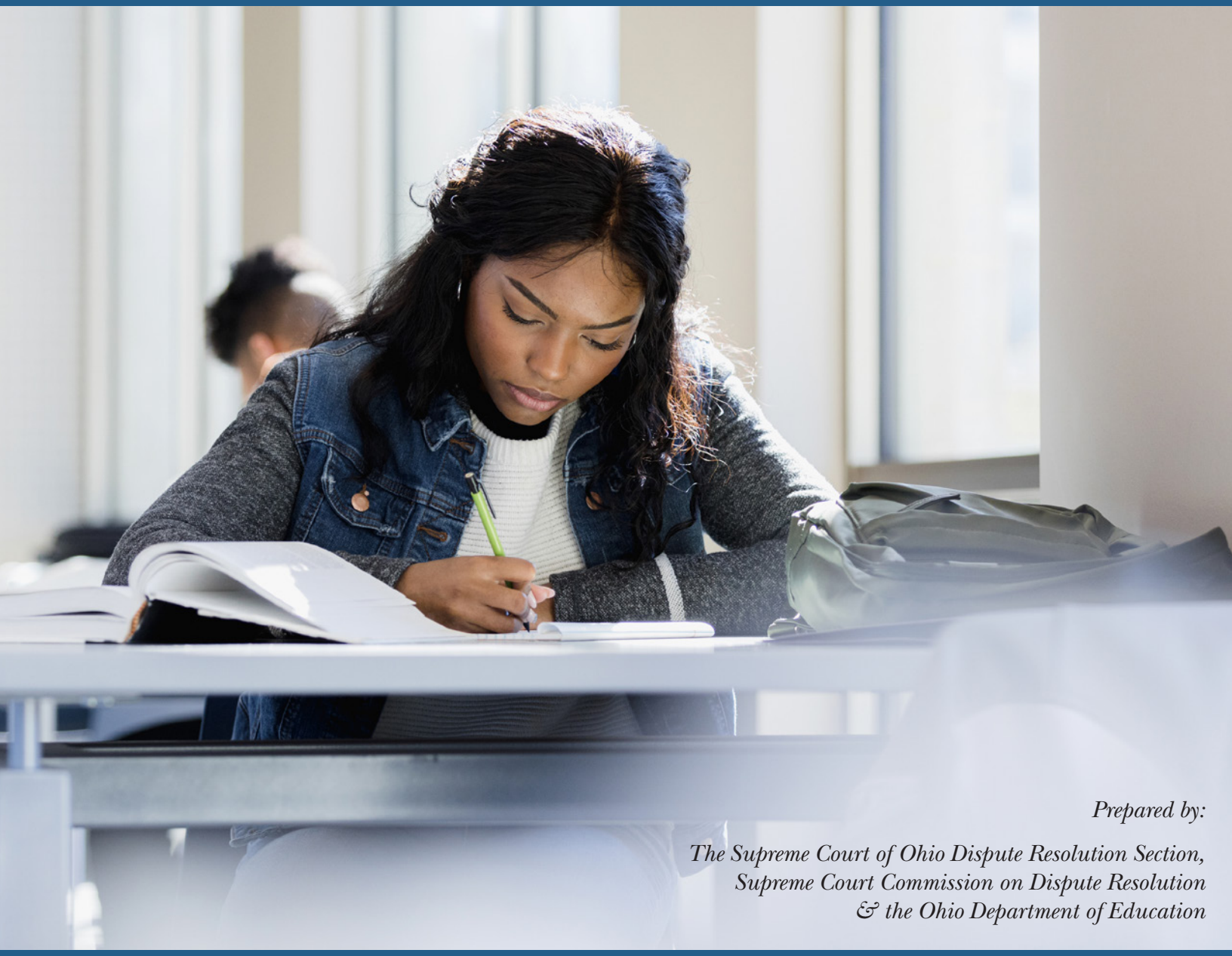
School Attendance Toolkit

Ohio Supports Attendance:

A Community Collaboration of the Supreme Court of Ohio & the Ohio Department of Education



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Ohio Supports Attendance: A Community Collaboration

School Attendence Toolkit

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A MESSAGE FROM THE COMMISSION CHAIRPERSON

The Juvenile Justice System has long-served as the forum to which children and their families are sent to adjudicate offenses related to truancy. Recognizing that school-aged children who are charged with a crime are 50 percent more likely to return to court, juvenile courts in Ohio seek in all appropriate cases to avoid formal court action and to use other community resources to improve situations brought to the attention of the court.

This School Attendance Toolkit ("Toolkit") provides courts and schools with a guide to designing and implementing a successful dispute resolution program to help students be on time and get to school every day. The Toolkit furnishes resources to: (1) promote school attendance through community support and the provision of dispute resolution education and training; (2) intervene when absenteeism occurs but before a student becomes habitually truant; and (3) respond with positive action when truancy and related charges are filed. It incorporates the 2017 legislative changes in H.B. 410 and builds on the Commission on Dispute Resolution and Conflict Management's successful Truancy Prevention through Mediation Program. The Toolkit also introduces the dispute resolution process of "Attendance Coordination" as the application of a multi-disciplinary coordination process to promote school attendance, decrease chronic absences, reduce habitual truancy, and address underlying issues that prevent students from getting to school.

The Supreme Court of Ohio Dispute Resolution Section and the Commission on Dispute Resolution received assistance from many programs, mediators, courts, schools, agencies, and experienced professionals in creating this guide to promote, intervene and respond to school attendance issues. Special thanks to the Family and Children First Council, the Ohio Department of Education, and the Commission's "Ohio Supports Attendance: A Community Collaboration Subcommittee" led by Judge Robert Fragale of the Marion County Ohio Family Court.

–Magistrate Richard Altman

THE SUPREME COURT OF THE STATE OF OHIO

A MESSAGE FROM THE SUBCOMMITTEE CHAIRPERSON

School attendance can provide the first opportunity to identify children at risk of entering the Juvenile Justice System. Issues with attendance and behavior at school are an indication that a child may be in need of intervention by school and community partners for services to assist the family in remedying these issues. In compliance with the law, court referral should only be considered after family engagement and corrective measures have been exhausted.

The Ohio Supports Attendance: A Community Collaboration Subcommittee worked to develop a comprehensive School Attendance Toolkit focused on community collaboration, family engagement and successful dispute resolution practices that can be adopted by both school districts and juvenile courts to minimize formal court referrals and meet the needs of families on a case-by-case basis. We identified four primary areas as necessary to consider in designing an effective school attendance program: (1) community support, (2) dispute resolution education and training, (3) effective evaluation and (4) sustainable funding. Workgroups were organized to examine each area, in order to create a positive and less intrusive approach to absenteeism, affording the opportunity for family participation without formal court involvement.

Due to the Subcommittee members' dedication and commitment to our children, this Toolkit was created to offer guidance through collaboration and dispute resolution to those of us interested in the education and the development of our children into productive, engaged adults.

- Hon. Robert Fragale

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A MESSAGE FROM THE OHIO DEPARTMENT OF EDUCATION

Ohio's Strategic Plan for Education, Each Child, Our Future, ensures each student in Ohio is challenged, prepared and empowered for his or her future by way of an excellent prekindergarten through grade 12 education. We know regular school attendance is key to students' success, and success requires support and partnerships across all systems — parents, caregivers and families; schools and districts; community institutions; and government agencies. That's why I am pleased the Supreme Court of Ohio collaboratively developed this School Attendance Toolkit as another resource to support the attendance needs of Ohio's students to reduce chronic absenteeism.

Along with this toolkit, the Department encourages districts and schools to work with the court system and other local partners to develop processes, policies and supports that meet the unique needs of each student in every community. Aligning resources and supports across systems, including the education and juvenile justice systems, will ensure continuity of care for students facing barriers to regular attendance.

Early intervention and consistent communication from all partners to students, families and community members about the importance of regular school attendance can help ensure each child is supported and confident both inside and outside of the classroom.

- Paolo DeMaria, Superintendent of Public Instruction
Ohio Department of Education

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I. INTRODUCTION

This Toolkit provides resources for Ohio's juvenile courts and schools to develop an effective school attendance program and help keep students from entering the juvenile justice system due to school absences. It is not intended to offer legal advice and the illustrations offered within the Toolkit should be viewed as examples. To be successful, each court and school will use the ideas in the Toolkit to develop a program tailored to the individual needs of each unique community.

The first step in designing a stronger and more effective school attendance program is to identify the critical components of programs that have demonstrated success. The National Center for School Engagement compiled its own research along with assessment work conducted by the US Department of Education (DOE), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Dropout Prevention Center/Network (NDPC/N), and the Washington State Institute for Public Policy (WSIPP). It identified various elements of programs that withstood the test of time and that help students be on time and get to school every day. Successful school attendance programs aimed at reducing patterns of absenteeism incorporate the following elements: community support, education and training, effective evaluation, and sustainable funding.

H.B. 410 requires school districts to adopt a policy to address school absences and further requires the school to consult with the juvenile court in developing such policy. While schools and courts have separate roles and responsibilities, addressing student absenteeism is ultimately a collaborative effort. W.E.B. DuBois once observed that "[e]ducation is that whole system of human training within and without the school-house walls, which molds and develops [people]." Just as a student's educational success, or lack thereof, impacts the community in which he or she lives, the community in which a child learns and grows can impact his or her engagement and success in school. School attendance programs should be designed in such a way as to encourage and foster collaboration among schools, families, and courts.

In September 2008, Hedy N. Chang from the National Center for Children in Poverty noted that "students have to be present and engaged in order to learn."[1] Despite the simplicity of this statement, the reasons for student absences are complex and the consequences of student absences are far-reaching. By decreasing absences and keeping students engaged in school, more students graduate from high school, which in turn results in more jobs, more tax revenue, more spending and investments, more home and auto sales, more post-secondary graduates, less crime, and decreased health care costs.[2] The societal implications of keeping students in school and fostering their success compel courts, schools, and communities to action in making student engagement a priority.

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1 Present, Engaged and Accounted For, The Critical Importance of Addressing Chronic Absence in the Early Grades. By Hedy Chang. http://www.nccp.org/publications/pdf/text_837.pdf. September 2008, page 3.

2 Alliance for Excellent Education, Economic Impact Map, http://impact.all4ed.org/#potential/income/ohio/all-students/

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II. THE IMPACT OF ABSENCE[3]

Missing school can result in failing to learn concepts. Each day of learning builds on the previous day, so over time, there is a snowball effect that can result in students being unable to move on to more complicated work. Students who are not at school can fall behind in social development.

Concept Deficits

According to Ginsberg, et.al., "students who miss more school than their peers score lower on National Assessment for Education Progress (NAEP). This is true at every age, in every racial and ethnic group and in every state and city examined," because when a student does not hear, see, or participate in a lesson plan, he or she does not learn the concept being taught. These unlearned concepts are evident through lower test scores.[4]

Aggregate Concept Deficits

Curriculum is developed so that basic concepts are taught first. Complex theories overlay basic concepts and are difficult for a student to understand if he or she does not have the underlying foundation of knowledge. For example, if a child misses early year basic vowel sound lesson plans, the student will struggle with mid-year full word identification. Learning complex concepts is difficult when basic concepts are not understood.

Social Deficits

School provides children with an interactive social environment that includes processes like navigating crowded school halls and communicating with adults. School children learn to take turns with a jump rope at gym class, to share a glue stick in art class, and to quietly listen and learn from teachers presenting curriculum. As a result, "chronic absence in preschool and kindergarten, which is defined as missing 10 percent or more of a school year, is tied to weaker development of social skills needed to persist in school."[5]

Missing school can set students up to fall behind academically and socially. Absence can impact learning through poor test scores and socialization.

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3 Absences Add Up: How School Attendance Influences Student Success. By Alan Ginsburg, Phyllis Jordan and Hedy Chang. http://www.attendanceworks.org/wordpress/wp-content/uploads/2014/09/Absenses-Add-Up_September-3rd-2014.pdf

4 See note 3, above.

5 Mapping the Early Attendance Gap. Charting a Course for School Success. Written by Attendance Works and the Healthy Schools Campaign. http://www.attendanceworks.org/wordpress/wp-content/uploads/2015/07/Mapping-the-Early-Attendance-Gap-Final-4.pdf page 5.

