elementary School Students
Middle School		25 Middle School Students	23 Middle Schools Students
High School		52 High School Students arrested	25 High School Students
Unknown school status			1
Chronic Truancy Citations		8 families	22 families
Miscellaneous Arrests	17 adults arrested		1 Adult felony Warrant 2 Adult Misd. Warrant 2 Adult Misd. P.C. 1 juvenile referral to CPS
Delinquent Offences	8	22	26 (7 brought to sweep location 19 paper referrals or taken directly to juvenile)
Detained within ½ mile of school		12	6
Contacts in Malls			42

## Breakdown of Delinquent Offenses

Date	December 14, 1996	November 7, 1997	May 4, 1998
Juv. Misd. Referrals		16	23
Juv. Misd. In Custody		7	2
Juv. Felony Referrals	4	2	1
Juv. Felony In Custody		4	0
Probation Violations		5	1
GMIC Cards gang info gathered		13	0

### Offenses included\*

Tobacco Violations			6
Narcotic Violations		14 <i>2 juveniles charged with possession of narcotics packaged for sale and jailed</i>	2
Alcohol Violations		0	3
Guns Seized		0	0
Theft		1	
GMIC Cards gang info		13	0

\*Please note, these numbers are preliminary examples of the types of offenses charged. The numbers do not reflect the actual number of delinquent offenders charged. Juveniles are often charged for multiple offenses.

FOR FURTHER INFORMATION PLEASE CONTACT  
Lindsay Luke, Director ACT Now Truancy Program  
Pima County Attorney's Office

## APPENDIX H

### Newspaper Articles

# Comment

The Arizona Daily Star

Founded 1877

Stephen E. Auslander, Editor  
James M. Kiser, Editorial Page Editor

Michael E. Pulitzer, Publisher

4-5-96

## EDITORIALS

### Be hard-nosed on truancy

Even the best of teachers can't teach students who aren't in their classrooms.

Yet while some Tucson schools aggressively crack down on truancy, others enforce attendance so laxly that they allow students to amass large numbers of unexcused absences.

The result is students who learn to ditch regularly, and schools that through their laxness send a strong message that education does not matter much. That's unacceptable.

By contrast, Flowing Wells School District, considered one of the toughest in Tucson on truancy, has developed a number of methods of keeping students in the classroom. These were described Sunday and Monday in a series on truancy in The Arizona Daily Star.

At both the junior high and high schools, punishments and parental notification kick in with the first unexcused absence. With the third unexcused absence, the student is turned over to ACT NOW, a truancy diversion program headed by Barbara LaWall, chief administrative deputy for the county attorney.

That hard-nosed program is able to put teeth into anti-truancy efforts: A 1994 law makes it a Class 3 misdemeanor, punishable by up to a \$500 fine and 30 days in jail, for a parent not to send their child aged 6-16 to school.

First, ACT NOW offers counseling and parenting programs through the Center for Juvenile Alternatives. If that fails, the County Attorney's Office prosecutes. So far this year, seven parents have been fined, five ordered to do community service, and three placed on 12-month unsupervised probation. These numbers are not large, yet they serve to make the point: Parents can - and should - be held responsible for making sure their children

ACT NOW recommends that schools refer students after the third unexcused absence. Inexplicably, some school districts don't refer until after five, 10 or even more unexcused absences. Canyon del Oro High School, for instance, refers students to ACT NOW only after 13 unexcused absences - or after the student already has missed more than 7 percent of the school year.

The problem, however, isn't only with schools.

Some parents keep children home, especially older girls, to baby sit siblings. Some parents, incredibly, are afraid of "interfering" in their children's lives. A mother of a 14-year-old, when asked if she contacted the school to ensure he was attending, said, "He doesn't like me to be involved with the school."

These, too, are unacceptable behaviors. It's well and good to give youngsters responsibility and choice. But allowing a junior high or high school student to choose to miss school is like allowing a 4-year-old to choose to play in the street. Some choices have such dire consequences that they can't be allowed to children. Not attending school is one of them.

Of great concern, too, according to Kathi Finrock, the acting truancy officer at Wright Elementary School, is that most of the parents she deals with have difficulty linking missing school now and dropping out of school years later.

This is another important reason for schools to make vigorous efforts to discourage truancy. By such vigilance they help the community identify problem families and get them the help they need, whether it be counseling, parenting classes or social service or legal intervention.

Only then, will we have a way of making sure that every child has the op-

# Bad day to ditch

## 51 truants rounded up on northside

By Sarah Tully Tapia  
The Arizona Daily Star

The temperature was in the 80s, the sky was cloudless and the end of school was creeping up.

It was tempting to skip school yesterday.

But 51 students found out they should have gone to class.

The Pima County Attorney's Office yesterday ran its second major roundup of truants, arresting 51 students ages 8 to 16. The office also coordinated two minor sweeps in the past seven months.

Police arrested 76 students Nov. 7 in the first major sweep.

Of those arrested yesterday, 10 were charged with felony narcotics violations, three with misdemeanor alcohol violations and 25 with various juvenile offenses, such as graffiti and shoplifting.

"This is something we're going to have to be relentless with," County Attorney Barbara Lawall said. "It's not something we do once or twice and all of the kids decide to go to school all the time."

