

December 2017

## Evaluation of the 2016 Truancy Prevention and Intervention Act: *Initial Report*

The 2016 Washington State Legislature modified several of the state's compulsory school attendance laws, which require school-aged children to attend school and mandate how schools and courts must respond to unexcused absences. These laws establish a series of escalating interventions that can ultimately result in truant students facing legal consequences, including detention.<sup>1</sup>

The 2016 legislature modified those requirements, which were further altered by the 2017 legislature.<sup>2</sup> Some significant changes included increasing the information provided to parents about truancy, requiring schools to use formal assessments of students and data-informed steps to address truant behavior, mandating the use of community truancy boards (CTBs),<sup>3</sup> and requiring courts to try alternative methods before ordering detention.

The legislature directed the Washington State Institute for Public Policy (WSIPP) to evaluate the effectiveness of the 2016 act. The final report is due to the legislature by January 2021. This initial report describes how the law changed, presents WSIPP's evaluation plan, and identifies potential data gaps that could limit WSIPP's ability to conduct the study.

<sup>1</sup> RCW 28A.225.

<sup>2</sup> Second Substitute House Bill 2449, Laws of 2016, Regular Session. Second Substitute House Bill 1170, Laws of 2017, Regular Session.

<sup>3</sup> School districts with 300 or fewer students may use a CTB or address truancy through other coordinated means of intervention.

### Summary

The 2016 Washington State Legislature modified several of the state's compulsory school attendance laws, which require school-aged children to attend school and establish the steps that schools and courts take in response to unexcused absences. The act made a number of changes to those requirements, including mandating the use of community truancy boards (CTBs).

The legislature directed WSIPP to evaluate the effectiveness of the 2016 act by January 2021. The final report will include the following:

- 1) descriptive analyses,
- 2) interrupted time series analyses (with a comparison group, where possible) and
- 3) meta-analysis.

Descriptive analysis will be used to describe truancy prevention and intervention efforts by schools.

A combination of descriptive and interrupted time series analyses will be used to describe changes in CTBs, truancy petition characteristics and outcomes, and student academic outcomes.

The meta-analysis will review the evidence for truancy intervention programs.

WSIPP identified three categories of data gaps that will limit the analysis, including the possible lack of:

- historical data on truancy interventions and previously established CTBs;
- prospective data on general school prevention efforts and some CTB characteristics; and
- rigorous research on effective truancy prevention and intervention programs.

## I. Background

Washington State has compulsory school attendance laws, which require school-aged children to attend school and mandate how schools and courts respond to unexcused absences. These laws establish a series of escalating interventions that could ultimately result in truant students appearing before a juvenile court and facing legal consequences, including detention.<sup>4</sup> The laws have changed a number of times, most significantly by the 1995 law known as the “Becca Bill,” which makes it mandatory that schools file truancy petitions for students with a certain number of unexcused absences.<sup>5</sup>

The 2016 Washington State Legislature amended these requirements, which were further amended in 2017.<sup>6</sup> Throughout this report we refer to laws in effect prior to 2016-17 as “prior law” and the legislative changes from 2016-17 as “new law.”

First we describe the intervention process for students with a pattern of unexcused absences from school and how the 2016 and 2017 legislation altered these requirements. We then summarize the other major changes made by the new law.

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<sup>4</sup> RCW 28A.225.

<sup>5</sup> For a discussion of the history of these laws see Klima, T., Miller, M., & Nunlist, C. (2009). *Truancy and dropout programs: Interventions by Washington's school districts and community collaborations* (Doc No. 09-06-2202). Olympia: WSIPP, pg. 5.

<sup>6</sup> 2SHB2449 and 2SHB1770.

### Legislative Assignment

*No later than January 1, 2021, the Washington state institute for public policy is directed to evaluate the effectiveness of chapter [205], Laws of 2016 (this act). An initial report scoping of the methodology to be used to review chapter [205], Laws of 2016 (this act) shall be submitted to the fiscal committees of the legislature by January 1, 2018. The initial report must identify any data gaps that could hinder the ability of the institute to conduct its review.*

Second Substitute House Bill 2449,  
Chapter 205, Laws of 2016

### Truancy Intervention Process

Washington’s compulsory attendance laws mandate a series of escalating interventions that schools and courts must follow in response to unexcused absences.<sup>7</sup> As described by the new law that mostly went into effect at the start of the 2017-18 school year, the major stages in this process include the following.<sup>8</sup>

- 1) schools notify parents of an initial unexcused absence;
- 2) schools hold a parent-teacher conference, take steps to reduce or eliminate absences, and conduct a formal assessment;
- 3) schools take one of three potential intervention pathways (refer to CTB,

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<sup>7</sup> Children from 8 to less than 18 years old are required to attend some form of school in Washington State (public, private, home, or other alternative). If a parent enrolls a six- or seven-year-old in public school, then that student is also subject to the same attendance requirement.

<sup>8</sup> We numbered these stages for clarity. The legislation does not use a numbering system to describe the intervention process.

file a truancy petition, or enter into attendance agreement);

- 4) schools must file a truancy petition with the juvenile court following seven unexcused absences in a month or ten in a year (followed by an automatic stay of the petition and referral to a CTB);
- 5) juvenile courts hold an initial hearing; and,
- 6) juvenile courts hold additional review hearings and/or contempt hearings, which could result in legal consequences, including detention.

The ways in which the legislation changed the prescribed intervention process are discussed below and illustrated in [Exhibits 2 and 3](#).<sup>9</sup> We have grouped this process into six stages for organizational purposes. The following describes the intervention process as required by law, not necessarily as implemented.<sup>10</sup>

### Stage 1

Schools must notify parents following a single unexcused absence. This requirement remains the same under the new law.

### Stage 2

Under prior law, schools were required to hold a parent-teacher conference and take steps to reduce further absences following two unexcused absences in a month. The

potential steps that schools were authorized to take are listed in [Exhibit 2](#).

The new law increased the triggering requirement for this stage from two unexcused absences to three. Additionally, schools must conduct formal assessments of students, and the intervention steps the schools take must be data-informed (see [Exhibit A1 in Appendix I](#) for more information). The assessments may be conducted using the Washington Assessment of the Risks and Needs of Students (WARNS) or another formal assessment tool.<sup>11</sup>

The new law also authorizes an additional potential step—implementing a best practice or research-based intervention (or both) consistent with the results of the student’s formal assessment.

### Stage 3

A student’s fifth unexcused absence in a month triggers the requirement that schools complete one of three potential interventions. Schools must either:

- 1) refer a student to a CTB (see [Exhibit 1](#)),
- 2) enter into an attendance agreement with the student and parent, or
- 3) file a truancy petition.

These requirements remain the same under the new law.

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<sup>9</sup> School legal duties upon a child’s failure to attend school are found in RCW 28A.225.020.

<sup>10</sup> In past reports, WSIPP found significant variation in the way school districts and juvenile courts across the state address truancy. Klima, T., Miller, M., & Nunlist, C. (2009). *Washington’s truancy laws: School district implementation and costs*. Olympia: WSIPP, Doc. No. 09-02-2201; and Miller, M., Klima, T., & Nunlist, C. (2009). *Washington’s truancy laws in the juvenile courts: Wide variation in implementation and costs*. Olympia: Washington State Institute for Public Policy, Document No. 09-10-2201.