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III. ATTENDANCE BARRIERS AND BRIDGES

While many students struggle with being on time and getting to school every day, absenteeism has a disproportionate effect on students with disabilities, students of color, and economically disadvantaged students.[6] Attendance barriers may be categorized as family, school, and community barriers.

Family Barriers

Examples of family barriers include lack of food, clothing, or services to help with mental health or substance abuse issues. Other family barriers may include homelessness, chronic illness, child welfare involvement or juvenile justice involvement.

Imagine a single father, Joe, who struggled to find a job. Joe obtained employment as a janitor working from 11:00 p.m. until 7:00 a.m. at a facility across town. It takes Joe 45 minutes to travel from work to home. Joe's daughter, 10-year-old Suzy, starts school at 8:00 a.m. Suzy often is late to school because she sleeps at home while Joe works and wakes up late.

Availability of financial and social service resources affects a family's ability to obtain food, clothing, shelter, health care, coping skills, employment, and to achieve mental and physical wellness and effectively respond to challenges in life. Lack of resources restricts families' choices, impairs decision-making skills, limits language learning, and causes many other problems.[7] Attendance can be a challenge for students when their families face a number of barriers or when the family barriers are perceived as overwhelming.

While it may be argued that Joe has control over his employment and his family's schedule because he chooses which job he takes and what hours he works, in reality, there are few jobs available for him and his job choice is extremely limited. Moreover, single father Joe lacks an adult support system. If Joe had a spouse, family, or friends near him, he might have help getting his daughter to school. Joe's situation highlights how the combination of his family barrier (employment) and his lack of resources (financial, support system) impact Suzy's attendance.

Next, imagine that Joe started a "walk to school" program at Suzy's school where parents took turns walking students to school every morning. Imagine that Suzy's attendance improved with this community- supported resource. What else could Joe do to help Suzy attend school?

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6 Chronic absenteeism: An old problem in search of new answers. Brian A. Jacob and Kelly Lovett. https://www.brookings.edu/research/chronic-absenteeism-an-old-problem-in-search-of-new-answers/

7 "Bridges out of Poverty. Strategies for Professionals and Communities." Ruby K. Payne, Philip E. DeVol, Terie Dreussi Smith. 2001, page 11.

School Barriers

Immediately upon entering a school building, students form beliefs about school. Culture, rules, staff, environment, and communication within a school each influence students' and families' beliefs about how they will interact with the school. These factors can either enhance a student's experience or may become a school barrier to attendance.

Consider teenager Tyrone, who walks down the hall of his school. Teenager Tasha is upset with him and she walks in front of him and slaps him across the face. Tyrone yells at Tasha to stop. Tasha pushes him. Tyrone pushes back. There are numerous police officers patrolling halls because the school is in a high crime neighborhood. When a police officer hears the yelling, he intervenes and charges both teens with a safe school violation. Following the altercation, Tyrone is found delinquent from the safe school violation charge. Tyrone feels like the court intervention was too heavy-handed and stops liking school. Tyrone's mother asks the school to have police officers leave the school building so that Tyrone will not be scared that he will incur more of a record if other teens act irrationally as Tasha did.

Schools have control over their physical buildings, administration, teachers, support staff, policies, communication, transportation, and overall equity. This scenario underscores the complexity of school barriers as well as the ways in which school barriers can lead to student absence.

Envision a different scenario where Tyrone's school contacted the National Crime Prevention Association and asked for a School Safety and Needs Assessment workshop. Parents, students, school administrators, and community leaders could attend the workshop and develop a plan to make school safer so that the police officers' role is changed or that the teens would have conflict resolution skills to avoid or resolve the altercation. Other more effective alternatives could include peer mediation. Tyrone could have attended, told Tasha he was upset by her actions, and perhaps Tasha would have apologized. Tyrone would have avoided juvenile court interaction, felt safe at school, and strengthened his desire to attend school.

Community Barriers

Examples of community barriers include non-collaborative public agencies, remote or inconvenient services, violent neighborhoods, lack of public transportation, and pollution.

Third grader Carlos attends school in a polluted neighborhood. Due to his environment, he has bad asthma. While Carlos lives in the inner city, the medical services available to him are on the outskirts of town. Carlos' mother, Consuelo, does not have a car. When Carlos needs medical attention, Consuelo has to find a ride to the medical facility. Coordinating transportation, traveling to the medical facility, and traveling home often takes many hours and Carlos is regularly absent from school.

Every community has unique strengths and can support attendance in various ways. Communities that foster collaboration, relationship-building, accessible services, personal accountability, safe neighborhoods, and healthy environmental conditions foster attendance.

What if a medical provider visited Carlos at school? If Consuelo, the school, and medical providers worked together to bring medical services to school, they could overcome the barrier of inconvenient services and lack of transportation. Additionally, this collaboration would mitigate Carlos' asthma complications.

Bridges to Attendance

Despite challenges, many families are able to bridge barriers to attendance. Mauricio L. Miller asserts that professionals should step aside and allow families to lead their own change: "We have a deep human need to direct our own lives, to learn and create new things, and to do better by ourselves and our world."[8]

8 Daniel Pink.

Charlie's mom, Rachel, has four children attending three different schools. Rachel's children attend school every day but they are always late. Rachel writes letters to the school when Charlie is late. If asked what supports would be helpful, she would say transportation.

Courts and schools that come into contact with students and families as part of a school attendance and truancy intervention process can help them build resilience – the capacity of people to effectively cope with, adjust, or recover from stress or adversity.[9] Social relationships, personal control, positive emotions, problem solving-skills and future-oriented engagement[10] each increase resilience.

Courts and schools have the opportunity not only to refer and decide cases but also to ask families "What are your family strengths?" "What does a good day look like for you?" and "What support would help your child attend school?" In the scenario above, it might help to recognize and validate Rachel's organizational strengths and to ask how she would like to be supported so that her children can arrive at school on time.

9 Important Facts about Resilience: A Consideration of Research Findings about Resilience and Implications for Assessment and Treatment. Donald Meichenbaum, Ph.D. Page 4. https://www.melissainstitute.org/documents/facts_resilience.pdf

10 Id. Page 5 and 6.

IV. OHIO LAW ON SCHOOL ATTENDANCE

On Dec. 8, 2016, Ohio's truancy statute, i.e., House Bill 410 ("H.B. 410") overwhelmingly passed the Senate, and it became effective on April 6, 2017. H.B. 410 amended various Ohio Revised Code sections and enacted O.R.C. section 3313.668.[11] Generally, H.B. 410 accomplished numerous standards by:

- Eliminating the law's distinction between "chronic truant" and "habitual truant."
- Basing the measure for habitual truancy and excessive absences on the number of hours, not days, that a student is absent.
- Prohibiting suspension, expulsion, or student removal from school solely based on absenteeism.
- Requiring school districts to update local truancy and attendance policies.
- Requiring school districts with a chronic absenteeism rate of 5 percent or above, per the most recent report card issued by the Ohio Department of Education, to establish Absence Intervention Teams (AIT) for habitually truant students. Districts with a chronic absenteeism rate below 5 percent are exempt from establishing Absence Intervention Teams.
- Requiring districts to notify, in writing, the guardian of a student who becomes excessively absent, which means absent with or without legitimate excuse for 38 or more hours in one school month, or 65 hours in a school year.
- Requiring school districts to make at least three (3) meaningful, good faith attempts to secure participation of a student's parent or guardian on the Absence Intervention Team within seven days of the student meeting the habitual absence trigger. If parents or guardians are not responsive to participating, the district may decide that failure to respond triggers mandatory reporting to child protective services.
- Requiring school districts to report additional data elements to the Department of Education.
- Requiring school districts to file a complaint against the student and any person who fails to ensure the child's attendance at school, on the 61st day after implementation of an Absence Intervention Plan ("AIP") provided appropriate steps were taken to re-engage the student.

11 House Bill 410 amended O.R.C. sections 2151.011, 2151.022, 2151.18, 2151.23, 2151.27, 2151.28, 2151.311, 2151.35, 2151.354, 2152.02, 2152.021, 2152.19, 2152.26, 2919.24, 3313.534, 3313.66, 3313.661, 3314.03, 3321.041, 3321.16, 3321.19, 3321.191, 3321.22, 3321.38, 3326.11, 3328.24, 4510.32, and 5919.34.

- Mandating that juvenile courts consider an alternative to adjudication for unruly complaints that are filed based on the child's habitual truancy.

- Directing the State Board of Education to develop a model policy addressing violent, disruptive, or inappropriate behavior, including excessive absences, that stresses preventative strategies and alternatives to suspension or expulsion that districts may adopt in part or in whole.

- Assigning consequences for failure to send a child to school.

- Defining affirmative defenses to habitual truancy complaints.

- Requiring the Ohio Family and Children First Cabinet Council to establish a pilot program creating multi-disciplinary truancy teams in which school districts may participate in lieu of some required absence intervention plan processes.

- Providing instruction on out-of-school suspension processes.

- Amending Ohio National Guard Scholarship provisions.

In sum, H.B. 410 enacted Ohio's desire to de-criminalize truancy and improve student attendance and success. This desire stems from vast evidence supporting the ideas that a student's attendance is critically important for academic success. Below is a chart developed to provide an overview of the action to be taken by Schools, Courts, and the applicable dispute-resolution processes.

HOUSE BILL 410 OVERVIEW

ACTION TAKEN BY THE SCHOOLS

1A If a student misses school without legitimate excuse for 30 consecutive hours, 42 hours in a month, OR 72 hours in a year, then student crosses the "**Habitual Truant" threshold**. **[R.C. 2151.011(B)(18)]**

1B If a student misses 38 or more hours in 1 month, 65 or more hours in a school 2 year, with OR WITHOUT legitimate excuse, 3 then student crosses the "**Excessively Absent" threshold**. **[R.C. 3321.191(B)(1)]**

1C If a student passes Habitual Truant threshold **21 days before last day of school**, then district may design summer AIP or implement plan 7 days before school starts. **[R.C. 3321.191(C)(2)(f)]**

2A When a student passes the **Habitual Truant threshold**, school must assign student to an **Absence Intervention Team (AIT)** **[R.C. 3321.191(C)(2)(a)]**

2B Within 7 days of student passing **Excessively Absent threshold**, school must notify student's parent, guardian, or custodian of absences in writing. **[R.C. 3321.191(C)(1)]**

3A Within 7 days of student crossing Habitual Truant threshold, school **shall select AIT members** and make **at least 3 meaningful, good-faith attempts** to secure AIT particpation of parent, guardian, GAL, or temporary custodian. **AIT members SHALL include**: parent, school representative who has rapport with student, AND a district representative. **AIT members MAY include**: child's guardian, custodian, GAL, temporary custodian, school psychologist, counselor, social worker, or other representative. **[R.C. 3321.191(C)(2)(c - e)]**

3B Within 14 days of the AIT assignment, the team shall create an **Absence Intervention Plan (AIP)** for the student to reduce or eliminate absence. An AIP shall **vary based on student need** and **shall state**: "The attendance officer shall file a complaint not later than 61 days after the date the plan was implemeted, if the child has refused to participate in or failed to make satisfactory progress on, the intervention plan or an alternative to adjudication." **[R.C. 3321.191(C)(2)(a)]** 1 2 3

4A If a school made **meaningful attempts to re-engage** a Habitual Truant student and the student **refused to participate in AIP or failed to make progress** on AIP, then, 61 days after AIP implementation, **school must file a complaint** with juvenile court. **If 61st day falls in summer, school may extend plan and delay filing** 30 days from first day of next school year. **[R.C. 3321.16(B)(1 & 3)]**

4B During the AIP implementation phase, if a student is absent **without legitimate excuse** 30 or more consecutive hours or 42 or more hours in a school month, unless AIT says student has made substantial progress, then **school must file a complaint against that student**. **[R.C. 3321.16(B)(2)]**

4C IF PROGRESS MADE before the 61st day after AIP implementation, **then AIP can be closed or monitored**. School notifies all AIT members of progress and/or closure.