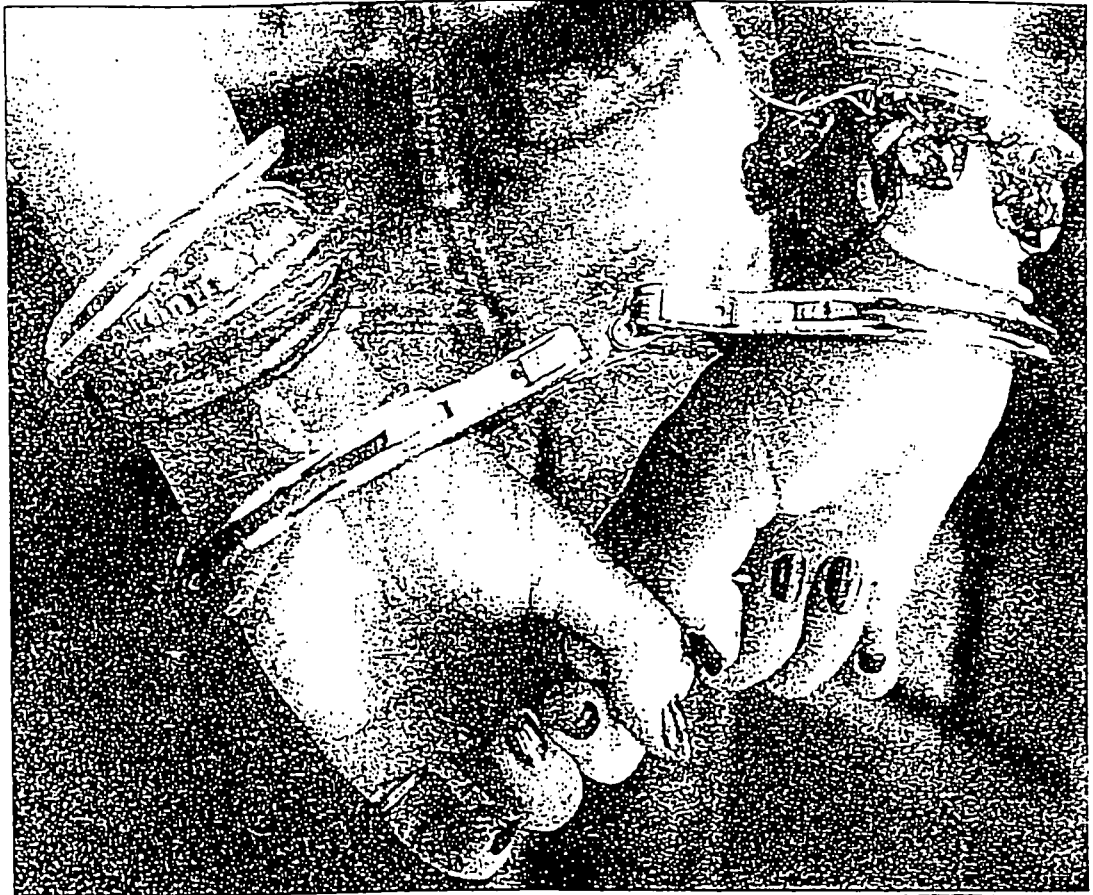
About 35 officers roamed streets north of East Grant Road and west of North Campbell Avenue with about 15 probation officers.

Officers dragged the ditchers to a command post at a Marana Police Department's substation where students waited in an air-conditioned bus for their parents.

All truants must attend a day of counseling with their parents. Normally, the County Attorney's Office charges only chronic truants and their families.

The youngest chronic tru-

See TRUANTS, Page 38



Photos by Chris Richards, The Arizona Daily Star



Playing hooky is a losing game for one Flowing Wells student, who gets a new addition to her bracelet collection courtesy of police. At left, Officers Judy Augustine and Gene Valadez interrogate two suspected truants. It turns out they had a valid excuse.

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# Truants

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Continued from Page 1B

ant was 8-year-old Lizette. Twice before, the office was contacted about her.

"Her mother just didn't take her to school this morning," Lawall said. "When their parents don't take them to school, how can they be responsible for themselves?"

A bright-eyed Lizette said she spent the night at the house of her grandmother, who could not take her to school because of knee surgery.

Lizette said she was walking

to a restaurant when officers found her. She seemed unaware of the severity of being arrested.

"They didn't put me in handcuffs," Lizette said.

Some students were caught on their way to school late - or so they said.

About 10 a.m., three girls were seen dashing across North Flowing Wells Road, a block away from Flowing Wells High School.

One freshman, with hip-clinging jeans and long hair with purple streaks, said the school dropped her because she was constantly ditching. Officers found she was still enrolled.

Freshman Jackie, 16, said she was returning to school when she was caught. She left during second period, when she is a classroom aide. Jackie said she was allowed to leave, but she was late for third period.

"This whole truancy thing is ridiculous," Jackie said.

Wearing a tiara, fishnet stockings and high-heeled black sandals, freshman Topsanna said she missed the bus and was walking to school.

With hands on her hips, Topsanna, 14, gave an exasperated look through spiky eyeliner and heavy blue shadow. She objected to the arrest because it

violates her probation.

"I'm going to get in trouble because I was going to school, instead of just staying home," said the plnk-haired Topsanna.

Later, she called the sweep "a mockery to the judicial system."

Topsanna said she was unsure what was going to happen to her.

"It makes me on the verge of tears that people can be so cruel," she said.

Officers said those students are the type targeted in the sweep.

"At least for today, they'll see that they can't ditch," said Officer Judy Augustine of the Tucson Police Department.

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# Comment

The Arizona Daily Star

Founded 1877

Stephen E. Auslander, Editor  
James M. Kiser, Editorial Page Editor

Michael E. Pulitzer, Publisher

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## EDITORIALS

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### Drawing a line on truancy

Educators and cities mostly just talk about cutting truancy - that glaring indicator of trouble ahead with juveniles.

Tucsonans, though, have for a year or more preferred to *act* on missed school days, and now the numbers prove their exemplary seriousness.

Last year 215 local parents were prosecuted for failing to comply with the 1994 state law that requires them to get their children to school.

Up from just 23 proceedings the year before, this prosecutorial vigor is important because it indicates that both school officials and county prosecutors are really delivering the crackdown on truancy they have long promised.

Such strictness comes under the aegis of ACT Now, or "Abolish Chronic Truancy Now," a collaboration between schools, the Pima County Attorney's Office and the Center for Juvenile Alternatives, a social agency. Through the program, schools and the county are backing up softer appeals to stop absences with harder persuasions.

One set of parents with three habitually truant children was fined \$1,000 last year, reports the Tucson Citizen. Dozens were fined \$100 or \$200 and ordered to do four or six hours of community service at schools. It could be that particularly uncooperative parents will soon even land in jail for 30 days and face \$500 fines.