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<sup>11</sup> WARNS is a tool developed and piloted in Washington that allows schools, courts, and youth service providers to assess the risks and needs of 13-18 year old youths that may lead to truancy and/or school failure and to target interventions accordingly. See WARNs User Manual, pg. 1.

#### Stage 4

Schools are required to file a truancy petition following seven unexcused absences in a month or ten in a year.<sup>12</sup>

Under the new law, the filing requirement remains the same. However, the steps following the filing of the truancy petition are different.

#### Exhibit 1

##### Community Truancy Boards

The law prior to 2016 defined CTBs as boards served by local community volunteers with duties that included meeting with truant students to identify barriers and developing plans to improve attendance. The law allowed courts and/or schools to voluntarily establish CTBs.

Schools could refer students to CTBs following as few as two unexcused absences in a month, as part of stages two or three. Courts could also choose to refer students to available CTBs upon hearing a petition. The prior law also stipulated a number of potential actions for CTBs, as listed in [Exhibit 2](#).

The new law required juvenile courts to establish CTBs in cooperation with the districts in their counties by the start of the 2017-18 school year. Schools with fewer than 300 students have the option to use an alternative coordinated means of intervention. The new law increased the training requirements for CTB members.

Schools may still refer students to CTBs as a result of stage 2 or stage 3, but the filing of the petition leads to a mandatory referral to the CTB. The new law also changed the stipulated CTB options for interventions (see [Exhibit 3](#)).

Under prior law, the petition would lead to an initial juvenile court hearing, at which the juvenile court could take one of several courses of action (summarized in [Exhibit 2](#)). The new law requires the truancy petition be immediately stayed prior to the initial hearing and the student be mandatorily referred to a CTB (see [Exhibit 1](#)).

#### Stage 5

Under prior law, students would be scheduled for their initial juvenile court hearing after the truancy petition was filed. Under the new law, the initial court hearing is only held if the CTB fails to reach an agreement or if the student does not comply with the agreement. In either of those situations, the stay is lifted, and the student is referred to the court.<sup>13</sup>

If, at the initial hearing, the court finds that a “preponderance of evidence” supports the petition, the court may grant the petition and assume jurisdiction of the case. The court has a number of options for truancy orders at this point, as described in [Exhibit 2](#). The court typically orders the student to attend school. The new law added an additional option where the court could order a mental health assessment, as shown in [Exhibit 3](#).

#### Stage 6

Following the initial hearing, the court can order review hearings at any time. The court can also order contempt hearings if the student fails to comply with court orders. Prior law allowed courts to order community restitution or detention of up to seven days for noncompliance.

The new law reflects a number of changes to the contempt hearing process. It stipulates additional options for orders of contempt,

<sup>12</sup> Schools also have the option to file a petition following five unexcused absences in a month as part of stage 3.

<sup>13</sup> RCW 28A.225.035.

including non-residential treatment with intensive wraparound services (see [Exhibit 3](#)).<sup>14</sup> The new law requires courts to order detention as a last resort for continued non-compliance after the other options have been exhausted. If a court orders a student to detention, the new law gives preference that the detention is served at a Secure Crisis Residential Center (SCRC) rather than a juvenile detention facility.<sup>15</sup>

## Other Legislative Changes

In addition to modifying the intervention process, the 2016 and 2017 legislation made a number of other changes. The changes include:

- requiring parent-teacher conferences for elementary school students following excessive excused absences;
- increasing the amount of information provided to parents on the benefits of regular attendance, consequences for truancy, and potential resources and requiring schools to provide that information at the start of the school year;
- increasing the number of HOPE and crisis residential center (CRC) beds,<sup>16</sup> subject to funding; and
- increasing school data collection and reporting requirements.

See [Appendix I-IV](#) for more detail.

In [Sections II](#) and [III](#) of this report, we describe our plan for evaluating the effectiveness of the 2016 legislative act and identify potential data gaps that may limit our ability to conduct the analyses.

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<sup>14</sup> The Washington State Department of Social and Health Services defines wraparound services as a program model designed to provide comprehensive behavioral health services and supports to eligible youth with complex behavioral health needs and to their families. Wraparound with Intensive Services (WISe) program, policy, and procedure manual, pg. 2.

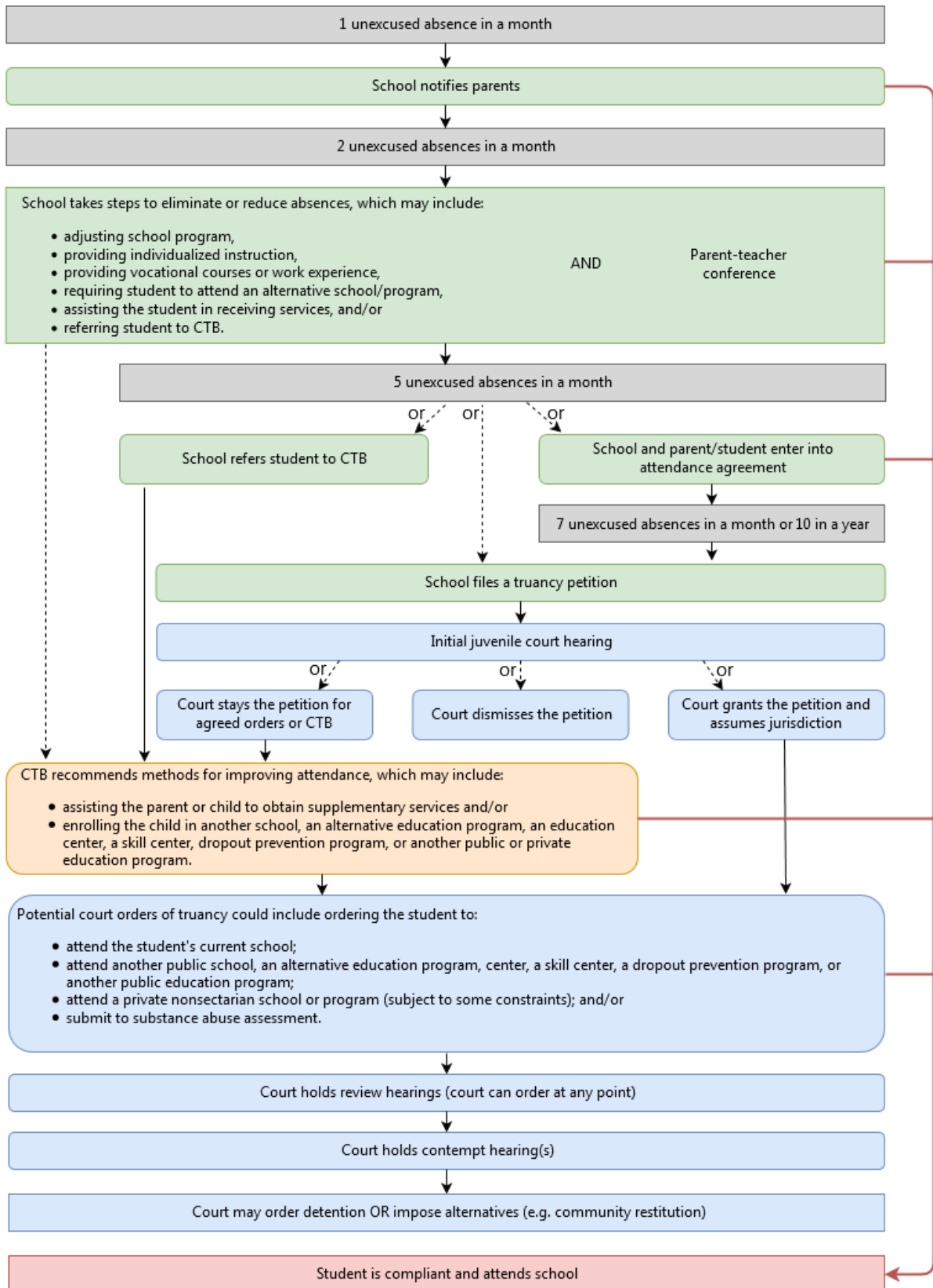
<sup>15</sup> RCW 28A.225.090.