ACTION TAKEN BY THE COURT

5. Prosecutor forwards legally sufficient complaints.

6. **Juvenile court must consider an alternative to adjudication** and consider the complaint only as a matter of last resort. **[R.C. 2151.27(G)]**

7. ALTERNATIVE TO ADJUDICATION: MEDIATION 1 2 3 4

8A If agreement is complied with, then **close case and notify school and school district of outcome.**

8B If agreement is reached, then **monitor compliance.**

8C If a student no-shows, fails to comply, or does not reach agreement, then **schedule an adjudication hearing.**

9. No later than 10 days after child is adjudicated an unruly child, juvenile court must **provide notice of any adjudication related to a child's truancy to the school district and school** in which the student was enrolled when the complaint was filed. **[R.C. 2151.354(C)(2)(d)]**

10. Any person having knowledge of child's adjudication as an unruly child for being a habitual truant **may file a complaint alleging the child is delinquent for violating a court order regaring the prior adjudication.** **[R.C. 2152.021(A)(2)]**

11. Court must provide notice to school of Unruly Delinquency Truancy finding within 10 days of adjudication. **[R.C. 2152.19(E)(2)]**

Juvenile court must indicate in its annual report the number of children placed in alternatives to adjudication, the number who successfully complete those programs, and the number who fail to complete those programs who are adjudicated unruly. **[R.C. 2151.18(B)]**

LEGEND: Dispute resolution processes sponsored by courts for use in schools: 1 **Pre-filing Mediation** 2 **Facilitation** 3 **Attendance Coordination** 4 **Alternative to Adjudication Mediation**

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V. COMMUNITY SUPPORT STRATEGIES TO BE DEVELOPED JOINTLY BY COURTS & SCHOOLS

Schools and courts want to help students be on time and get to school every day, but not all students need the same level of support. One way to identify the level of support students need is to connect the number of hours of school a student has been absent to a "tiered" system of support, i.e., the more hours missed, the higher the "tier" or level of support. One national organization, called Attendance Works, uses a three-tiered system that has proven to be successful.[12] Attendance Works is a project of the Child and Family Policy Center, a 501(c)(3) non-profit organization.

The three-tiered model can be applied to support Ohio's attendance laws. Ohio's attendance laws[13] require schools and courts to respond to absenteeism based on whether absences occur consecutively, during one calendar month, or during an academic year. As students miss more hours of school, they may move from being excessively absent to habitually truant if their absences are not excused. Ultimately, a continued failure to improve attendance may lead to increased involvement with the juvenile justice system. The chart below applies Attendance Works' three-tiered system of support to Ohio's attendance laws, and the following section provides aligned strategies to address each tier.

Tier I	Absence. Applies if a student has missed 5 percent or less of school Promotes school attendance
Tier II	Excessive Absence. Applies if a student is considered excessively absent under Ohio law: • Missed 38 or more hours of school in one month with or without a legitimate excuse • Missed 65 or more hours in the school year with or without a legitimate excuse Ohio's compulsory school attendance laws define an excessively absent student as one who has missed 38 hours in one month with or without legitimate excuse or 65 hours of school in one school year with or without a legitimate excuse.
Tier III	Truancy. Applies if a student is considered habitually truant under Ohio law: • Missed 30 unexcused consecutive hours of school • Missed 42 unexcused hours of school in one month • Missed 72 unexcused hours in the school year Ohio's compulsory school attendance laws define a habitual truant as a student who has 30 consecutive hours without a legitimate excuse, 42 hours in one month without a legitimate excuse, or 72 hours in a school year without a legitimate excuse.

12 Attendanceworks.org.

13 Ohio Revised Code Chapter 3321 School Attendance

Tiered strategies rely on data. It is helpful to have one person or group in each school monitor and share weekly data that breaks absent students into tiers. By using a tiered approach, schools can assign scarce resources based on need, giving each student the resources he or she needs, no more and no less.

> Create accountability by assigning staff within the district to collect and share data based on the level of intervention of "Tier" of absences.

In addition to tracking the number of hours of school missed, it is important to note absence patterns.

Why are absence patterns important?

Student absences may occur in varying patterns and those patterns may tell a story. Students may regularly be on time and get to school every day and then suddenly miss five days in a row. What might cause a five-day consecutive absence? Perhaps a vacation, an illness, or a death in a family, or perhaps new circumstances that give cause for concern and support.

Some students miss 48 hours each calendar month, every Friday and Monday. What might cause such a monthly absence pattern? Perhaps a visitation agreement provides one parent companionship every Friday through Monday and that parent lives out of town or does not believe in education. Maybe a student's parents work weekends out-of-town and take children to work with them. Perhaps a student's absence pattern is a red flag to human trafficking.[14]

Some students have perfect fall and spring attendance and multiple winter absences. This academic year absence pattern may occur because students walk to school or wait at a bus-stop and lack the appropriate outerwear to stay warm in sub-zero temperatures.

Absence patterns indicate the cause of absence. Weekly data monitoring, in conjunction with absence pattern identification, provides key information about why a student may be absent. The following section applies all or more of the same four strategies to each tier: (1) Engage students and parents; (2) Recognize good and improved attendance; (3) Provide personalized and early outreach; and (4) Remove barriers to student attendance.

14 http://opd.ohio.gov/Portals/0/PDF/Juvenile/10%20Human%20Trafficking%20Red%20Flags%20List.pdf

A. TIER I ABSENCE: STRATEGIES TO PROMOTE ATTENDANCE

Tier I intervention strategies are for students who miss less than 5 percent of school. These students are at minimal risk, and they benefit from universally applicable attendance support.

Many of the Tier I strategies can be applied to prevent absences and promote attendance for all students, even those who are regularly attending school. Educating students and families on the importance of attendance and the deficits that come from cumulative absences is an effective strategy for preventing absences before negative patterns occur. In the words of Benjamin Franklin, "an ounce of prevention is worth a pound of cure."

Tier I intervention costs should be minimal. Because Tier I students miss less school than Tier II and III students, the support provided is minimally restrictive, low-cost, and used to prevent future absence.

Strategy #1: Engage Students and Parents

Support for attendance can start with a positive message: when a student misses school, someone notices, and when a student is present at school, he or she is appreciated and valued. Maya Angelou famously stated "people will forget what you said, people will forget what you did, but people will never forget how you made them feel." Student and parent engagement involves making them feel welcome and safe. A smile, wave, and "hello" make people feel welcome. Bulletin boards, banners, and posters reflecting positive, simple attendance messages like those offered by Attendance Works engage students and families. At a 2017 school attendance conference, Cleveland students who resolved truancy problems and re-engaged in school uniformly stated that the one intervention that made the most difference to them was that when they missed school, "someone noticed."[15]

15 Shelisa Johnson, Erie County Common Pleas Court, Juvenile Division; Diversion Counselor Mediator/Custody Investigator

Positive support also comes through education on the importance of school attendance. The Ohio Department of Education provides a simple attendance message:

> Did You Know?
> A student may be considered chronically absent if he or she misses as few as two days of school a month.
>
> When do you think absences seriously affect a student's ability to do well in school? Is it when a student is absent 18 days during a school year? Or when they miss 10 percent of the total school days in a year? Or when they miss 2 days of school per month? These are different ways of saying the same thing and is known as "chronic absenteeism."
>
> A student is less likely to succeed if he or she misses just two days a month, regardless of the reason for the absence. Research shows that children who miss just two days a month throughout the school year in kindergarten and first grade are much less likely to read at grade level by the end of the 3rd grade. By 6th grade they are at risk for dropping out, and by 9th grade, they are less likely to graduate. Good attendance can predict graduation rates even better than 8th grade test scores.

Engaging students and parents depends on effectively conveying messages like that of the Ohio Department of Education's, which clearly indicates that going to school regularly matters.[16]

Handouts, attendance discussions at meetings, and back-to-school events are great forums to promote attendance. Discussing acceptable absence reasons and the proper channels to report absence further engages students and families. Before-school and after-school programs also bolster engagement.

16 http://education.ohio.gov/Topics/Chronic-Absenteeism

Engagement begins when school starts. In Sandusky, Ohio, schools hold an annual back-to-school rally to stir school excitement.[17] Recognizing that costly school supplies are barriers to attendance, Volunteers of America runs "Operation Backpack," and supplies backpacks to children.[18] As costly supplies also are a challenge for teachers, schools can ask community leaders to "adopt a classroom" to meet supply needs. Similarly, schools can encourage the community to share other resources for students. At the Cleveland Metro Schools, the Cleveland Browns donated three new turf fields.[19] In Cincinnati, the Cincinnati Bengals issued a grant to support Cincinnati Public Schools.[20]

Engagement requires that a school and community make expectations clear. Training key people (administrators, teachers, coaches, community leaders, and parents) about attendance policies can empower them to encourage attendance. Words also matter: use words like "absence" when talking with parents to promote urgent understanding that students who miss school miss something important. Gratefully recognize that extended family members are often key supporters when talking about attendance. Resources for communicating with positive messaging can be found at: http://www.attendanceworks.org/resources/messaging/. Additionally, encourage families to understand and track students' attendance, and provide families with tools for positive engagement and actionable data.[21]

In Marion County, the juvenile judges and school districts regularly come together to help students. School and court leaders meet monthly to discuss localized common barriers as well as interventions to overcome those barriers. They identify gaps and overlaps in services, reasons students are missing school, successful efforts, results, statistics, disconnected messages, and ways for courts and schools to send consistent messages. Stakeholders operate under the premise that partnerships promote attendance and that regular communication is a key to success – that communication from the courts must be consistent with communication from the schools. Where appropriate, educational information may be signed by both the court and the school superintendent, reinforcing the partnership and message.

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17 Sandusky afterschool program. http://npsandusky.org/

18 VOA Operation Backpack. https://www.voago.org/operationbackpack

19 Cleveland Browns donate three new turf fields to Cleveland Metro Schools. http://clevelandmetroschools.org/site/default.aspx?PageType=3&DomainID=3062&ModuleInstanceID=1887&ViewID=047E6BE3-6D87-4130-8424-D8E4E9ED6C2A&RenderLoc=0&FlexDataID=13102&PageID=9145

20 http://www.bengals.com/news/article-1/Bengals-issue-grant-to-Cincinnati-Public-Schools/9621c87c-3619-44fe-8b84-258c8bd2ce4f.

21 http://www.attendanceworks.org/tools/

Strategy #2: Recognize Good and Improved Attendance

Attendance incentives motivate students.[22] There are universal, inexpensive ways to provide incentives. Friendly competition can be generated among classrooms offering raffles, parties, and public recognition for good and improved attendance. Schools can celebrate attendance progress through bulletin boards, certificates, verbal, and written recognition. Special assemblies are powerful opportunities to publicly recognize good attendance. The value of good attendance is further highlighted by staff who model good attendance habits.

September is National Attendance Awareness Month and it is an effective time to incorporate attendance information into positive messaging. News stations often look for stories to feature, and September can be an ideal time to ask the news to highlight a school's attendance message.

Attendance Works provides numerous suggestions on ways to establish school-wide incentives.[23] Outside Ohio, the Detroit Tigers reward perfect attendance.[24]

Strategy #3: Provide Personalized and Early Outreach

Attendance communication should begin when students are young. Discussion about how students learn concepts in kindergarten and how those concepts build over time is important. When school staff and parents talk about attendance, attendance gains value. Attendance value is further reinforced when schools contact parents quickly after any absence is noted. Moreover, noting "hours missed" on student report cards and supporting policies that preclude sports for absent students highlight the importance of attendance.