The bottom line: This community is really and truly using its most serious sanctions to say that school matters, that ditching will not be tolerated, that if parents and kids don't shape up there will be consequences. No wonder the American Prosecutors Research Institute - funded by the Justice Department - is studying

the county's program for dissemination as a nationwide "learning tool" for other communities. That group knows truancy rates have already begun to decline in the six participating school districts.

Which touches on the only question the new numbers raise about ACT Now: What about TUSD?

Tucson Unified School District remains the only major district in the valley that does not refer truants to ACT Now. Amphitheater, Sunnyside, Catalina Foot-hills, Flowing Wells, Tanque Verde, Altar Valley and Marana all do participate.

At the same time, TUSD's truancy rate remains notably higher than the rate in those other districts.

In view of that, it is disappointing that the region's biggest school district has yet to join the nation's most promising anti-truancy initiative.

Granted, TUSD recently began its own truancy push by sending truant officer Tom Mulligan to the homes of elementary and middle school students who ditch. And yes, the district's 62,000-student size poses a major funding challenge should it join ACT Now, since it would more than double the number of students ACT Now currently serves.

But even so TUSD should be pulling out all the stops to secure grant money and other funds to support its participation in ACT Now. State and federal money for such purposes surely exists from the Arizona Division for Children and the federal Safe Schools program.

Then almost all Tucson's families - and not just half of them - would begin receiving the vital message that Tucson won't tolerate skipping school. Then a single stern message on going to school would discipline all of Tucson.

# Truancy sweep nets surprise number

• Sunnyside officials and other agents catch a lot of youths out of school.

By STEPHANIE INNES  
Citizen Staff Writer 4/28/98

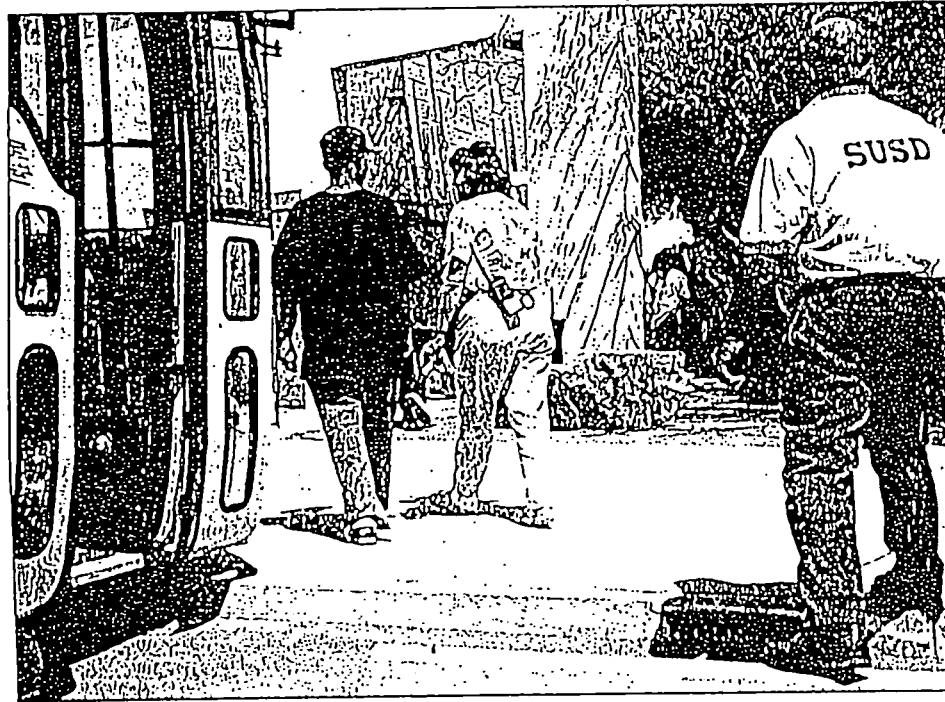
Sunnyside Unified School District's first truancy sweep of 1998 surprised 38 youngsters who had decided to skip school yesterday.

"I expected we'd get roughly six (truants) in the first hour. But we got 15," Tucson police Sgt. Bob Jimenez said. "A lot were waiting for buses, some were walking through neighborhoods, and we caught a few chronic offenders by going to their houses and picking them up."

All the children caught yesterday were 16 or younger. Jimenez said most were middle school students.

Two of those caught yesterday are also facing charges of drug possession, police said.

All but nine of the children caught playing hooky were Sunnyside



An unidentified youth, arrested yesterday during a truancy sweep of the Sunnyside school district, is taken to the city's Santa Cruz police substation. A total of 38 youths age 15 and younger were arrested in the sweep, the first of the year.

VAL CAÑEZ  
Tucson Citizen

side District students, district spokeswoman Monique Soria said.

Tucson police conducted the sweep in conjunction with the school district, the Pima County Attorney's Office, the Gang Intelligence Team Enforcement Mission, Sun Tran and probation officers from the Pima County Juvenile Court Center.

Juveniles arrested for truancy yesterday, when truancy was the only charge, either were released

to their parents or were referred to the Center for Juvenile Alternatives.

The center is for youths who commit "status" offenses - lower-level crimes than the Pima County Juvenile Court normally handles.

Other status offenses include violating curfew or smoking while under the age of 16.

Parents of children who skip school face prosecution by the Pima County Attorney's Office for

failing to comply with a state law that requires parents to send their children, ages 6 through 16, to school.

Adult violators face a fine of up to \$500 and up to 30 days in jail.

Both Soria and Jimenez stressed that the purpose of the truancy sweeps is prevention.

Truancy is a key predictor for criminal behavior and is linked to lower earnings, unemployment, welfare and prison, Soria said.

# 76 arrested for truancy violations

## Crackdown catches kids from 6 to 16

By Sarah Tully Tapia  
The Arizona Daily Star

Yesterday was the wrong day to ditch school.

Officers arrested 76 students, ages 6 to 16, in the first local crackdown on truants. The goal was to push kids to stay in school before they turn to criminal behavior.

"If we can help them now before becoming adult offenders, then we're all better off," said Deputy James Ogden of the Pima County Sheriff's Department. He added that about 80 percent of inmates lack high school diplomas.