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<sup>16</sup> HOPE Centers are residential facilities where youth may stay for up to 30 days while being evaluated for appropriate placement, education, and treatment services, including family reconciliation. Crisis Residential Centers are short-term, semi-secure (CRC) or secure facilities (SCRC) for runaway youth and adolescents in conflict with their families.

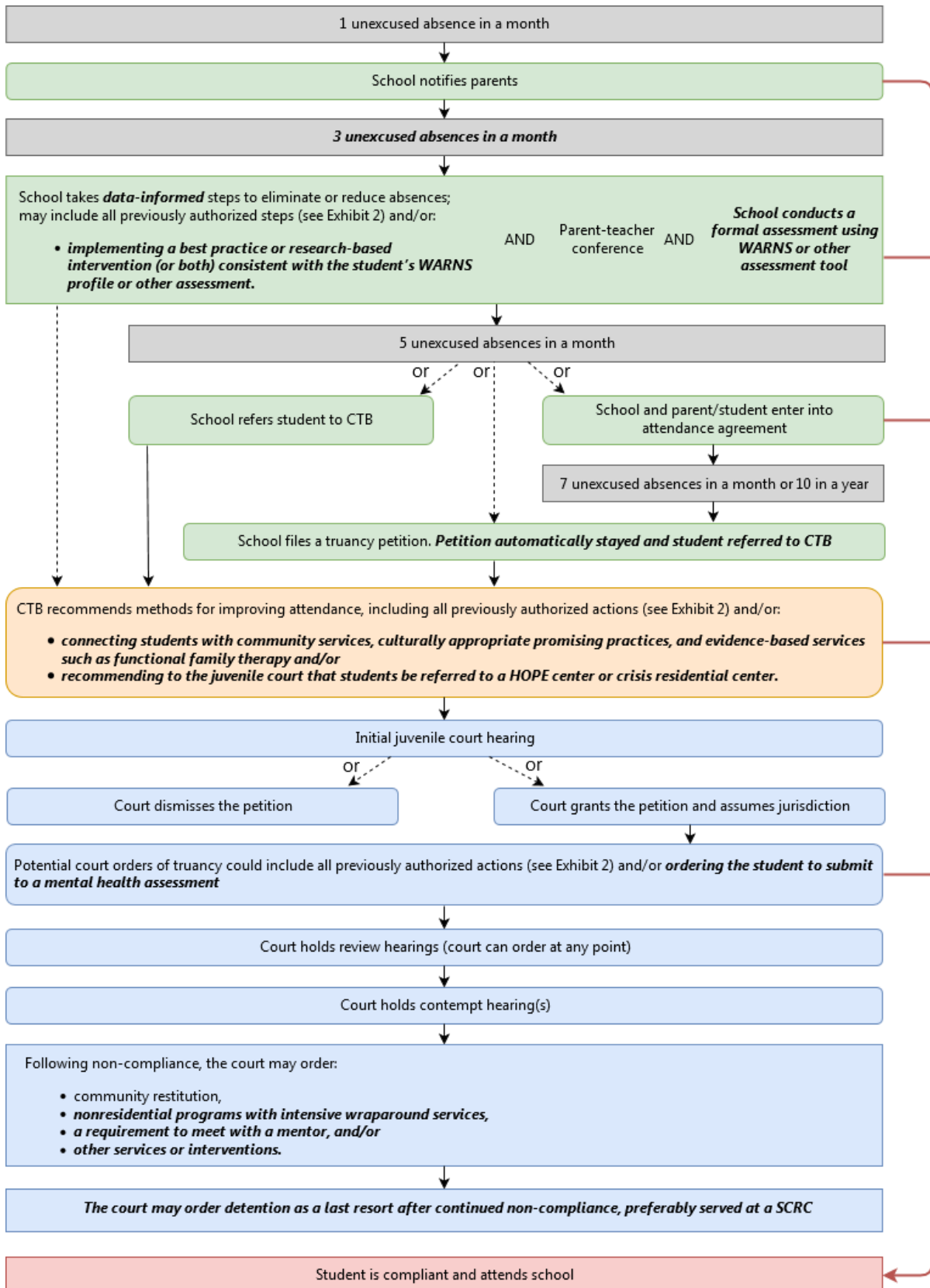
## Exhibit 2

### Required Interventions for Truant Students Prior to the 2017-18 School Year



### Exhibit 3

#### Required Interventions for Truant Students Starting in the 2017-18 School Year





## II. WSIPP Evaluation Plan

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The 2016 Washington State Legislature directed WSIPP to evaluate the effectiveness of the 2016 act modifying the state's truancy laws. For this assignment, WSIPP has four general research objectives. We will evaluate whether, and to what extent, the implementation of the act has affected the following:

- 1) school truancy prevention and intervention efforts,
- 2) community truancy board (CTB) characteristics and outcomes,
- 3) truancy petition characteristics and outcomes, and
- 4) student outcomes.

Ideally, we would estimate the effects of the changes in the law using an experimental research design, where students are randomly assigned to the system under either the new law (treatment group) or the prior law (control group). In a well-implemented experimental design, assignment of students to the treated and control groups occurs only by chance. The resulting treatment and control groups would be very similar. Therefore, any differences in later outcomes could be confidently attributed to the legislation and not to other family, school, or community factors.

For a number of reasons, including the simultaneous and statewide implementation of the legislation, we will be unable to use an experimental research design. Additionally, the concurrent implementation of the legislation means that we will also be unable to evaluate each component's separate influence on outcomes. Instead, most of our analyses will focus on the system change as a whole.

In light of these design limitations, we plan to use a blend of descriptive statistics and quasi-experimental methods to address our research objectives. Our analyses will be based on available education and court administrative data, including data that are newly required under the statute (e.g., which programs schools are implementing to support truant students).

In many cases, comparable and reliable historical data are not readily available for the newly required data collections. The lack of historical data in combination with the simultaneous statewide implementation of the legislative changes means that frequently we will have no control group with which to compare the treatment of the new law. When this is the case, we will be limited to providing descriptive analyses only.