Educational campaigns can promote positive attendance messaging. The Cleveland Metro School District runs the "Get 2 School. You can make it!" campaign with The Cleveland Browns Foundation as the signature partner.[25] It is the first city-wide campaign promoting the awareness and importance of school attendance, utilizing billboards, yard signs, radio commercials, social media, phone banking, home visits, and videos featuring Cleveland Browns players sharing the importance of getting to

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22 The Power and Pitfalls of Education Incentives. Bradley M. Allan and Roland G. Fryer Jr. The Hamilton Project. Discussion Paper. See discussion of Washington D.C. Input Experiment. http://scholar.harvard.edu/files/fryer/files/092011_incentives_fryer_allen_paper2.pdf. Also, Loveland, K., & Olley, J. (1979). The effect of external reward on interest and quality of task performance in children on high and low intrinsic motivation. *Child Development*, 50, 1207-1210

23 http://www.attendanceworks.org/wordpress/wp-content/uploads/2010/05/AW-Incentives-two-pager-1-4-11.pdf

24 http://detroit.tigers.mlb.com/det/downloads/y2014/com_schooldonationform.pdf

25 Cleveland Metro School District successful campaign "Get 2 School. You can make it!" http://www.clevelandbrowns.com/foundation/programs/get-to-school.html

school. In its first year, the attendance campaign reduced chronic absenteeism by 11 percent.[26]

Cincinnati Public Schools similarly developed the successful "Count Me In" Campaign.[27] Cincinnati families can also receive early childhood education by connecting with Help Me Grow.[28] Sandusky runs an afterschool program, which helps working parents with daycare needs.[29]

Strategy #4: Remove Barriers to Student Attendance

Families, schools and communities each have their own unique barriers that must be identified before they can be overcome. Invite parents, students, and community members to talk about local barriers through platforms such as World Café. The World Café, a social technology platform for engaging people in conversations, asks questions that spark and direct attention, perception, energy and effort.[30] It uses simple, effective, and flexible format for hosting large group dialogue on topics of shared interests.[31] Professionals and families join together to talk about what can be done to improve their lives, analyze the resources available to get ahead, and address barriers as a community. This sense of mutuality allows otherwise unknown resources to be tapped.

After common barriers are identified, ask parents what supports would help improve student attendance. If students are hungry, ask families to engage in discussion about nutrition and make local food bank information available in newsletters or on school tables.[32] When caretakers struggle to afford uniforms, ask parents what community action could offset uniform cost. Some organizations, like the Salvation Army, hold uniform drives for the community.[33] When students are bullied, ask parent groups how to best address it. Numerous anti-bullying resources are available online, including those in the Ohio Safer Schools Program.[34] Periodically check with families to see if new barriers arise.

Identifying and discussing common barriers will bring forth ideas on ways to overcome them.

26 See note 29, above

27 Cincinnati Public schools successful "Count Me In" Campaign. https://www.cps-k12.org/schools/policies-guidelines/attendance

28 "Help Me Grow" early childhood resources. http://www.helpmegrow.ohio.gov/

29 Sandusky afterschool program. http://npsandusky.org/

30 http://www.theworldcafe.com/key-concepts-resources/research/

31 http://www.theworldcafe.com/

32 Food assistance: www.twofishandloaves.com; www.midohiofoodbank.org; www.secondharvestfoodbank.org/

33 Salvation Army Uniform Drive. http://www.tiftongazette.com/news/salvation-army-holds-uniform-drive/article_f0319bd6-512c-11e7-b072-733085834ded.html

34 Anti-bullying: saferschools.ohio.gov/content/anti_harassment_intimidation_and_bullying_resources

B. TIER II EXCESSIVE ABSENCE: STRATEGIES TO INTERVENE

Tier II intervention strategies can be applied when a student has excessive absences but before a student is considered truant. Tier II strategies are employed when a student misses, with or without legitimate excuse, 38 or more hours in one month or 65 hours in a school year. At this stage, the school may intervene and work directly with students and families to address absence. Communication is intended to be friendly, non-judgmental, and focused on addressing the absence reason and improving attendance. These students may have risk factors (i.e., chronic asthma), that contribute to their absenteeism. Tier II costs should be low to moderate.

Strategy #1: Engage Students and Parents

Ohio law requires schools to intervene when a student has excessive absences. Excessive absences should be viewed as an early warning of potential attendance problems. Districts must notify families and offer support in accordance with their local policy. For some students, this may mean a meeting with a counselor, but for others, an intervention may not be required, depending on the policy and circumstances. Excessive absence policies should contain supportive and preventative approaches to absenteeism. Schools must:

- Monitor and Notify. Schools must notify the parent or guardian of a student who is absent, with or without legitimate excuse, for 38 or more hours in one school month, or 65 hours in a school year;
- Contact. School districts must notify parents or guardians, in writing, when a student becomes excessively absent;
- Intervene. Schools and districts must follow their local truancy plan for students who are excessively absent. District truancy plans should include preventative and proactive interventions, policies, and procedures regarding attendance and absenteeism.

When a student becomes excessively absent, the district or school must notify the student's parent, guardian, or custodian in writing that the student is missing school.[35] Consider any language barriers when providing the required notice. Is English a second language for the student and/or family? If so, could the notice be sent in the family's native language? Consider communication barriers. If a student and family are highly transient, would a letter mailed to a home address be effective? Or, would an email, text message, or letter home in a backpack enhance the communication? Students and families who are highly mobile or experiencing homelessness change addresses, but e-mail addresses may remain unchanged.

35 See R.C. 3321.191(C)(1).

Notice can be given in various ways. Schools can organize robot-calls, in-person phone calls, texts, or correspondence to address student absence. Conversation and correspondence should express that students are missed when they are not in school and that resources are available to help overcome barriers. For Tier II students, maintaining contact with the student's family will help ensure that a family receives the support it needs.

At the same time notice is given, the school may take any appropriate action outlined in district policy as an intervention strategy.[36] H.B. 410 requires districts to adopt a new or amended policy to address school absences and further requires the school to consult with the juvenile court in developing such policy. The policy is required to include a number of options such as:

- Proactive and preventative supports for students who are excessively absent;
- Counseling for excessive absence;
- Requesting or requiring a parent or guardian to attend parental involvement programs; and/or
- Requesting or requiring a parent, guardian or other person to attend mediation.[37]

36 See R.C. 3321.191(A).

37 See R.C. 3321.191(A): Effective beginning with the 2017-2018 school year, the board of education of each city, exempted village, local, joint vocational, and cooperative education school district and the governing board of each educational service center shall adopt a new or amended policy to guide employees of the school district or service center in addressing and ameliorating student absences. In developing the policy, the appropriate board shall consult with the judge of the juvenile court of the county or counties in which the district or service center is located, with the parents, guardians, or other persons having care of the pupils attending school in the district, and with approbate state and local agencies. (B) The policy developed under division (A) of this section shall include as an intervention strategy all of the following actions, if applicable: (1) providing a truancy intervention plan for any student who is excessively absent from school, as described in the first paragraphs of division (C) of this section; (2) providing counseling for a habitual truant; (3) requesting or requiring a parent, guardian or other person having care of an habitual truant to attend parental involvement programs, including programs adopted under section 3313.472 or 3313.663 of the Revised Code; (4) Requesting or requiring a parent, guardian, or other person having care of an habitual truant to attend truancy prevention mediation programs; (5) Notification of the registrar of motor vehicles under R.C. 3313.13; (6) taking legal action under R.C. 2919.222, R.C. 3321.20 or R.C. 3321.28.

Courts can offer dispute resolution processes including facilitation, school attendance mediation, or attendance coordination. These processes are described in more detail in Section VI and shown on the chart on page 15. Dispute resolution processes involve the use of a neutral third party to facilitate negotiation and communication between parties to assist them in reaching a voluntary agreement. The key to effective dispute resolution is that the neutral third party does not have a stake in the outcome of the dispute. For example, school personnel are not neutral third parties because they have an interest in getting students to school. Students and families are more likely to speak candidly about the underlying issues impacting attendance if they are speaking with a neutral third party who is committed to impartiality, confidentiality, self-determination, and other core values associated with mediation.

Strategy #2: Recognize Good and Improved Attendance

The Erie County Juvenile Court Mediation program has a successful mediation program called TEMP (Truancy Erie County Mediation Program) that excels at recognizing good and improved attendance. TEMP was designed as a bridge to help schools and their families to foster communication without formal court involvement.[38] Mediators trained by the Supreme Court of Ohio Dispute Resolution Section's training program for court-connected mediators implemented the TEMP program.

Under the TEMP program, a team is organized that must include the student, a parent, a representative from the student's school (e.g., guidance counselor, principal, teacher), an attendance officer, and a mediator. Individuals offering community support, like grandparents, extended relatives, and mental health case managers, are often included on the team. All parties are contacted to arrange a convenient date and time for mediation. In order to emphasize the need for a parent-school relationship, mediations are held at the student's school, not at the court.

During mediation, a student's team meets to jointly craft a plan addressing attendance barriers. After mediation, team meetings continue to be held at the school, progressing from weekly, to bi-weekly, to monthly and serving to examine and address student success. Parental involvement is encouraged throughout the program to strengthen the parent-school relationship.

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38 TEMP partners with five (5) Erie County school districts. The average age of students participating in TEMP is 10 years old. Addressing and prioritizing the family's reasons for absences is what the mediation is intended to do. A family's participation in TEMP is voluntary. Risk levels are determined using the OYAS the student's attendance is then monitored by an Attendance Officer for the second year. Funding for TEMP was awarded through ODYS (Ohio Department of Youth Services) Category I Competitive RECLAIM for three (3) years. Fidelity has been monitored through contracting with the University of Cincinnati Corrections Institute (UCCI).

TEMP uses the following incentives to remove barriers and to motivate students and families:

- Gas cards to facilitate transportation
- Restaurant gift cards to help hungry families
- Family dinner and game-night packages that encourage family time
- School uniforms for families that struggle with school costs
- Winter clothes (coats, boots, hats, and gloves) to aid cold weather school absences
- Haircuts and makeovers to build self-esteem
- School spirit packs that help students identify with their school
- Books to help students improve reading skills

TEMP works intensively with students for one year. The program began in 2015 and, as of April 2017, has served 61 students and 48 families. Thus far, students who have successfully completed TEMP have not had any additional formal or informal contact with the juvenile court.

Strategy #3: Provide Personalized and Early Outreach

TEMP staff[39] found that visiting with families weekly greatly aided TEMP in identifying each families' barriers. In other words, TEMP learned about substantial barriers (homelessness, drug addiction, sexual abuse) only after the family was personally engaged through early outreach. TEMP's "lessons learned" underscore the importance of personalized and early outreach for all Tier II students and their families.

Research confirms and validates TEMP's experiences. Valerie Strauss posits that "Schools are defined by the relationships between staff and students… strong relationships can help students and staff feel safe and free of physical threats, we also know that strong relationships have another critical benefit: they make schools 'intellectually safe' for students to learn and thrive."[40]

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39 Shelisa Johnson, Erie County Common Pleas Court Juvenile Division; Diversion Counselor Mediator/Custody Investigator; Michelle Deichler Erie County Common Pleas Court Juvenile Division; Diversion Counselor Mediator/Custody Investigator

40 Why relationship-building is vital in schools. By Valerie Strauss. May 28, 2011. https://www.washingtonpost.com/blogs/answer-sheet/post/why-relationship-building-is-vital-in-schools/2011/05/26/AG7KVODH_blog.html?utm_term=.45df9f36d620

Other districts use various methods to personalize outreach. Many counties anticipate students' financial needs by holding "supplies for scholars" at the beginning of each year. [41] Some schools direct students' need for structure by connecting them with armed service representatives or recruiters. A child's need for attention can be met by attendance buddy programs where teachers check in daily to remind students that they are wanted and missed when they are absent.

Afterschool programs also engage students by connecting them to activities that spark their interest. According to Huang, et.al., "research has long shown that good afterschool programs can improve school-day attendance."[42] Delaware County recognized the need for afterschool programs and through the United Way of Delaware County, they launched the Strengthening Families Initiative, which enhances the lives of residents through comprehensive afterschool programming.[43]

Schools can personally engage families by talking with caretakers at conferences, visiting families at home, learning about a family's unique barriers to attendance, and connecting families with resources. Schools can connect parents who are open to learning skills with programs such as "The Parent Project."[44] School staff can improve engagement with families experiencing poverty by participating in the interactive, online game "Spent," which challenges people to financially survive 30 days as a person experiencing poverty.[45] Personalized, early outreach coupled with sharing and understanding over time successfully reduce absenteeism.

Strategy #4: Remove Barriers to Student Attendance

Family and community barriers to attendance may exist outside of a school's control and cannot be changed by school staff alone. Solutions addressing barriers, however, can be influenced by the school community.