"Juveniles might not understand it now, but hopefully they will in the future," Ogden said.

About 35 officers patrolled streets, roamed parks and scoured malls to look for truants from about 9 a.m. to 2 p.m. They hauled the truants back to a command post at Reid Park to process paperwork and call their parents.

Normally, police officers do not arrest students solely for truancy, but the Pima County Attorney's Office charges chronic truants and their families.

Thirteen students were repeat truancy offenders. Eight of their parents were for failing to send their children to school.

Of the truants, 16 students also were arrested on misdemeanor charges, including drug paraphernalia possession. Two others were arrested on felony charges of possession of a dangerous drug for sale.

All truants are required to go to a full day of counseling, as early as today, with their parents.

"We want to make it as immediate as possible so they really understand the consequences, that it really is against the law," said Lindsay Luke, director of the office's truancy diversion program.

Many parents were unaware that their children were skipping school. One mother said she hoped her son, Jose, 14, would learn from the arrest.

"I told him to go to school, don't get in trouble," his mother said. "He doesn't listen to us."

But Jose, a Pueblo High Magnet School freshman, wasn't happy that his plans to grab a burger were interrupted. He looked down and slumped in a folding chair with about 20 other students waiting silently for a ride.

"I think it sucks," he said quietly. "I don't like it. Just take us to school, not bring us over here."

While some students were unfazed by getting arrested, others said they would stop skipping class.

Gabriel, 15, said his parents would take away his allowance and ground him.

"My stomach keeps doing flip-flops," said the jittery Sunnyside High School student, moving his hands over his belly as he waited for his parents.

When asked if this would stop him from ditching again, Gabriel said, sighing, "You could say that again and again and again."

Maria, a sophomore at the Teen-age Parent Program, said she didn't go to school because she was upset about problems with the father of her 8-month-old daughter.



Photos by Sergey Shayevich, The Arizona Daily Star

Two students who skipped school wait to be processed after being arrested



A youngster who ditched school is questioned by Tucson police officers

can happen to kids," said Maria, 15. "I wouldn't want my baby doing that, either."

The youngest truant was a 6-year-old who was found with a 10-year-old sibling. Three students who were stopped are in elementary school, 25 are in middle school and 52 attend high school. Some 17-year-olds were stopped but not arrested. The truancy law does not apply to them.

One truant was particularly easy to catch. He was riding his bike near the command post and rode up to ask what was going on.

The officers involved were from agencies including Tucson and South Tucson police departments, Pima County Sheriff's Department and GITEM - the



A truant may have learned school is cooler than handcuffs.

# Truant problem: Solutions better than excuses

A recent survey that found a disturbing rate of truancy in Pima County is drawing a fairly typical response from school officials: The survey makes them look bad, so they're questioning its accuracy.

The Statewide Truancy Survey found that 82 of about 1,100 schools in Arizona have unexcused absentee rates of more than 10 percent - double what's permitted by law. And 40 of those offending schools are in Pima County.

That actually reflects an improvement over the 65 offending schools reported in the 1994-95 survey - but the improvement still is nothing to cheer about.

Pima County officials reacted defensively to the findings, which were based upon reports from the schools themselves.

"We have a serious attendance problem. But I don't know that we're any worse than the rest of the state," said Alan Storm, director of pupil services at Sunnyside Unified School District.

Vicki Balentine, dropout prevention director for the Tucson Unified School District, questioned the validity of the study. "They (the schools) are reporting this themselves; I don't know what their absence criteria is," she said.

The survey by the Governor's Division for Children pinpointed schools with unexcused absences by more than 10 percent of the students. About 80 percent of the schools responded, representing every county and school district in the state.

The 40 Pima County schools reporting absentee rates exceeding 10 percent were 48.8 percent of the total. Maricopa County was second-highest with 10 schools exceeding the 10-percent level.

Even if the figures are improving here, that's an abysmal showing.

Rather than trying to make themselves look good by challenging the numbers, Pima County school officials should be seeking ways to address the problem.

Tucson Citizen  
Friday, July 12, 1996

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Our opinion

## Fund now

The Pima County Attorney's Office is playing an active role in getting truants back to school - where they belong. The only problem with the program is its limited scope.

Under the ACT NOW truancy program, parents of truants are notified that they can be fined up to \$500 and jailed for up to 30 days if their children skip school.

In most cases, that letter does the trick. This year, 1,600 of the letters have been sent, and three-fourths of those cases were resolved at that point.

Only one case went to trial, while 50 parents admitted guilt and paid fines or performed community service, said Barbara LaWall, chief administrative deputy for the Pima County Attorney's Office and creator and overseer of ACT NOW.

ACT NOW operates in the Sunnyside, Amphitheater, Catalina Foothills, Flowing Wells, Tanque Verde and Marana school districts.

Tucson Unified School District is interested in ACT NOW, but the program isn't large enough to handle the 58,000-student district. The County Attorney's Office hopes to start a pilot program at one TUSD school in the fall.

ACT NOW is funded with a small grant that pays for a case manager. Given its track record of success, expanding it would be a good way to address Pima County's extensive truancy problem.

# ACT NOW truancy program hits home

• The system brings parents and home life into the mix and improves the results.

By MARY BUSTAMANTE  
Citizen Staff Writer

The 14-year-old boy didn't like mornings. He was having problems at home, and wasn't exactly crazy about school.

So, for several months last school year, his mother tried to coax him out of bed at 6 a.m. He simply refused to get up.

"It was a very stressful time for me," said the mother, who asked that her name not be published.

The stress intensified when the mom received a letter from La Cima Middle School, saying she was responsible for her son's attendance. If the boy didn't go to school, she could be fined up to \$500 and jailed for up to 30 days.

That letter changed the direction of the teen's life.

The notification was the first step in the Pima County Attorney's Office's ACT

NOW truancy program, which is operating in the Sunnyside, Amphitheater, Catalina Foothills, Flowing Wells, Tanque Verde and Marana school districts.

While the threat of a fine and jail time is what usually gets parents' attention, that's not the main goal, said Barbara LaWall, chief administrative deputy for the County Attorney's Office and creator and overseer of ACT NOW.