When we do have historical data, we will conduct interrupted time series (ITS) analyses to examine changes in student academic and petition outcomes. An ITS is a type of analysis that looks at data measured over time to determine if there is an "interruption" in the data that coincides with a change in policy. This type of analysis allows us to check for a change in the outcomes (either their level or rate of change) before and after the changes in the law.



In many cases, we may also conduct additional regression analysis to test whether the probability of certain outcomes changed before and after the changes in law. Regression analysis would allow us to more carefully isolate the influence of the act by controlling for other variables (like student race, gender, or grade point average) that are associated with being truant.

The proposed methods will likely allow us to determine whether a change has occurred. However, in most cases, we will be unable to determine whether the act overall, specific components of the act, or other factors caused the change. Additionally, we will have at most three years of data following the implementation of the act before the final report is due. This will limit our ability to conclude that the observations are caused by the legislative changes and are not the result of short-term variability in the data.

### [School Truancy Prevention and Intervention Efforts](#)

The 2016 and 2017 legislation made a number of changes related to school truancy prevention and intervention efforts, which are described in detail in [Appendix I](#). Major changes included requiring that the steps schools take in response to unexcused absences be data informed and stipulating that schools may implement a best practice or research-based intervention as one of those steps.

WSIPP's analysis will provide a description of the intervention and prevention efforts taken by schools since the new law. This description will provide important context to understanding the act's implementation.

We will also update our 2009 meta-analysis of truancy and dropout programs.<sup>17</sup> At present there is no updated list of identified best practice or research-based interventions specific to addressing truancy in Washington schools, and the updated meta-analysis is designed to help address that gap.

### [Methods](#)

This section of the report will be limited to a descriptive analysis because we lack a comparison group and baseline data from prior to the act's implementation. If possible, we will perform additional sensitivity analysis to determine if intervention efforts vary significantly based on student, school, or community characteristics.

For the meta-analysis, we will update WSIPP's 2009 report of targeted truancy and dropout prevention programs for middle and high school students.<sup>18</sup> Using WSIPP's standard methodology, we will systematically review the research literature published since the 2009 report and update our findings on which programs are supported by rigorous research evidence.<sup>19</sup>

### [Data Gaps and Limitations](#)

The descriptive analysis will be based on data collected by the Office of Superintendent of Public Instruction (OSPI).

OSPI is legally required to collect student-level data on the interventions that schools use for students with five or more unexcused absences starting in the 2017-18 school year.<sup>20</sup> The validity of the student-

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<sup>17</sup> Klima, T., Miller, M., & Nunlist, C. (2009). *What works? Targeted Truancy and dropout programs in middle and high school* (Doc. No. 09-06-2201). Olympia: WSIPP.

<sup>18</sup> Ibid.

<sup>19</sup> WSIPP's Technical Document.

<sup>20</sup> RCW 28A.225.151.

level data is dependent on a new data collection instrument. At the time of this report, we do not know whether the data will be of sufficient quality, particularly in the first few years of collection.

The student-level OSPI data may be limited to students who already have multiple unexcused absences. This excludes general prevention efforts that schools may be making to prevent initial absences. As prevention efforts may make intervention programs less necessary, this may limit our understanding of school interventions.

OSPI may also have additional school-level data on intervention and prevention efforts.<sup>21</sup> However, as this school-level data is currently reported on a voluntary basis by some schools, it may not be generalizable enough to create a representative description of all school districts.

There are additional potential data sources to track school interventions, including school records, information included with truancy petitions, and the progress reports that schools are required to file with the court for truant students.<sup>22</sup> However, these data sources may be collected inconsistently across schools and/or students and potentially require significant quality control efforts to be useful for large-scale quantitative analysis.

The meta-analysis may also be limited by the available data. Existing literature reviews suggest that there may be insufficient evidence for WSIPP to draw conclusions

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<sup>21</sup> Laurie Shannon, Graduation Specialist, OSPI (personal communication, December 11, 2017).

<sup>22</sup> For an example of truancy progress report from the Center for Children & Youth Justice, see pgs. 18-20. <https://www.courts.wa.gov/content/manuals/TruancyBenchmark.pdf>

regarding the effectiveness of many truancy intervention programs.<sup>23</sup>

### Community Truancy Boards

While some school districts and/or courts established CTBs on a voluntary basis prior to the 2017-18 school year, the new law required the establishment of CTBs in all school districts with more than 300 students. The legislation also made referral to CTBs mandatory for most students who receive truancy petitions. These changes and other ways in which the new law altered CTBs are described in [Appendix II](#).

The characteristics of the students being referred to CTBs may have changed following the act's implementation, either due to the new statutory requirements or to changes in schools' implementation of the law. In past reports, WSIPP has found significant variation in truancy practices across the state.<sup>24</sup> For example, in the 2006–07 school year, only 32% of students who qualified to receive a truancy petition were actually petitioned.<sup>25</sup> Some school districts petitioned 100% of qualified students, while others petitioned 0%.<sup>26</sup>

We will describe any variation in how schools and courts have met their requirements under the legislation, as well as any available characteristics of CTBs.

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<sup>23</sup> See, Maynard, B.R., McCrea, K.T., Pigott, T.D., & Kelly, M.S. (2012). *Indicated truancy interventions: Effects on school attendance among chronic truant students*. Campbell Systematic Reviews, 10.

<sup>24</sup> Klima et al. (2009). Doc. No. 09-02-2201 and Miller et al. (2009).

<sup>25</sup> Miller, M., Klima, T., & Nunlist, C. (2010). *Washington's truancy laws: Does the petition process influence school and crime outcomes?* (Doc. No. 10-02-2201). Olympia: WSIPP, p. 7.

<sup>26</sup> Ibid.

Given that some CTBs existed prior to the new law, we will have a control group of schools; therefore, we will conduct analysis to test whether participation in the newly established CTBs affects student outcomes, including attendance and dropout rates.

### Methods

WSIPP will first use descriptive methods to explore CTB characteristics. This could include a description of the number of qualifying schools with an associated CTB, the rate at which petitioned students are referred to CTBs, and the characteristics and outcomes of participating students. WSIPP will perform additional sensitivity analysis to determine if student or school characteristics, including CTB establishment date, affect those variables.

WSIPP will also test for the influence of the newly established CTBs on student outcomes. We will use a comparative interrupted time series (CITS) analysis to test whether CTBs cause a change in student academic outcomes (including dropout rates and absenteeism) and legal outcomes (including court hearings and detention).

This type of analysis is different from a standard interrupted time series because it uses a control group. Schools with newly established CTBs (the treatment group) and schools with previously established CTBs (the control group) should be affected similarly by the non-CTB portions of the new law. We may be able to understand how CTBs have affected student outcomes by comparing any remaining difference in changes (either level or trend) between the control and treatment groups.

### Data Gaps and Limitations

The descriptive analysis of CTBs will be limited to a maximum of three years following implementation. Since some data elements were not routinely and systematically collected, the data in the descriptive analysis will likely be limited to after the 2017-18 school year.

We will also not be able to describe several variables of potential interest due to data limitations. For example, the new law established training requirements for CTB members and altered the options for interventions (see [Appendix II](#)). However, data on member training and characteristics and CTB interventions are not captured systematically.