Partnerships build bridges over barriers. Building begins when communities assess available resources. Are there medical, dental, mental health, or ophthalmologic entities that could benefit from providing services in the school building? Do local companies wish to support school needs? Can local sports teams support students in some way? Are community services available but unknown to student families? Talk with parents about available resources and with community businesses and service providers about building relationships.

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41 https://www.liveuniteddelawarecounty.org/take-action/sfs

42 Huang, Gribbons, Kim, Lee & Baker, 2000; Welsdh Et. Al. 2002). Building a Culture of Attendance: Schools an Afterschool Programs Together Can and Should Make a Difference! http://www.expandinglearning.org/expandingminds/article/building-culture-attendance-schools-and-afterschool-programs-together-can-and

43 https://www.liveuniteddelawarecounty.org/take-action/strengthening-families

44 www.parentproject.com

45 Educational program about poverty challenges. http://playspent.org/

Toledo Public Schools' students struggled with health care issues, so the district reached out to ProMedica Health Care System and suggested a partnership. In 2015, ProMedica donated $600,000 to Toledo Public Schools so that there could be full-time nurses in every school building. ProMedica saw the opportunity as a great way to reach out to the community.[46] Cleveland schools struggled with finding books to read, so they reached out to the Cleveland Indians and a book drive was started.[47] Schools benefit from carefuly considering how building bridges can best increase the availability of resources in a given school year.

Identify needed resources and contact providers. Reach out to medical, dental, mental health, and ophthalmologic entities, community businesses and service providers and ask if they want to support and partner with your school. Invite community-based providers (shelters, food pantries, lending closets, and faith communities) to share their information with school families.

C. TIER III TRUANCY: STRATEGIES TO RESPOND TO HABITUAL TRUANTS

Efforts to promote attendance, educate about the importance of attendance, and intervene early will prevent some, but not all, truancy. There will still be instances where excessively absent students become habitual truants and where some students who are habitual truants are referred to the juvenile court.

Tier III interventions are for students who are habitually truant: missing, without legitimate excuse, 30 or more consecutive hours, or 42 or more hours in one school month and 72 or more hours in a school year. These interventions are also useful for students who face risk factors such as child welfare intervention, juvenile justice interaction, homelessness, or an incarcerated parent.

46 http://www.toledoblade.com/Education/2015/04/30/Toledo-Public-Schools-to-hire-full-time-nurses.html

47 http://www.news5cleveland.com/sports/baseball/indians/cleveland-indians-carlos-carrass-co-hosting-book-drive-to-benefit-cleveland-schools-libraries

Consider 13-year-old Sam. Sam, who attends Middlegate and misses 42 consecutive hours of school; Middlegate quickly identifies Sam as a habitual truant because they review attendance data weekly. Middlegate communicates with Sam's mother, Tracy, first via text, then email, and then through a letter letting her know about Sam's absence. On Sam's fifth day of absence, his principal, Ms. Bright, reaches out to Sam's teacher, Mr. Sharp, and the school nurse, Mrs. Dove. Bright, Sharp, and Dove become Sam's Absence Intervention Team (AIT). Middlegate sends an e-mail to Tracy indicating that mediation will take place Wednesday at 10:00 a.m. Tracy arrives at school Wednesday and sits down at a table with Bright, Sharp, Dove, Sam and a mediator. They discuss that Sam has pneumonia and should recover by Friday. While Sam is recovering, Tracy is nervous that when Sam returns to school, he will move around too much, get tired, and get sicker. The AIT listens to Tracy's concerns and designs an Absence Intervention Plan (AIP) wherein Dove will monitor Sam and contact Tracy if Sam is too tired. The AIP identifies how Sam will complete his missed work. The AIT confirms in writing that the AIP terms will be reviewed 30 and 60 days later and if sufficient progress is not accomplished, on day 61 a complaint will be filed with the local juvenile court. All AIT members sign the AIP and provide Sam and Tracy with a copy. The AIT explains that they expect Sam to succeed and will monitor future success.

Tier III response strategies call for enlisting the services of the court diversion program after a school has attempted intervention without success and filed an unruly child complaint based on habitual truancy.

Tier III supports should be highly individualized and tailored to a student and family's needs. Tier III costs may be moderate to high. When dealing with habitually truant students, H.B. 410 requires that schools engage parents or guardians in important ways related to attendance:

- Contact. School districts must make at least three meaningful, good-faith attempts to secure participation of a student's parent or guardian and decide whether a failure to respond triggers mandatory child protective service reporting.
- Absence Intervention Teams (AIT). School districts must implement truancy policies by establishing Absence Intervention Teams (AITs) for habitually truant students. After the absences of a student surpass the threshold for a habitual truant, a school principal, chief administrator, or district superintendent must assign the student to an absence intervention team within 10 days.

- Absence Intervention Plans (AIP). Within 14 school days of AIT assignment, the team must develop an Absence Intervention Plan (AIP) for that student to reduce absences.[48]

Middlegate satisfied their statutory requirements by using the mediation process to meet and develop an AIP. Tracy left the meeting feeling more confident that Sam's needs would be met. Sam returned to school as soon as he was healthy. On the 60-day mark, Sam had met the goals laid out in the AIP.

In the example of Sam and Tracy, the court provided the mediator to assist in developing the AIP. If the AIP had failed, a formal complaint could be filed against Sam for being habitually truant, but H.B. 410 requires the juvenile court to consider alternatives to adjudication in such circumstances.

There are a number of examples of court diversion programs. Lucas County Juvenile Court hired several educational specialists to work with students struggling with attendance. Educational specialists provide support and services to students and families involved in the judicial system. They act as a liaison between courts, school districts, and health and human services agencies to improve the educational outcomes for youth involved in juvenile court. Educational specialists also consult with school staff regarding individualized education and behavior-management plans. Greene County has Truancy Interventionists housed at the court and paid for by the schools. The Truancy Interventionists travel to the schools according to pre-arranged schedules to meet with the AITs and assist in formulating AIPs. In this Toolkit, for uniformity of titles, the Educational Specialists and Truancy Interventionists are referred to as Attendance Coordinators. See Section VI.C. 3 below.

The Mahoning County Juvenile Court is collaborating with Rayen Early College to participate in a three-year pilot program aimed at decreasing truancy and preventing dropout. The program identifies students who struggle with attendance, behavior, and grades using an "Early Warning System" and provides early interventions to help students stay on the path to graduation.[49] The Early Warning System tracks indicators such as the number of unexcused absences, suspensions, and classes with a failing grade. Creative collaborations, such as the one between Mahoning and Rayen, will be tested in upcoming years to determine which court interventions best help students succeed.

48 https://www.legislature.ohio.gov/download?key=6350&format=pdf, page 7-9.

49 http://www.youngstown.k12.oh.us/JuvenileCourt.aspx

Strategy #1: Engage Students and Parents

Tier III engagement takes coordination because Tier III students face significant barriers. Coordinating with community agencies involves learning about families, developing intervention plans with community agencies, and making referrals and sharing data when appropriate. Engagement also involves connecting students to peers or tutors who can help them.

When strategizing about how best to provide coordinated engagement, reach out to agencies and learn more about them. Are there open houses for community programs that school counselors or teachers can attend? Can agencies present program mission statements at monthly school staff meetings? Learning about available resources is key.

Additionally, investigate the different ways in which community agencies can link with schools. During AIP meetings, consider using Skype or telephone conferencing with a service provider so that referrals are immediate. Think about whether mental or physical health providers need to be included on AIPs; recommendations from mental or physical health providers may be useful before AIPs are finalized. Think broadly when engaging Tier III students and families because their barriers to attendance may be deep and require strong interventions.

Delaware schools partnered with mental health service agencies to provide mental health services in schools.[50] After noting that students struggle with mental health diagnoses, as well as stressful and sometimes traumatic events that cause emotional stress. Lucas County recognized that students are best engaged in mental health services when those services are provided in school.[51] Students and families can best be engaged when schools work with outside agencies in a strategic and coordinated fashion.

As in Tier II intervention, dispute resolution processes are an effective Tier III strategy to address excessive absences, and are described in Section VI. (See also the chart on page 11) Dispute resolution processes are useful when a student surpasses the threshold for a habitual truant. A neutral third party, such as a mediator, can provide an impartial perspective that encourages candor between the school and student so that the underlying reassons for absence can be addressesd. The student must be referred to an AIT, which will create an intervention plan within 14 days based on the individual needs of the student and work with the student for 60 days. AITs will include a representative from the student's school or school district, a representative from the school district or school who knows the student, the student's parent or designee, or the student's guardian or custodian. The team also may include a

50 http://www.thecenterforchilddevelopment.com/delaware-schools-embrace-mental-health-needs-children/

51 RFS Charitable Foundation Behavioral Health providing school-based and outpatient behavioral health services. https://www.rfstackle.com/

school psychologist, counselor, social worker, dispute resolution professional, or a representative of a nonprofit agency designed to assist in reducing school absences. Courts have found dispute resolution processes to be useful for the AIT in creating an absence intervention plan.

Under H.B. 410, the AIP must state that if the student refuses to participate in or fails to make satisfactory progress on the intervention plan or an alternative to adjudication, the attendance officer must file a complaint no later than 61 days after the date on which the plan was implemented. Although a school is not permitted to file a complaint ahead of the 61st day unless the student is absent without legitimate excuse 30 consecutive hours or 42 hours in a month during the implementation period, it is important to monitor the plan and do intermittent check-ins. In Marion County, the court does not wait until 60 days has passed, but, rather, checks the progress of the absence-intervention plan at a 30-day interval to see how the plan is working.

Tier III dispute resolution processes create the additional opportunity to mediate as part of a court's alternative to adjudication after a complaint has been referred to the juvenile court. The following dispute resolution processes may be considered as additional alternatives to adjudication when a student is habitually absent from school:

- School Attendance Mediation as Part of an Absence Intervention Plan;
- Facilitation;
- Attendance Coordination; and
- Alternatives to Adjudication–School Attendance Mediation Post-Referral to Juvenile Court.

Strategy #2: Recognize Good and Improved Attendance

A well-drafted AIP will identify specific individual goals that can be reviewed weekly. Attendance Works has school success plans available for review or use.[52] School community members, especially those who are on a student's AIT, should monitor a student's attendance and check in with that student.

Following the creation of an AIP, if a Tier III student reaches a goal, that achievement should be recognized. Celebrating student achievements is important so that students know they are seen and cared for.

Tier III students may have additional barriers identified after AIP implementation. Tier III students can reach their goals only if they are consistently linked with necessary support resources to overcome barriers. They can be linked with tutors,

52 http://www.attendanceworks.org/tools/for-parents/student-success-plan-facilitator-handout/

school supplies, uniforms, summer programs, meal programs, class supplies, and transportation. Noticing and addressing a student's needs are also a recognition of a student's importance, serving as a positive, reinforcing step that encourages attendance.[53]

Funding may be drawn from McKinney Vento[54] dollars, which can be used to pay for resources for homeless students. Similarly, Toledo Public Schools received federal funding to place tutors in shelters, pay for school supplies and uniforms, and provide other services for students experiencing homelessness.[55]

Strategy #3: Provide Personalized and Early Outreach

Tier III students and families require personalized and early outreach to overcome barriers to attendance. To ensure that Tier III students and families receive the information and resources they need, it is best to designate one person that will make continued, positive, and regular contact with the student and the student's family. This person should check in with the student and family whenever the student misses school to find out if new barriers have surfaced or new risk factors have arisen.