"This is not to just slap a fine on some-

ACT, continued/5A

# ACT NOW truancy program calls out to the parents

Continued from 1A

one," LaWall said. "The whole purpose is not to make criminals out of parents, but to intervene in that cycle of chronic truancy. We'll give services to the child and parents. The aim is to get that child back in school."

"Thank God," said Assistant Principal Jim Anderson, who is in charge of discipline and activities at La Cima, 5600 N. La Canada Drive.

"Before, a kid had 10 unexcused absences, and we simply dropped him from our roster ... and that was the end of it. Now we have some leverage to say, 'No, that's not good enough.' Dropping them is just like putting blinders on. The problem is not solved; it's just not

there."

Often, Anderson said, the truancy problem is a symptom of a bigger problem that usually has nothing to do with school.

"Often there can be something going on at home. It's not usually, 'I keep getting into fights (at school) so I'm not going to go,'" he said.

Anderson said he sent out 13 initial advisory letters, stating the child had been truant once and the parent was responsible for his being in school - and that was enough to solve the problem.

Twenty-five children and their parents were referred to the County Attorney's Office after repeated truantries. Of those, only a couple went to the next step: having a counselor make home visits.

The 14-year-old's mom said a

counselor came to their house once a week for about six weeks. They talked about respecting people and the importance of going to school.

But for most of that time, the boy continued to be truant.

"It was only toward the end that he started going back to school," the mother said.

The boy will make up the eighth grade starting this fall, and then be on his way to high school in a year, his mother said.

She now has hope he may become a doctor.

He's got his priorities straightened out, she said. "And he seems much happier. He knows he's not going to get anywhere sitting at home."

The mother swears by the truancy program. "Without that push,

I don't think he would have gone back to school," she said.

Anderson and LaWall said they're pleased with the success of the program, which reminds parents that all children ages 6 to 16 must be in school or they could be charged with a Class 3 misdemeanor.

Parents are sent a letter by the school after the first unexcused absence, and after more truantries they are referred to the Center for Juvenile Alternatives, a part of the Juvenile Court system.

This school year, 1,600 initial advisory letters were sent out and three-fourths of those cases were solved right at that point, LaWall said.

One case went to trial in Justice Court and the parent was fined, she

said. More than 50 other cases were resolved by the parents, who either paid a fine or did community service.

Anderson said almost all the cases at his school were eventually resolved - except when the family moved out of the school boundaries.

Most parents, he said, got their kids back in school. "Unfortunately, we had a couple of parents who just didn't care if their child went to school or not," he said.

LaWall said such scenarios are rare.

"High school kids ditch. (But) with elementary school kids and sometimes middle school kids, something is going on at home," she said.

"Maybe they are pregnant, or

they have to watch younger brothers and sisters during the day. We found some who didn't have proper clothing or shoes that fit. We even uncovered some kids who said they'd love to go to school but the parents ... wouldn't take them to school.

"We know that one of the things that is most important is to keep kids in school. Almost every kid who ends up in juvenile court with felony crimes has either a runaway or truancy offense in his background. If we can get in early enough and prevent that from happening, we might be able to prevent them from continuing along and getting into more serious trouble at a later time."

The program will continue through the coming school year, said LaWall.

She added that Tucson's large school district, Tucson Unified, has expressed interest, but the program isn't large enough to handle the 58,000-student district.

ACT NOW doesn't even have its own budget, but is handled through LaWall's office and a small grant that the Center for Juvenile Alternatives secured for a case manager.

She added, however, that the County Attorney's Office hopes to start a pilot, school-based truancy program with one TUSD school this fall.

# Visit from truancy officer not always well-received

By Roderick Gary  
The Arizona Daily Star

Kathi Finrock is not always a welcome guest at the homes she visits.

She's the community representative and acting truancy officer at Wright Elementary School, 4311 E. Linden St.

Part of her job involves visiting the parents of students who are chronically absent.

"Some become hostile, but most are receptive. They know it's a problem, but they don't know where to begin, they don't know how to solve the problem," Finrock said.

Wright is one of five TUSD schools involved in the district's latest effort to combat truancy. Also taking part in the pilot program initiated this year are: Fickett-Booth Magnet School, 450 S. Montego Drive; Hohokam Middle School, 7400 S. Settler Ave.; Doolen Middle School, 2400 N. Country Club Road; and Palo Verde High School, 1302 S. Avenida Vega.

The program, dubbed ACT NOW, is an offshoot of the Pima County attorney's truancy prevention program of the same name.

Since the beginning of the school year, the county attorney's program has been working with six of the area's smaller school districts. See accompanying story.

TUSD, with an enrollment of 82,165 students, was just too big to be included, said Vicki Balentine, dropout prevention director for the district. Amphitheater Public Schools, with an enrollment of 15,447, is the county's second-largest district and a participant in the county program.

"We did what we could to get invited to join in the county program, Balentine said, noting that TUSD was turned down because its size would have stretched the caseloads of already over-worked prosecutors.

So, Balentine and Barbara LaWall, who heads the county's ACT NOW program, put together an individualized plan through which local attorneys volunteer to act as deputized representatives of the county attorney at TUSD's five pilot schools.

The attorneys are authorized to hear truancy cases and levy fines or community service sentences.



Bruce McClelland, The Arizona Daily Star

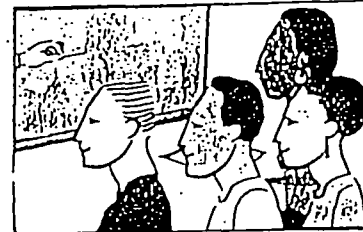
Kathi Finrock, at Wright Elementary, says parents of truant children often "don't know where to begin"

"The program gives the volunteer attorneys valuable experience, while not adding more work to the caseloads of the County Attorney's Office," Balentine said.

At Wright, Finrock identifies and monitors habitually truant students. The first couple of absences bring a letter from the school. Continued absences will bring her to the student's home.

If truancy troubles persist, a school meeting is arranged for parents, Finrock and Wright Principal Martha Preston.