The CITS analysis may make it possible for us to draw conclusions about whether CTBs affect student outcomes. The CITS analysis does have a comparison group in schools that adopted CTBs before the 2017-18 school year. However, those early adopters may systematically differ from the treatment schools in several ways, for example in staff orientation to reducing absenteeism. Where possible, WSIPP will check for these potential problems by conducting sensitivity analyses and including student, school, and community control variables.

To measure how CTBs have affected student outcomes over time, we will need to combine both education and juvenile court records on individual students. Note that while we do not anticipate major problems, matching individuals across datasets is rarely perfect and may result in some students dropped from the analysis. Additionally, there may be some student, family, school and/or community characteristics that are predictive of truant

behavior or receiving a petition but that are not systematically collected. For example, familial attitude towards the importance of education may affect attendance. This could limit the reliability of the regression analysis.

### Truancy Petitions

The new law did not change the requirement for schools to file petitions for students with seven unexcused absences in a month or ten in a year. However, the new law did make a number of changes to the process following petition filing (described in [Appendices I-III](#)).

Under the new law, most truant students who receive a petition will automatically be diverted from an initial court hearing to a CTB. For students whose cases go on to fall under the court's jurisdiction, the new law expanded the number of non-punitive options and made detention an option of last resort.

While the law has not changed school filing requirements, past research shows variability in filing rates by schools (as discussed on pg. 10). Therefore, we will explore whether and how filing patterns have changed over time.

We will also evaluate whether the act has caused a change in outcomes for petitioned students, including academic outcomes, like dropout rates and absenteeism and legal outcomes, including detention at a SCRC or juvenile detention facility.

### Methods

We will conduct an ITS analysis to see how and whether petition characteristics and outcomes changed following the act's implementation. This analysis may look at the number of petitions; the characteristics of petition recipients (including race, gender, grade, etc.); the percentage of qualifying students receiving petitions; the rate of referral to HOPE or CRC beds; and the outcomes of the petitions, including detention at a SCRC or juvenile detention facility. This analysis will rely on information recorded in school and juvenile court records.<sup>27</sup>

Where appropriate, we will conduct additional sensitivity analyses to determine whether any of the trends or levels in the above five variables differ significantly based on student, school, CTB, or community characteristics. For example, only a percentage of students who have enough unexcused absences to qualify to receive petitions actually do so. WSIPP may test whether the petitioned population differs from the non-petitioned population in a systematic way.

WSIPP may also conduct additional regression analyses to test, for example, whether the probability of receiving a petition or receiving detention changed before and after the act's implementation.

### Data Gaps and Limitations

The ITS analysis will be limited by the lack of a comparison group, the restriction of follow-up data to a maximum of three years, and the simultaneous implementation of all aspects of the law. These issues may make it difficult to draw any causal conclusions.

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<sup>27</sup> Note that some of this data is captured both by juvenile courts and by schools.

To gather the information necessary to analyze petitions, we will analyze student-level data using a linked dataset of school and court records. The potential limitations of this type of data are described on pg. 11.

### Student Outcomes

The truancy act could affect school attendance patterns by potentially altering school, CTB, and court behavior. We will explore whether there has been a change in absenteeism and dropout rates that correspond with the act's implementation. If any or all of the components of the act have an impact on students' school attendance patterns, we may be able to observe the changes in school data, although we may not be able to attribute any changes specifically to the act itself.

### Methods

We will conduct an ITS analysis of the student outcome variables, specifically dropout rates and absenteeism, to determine whether a significant change in the level and trends of these variables occurred following implementation of the act. Where appropriate, we will conduct sensitivity analyses to determine whether outcomes differ significantly based on student, school, CTB, or community characteristics.

WSIPP may perform additional regression analyses to test whether the likelihood of dropping out and/or receiving more absences has changed since the act's implementation.

### Data Gaps and Limitations

The ITS analysis of student outcomes does not have a comparison group, which makes it impossible to eliminate the possibility that other historical events caused any observed changes in outcomes.

WSIPP does not anticipate major problems in measuring student-level outcomes. However, there may be intangible student characteristics that are predictive of dropping out that are not captured in student record data—that missing data may limit the regression analysis.

### III. Summary of Data Gaps

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Appendix V provides a summary of the many types of data gaps for each of the research questions. Some of these gaps result from the act's simultaneous implementation statewide (i.e., we have no ability to assess a comparison group of students during the same time period who were unaffected by the changes to the law). Others are the results of a lack of historical data (e.g., schools were not required to record student-level information on truancy intervention efforts in the past). Neither of these can be addressed retroactively. However, some gaps could be addressed through collecting additional data going forward.<sup>28</sup> This could include systematically collecting:

- general school prevention efforts,
- student-level data on CTB interventions, and
- characteristics and training of CTB members.

WSIPP's final report is due in 2021, which is before there will be sufficient data to measure some of the long-term outcomes of interest, including graduation rates for current elementary and middle school students. Additionally, we may not be able to rule out the possibility that observed trends are caused by short-term variability in the data due to the limited follow-up time.

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<sup>28</sup> Note this list does not account for the potential feasibility of data collection.



# Appendices

An Evaluation of the 2016 Truancy Prevention and Intervention Act: *Initial Report*

## Appendices

I.	Changes to School Requirements.....	15
II.	Changes to Community Truancy Board Requirements.....	19
III.	Changes to Court Requirements.....	22
IV.	Changes to HOPE/CRC/SCRC Beds.....	25
V.	Data Gaps.....	27

## I. Changes to School Requirements

The 2016 and 2017 legislation altered school information, data requirements, and how schools respond to unexcused absences. These changes are briefly described below and summarized in [Exhibit A1](#).

### [Information and Data Requirements](#)

#### [Information Provision to Parents](#)

Prior to the passage of the 2016 legislation, schools were required to inform parents at least annually about the state’s compulsory education requirements.

The new law requires schools to provide additional information on the benefits of attendance, consequences of absences, and information on truancy resources.<sup>29</sup> Schools must inform parents at the start of the school year—preferably in a language in which they are fluent—and parents must attest either online or in writing that they have reviewed the information.

#### [Truancy Data Reporting and Collection](#)

The law prior to 2016 required the Office of Superintendent of Public Instruction (OSPI), the primary agency overseeing K–12 public education in Washington, to publish an annual report on truancy based on aggregate data provided by schools.

Under the new law, OSPI must base its report on student-level data, which schools must submit to OSPI starting in the 2017-18 school year.<sup>30</sup> OSPI’s annual report should include:

- information on the number of enrolled students and unexcused absences;
- the number of students with five or more unexcused absences in in a month or ten or more in a year;
- a description of any program or schools developed to serve students with excessive absences (five or more unexcused absences in in a month or ten or more in a year) along with the number of absences accrued by participating students before, during, and after program participation;
- a description of court-ordered placements in private non-secular schools or programs;
- the number of petitions filed by school districts; and,

<sup>29</sup> RCW 28A.225.005.

<sup>30</sup> RCW 28A.225.151.



- starting in the 2018-19 school year, the outcome(s) of those petitions (e.g., referral to a Community Truancy Board (CTB), hearing in juvenile court, detention, etc.).