Research indicates that "students whose families received a home visit had 24 percent fewer absences than similar students whose families did not receive a visit. The same students also were more likely to read at or above grade level compared to similar students who did not receive a home visit." [56] Sometimes staff are concerned about making home visits. Educating staff about home visits can reduce tension and provide guidance. The Parent Teacher Home Visits website provides training and resource information about home visits.[57] Furthermore, teaching staff about the challenges of poverty also helps staff deal with home visits. Many schools utilize Bridges out of Poverty Training to provide insight on poverty.[58]

Training staff about complex reasons for absence assists in recognizing warning signs. Sex trafficking, for instance, is a difficult issue that may manifest itself in different ways. Knowing the warning signs that identify a victim of human trafficking, like unexplained absences, travel to different cities, physical trauma signs, exhaustion, or

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53 See footnote 15

54 https://nche.ed.gov/legis/mv.php

55 http://www.toledoblade.com/Education/2017/08/01/Toledo-Public-Schools-nabs-400-000-grant-to-aid-homeless-students.html

56 http://flamboyanfoundation.org/focus/family-engagement/fep-student-outcome-evaluation/

57 http://www.pthvp.org/what-we-do/pthv-model/

58 Bridges out of poverty training. http://mha.ohio.gov/Portals/0/assets/Supports/Housing/Training/Bridges-Out-of-Poverty-3.23.2016.pdf

rehearsed responses to questions, can aid school staff in spotting trafficked students.[59] Once an issue like sex trafficking is identified, students can be linked to resources such as the Daughter Project.[60]

Personalized outreach also may involve connecting students to existing projects or programs suited to meet their needs. Dayton has a privately funded, nonprofit program called "The Victory Project" that mentors disengaged young men with a ground-breaking curriculum.[61] When Tier III youth are challenged, it is important to know what resources are available and to have the ability to connect students.

Strategy #4: Remove Barriers to Student Attendance

AIPs are created to identify and strategize unique, personally tailored ways to overcome a student's barriers. Monitoring allows the AIT to remain informed about a student's barriers over time and respond if intervention strategies need to be adjusted. Increased support for students and families may be necessary for Tier-III student needs to be met.

Teen and pre-teen students rely heavily on peer relationships. Consequently, interpersonal issues, such as dating abuse, bullying, and suicide can be problematic in student populations. Resources are available to address these and other complex student issues. The Office of Victims of Crime, Office of Justice Programs and U.S. Department of Justice, in conjunction with various sponsors, offer healthy relationship resources on the Love Is Respect website. The Ohio Department of Education offers anti-bullying resources online for schools. [62] Ohio Mental Health and Addiction Services provides resources for schools for suicide prevention.[63] Ohio has a wealth of support available to handle the troubling issues facing students and schools today.

Other barriers to attendance include stays in juvenile detention or the department of youth service. Students in detention present unique challenges for courts and school districts. In response, the Ohio Department of Education has created a position in the Office of School Improvement – a Correctional Education Consultant (CEC). CECs are the single point of contact for educators involved with department of youth services and students in detention centers. This position was created to ensure that districts have needed supports. The CEC will provide technical assistance and training to schools and ensure that students in detention centers are receiving quality education.[64]

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59 https://www2.ed.gov/about/offices/list/oese/oshs/factsheet.html

60 The Daughter Project. http://thedaughterproject.org/

61 http://www.victoryproject.org/

62 https://saferschools.ohio.gov/content/anti_harassment_intimidation_and_bullying_resources

63 http://mha.ohio.gov/Portals/0/2016-Suicide-and-Schools.pdf

64 Karl Koenig. National Technical Assistance Center for Education of Neglected or Delinquent Children and Youth. Coordinator. Karl.Koenig@ode.state.oh.us 614-752-1597

If a juvenile court diversion program is not successful and a complaint is adjudicated by the court, the court will notify the school. Under H.B. 410, the juvenile court provides notice of any adjudication related to a child's habitual truancy to the school district and school in which the child was enrolled when the complaint was filed.

VI. DISPUTE RESOLUTION EDUCATION, TRAINING AND PROCESSES TO SUPPORT ATTENDANCE

While addressing barriers can be daunting, there are resources available to help. Attendance Works provides an accountability plan that schools can utilize to address barriers[65] by examining policies to reveal otherwise invisible systemic issues. Schools can thus examine restorative justice principals to find out if there are actionable items that could increase equity.[66]

A. DISPUTE RESOLUTION EDUCATION AND TRAINING RESOURCES FOR SCHOOLS

Give someone a fish and you feed them for a day; teach someone to fish and you feed them for a lifetime. Similarly, improving a student's interest in attending school is important for success with interventions. One way to engage students in solving their own problems is to provide them with dispute resolution options such as mediation. Alternatively, students can be taught conflict resolution skills so that they can independently resolve their own problems without the help of a neutral third party. Schools can elect to provide conflict resolution education in the classrooms by integrating conflict resolution education as part of a students' curriculum, training school personnel on ways to incorporate conflict resolution options into the classroom environment, sharing access to the resources available within communities that support student attendance, educating families on the importance of school attendance and their responsibilities towards the education of their children, and training teachers to teach conflict resolution skills. Schools and courts should also ensure that dispute resolution professionals who serve as neutral third parties are properly trained. The following strategies are examples of existing dispute resolution education and training that schools and courts incorporate into school attendance programs. The Supreme Court of Ohio's Dispute Resolution Section provides access to the Commission on Dispute Resolution's training programs and resources below.

1. Conflict Resolution Curriculum for Students

Conflict resolution education (CRE) helps students learn the skills they need to find solutions to their problems and to effect change. Through conflict resolution education, school attendance programs take the first step towards promoting school attendance and ensuring that students learn the skills they need to be successful in life.

Students K-12. The Supreme Court of Ohio, together with the Ohio Department of Education, the Ohio Board of Education, and other educational organizations, has worked for nearly 30 years to provide Ohio schools with constructive, nonviolent methods for resolving disputes. The former Commission on Dispute Resolution and

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65 Addressing Chronic Student Absence in Your Local Control and Accountability Plan. http://www.attendanceworks.org/wordpress/wp-content/uploads/2013/12/Accountable-For-Attendance-FINAL1.pdf

66 Restorative Justice Programs. https://www.ousd.org/cms/lib/CA01001176/Centricity/Domain/134/BTC-OUSD1-IG-08b-web.pdf.

Conflict Management helped develop curriculum for teachers to include conflict resolution principles and skill-building activities in their teaching styles to provide all students with the opportunity to learn to define and analyze conflict, recognize the role of perceptions and biases, identify feelings and factors that cause escalation, handle anger and other feelings appropriately, improve verbal communication skills, improve listening skills, identify common interests, brainstorm multiple solutions, evaluate the consequences of different options, and work on win-win solutions. Teachers report that the inclusion of conflict resolution principles in classrooms helps students better understand the relationship between academics and the real world. Program materials are available from the Dispute Resolution Section.

2. Ohio Center for Law-Related Education - Youth for Justice

Most schools associate OCLRE with the successful and long-standing Mock Trial and Moot Court Programs used in middle schools and high schools throughout Ohio. OCLRE programs do not directly address truancy; however, one of the programs, "Youth for Justice",[67] centers on student empowerment and helping students learn and develop skills that assist them as they work collaboratively to solve problems that directly affect them and their peers. Youth for Justice is a program that can serve as a vehicle through which students examine various issues that contribute to the larger problem of truancy. The Xenia Community School District is piloting the Youth for Justice Program as a way to curb truancy.

3. In-Service Training for Teachers and School Personnel

In-service training is intended as a development effort in which key stakeholders (school administration, school personnel, court personnel, community partners, families and students) can be educated on the benefits of school attendance and the barriers that may hinder attendance. A goal of in-service training is to help all stakeholders understand their respective roles and know how their roles affect and influence others. In-service training also illuminates areas of need within a community and helps to identify useful resources for students and families. Program materials are available from the Dispute Resolution Section.

4. Peer Mediation[68]

Peer mediation is a process by which two or more students involved in a dispute meet in a private, safe and confidential setting to work out problems with the assistance of a trained student mediator. The Dayton Mediation Center has developed the "Peer Mediation Program Manual: A Manual for considering and developing the peer mediation program in your school." There are numerous peer mediation models including an online peer mediation platform or the peer mediation

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67 http://www.oclre.org/aws/OCLRE/pt/sp/resources_youthforjustice

68 For example, see: http://peermediationonline.org; or https://www.ncpc.org/resources/bullying/strategies/strategy-peer-mediation-in-high-schools/

program resources from the National Crime Prevention Council. School-based programs instructing youth in mediating peer conflicts give youth participants communication, anger management, leadership, and decision-making skills that help them to remain resilient against crime, violence, and substance abuse.

5. Conflict Resolution Curriculum Training for Teacher In-Service Training on Dispute Resolution Processes

In service training on dispute resolution processes focuses on four concepts: (1) student attendance obligations; (2) the legislative framework for attendance in Ohio; (3) program best practices such as preparing for difficult situations and attaining mastery in dispute resolution participation; and (4) the unique characteristics of dispute resolution as applied to issues of attendance, including the collaborative role of family, school, court and community in educating a child, as well as the ultimate program goal of increasing the likelihood of educational success.

Core curriculum for school personnel in-service training includes, but is not limited to, the following:

- Laws applicable to attendance
- Court and school requirements under H.B. 410
- School engagement
- Intervention strategies
- Collaboration between school and court
- Reasons for student absenteeism
- Human trafficking
- Ways to identify barriers to attendance
- Dispute resolution processes and goals
- The Uniform Mediation Act
- Core values of mediation
- Necessary participants to mediation.

This is typically carried out as a one-day (7-hour) training to allow time for instruction on core concepts. Program materials are available from the Dispute Resolution Section.

6. Conflict Resolution Education for Families

Conflict resolution education for families focuses on five goals: (1) the legislative framework for attendance in Ohio; (2) obligations regarding student attendance as a parent/guardian/family member; (3) the importance of a family/school partnership in educating the child; (4) the value of attendance and connectivity as it relates to success in education and in life; and (5) the unique characteristics of dispute resolution processes as applied to issues of attendance.

Suggested core curriculum includes, but is not limited to, the following:

- Recognizing barriers to attendance
- Identifying resources to overcome barriers
- Benefits of school attendance
- Laws applicable to school attendance
- Obligations of the school, families and the courts
- School engagement
- Intervention strategies
- Dispute resolution processes and goals

This is typically carried out as a three-hour training to allow time for parents and families to attend and to allow instruction on core concepts. Courts and/or schools can provide this training. The curriculum is available from the Dispute Resolution Section.

B. DISPUTE RESOLUTION EDUCATION AND TRAINING RESOURCES FOR COURTS

1. School Attendance Mediation Training for Courts

School Attendance mediators are trained in fundamental mediation concepts, such as those outlined in the Fundamentals of Mediation Training offered by the Supreme Court of Ohio's Dispute Resolution Section. Fundamentals of Mediation training is available to court-connected mediators at no cost to the participants. For more information or to obtain training, contact the Dispute Resolution Section. Additionally, after Fundamentals of Mediation is completed, mediators are encouraged to observe mediations and to engage in specialized School Attendance Mediation Training, also available through the Dispute Resolution Section.

School Attendance Mediation training is administered as a two-day multi-disciplinary training. Day one of the program covers mediation concepts, relevant statutory analysis, attendance barrier evaluation, school-culture study, and role plays. Day two studies coalition building, word choice, mediator tools, skill-building, and agreement-writing. Training ends with a debriefing and evaluation.

As a result of attending School Attendance Mediation training, participants will be able to:

- Mediate school attendance issues
- Know the legislative framework for Attendance in Ohio
- Collaborate with community resources
- Gain competency in conducting attendance mediations
- Use mediation in a school environment and culture
- Reinforce mediation core values and standards for school attendance cases

Check the Dispute Resolution Section website for training dates and information.

C. DISPUTE RESOLUTION PROCESSES SPONSORED BY COURTS FOR USE BY SCHOOLS

Dispute resolution processes provide flexible and practical assistance in resolving and preventing conflict between schools and families. There are numerous dispute resolution processes available to courts and schools including facilitation, mediation, and school attendance coordination. These processes are described below and may be useful during various stages of school attendance disputes. For examples of where each process may be useful, see the HB 410 Overview chart on page 11. To set up training or request training resources, contact the Dispute Resolution Section.

1. Facilitation

What is Facilitation?

Facilitation is a process that focuses on the tasks needed to run a productive and impartial meeting.

What happens in Facilitation?

Facilitation is a process that focuses on the tasks needed to run a productive and impartial AIP meeting. It also can focus participants in an alternative to adjudication on tasks needed to successfully reengage in school and avoid being adjudicated unruly. In facilitation, a neutral party (the facilitator) moderates discussions by ensuring the fluid and orderly exchange of information and ideas from all participants.