"We try to talk to them from a positive standpoint. About how if a child



In the Classroom  
Keeping Children There

falls behind their classmates then he or she doesn't want to come to school because they realize they're behind," Preston said. "We speak from the point of view of what's good for their children."

If that fails to curb absences, Finrock notifies the County Attorney's Office, which sends the parents a letter pointing out that parents could face a Class 3 misdemeanor for failure to comply with the state law requiring their child to attend school. The charge is punishable by up to a \$500 fine and 30 days in jail.

So far, no TUSD cases have gone beyond the letter stage, according to

Finrock.

"When a parent sees that come through the mail, it kind of opens their eyes," she said.

If the ACT NOW program is the proverbial stick, Preston said she is also careful to offer a carrot, or reward, for exemplary attendance.

A week of perfect attendance will earn a child a small gift. Preston hands out pencils. After a perfect month, the child's name goes into a monthly raffle.

"Our goal is not to prosecute people. Our goal is to get kids back in school. And we're willing to do whatever we need to."

**Kathi Finrock**

Wright Elementary truancy officer

for a bicycle, donated by the school Parent Teacher Organization and area business contributions.

Finrock said she most of the parents of elementary school children she deals with have difficulty linking missing school now and dropping out of school years later.

"I don't think a lot of parents realize the impact on their children. The difference is in elementary school. This is where patterns develop, in middle school it's continued, and at high school you start looking at the dropout rate. It becomes a habit," she said.

The habit is now eating into TUSD's state funding. In the last three years, the district has lost nearly \$3 million in state education money by failing to meet the state-required attendance average of 94 percent. Although the losses amount to just a fraction of the district's \$292 million budget, they provide TUSD with additional incentives to develop a program that's tough on truancy.

Other districts involved in the county's ACT NOW program, such as Sunnyvale, Flowing Wells and Marana, have lost some attendance-related funding.

Assessing the progress of TUSD's ACT NOW program, Finrock said: "I believe that we're making a difference. There has been a drop in our absentee rate already."

"Our goal is not to prosecute people. Our goal is to get kids back in school. And we're willing to do whatever we need to."

# Tucson Citizen

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First Edition

A Gannett Newspaper

## Truancy prosecutions up tenfold

• Last year, 215 parents were taken to court in a program that's gaining national attention for its get-tough stance on skipping school.

By MARISA SAMUELSON  
Citizen Staff Writer 3/30/98

A local get-tough, anti-truancy policy targeting both students and parents has resulted in a skyrocketing number of prosecutions - prompting smiles from Pima County officials and attention from national educators.

Last year, 215 local parents

were prosecuted for failing to comply with a state law that requires parents to send their children ages 6 to 16 to school.

That's a 935 percent increase over 1995-96, when 23 cases were prosecuted.

"We're quite proud of (the increase)," said Lindsay Luke, project coordinator with the communi-

ty outreach unit of the Pima County Attorney's Office, which participates in the truancy program.

"It proves we are serious and we are not going to let parents get away with not sending their kids to school."

Adult violators face up to a \$500 fine and 30 days in jail - although no one has yet been jailed under the Abolish Chronic Truancy Now program, or ACT Now.

The majority of adult violators are fined \$100 for a first offense, ordered to do four hours of com-

### MORE INSIDE

• Tucson Unified School District, with about 62,000 students, begins a pilot program to fight truancy. 4B

munity work at schools and placed on three months' probation to ensure their child attends school, Luke said.

A handful of parents were fined \$200 and ordered to do six hours of community service at schools.

One set of parents with three habitually truant children was fined \$1,000 last fiscal year, Luke said.

Officials are considering toughening penalties to reduce the growing number of trancies, Luke said.

ACT Now operates in the Sunnyside, Amphitheater, Catalina Foothills, Flowing Wells, Tanque Verde and Marana school districts.

Only Tucson Unified School District, with about 62,000 students, does not participate in ACT Now.

TUSD says funding is insufficient to handle such a large number of students.

ACT Now is a collaboration among school administrators, the Pima County Attorney's Office and the Center for Juvenile Alternatives, a social service agency that offers students and parents a chance to reform before criminal charges are leveled.

County Attorney Barbara

TRUANCY, continued/4B

# Truancy prosecutions skyrocket with program

Continued from 1A

LaWall, creator and overseer of ACT Now, said truancy is a predictor of criminal conduct and can indicate present criminal activity.

"Four out of five inmates in prison do not have a high school education," LaWall explained. "That is frightening. ... It starts a vicious cycle."

ACT Now started as a pilot program in 1983, and joined with the Center for Juvenile Alternatives in 1995.

The goal of the deferred prosecution program is to break the cycle of unacceptable behavior by minors and their parents.

Although the program is intended to reduce the number of prosecutions, Luke says a recent increase in prosecutions is to be expected.

"Typically, you see that the numbers go up for a couple of years before they will decline," Luke offered. "Our real goal is to get kids back into school."

Victor Flores, program director for the Center for Juvenile Alternatives, said ACT Now gets truant kids back to school.

"You get truants that are chronic, but eight out of 10 will not be chronic and will return to school," Flores explained.

The program also has grabbed the attention of officials in Washington.

The American Prosecutors Research Institute, a division of the Department of Justice, is studying

the ACT Now program to use it as a "learning tool for other jurisdictions," Luke said.

The Tucson program is the only program nationwide being evaluated.

"It's a great honor for us. Not too often does the Justice Department seek out small communities like Tucson," Luke said.

Earlier this month federal officials visited Tucson to meet with staffs at schools, the Center for Juvenile Alternatives, and the County Attorney's Office.

They have found out that "our truancy program is much more extensive than any other place in the country," Luke said.

The center also offers non-punitive services, such as anti-truancy education classes for parents and children, and a support group.

"Basically we do anything that will get a kid back into school," Flores said.

School officials agree that the program deters students from skipping school.

Alice Ramirez, prevention coordinator for Sunnyside Unified School District, has been working with truancy prevention for four years.

"It's been an uphill battle, but we seem to be beginning to see positive results," Ramirez said. "Since ACT Now, our attendance is up. At Desert View (High School), we have gone up two percentage points."