### Truancy Point of Contact

The new law requires schools to identify a point of contact on truancy for both the juvenile court and OSPI.<sup>31</sup> This is a new legal requirement.

### Transfer Student Records

The new law requires that for students transferring school districts, the sending school must provide the receiving school information on absences, a copy of any assessments, a history of truancy interventions, and a copy of the written acknowledgement of receipt of attendance and truancy information. This is a new legal requirement.

### Information Included in Petitions

When filing a truancy petition, the prior law required schools to include a supporting affidavit along with the petition. However, the prior law did not provide additional detail.

The new law requires that when submitting truancy petitions to the courts, schools must include:

- *a list of all interventions that have been attempted...*,
- *a copy of any previous truancy assessment completed by the child's current school district...*,
- *the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and,*
- *a copy of the most recent truancy information document provided to the parent.*<sup>32</sup>

### School Interventions

#### Parent-Teacher Conferences

Prior law required parent-teacher conferences after students accrued two unexcused absences in a month. The new law increased the number from two to three.<sup>33</sup>

Starting in the 2017-18 school year, the new law also requires schools to hold parent-teacher conferences for elementary school students following more than five excused absences in a month or more than ten in a year.<sup>34</sup>

The 2017 legislation also establishes additional parent-teacher conference process steps for students with individualized education plans (IEP)<sup>35</sup> or 504 plans.<sup>36</sup> This was not required under the existing law.

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<sup>31</sup> RCW 28A.225.026.

<sup>32</sup> RCW 28A.225.030.

<sup>33</sup> RCW 28A.225.020.

<sup>34</sup> RCW 28A.225.018.

<sup>35</sup> According to OSPI, an IEP is a written statement for a student eligible for special education. This document includes a description of the amount of time the student should receive special education, any related services being received, and the academic/behavioral goals and expectations for the student.

<sup>36</sup> A 504 plan is a written document for eligible students who have a physical or mental impairment which substantially limits one or more major life activities. The plan describes the accommodations, aids, and services the school must provide in order to ensure the student can experience an appropriate public education, as required by Section 504 of the Federal Rehabilitation Act of 1973.

### Formal Assessment

Prior to the 2016 legislation, schools were not required to conduct a formal risk and needs assessment of students with problematic absenteeism.

The new law requires schools to assess students with more than three unexcused absences in a month using Washington Assessment of the Risks and Needs of Students (WARNS) or another assessment tool. This formal assessment is required for only middle and high school students.<sup>37</sup>

### Steps to Reduce or Eliminate Absences

Prior to the passage of the 2016 act, schools were required to “take steps” to reduce or eliminate absences in conjunction with the parent-teacher conference. The prior law listed potential steps that schools could take in response to two or more unexcused absences in a month. These included:

- *adjusting the child's school program or school or course assignment,*
- *providing more individualized or remedial instruction,*
- *providing appropriate vocational courses or work experience,*
- *referring the child to a community truancy board, if available,*
- *requiring the child to attend an alternative school or program, or*
- *assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.*<sup>38</sup>

The 2016 legislation altered these requirements in several ways. It required that these steps be data-informed and increased the number of unexcused absences triggering this step from two to three in a month. The new law also expanded the above list; schools may also provide a best practice or research-based intervention (or both) consistent with the student’s WARNS profile or other assessment.

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<sup>37</sup> RCW 28A.225.020.

<sup>38</sup> 2SHB2449, Section 4, pg. 5.

**Exhibit A1**

Some Major Changes in Truancy Legal Requirements for Schools

Requirement	Prior to the 2017-18 school year	Start of the 2017-18 school year
Information provision to parents	Schools must inform parents at least annually about the state’s compulsory education requirements Parents are not required to attest that they have received the information	Schools must inform parents at least annually and provide <b>additional information</b> on the benefits of attendance, consequences of absences, and information on truancy resources Parents must attest (either online or in writing) that they have reviewed the information.
Truancy data reporting and collection	OSPI must publish an annual report on truancy based on <b>aggregate data</b> provided by schools	OSPI must publish an annual report based on <b>student-level data</b> and provide additional information
Truancy point of contact	Not required	Schools must identify a point of contact for both the juvenile court and OSPI
Transfer of student records	Not required	Schools must exchange truancy data when students transfer
Information included in petitions	When filing a truancy petition with the court, schools must include a supporting affidavit	When filing a truancy petition with the court, schools must include a supporting affidavit that includes <b>specific historical data</b>
Parent-teacher conferences for unexcused absences	Required following <b>two unexcused absences</b> in a month	Required following <b>three unexcused absences</b> in a month
Parent-teacher conferences for excused absences	Not required	Required for elementary school students following more than <b>five excused absences in a month or more than ten absences in a year</b>
Formal assessment	Not required	<b>Washington Assessment of the Risks and Needs of Students (WARNS)</b> or another formal assessment tool required for middle and high school students with more than three unexcused absences in a month
Steps to reduce or eliminate absences	Following <b>two unexcused absences</b> in a month, schools must choose from among several steps: <ul style="list-style-type: none"> <li>• adjust school program,</li> <li>• provide individualized instruction,</li> <li>• provide vocational courses or work experience,</li> <li>• refer student to CTB,</li> <li>• require student to attend an alternative school/program, or</li> <li>• assist the student in receiving services to reduce or prevent absenteeism</li> </ul>	Following <b>three unexcused absences</b> in a month, schools must choose from among the following <b>data-informed</b> steps: <ul style="list-style-type: none"> <li>• adjust school program,</li> <li>• provide individualized instruction,</li> <li>• provide vocational courses or work experience</li> <li>• refer student to CTB,</li> <li>• require student to attend an alternative school/program,</li> <li>• assist the student in receiving services to reduce or prevent absenteeism, or</li> <li>• <b>implement a best practice or research-based intervention (or both) consistent with the student’s WARNS profile or other assessment</b></li> </ul>

Note:

The bolded italicized text details a change or addition in the law.

## II. Changes to Community Truancy Board Requirements

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The 2016 and 2017 legislation altered a number of legal requirements related to community truancy boards, including:

- requiring their establishment,
- making referral to CTBs mandatory for most petitioned students,
- altering training requirements, and
- changing options for CTB interventions.

These changes are briefly described below, and summarized in [Exhibit A2](#).

### CTB Mandatory Establishment

Prior law defined CTBs and allowed for juvenile courts and/or schools to establish them on an optional basis.

The 2016 legislation updated the definition of CTBs and required that by the start of the 2017-18 school year, juvenile courts establish CTBs in coordination with school districts with more than 300 students located in their corresponding county. School districts with 300 or fewer students may use a CTB or address truancy through another coordinated means of intervention.

### Mandatory Referral to CTBs

Prior to the 2016 legislation, students could be referred to CTBs in three different ways:

- 1) Schools could refer students to a CTB as part of the steps made following two unexcused absences in a month;
- 2) Schools could refer students to a CTB following five unexcused absences in a month; or
- 3) Juvenile courts, upon hearing a truancy petition, could stay the petition and refer the student to a CTB.

For each of these three options, referral to CTBs was discretionary.

