



## Keeping Kids in School and Out of Court Initiative

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TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

September 4, 2014

Dear Juvenile Court Presiding Judges:

I am writing to invite you to join me in recognizing September as Attendance Awareness Month by encouraging our courts, our schools, and our communities to implement effective strategies for improving student attendance starting with the beginning of this new school year. Ensuring children are in school so they can learn and thrive is central to fulfilling our courts' most basic obligation to protect the best interests of the children we serve. We in the judicial branch have an important role to play in fostering regular school attendance and combating the problems of chronic absenteeism.

Our courts typically become involved in addressing school attendance when children are chronically truant and they or their parents are being held accountable for unexcused absences, but research clearly shows that too many absences for any reason, can adversely affect learning outcomes for our children and youth. California law now recognizes a category of attendance problem called chronic absenteeism, which is defined as missing 10 percent or more of the school year whether excused or unexcused. We know that children who are chronically absent in the early grades are less likely to be reading by third grade and ultimately less likely to graduate from high school.

While chronic absenteeism is a serious problem, particularly for our system-involved students, the good news is many steps can be taken to improve attendance for all of our youth. Here are a few suggestions:

- a) **Recommit your court to its responsibilities to track the attendance of all the children subject to juvenile court jurisdiction.** The California Rules of Court require our courts to make findings and orders at every juvenile court hearing regarding the child's educational needs, including that the child is enrolled in and attending school. Students who are chronically absent have far worse educational outcomes than their peers who regularly attend school, so it is critical that we as judges regularly track the

attendance of the children under our jurisdiction and look for solutions to improve attendance for those who are chronically absent. This is particularly critical for our foster youth in the early elementary grades, as research demonstrates that attendance problems often manifest in the earliest grades — even in preschool and kindergarten — and continue as the child continues through school. I urge you to ensure that all of your judicial officers are actively inquiring about school attendance for all juvenile court youth and working with the other system stakeholders to address problems at the earliest possible stage to ensure success for these vulnerable children and youth.

- b) **Encourage school districts to strengthen site-based prevention to improve attendance.** School districts across California are more focused than ever on attendance because they are required to address chronic absence as part of their Local Control Accountability Plans. You can reach out to your local districts to support and encourage a comprehensive system of support that starts with prevention in the classroom and at the school level. Attendance can be improved when schools and community organizations work together to engage families in nurturing a habit of attendance and reaching out to families to identify and resolve challenges to getting to school (e.g., lack of access to health care, community violence, inadequate public transportation, etc.) before children miss so much school they cannot get back on track. As a judge, your leadership role can call attention to the importance of schools engaging in early outreach and early intervention so communities can avoid the need for more costly court intervention.
  
- c) **Support coordination across systems for the children with the most severe attendance problems.** As a judge, you can also help convene the right set of agencies to look at available data on chronic absence. Encourage stakeholders to identify which schools, neighborhoods and students are most affected and given what you see, what are the implications for collaboration. Explore how agencies might work together to address the needs of children whose poor attendance reflects challenging family situations. In Baltimore, for example, Maryland child welfare social workers work with schools to identify chronically absent students in those areas that generate the most child welfare referrals. Social workers then visit these students' families and can provide supportive services early on that prevent the need for removal of the child. When a child misses too many days of school it is an early warning sign that the child is at risk. We in the judicial branch can work with our partners to ensure that this warning sign is not ignored.

I launched my Keeping Kids in School and Out of Court Initiative because I know that if we can support all students in California in attending safe and supportive schools, then we can improve our statewide graduation rates, and reduce the number of youth coming into our juvenile and criminal justice systems. I ask you to take this opportunity to look at the role that you and your court can play in providing leadership on this most basic requirement for educational success.

More information on the research and promising interventions to improve school attendance can be found at our Keeping Kids in School and Out of Court Web site:

<http://www.courts.ca.gov/truancy.htm>, and please feel free to contact my staff for this initiative,

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Chris Cleary [Christine.cleary@jud.ca.gov](mailto:Christine.cleary@jud.ca.gov) and Tracy Kenny [tracy.kenny@jud.ca.gov](mailto:tracy.kenny@jud.ca.gov), for more information and assistance in implementing positive strategies to improve school attendance.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Cantil-Sakauye". The signature is written in a cursive, flowing style.

**TANI G. CANTIL-SAKAUYE**  
Chief Justice of California and  
Chair of the Judicial Council