So far this school year, Sunnyside district has referred 88 cases

## TRUANCY CASES

Number of students referred to ACT Now, and number of parents prosecuted during 1996-97:

- Altar Valley - 42 (11 parents prosecuted)
- Amphitheater Public Schools - 257 (69 parents prosecuted)
- Catalina Foothills - 4 (0 parents prosecuted)
- Flowing Wells Unified - 75 (19 parents prosecuted)
- Marana Unified - 49 (12 parents prosecuted)
- Sunnyside Unified - 165 (42 parents prosecuted)
- Tanque Verde - 0 (0 parents prosecuted)

(Note: students with 10 or more unexcused absences are referred to Abolish Chronic Truancy Program.)

Total number of cases prosecuted from 1994-97:

- Nov. 1, 1994, to Oct. 31, 1995: 3 cases
- Nov. 1, 1995, to Oct. 31, 1996: 23 cases (a 767 % increase)
- Nov. 1, 1996, to Oct. 31, 1997: 215 cases (a 935 % increase)

Source: Pima County Attorney's Office

to the Center for Juvenile Alternatives. Of those cases, 28 - mostly parents - have been referred to the county attorney's investigative unit for prosecution. The other 60 cases resulted in the student returning to school, Ramirez said.

Ramirez hastens to add that "it takes a whole lot of entities to accomplish this."

The district made more than 400 telephone calls or personal contacts this school year alone, Ramirez said.

"At Desert View (High School) there are about 500 letters a month sent out to parents because of kids being absent," Ramirez added.

## ABSENCES

Unexcused absence rates by district

1991-92

- Amphitheater - 1.5%
- Catalina Foothills - 0.5%
- Flowing Wells - 1.0%
- Marana - 1.0%
- Sahuarita Unified - 0.2%
- Sunnyside Unified - 0.2%
- Tanque Verde - 0.2%
- Tucson Unified - 25.4%
- Vail - 0.2%

1992-93

- Amphitheater - 1.8%
- Catalina Foothills - 0.5%
- Flowing Wells - 0.9%
- Marana - 0.7%
- Sahuarita Unified - 0.2%
- Sunnyside Unified - 0.5%
- Tanque Verde - 0.2%
- Tucson Unified - 23.6%
- Vail - 0.2%

1993-94

- Amphitheater - 1.7%
- Catalina Foothills - 0.7%
- Flowing Wells - 1.1%
- Marana - 0.9%
- Sahuarita Unified - 0.4%
- Sunnyside Unified - 0.4%
- Tanque Verde - 0.2%
- Tucson Unified - 21.7%
- Vail - 0.2%

1994-95

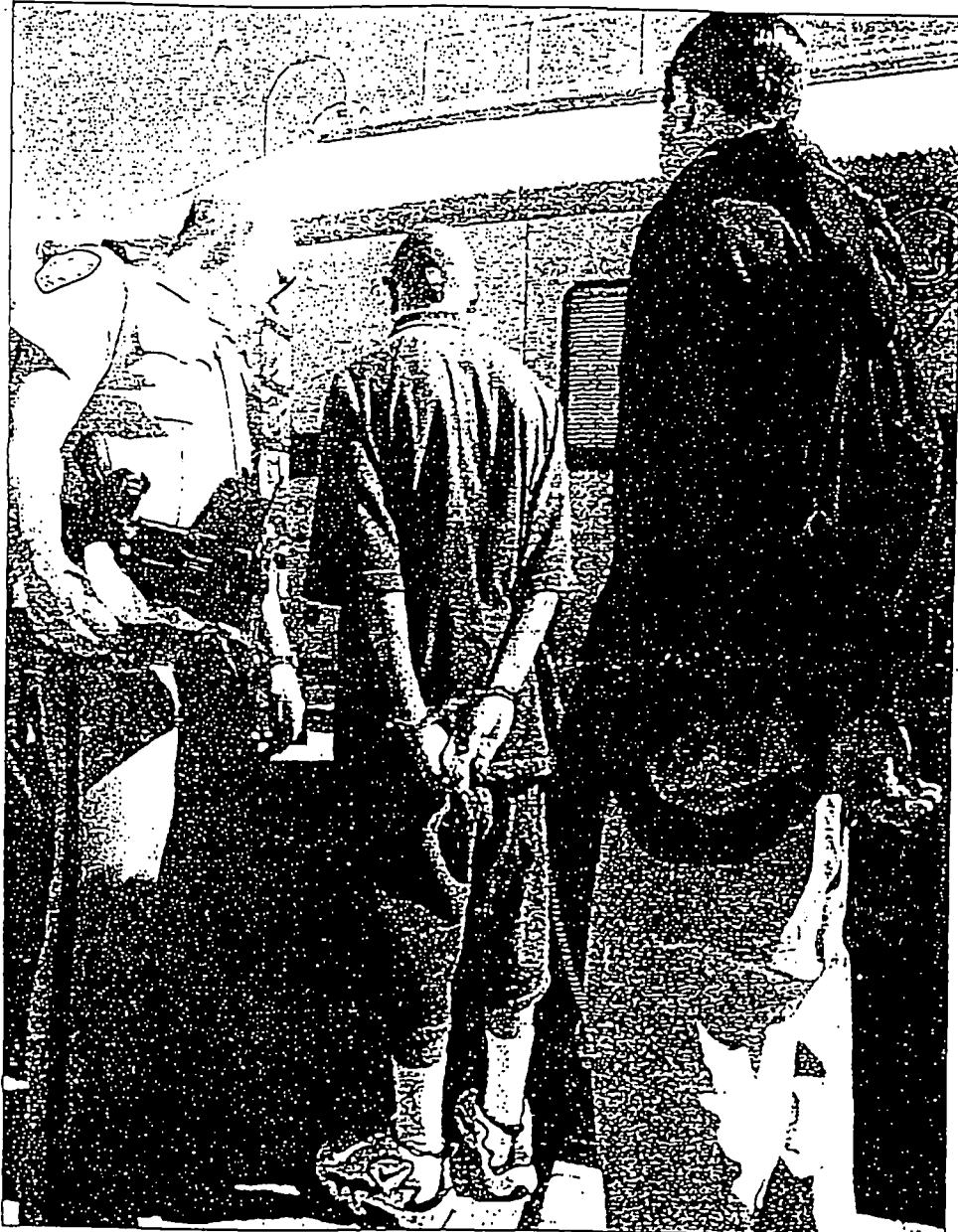
- Amphitheater - 2.1%
- Catalina Foothills - 0.6%
- Flowing Wells - 0.8%
- Marana - 0.4%
- Sahuarita Unified - 0.4%
- Sunnyside Unified - 0.4%
- Tanque Verde - 0.2%
- Tucson Unified - 20.3%
- Vail - 0.2%