Under the new law, schools still have the option to refer students to a CTB listed under options 1) and 2) above, although option 1) is now triggered by three (rather than two) unexcused absences in a month.

The new law changes option 3) by making referral to a CTB mandatory for students who receive a truancy petition. When the truancy petition process is triggered by seven unexcused absences, that petition is automatically stayed. The student is then automatically referred to a CTB if one is available. If the student fails to comply with the CTB, the stay is lifted, and the student is referred back to the court for an initial hearing.

In school districts with fewer than 300 students, there may not be a CTB available and students are instead referred to another coordinated means of intervention. If there is no CTB or alternative means available, the student will instead have an initial court hearing.

### CTB Training

Prior law defined and allowed for CTBs. These boards are served by local community volunteers with duties that include meeting with truant students to identify barriers and developing plans to improve

attendance.<sup>39</sup> However, the law did not stipulate the type of training that members were required to receive.

The 2016 legislation, which was further altered by the 2017 legislation, changed the training requirements for CTB members. According to the new law, at least one CTB member must be trained in each of the following areas:

- the identification of barriers to school attendance;
- the use of WARNS or other assessment tool;
- cultural responsive interactions;
- trauma-informed approaches to discipline;
- evidence-based treatments; and
- the specific services and treatment available in the particular school, court, community, and elsewhere.<sup>40</sup>

### Options for CTB Interventions

Washington's law prior to the 2016 legislation had listed (but not limited) CTB duties to include recommending methods for improving student attendance including:

- assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the causes for absences and
- suggesting to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program.

The 2016 and 2017 legislation removed the language in the first bullet above ("supplementary services") and retained the second bullet. The new law also stipulates that CTBs may:

- connect students with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy and
- recommend to the juvenile court that students be referred to a HOPE center or crisis residential center if appropriate.

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<sup>39</sup> While the 2016 legislation required the formal assessment to be conducted using the WARNS tool, the 2017 legislation lifted this requirement for elementary and middle school students.

<sup>40</sup> The 2016 act had required that each member of a CTB be trained in each of these areas. The 2017 legislation required that at least one member be trained in each area.

## Exhibit A2

### Some Major Changes in Truancy Legal Requirements for Community Truancy Boards

Requirement	Prior to the 2017-18 school year	Start of the 2017-18 school year
CTB mandatory establishment	CTBs were <b><i>optional</i></b> The law defined CTBs and allowed courts and/or schools to establish them	Juvenile courts are <b><i>required</i></b> to establish CTBs in coordination with school districts with more than 300 students Smaller districts may use a CTB or another coordinated means of intervention
Mandatory referral to CTBs	Students could be referred to CTBs in three different ways:  1) Schools could refer students to a CTB as part of the steps made following <b><i>two unexcused absences</i></b> in a month  2) Schools could refer students to a CTB following five unexcused absences in a month  3) Juvenile courts, upon hearing a truancy petition, <b><i>have an option to stay the petition</i></b> and refer the student to a CTB	Students can be referred to CTBs in three different ways:  1) Schools could refer students to a CTB as part of the steps made following <b><i>three unexcused absences</i></b> in a month  2) Schools could refer students to a CTB following five unexcused absences in a month  3) When juvenile courts receive a truancy petition, it is <b><i>automatically stayed</i></b> prior to the initial hearing and the student is referred to a CTB
CTB training	Did not stipulate training requirements for CTB members	At least one CTB member must be trained in each of the following areas:  <ul style="list-style-type: none"> <li>• the identification of barriers to school attendance</li> <li>• the use of WARNS or other assessment tool</li> <li>• cultural responsive interactions</li> <li>• trauma-informed approaches to discipline</li> <li>• evidence-based treatments</li> <li>• the specific services and treatment available in the particular school, court, community, and elsewhere</li> </ul>
Options for CTB interventions	CTBs have several intervention options:  <ul style="list-style-type: none"> <li>• <b><i>assist the parent or child to obtain supplementary services that might eliminate or ameliorate the causes for absences</i></b></li> <li>• suggest to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program</li> </ul>	CTBs have several intervention options:  <ul style="list-style-type: none"> <li>• <b><i>connect students with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy</i></b></li> <li>• <b><i>recommend to the juvenile court that students be referred to a HOPE center or crisis residential center</i></b></li> <li>• suggest to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program</li> </ul>

Note:

The bolded italicized text details a change or addition in the law.

### III. Changes to Court Requirements

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The 2016 and 2017 legislation altered and added to court requirements related to truancy, including:

- requiring petitions to be automatically stayed for CTB referral;
- changing court options for orders of truancy, and
- increasing the number of steps courts must take before ordering that students serve detention.

These changes are briefly described below, and summarized in [Exhibit A3](#).

#### Stay of Petition

Prior to the 2016 legislation, a student could only have his or her truancy petition stayed in favor of CTB participation following an initial juvenile court hearing. During this delay, the student could continue to be truant.

As established by the 2016 legislation, petitioned students are now automatically referred to a CTB.

#### Options for Orders of Truancy

Once a student has reached seven unexcused absences in a month or ten in a year, the school is required to file a truancy petition with the juvenile court. If the court does not stay the petition for referral to a CTB or other agreed orders, the court will hear the petition. If the petition is supported by "a preponderance of the evidence," the court may grant the petition and assume jurisdiction.

The court can then issue truancy orders. The prior law listed a number of potential options, including ordering the student to:

- attend school (most commonly ordered);
- attend another public school, an alternative education program, center, a skill center, a dropout prevention program, or another public education program;
- attend a private nonsectarian school or program (subject to some constraints); and
- submit to a substance abuse assessment.

To the options listed above, the new law added the following option for truancy orders:

- submit to a mental health evaluation.<sup>41</sup>

#### Options for Contempt Sanctions

The prior law stipulated few options that courts could take if student had additional unexcused absences after receiving a petition or otherwise violated court orders. The court could order the student to:

- be incarcerated in juvenile detention for a maximum of seven days;
- perform meaningful community restitution; or
- comply with any other remedial sanction(s) that would be effective in coercing the child's future compliance with the court order.

The 2016 and 2017 legislation increased the number of stipulated court options for contempt orders. Following initial non-compliance, the courts can still order community restitution or other

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<sup>41</sup> While the 2016 legislation also allowed for temporary placement in a crisis residential center or HOPE center, that language was removed in the 2017 legislation.



services/interventions as they could under the prior law. Under the new law, the court may also order the truant student to:

- participate in a nonresidential program with intensive wraparound services or
- meet with a mentor.

The new law also established more steps that courts must follow prior to ordering detention. The court cannot order detention after initial non-compliance. Detention is only an option if the student continues to fail to comply with court orders and other measures to secure compliance have been tried and been unsuccessful. Additionally, the court is required to preferably order the detention be served in a secure crisis residential center (SCRC), rather than a juvenile justice facility.<sup>42</sup>

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<sup>42</sup> There are currently only two secure crisis residential centers in the state presently, which exist at the same location as juvenile justice facilities.