By providing focused guidance, a facilitator can help participants to better understand their goals and how to work together towards reaching them. Most importantly, the facilitator maintains civility and keeps the process focused and organized so that participants may concentrate on the substantive content of their discussions.

When is Facilitation Used?

In school attendance interventions, facilitation can be used when AIP meetings are convened and throughout the AIP implementation (see chart on page 11, step 3b). In addition, facilitation can be beneficial as an alternative to adjudication if, for example, as a diversion measure, courts have identified possible referral or community resources that may be beneficial in working with students and families. (See chart on page 11, step 7).

What is the purpose of Facilitation?

The purpose of facilitation in an AIP is to assist AITs in the efficient, organized and collaborative development of AIPs. The purpose of facilitation as an alternative to adjudication after a formal court referral has been made is to assist students and families in identifying and working with resources to remove barriers to school attendance.

Facilitation promotes conflict prevention by providing for focused and organized discussions. Having a facilitator oversee a meeting's process allows participants the freedom to concentrate on substantive issues, saving time and ensuring quality exchange of information and ideas. Facilitators can manage the AIT dynamic to ensure a collaborative, supportive environment in which to reach consensus on pressing issues.

What are Facilitation Goals?

- Create collaborative relationships
- Plan appropriate AIP processes
- Create and sustain a participatory environment
- Guide the AIT to appropriate and useful outcomes
- Build and maintain professional knowledge
- Model a positive professional attitude
- Avoid formal court adjudication as unruly or contributing to the delinquency of a minor

2. School Attendance Mediation as part of an Absence Intervention Plan

What is School Attendance Mediation?

Mediation is a process in which a mediator facilitates communication and negotiation between parties to assist them in reaching a voluntary agreement regarding their dispute.[69] Mediation addresses a dispute between the parties where a disagreement has arisen. It is distinguished from facilitation where there need not be a dispute.

Mediation in the context of school attendance refers to mediation that is used to address excessive school absences. Not all absence from school is a crime, as absent

69 R.C. 2710.01

means "not present at a usual or expected place."[70] One who is truant, however, "neglects his or her duty or out of school without permission."[71] This toolkit refers to mediation not as truancy mediation, but as school attendance mediation because often the barriers to school attendance can be removed and do not reflect a person neglecting a duty.

When is School Attendance Mediation Used?

School attendance mediation can be used anytime an AIP meeting is scheduled or an AIP is being implemented. (See chart on page 11, item 3b). When school-attendance mediation is used prior to the referral to juvenile court it also is known as Truancy Prevention Mediation. Truancy Prevention through Mediation (TPTM) was first introduced by the Commission on Dispute Resolution and Conflict Management in the 1990s. A family is asked, or can request, to come in for a mediation very early in the pattern of attendance issues. The emphasis is on early intervention and respectful help, as opposed to late, disciplinary or punitive intervention.

School attendance mediation also can be used after a school refers a truant student to a juvenile court. (See chart on page 11, item 7) When school-attendance mediation is used after the school refers a student to a juvenile court, it also is known as truancy mediation.

It is recommended that school attendance mediation starts at the elementary grade level, before attendance issues develop into patterns. Additionally, when students in elementary school are absent, it is more often the result of a barrier, not of the student's decision-making. Once mediation is established in the elementary schools, mediation also can be used in middle and high school.[72]

What is the purpose of School Attendance Mediation?

The purpose of school attendance mediation is to address a student's absences in a supportive, non-judgmental, and non-punitive way. With the help of a neutral third party, known as a mediator, families and school staff can meet in a confidential setting to identify the issues that become barriers to school attendance. Communication is focused on learning why the student is absent and how the situation can be improved. Once barriers are identified, families and staff can work together to find solutions. School attendance mediation has been shown to be effective because it allows those most intimately affected by student absenteeism to take part in creating solutions and it increases student attendance rates.

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70 Merriam-Webster.com

71 Id.

72 Tammy Martin-Kosier, J.D., school attendance mediation mediator and trainer, Commission on Dispute Resolution and Conflict Management trainer and mediator.

What happens in School Attendance Mediation? [73]

School attendance mediation often takes place in the school, during or immediately before or after school hours. This enables the inclusion of school personnel with a trusted relationship with the student, such as a teacher, coach, mentor, or guidance counselor, any of whom may be invited to attend. Mediation may also take place in a community center to provide a neutral location, as in Lucas County.[74]

In elementary school, the teacher is often the only person meeting with the parents and the mediator, but depending on the age, maturity, and needs of the student, the student may be invited to attend. This mediation model is based on a co-parenting approach. The teacher represents the school's needs, experiences, and issues. The parent/caregiver represents the family needs, experiences, and issues. The discussion centers around the child's academic experience and performance, including barriers to attendance and how to remove them.

Confidentiality is maintained, including the discussions during mediation and any written agreements.

The mediator is a trained neutral person who facilitates discussion and helps the participants generate mutually acceptable solutions.

What are School Attendance Mediation Goals?

- To take a proactive and preventative approach to attendance and academic issues within the community, school, and family
- To create a collaborative relationship between families and schools to enhance a child's educational experience, aimed at "opening the schoolhouse doors" to offer support, encouragement and resources to support attendance
- To encourage honest and open communication between parents and school personnel to identify issues impacting the child's educational experience and success
- To promote effective problem-solving and workable, customized solutions to the issues
- To clearly establish the importance and necessity of regular and timely attendance and its relationship to academic success
- To establish the pattern of regular attendance early in a child's school career, minimizing the impact of later disruptions or issues that may otherwise derail academic performance and/or attendance

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73 Dispute Revolution! A History of Ohio's Leadership in Court-Connected Dispute Resolution (2018).

74 Ibid.

- To address the needs of children missing school early enough to reverse the detrimental effects of absenteeism, which include diminished performance in school, behavior in school, delinquent behavior, and subsequent court involvement
- To identify and address issues and concerns at school and home which may prevent/impede regular school attendance
- To engage families in services, if necessary, to support seamless engagement and utilization of same
- To promote ownership of responsibility and clearly delineate these responsibilities in an action plan
- To monitor compliance with an action plan.

Courts can use school attendance mediation to help students be on time and get to school every day.

3. Attendance Coordination

What is Attendance Coordination?

Attendance coordination is a child-focused dispute resolution process for juvenile courts in which a mental health or legal professional with mediation training and experience assists families by facilitating the resolution of their school attendance disputes in a timely manner, educating parents about children's needs, and referring families to community resources. Attendance coordination can be considered when an Absence Intervention Plan meeting is scheduled and an AIP is implemented or as an alternative to adjudication once a court referral is made.

Attendance coordination is introduced in this toolkit as the application of a multi-disciplinary "coordination" process to promote school attendance, decrease chronic absences, reduce habitual truancy, and address underlying issues that prevent students from getting to school. Attendance coordination for juvenile courts as a dispute resolution option borrows from the framework of domestic relations courts' Parenting Coordination[75] and probate courts' Eldercaring Coordination.[76]

In Greene County, there are two truancy interventionists housed at the court and paid for by the schools that perform functions similar to an attendance coordinator. The truancy interventionists travel to the schools on pre-arranged schedules to meet with the AITs and assist in formulating AIPs. In this toolkit, for uniformity of titles, educational specialists and truancy interventionists who serve similar functions as attendance coordinators are collectively referred to as attendance coordinators.

75 Sup.R. 90 – 90.12

76 The ACR Guidelines for Eldercaring Coordination can be found at ACRnet.org

This toolkit recommends that individuals who provide the services similar to those described in attendance coordination be identified as attendance coordinators because there is a corrsponding structure and framework that can be adopted from Parenting Coordination and Eldercaring Coordination training.

What is the purpose of Attendance Coordination?

The purpose of attendance coordination is to improve the ways in which attendance issues are responded to locally, with a focus on keeping students out of the court system and using a collaborative approach to provide community-based services to help students remain in school. An attendance coordinator employs a multi-disciplinary dispute resolution process with social service overlays, such as education, coaching and coordinating, as services necessary to maintain student attendance.

What happens in Attendance Coordination?

An attendance coordinator works with a student, his or her school, parents/guardians/family members, and community agencies to find ways to support the student so that regular school attendance is possible. The attendance coordinator can assist with the identification of resources, providing referrals if necessary. Attendance coordinators assist parties using assessment, education, case management, conflict management, and coaching skills. Attendance coordination is not mediation.

What are Attendance Coordination Goals?

- To resolve absence barriers
- To connect students and family needs with community, medical, mental health or other needed resources
- To assist students, families and schools to reach a voluntary solution to their dispute
- To foster collaborative and supportive working relationships
- To locate, organize, and help refer schools and families to resources that promote school attendance

The attendance coordinator's job description located in Appendix D is an example of the responsibilities and essential functions of an attendance coordinator.

4. Alternatives to Adjudication – School Attendance Mediation Post-Referral to Juvenile Court

Despite best efforts at intervention, there may be students who require further response through involvement with Ohio's juvenile courts as a result of their habitual absence from school. When an unruly child complaint based on habitual truancy is filed against a student, court diversion programs offer students and families the opportunity to get back on track in a productive way that focuses on personal empowerment rather than punishment by a third party.

As discussed previously, school attendance mediation is a useful diversion mechanism in the continuum of intervention for attendance-related issues. It can be valuable and effective not only at the school level when an AIP is being developed (See chart on page 1, item 3b), but also at the post-filing stage as an alternative to adjudication (See chart on page 11, item 7). Continued emphasis should be placed on partnership, empowerment, and strength-based approaches to resolve formal court referrals. If school attendance mediation was unsuccessful prior to court referral, a court could consider changing variables, like using a different mediator or co-mediators, involving different or new community resources, or conducting mediation at a different location to reengage, schools and families in this effort. Collaborative problem solving and promotion of a community approach to academic success are paramount, even at the court level.

The use of school attendance mediation in the court context can be beneficial when the previous attempts at resolving the issues at the school level have not achieved acceptable attendance levels. There are several reasons for attempting to mediate again at this level:

- School attendance mediation as an alternative to adjudication in court can provide a level of oversight on previous AIPs
- Court-sponsored school attendance mediation can provide a level of legitimacy and formality to the importance of compliance with attendance requirements and action plans
- Courts can use school attendance mediation to allow the parties to consider and respond to changed circumstances or new information that may be present

School attendance mediation will have the same process and goals regardless of whether it takes place prior to cour referral or as an alternative to adjudication. However, in the latter case, when mediation is part of a court'sw diversion program, a formal complain has been filed, while in the former, there is not a formal complaint.

Best practices[77] for school attendance mediation as an alternative to adjudication are as follows:

- Mediation should be mandated or strongly recommended as a matter of course through a court-connected diversion program, although screening for appropriateness of mediation should occur in every case, as exceptions exist
- Mediation can be offered at any point from adjudication to disposition as ordered by a court or requested by the parties
- Mediations may be held in the court building or other court associated locations

77 See Footnote 74

- The participants will typically be a neutral third party, the parent/guardian, child (if appropriate), and a school official/attendance officer, not a teacher. In some cases, if the dispute involves the parent or guardian in conflict with the child/student, a court may consider referring a case to school attendance mediation in which the only participants are the parent or guardian and the child/student[78]
- The Action Plan from the intervention mediation should be reviewed at the court-connected mediation so that the parties and the court can review what worked and what did not work. This should be done from a trouble-shooting standpoint rather than a punitive one
- The court should provide a level of oversight for compliance with the mediated agreement
- School attendance mediation as an alternative to adjudication can include other court personnel to assist in creative-problem solving and identification of resources.

Whether at the school or court level, the ultimate goal remains the same: empowering a student and his or her family to make decisions affecting their lives.