Source: "Survey Evaluation for the Governor's Division for Children: State Truancies and Unexcused Absences," June 1996

(Note: The unexcused absence rate for a school is calculated by dividing the number of unexcused absences by the number of students.)



# 77 caught in truant sweep



NORMA JEAN GARGASZ/Tucson Citizen

In the city's largest operation ever to crack down on truant students, sheriff's deputies round up youths yesterday and check them into a command post near Reid Park.

## Parents, youths can expect more

By LARRY COPENHAVER  
Citizen Staff Writer

He dreams of being an automobile designer, but sometimes this Tucson High Magnet School student skips classes.

Yesterday, he got caught.

The 15-year-old was among 77 youths - ages 6 to 16 - to be arrested as part of a citywide crackdown on truancy.

"We have to break the cycle of chronic truancy ... but we don't want to make criminals out of these kids now. We just want to get them back into school,"

### HELP FOR PARENTS

Parents looking for assistance in dealing with truancy may call their children's school counselors, or Victor Flores at the Center for Juvenile Alternatives at 670-9040.

Pima County Attorney Barbara LaWall said.

More than 50 law enforcement officers swept across the city - south of Speedway Boulevard - picking up students at shopping malls, stores and parks.

They brought the sullen truant to a command post at Tucson Parks and Recreation headquarters, 1000 S. Randolph Way, where they were cited and released to their parents or other family members.

Of those, 64 were cited for truancy and 13 were charged with delinquency offenses - including a 15- and a 16-year-old who were cited for possessing a dangerous drug to sell - said Paul Johnson, spokesman for the

CRACKDOWN, continued/10A

# Crackdown nabs 77 class-cutters; more sweeps are planned

Continued from 1A

Pima County Attorney's Office.

Eight parents were charged with failure to send their children to school, he said.

"We won't hesitate to prosecute parents who don't make every effort to keep their kids in school," LaWall said.

All the youths will be required to attend a full day of counseling with their parents conducted by Our Town Family Center.

Lindsay Luke, director of the Truancy Division Program in the County Attorney's Office and coordinator of effort, said more sweeps are planned citywide - north of Speedway - in the near future.

"Young people who are truant are the ones who are at the greatest risk of delinquency, getting in gangs, getting into drugs and dropping out of school," LaWall said.

"(Truancy) is linked to unemployment, welfare and prison sentences. We need to give parents that message."

The stepparent of a Pueblo High student picked up yesterday said she has gotten the message - and she's glad police took action against truants.

"I'm so glad you're doing this," she told police. "I hope you scare the hell out of them. At this



NORMA JEAN GARGAS/Tucson Citizen

A Pima County Sheriff's Department deputy processes some of the 77 children picked up in a truancy sweep yesterday.

age, these kids think they are such a bunch of smart butts.

"We begged (our boy) to go to school," she said. "They all need an education. What are they going to do if they don't have an education, work for a hamburger place?"

The boy has missed so much school that she is not sure what grade he is in, she said.

"He hides his report card, and

we don't know how many classes he's flunked," the parent said.

Police asked that the youth's names not be published.

A Pima Community College student, who picked up her 15-year-old brother at the command post, said he has been ditching a lot lately "and he hasn't been doing so well" at Saluaro High.

The sister, holding her 6-month-old daughter in her arms,

## TRUANCY SWEEP FACTS

During yesterday's sweep by police, 77 young people were picked up for truancy.

- Cited for truancy: 64
- Charged with delinquency offenses: 13
- Charged with possession of a dangerous drug for sale: 2

- Three are of elementary-school age.

- The youngest is 6 years old.

- Twenty-five are of middle school age.

- Forty-nine are of high school age.

she was concerned and embarrassed.

"He's never been picked up before by police," she said. "But hopefully this will do him some good. He's been missing one or two classes every day. And he's been grounded for a week because of his bad grades.

"He's very bright. I know he can do better. He used to get good grades until he started (ditching)."

Meanwhile, at the command center, the 15-year-old Tucson High student who wants to design cars had to wait for a group home official to pick him up yes-

terday.

"I don't live with my parents," he said. "I live in a group house. That's a place for kids who don't have any other place to go."

The boy said he and his mother have lived here for about a year.

"I can't see her," he said. "She does drugs, and the state says she is a bad influence on me."

Going to school is difficult, he said, because "I'm a slow learner."

He said he does OK in some classes, the ones that don't require much reading. But in English, he said he gets failing grades.

"I have trouble reading. I can't read," he said. "That's one reason it doesn't seem so important to go to school."

"I just want to build cars."

Beside LaWall's office and Tucson Police, the Pima County Sheriff's Department and South Tucson Police Department participated in the sweep.

Also helping were the Pima

County Juvenile Court, the Pima County Superintendent of Schools, the Center for Juvenile Alternative and several school districts.

The parent of a 14-year-old Desert View High student said she was upset police picked up her son.

"You trust them, and they lie to you. Then you get a call from the police," said the mother who appeared ready to cry.

She said she works a 12-hour day and is taking courses at Pima Community College to improve her wage prospects.

"I'm always talking to him about school," she said.

But when the boy was turned over to the mother, he denied ditching school.

He said he didn't have money to call home, so he borrowed a bus pass from a friend and was trying to get home.

The mother cried.

"He's an only child, and I want the best for him," she said. "He's my only chance."

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