### Exhibit A3

#### Some Major Changes in Truancy Legal Requirements for Courts

Requirement	Prior to the 2017-18 school year	Start of the 2017-18 school year
Stays of petition	Truancy petitions could be stayed in favor of CTB participation <b><i>following an initial juvenile court hearing</i></b> , during which the student could continue to be truant	Petitioned students are now <b><i>automatically referred to a CTB</i></b>
Options for orders of truancy	<p>A court may require students to take any of the following actions:</p> <ul style="list-style-type: none"> <li>• attend school (most commonly ordered)</li> <li>• attend another public school, an alternative education program, center, a skill center, a dropout prevention program, or another public education program</li> <li>• attend a private nonsectarian school or program (subject to some constraints)</li> <li>• submit to a substance abuse assessment</li> </ul>	<p>A court may require students to take any of the following actions:</p> <ul style="list-style-type: none"> <li>• attend school (most commonly ordered)</li> <li>• attend another public school, an alternative education program, center, a skill center, a dropout prevention program, or another public education program</li> <li>• attend a private nonsectarian school or program (subject to some constraints)</li> <li>• submit to a substance abuse assessment</li> <li>• <b><i>submit to a mental health evaluation</i></b></li> </ul>
Options for contempt sanctions following <b><i>initial non-compliance</i></b>	<p>A court may require students to take any of the following actions:</p> <ul style="list-style-type: none"> <li>• <b><i>submit to incarceration in juvenile detention for a maximum of seven days</i></b></li> <li>• perform meaningful community restitution</li> <li>• comply with any other remedial sanction(s) that would be effective in coercing the child's future compliance with the court order</li> </ul>	<p>A court may require students to take any of the following actions:</p> <ul style="list-style-type: none"> <li>• <b><i>participate in a nonresidential program with intensive wraparound services</i></b></li> <li>• <b><i>meet with a mentor</i></b></li> <li>• perform meaningful community restitution</li> <li>• comply with any other remedial sanction(s) that would be effective in coercing the child's future compliance with the court order</li> </ul>
Options for contempt sanctions following <b><i>continual non-compliance</i></b>	Same as options following initial non-compliance (same as the options for initial non-compliance)	Detention is only an option if the student <b><i>continues to fail to comply</i></b> with court orders and other measures to secure compliance have been tried and been unsuccessful. Detention in a <b><i>secure crisis residential center is preferred</i></b> to a juvenile detention facility

Note:

The bolded italicized text details a change or addition in the law.

## IV. HOPE, CRC, and SCRC Beds

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Prior to the 2016 legislation, Washington's truancy laws did not mention HOPE beds, Crisis Residential Centers (CRCs), or Secure Crisis Residential Centers (SCRCs).

HOPE Centers are residential facilities where youth may stay for up to 30 days while being evaluated for appropriate placement, education, and treatment services, including family reconciliation.<sup>43</sup> CRCs are short-term, semi-secure (CRC) or secure facilities (SCRC) for runaway youth and adolescents in conflict with their families.

The 2016 legislation created several pathways by which truant students could be referred to these beds, although these were further altered by the 2017 legislation. The new law also provides for an increase in those beds, subject to funding.

### New Referral Options

The new law created two new paths whereby truant youth can be referred to HOPE, CRC, or SCRC beds. First, CTBs can recommend to the juvenile court that a student be referred to a HOPE or non-secure crisis residential center. Second, if a court orders that a student must serve detention, then it will preferably be served at a SCRC, rather than a juvenile justice facility.

While the 2016 legislation listed referral to a HOPE or crisis residential center as an option for court truancy orders, this language was removed by the 2017 legislation.<sup>44</sup>

### Ordered Increase in Number of Beds

The 2016 legislation ordered an incremental increase in the number of HOPE and CRC beds in the state. Subject to funding, the Department of Social and Health Services was ordered to increase the number of HOPE beds by at least 17 beds in fiscal years (FY) 2017, 2018, and 2019 so that 75 beds are established and operated throughout the state by July 1, 2019. Thereafter, the number of HOPE beds could incrementally increase beyond 75. The number of CRC beds was to be incrementally increased by no fewer than ten beds per fiscal year through FY 2019.

### Funding and Actual Increase in Beds

The enacted FY 2016 Supplemental operating budget included \$1.03 million in additional funds for an increase in HOPE beds and an additional \$714,000 for an increase in CRC beds. Washington's 2017-19 Operating budget also included \$1.75 million in proviso funding to expand the number of HOPE and CRC beds.<sup>45</sup>

The table below shows the change in total beds from FY 2016-2018. Note the shift toward a combined HOPE/CRC category in FY 2018. HOPE beds and semi-secure CRC beds are frequently co-located in the same facilities. SCRC facilities are primarily co-located with a juvenile detention center.

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<sup>43</sup> [http://pgn-stage.wsipp.wa.gov/ReportFile/819/Wsipp\\_Evaluation-of-the-HOPE-Act-Services-for-Street-Youth\\_Executive-Summary.pdf](http://pgn-stage.wsipp.wa.gov/ReportFile/819/Wsipp_Evaluation-of-the-HOPE-Act-Services-for-Street-Youth_Executive-Summary.pdf).

<sup>44</sup> During the year in which that law was in effect, one truant student was referred via that option. K. Justice, Director, Office of Homeless Youth Prevention and Protection Programs, Washington State Department of Commerce (personal communication, November 17, 2017).

<sup>45</sup> K. Justice, Director, Office of Homeless Youth Prevention and Protection Programs, Washington State Department of Commerce (personal communication, November 27, 2017).

In a recent change, some beds can be operated as either a HOPE or a CRC bed based on the eligibility and needs of the youth who access the facility. The number of HOPE, CRC, and combined HOPE/CRC beds increased by 27 beds from FY 2016 to FY 2017, and will increase by three additional beds in FY 2018.

**Exhibit A4**

Change in Number of HOPE, CRC, and SCRC Beds

<b>Bed type</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
HOPE only	23	54	46
CRC only	45	41	0
HOPE/CRC combined model	0	0	52
SCRC	25	14	8
<b>Total beds</b>	<b>93</b>	<b>109</b>	<b>106</b>

Source:

K. Justice, Director, Office of Homeless Youth Prevention and Protection Programs, Washington State Department of Commerce (personal communication, November 27, 2017).

## V. Data Gaps

### Exhibit A5

#### Major Data Gaps by Research Area

Data gap	1: School truancy intervention & prevention efforts	2: Community truancy boards	3: Truancy petitions	4: Student outcomes
Only three years (at most) of follow up data after implementation	X	X	X	X
No comparison group	X	X (except CITS)	X	X
Missing information prior to 2017-18 school year	X	X		
No student-level data on CTB interventions		X		
No data on characteristics & training of CTB members		X		
New collection instrument of unknown quality	X			
No data on general school prevention efforts	X			
Potentially insufficient rigorous research	X			
Some potentially important data is unobservable in the administrative data, e.g. school staff orientation toward truancy prevention	X	X	X	X
Linked school and court data may not be perfect		X	X	
May be gaps in records for some students	X	X	X	X

Suggested citation: Barch, M. (2017). *Evaluation of the 2016 Truancy Prevention and Intervention Act: Initial report* (Document Number 17-12-2203). Olympia: Washington State Institute for Public Policy.

For further information, contact: Madeline Barch at 360.664.9070,  
madeline.barch@wsipp.wa.gov

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