78 See Footnote 74

VII. SUSTAINABLE FUNDING AND RESOURCES

Building a program that helps kids to be on time and get to school every day takes resources. The Ohio Code of Judicial Conduct is intended to establish standards for ethical conduct of judges and is a useful resource in identifying sustainable funding and resources in a school attendance program.[79]

Court and School Resources

Funding Considerations: In developing and implementing effective court and school funding strategies supporting attendance, it is important to pursue an evidence-based course of action. To determine a funding source, conduct this exercise:

- Identify all key stakeholders
- Identify resources already in place
- List resources needed to implement the program
- List resources presently committed to the program
- Determine whether current resources are effective
- Determine whether additional resources are needed. If so, what entity(ties) will provide the resources: the school, court, the private sector, and/or state or federal agencies?
- Identify who is responsible for each resource
- Determine whether there are shared costs
- Determine whether costs require a one-time payment or long-term investment

The purpose of this exercise is to find a way to support program funding. There could be instances in which only one stakeholder covers the cost of implementation, but effective collaboration still exists between all stakeholders.

The Ohio Children's Trust Fund (OCTF) is a quasi-governmental entity and Ohio's public child abuse and neglect prevention funding source. The OCTF funds a wide array of child abuse and neglect prevention programs, including parent education, family strengthening, human trafficking prevention, early child care initiatives, and various other types of programming. Applying for funding from the OCTF depends on the type of program proposed. The OCTF has three main funding streams:

- For statewide programs, applicants can apply to the OCTF board for an OCTF statewide grant for up to $100,000. Information regarding these applications can be located on the OCTF website: https://jfs.ohio.gov/OCTF/Vendor_Proposal.stm

79 www.supremecourt.ohio.gov/legalresources/rules/conduct/judcond.pdf

- The OCTF offers $15,000 in grants each year for human trafficking prevention programs. Applications for one of these grants are available on the OCTF website: https://jfs.ohio.gov/OCTF/Human-Trafficking-Prevention-Youth-Art-Exhibit.stm
- The OCTF delivers the bulk of its services through a regional model. Under this model, county representatives, who make up a regional council, have identified needs in each region and have established strategies to address those needs. Local organizations can apply for funding from these Councils to fund programs that address the needs of the region within the scope of the council's strategies, which vary by region. The most up-to-date applications are available on the OCTF website: https://jfs.ohio.gov/OCTF/Funding_Opportunities.stm

The OCTF involves the community:

- The OCTF Regional Councils use volunteers to help ensure that programs are appropriate and effective. Volunteers help guide the direction of future programming.
- Volunteers and parents also get involved in the OCTF's April Child Abuse and Child Neglect Prevention Awareness Month activities. During the month of April, the OCTF generates awareness in the general public about child abuse and neglect prevention through a series of kickoff events, fundraisers, and other activities. OCTF's Kids Bake for Kids' Sake, in which kids throughout the state bake goods to be sold at local bake sales that benefit the OCTF, provides additional opportunities to involve children, businesses, and volunteer groups.

Ohio Department of Youth Services (DYS) offers subsidy grants, made up of funds from both RECLAIM Ohio and the Youth Services Grant. Youth Services grant funds have been in existence since 1981 and are known as the "base" portion of the Subsidy Grant because, unlike the RECLAIM "variable" funds, their allocations do not vary based on the number of felony adjudications and bed days used. The Youth Services Grant is allocated annually to juvenile courts based on a formula that uses county population: Each court is allocated a base amount of $50,000 and the remainder of the line item is allocated to the courts with a population of more than 25,000 on a per capita basis.

The funds received through RECLAIM and the Youth Services Grant can be used for a vast array of treatment, intervention, diversion, and prevention programs. Examples of such programs include day treatment, alternative schools, intensive probation, electronic monitoring, and residential treatment. The primary limitation on the use of Subsidy Grant funds is that they cannot be used to supplant local funds. In addition, RECLAIM funds cannot be used for construction or renovation, while a limited amount of Youth Services Grant funding can be used for such expenditures.

Annually, the juvenile courts submit one Subsidy Grant funding application that addresses use of both RECLAIM Ohio and Youth Services Grant funds.

Each year, more than 80,000 youth admissions are funded through RECLAIM Ohio and/or the Youth Services Grant. Based on reported expenditures by the courts in Fiscal Year 2013, the top program areas used were probation and intensive probation, residential treatment, mental health counseling, substance abuse, monitoring and surveillance, diversion, restitution, community service and work detail, and sex offender treatment.

Federal Funding Resources

Title I, Part D: Program for Neglected, Delinquent and At-Risk Youth (ND). Ohio receives funding through Title I, Part D to help support educational services for youth ages 5-17 who reside in state or local institutions, or meet certain criteria. Funding amounts are determined by what is known as the October Child Count. This is currently a formula program; however, the Ohio Department of Education is exploring a competitive grant considering nonacademic, preventative measures for neglected, delinquent and at-risk youth such as trauma informed care and restorative justice models.

Title IV: Student Support and Academic Enrichment (SSAE): Safe and Supportive Schools. Title I eligible schools may apply to receive additional funds to improve school conditions for student learning. Examples of allowable expenditures include mental health counseling, promotion of supportive school climate, dropout prevention, re-entry and transition programs for justice-involved youth, and community partnership development.

Title I, Part A: Improving Local Programs Operated by Local Educational Agencies (LEAs). This program is designed to help disadvantaged children meet high academic standards and ensure that all children have equal opportunities to obtain a high-quality education. Funding assistance to LEAs is based on census poverty data.

Parent Resources

When parents understand barriers, and are encouraged to network and share information with one another, they often devise inexpensive or free ways to overcome barriers. The key to encouraging parents is to engage them.

One way to engage parents is the World Café discussed previously. The World Café, a social technology platform for engaging people in conversations, uses a method applied by numerous organizations to ask questions that spark and direct attention, perception, energy and effort.[80]

80 http://www.theworldcafe.com/key-concepts-resources/research/

Another way to tap parent resources is to utilize the Parent Professional Partnerships model developed by Dr. Mary Murray and Tanya Braden.[81] The Parent Professional Partnerships model seeks to build and strengthen parent and professional relationships, positively impact policy and practice, improve responsiveness to families while building upon their strengths in the delivery of services and supports, and improve outcomes for students and their families. This model has been utilized to unite parents of students with special needs in school systems. The parent and professional collaboration theory is that coordinated plans for students should not be designed solely by professionals but should instead incorporate a parent's knowledge about a child.[82] The Parent Professional Partnerships model is based on the parent and professional collaboration theory and it is an organic way to unearth available resources.

Community Resources

Communities support school attendance and are committed to providing resources for a number of reasons. First, truancy is a risk factor for serious juvenile delinquency,[83] crime imposes property loss, medical care, mental health care, lost productivity, and criminal justice costs on society.[84] Second, property values are often related to the value of nearby schools,[85] so communities have financial reason to support attendance interventions.

Once courts and schools identify the school attendance barriers impacting their communities, courts and schools identify resources within the community that may be available to respond to the barriers. Community resources can include national franchises, state resources or local businesses, along with resources unique to individual communities. One example of matching a national community resource to a barrier is Whirlpool's donation of washers and dryers to provide clean clothing to students.[86] Another example is the Cleveland Browns Foundation's numerous commitments including the donation of turf fields, player support and tickets.[87]

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81 http://www.toledoblade.com/Education/2017/07/01/Special-education-plan-links-parents-teachers-nbsp.html

82 https://www.utoledo.edu/education/grants/partnerproject/focus/docs/Parent%20and%20Professional%20Collaboration%20Research%20Brief%20-%20Final.pdf

83 https://www.ncjrs.gov/pdffiles1/ojjdp/188947.pdf

84 http://achalfin.weebly.com/uploads/8/5/4/8/8548116/chalfin_econcost.pdf

85 http://www.realtor.com/advice/buy/the-right-school-district-how-much-do-schools-affect-real-estate-prices/

86 https://www.aol.com/article/news/2017/05/01/whirlpool-is-giving-washers-and-dryers-to-60-schools-across-the/22063613/

87 Cleveland Browns donate three new turf fields to Cleveland Metro Schools. http://clevelandmetroschools.org/site/default.aspx?PageType=3&DomainID=3062&ModuleInstanceID=1887&ViewID=047E6BE3-6D87-4130-8424-D8E4E9ED6C2A&RenderLoc=0&FlexDataID=13102&PageID=9145

Community resources may also be regional such as Promedica's support in providing nurses to staff schools in Toledo. The Promedica partnership responds to transportation barriers that would otherwise prevent students from going to mental and medical health appointments.[88] The Juvenile Court in Delaware County and the Delaware County Schools get local support from the Center for Child Development, which provides mental health resources to students and families.[89]

Creative Funding

The United Way, foundations, bar associations, corporations, and other sources can also support community programs. Organizations are encouraged to search for local funding options and to think outside of the box when determining how to fund a program. Appendix E identifies some of the creative ways Ohio courts have funded programs.

88 Toledo Public Schools partner with health system. http://www.toledoblade.com/Education/2015/04/30/Toledo-Public-Schools-to-hire-full-time-nurses.html

89 Delaware Schools embrace students' mental-health needs. http://www.thecenterforchild-development.com/delaware-schools-embrace-mental-health-needs-children/

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VIII. EFFECTIVE EVALUATION

Effective evaluation is an important component in designing a school attendance program to reduce referrals to the juvenile justice system and improve student attendance. Courts and schools implement creative and innovative diversion programs, and research of local juvenile court practices regarding evaluation demonstrates that the ability of courts to objectively measure the efficacy of their programs varies. (See Appendix E.) While anecdotal information about the success of a diversion program or school intervention promotes optimism, consistent and periodic objective evaluations assist courts and schools in allocating or obtaining resources and making short-term and long-term decisions.

In addition, while Ohio law requires courts and schools to collect data, compliance with the legal requirements alone does not fully elucidate the efficacy of court diversion programs. Courts, then, may elect to collect evidence-based results to demonstrate the benefits of pre-filing truancy prevention programs and post-referral alternatives to adjudication diversion efforts. Similarly, schools may elect to collect data beyond that which is required by law in order to measure the success of interventions aimed at improving school attendance.

A. REQUIRED DATA COLLECTION FOR COURTS

Under H.B. 410, Juvenile Court Case Reports shall specify:

- The number of children placed in alternatives to adjudication
- The number who successfully completed alternatives to adjudication
- The number who failed to complete alternatives to adjudication and were adjudicated as unruly

B. RECOMMENDED DATA COLLECTION FOR COURTS

In order for courts to evaluate alternatives to adjudication, it is recommended that they go beyond the numbers and report on alternatives offered both prior to and subsequent to formal court referral.

1. Before Children are Placed in Alternatives to Adjudication:

- Total number of Absence Intervention Plans (AIP) in the court's jurisdiction
- Number of AIPs in which the court provided a neutral third party (See chart on page 11, step 3b)

- Dispute resolution process provided by a neutral third party at the AIP stage:
  - Facilitation
  - Mediation
  - Attendance Coordination
  - Other
- Number of cases in which agreements are reached between the school and family at the dispute resolution process provided by a neutral third party at the Absence Intervention Plan meeting (settlement rate)
- Number of referrals to juvenile court within 90 days following agreement (success rate)
- Number of children placed in alternatives to adjudication (required reporting)

2. After Children are placed in Alternatives to Adjudication:

- Total number of children placed in alternatives to adjudication (required reporting)
- Number of children in alternatives to adjudication in which the court provided a neutral third party (see chart on page 11, step 7)
- Dispute resolution process provided by neutral third party as an alternative to adjudication:
  - Facilitation
  - Mediation
  - Attendance Coordination
  - Other
- Number of students who successfully completed alternatives to adjudication (required reporting)
- Number who failed to complete alternatives to adjudication and were adjudicated unruly (required reporting)

C. REQUIRED DATA COLLECTION FOR SCHOOLS AND PILOT PROGRAMS

Beginning in the 2017-2018 school year, school districts must report to the Department of Education any of the following occurrences:

- When notice pursuant to R.C. 3321.191(C)(1) is submitted to a parent

- When a child has been absent without legitimate excuse for 30 or more consecutive hours, 42 or more hours in one school month and 72 or more hours in a school year
- When a child who has been adjudicated an unruly child for being an habitual truant violates the court order regarding that adjudication
- When an absence intervention plan has been implemented for a child under R.C. 3321.191

Schools selected as pilot program truancy teams by Ohio Children and Family First shall collect and submit the following data on children who are not attending school:

- Demographic information
- Truancy reasons
- Interventions utilized
- The student's participation in interventions identified by the team
- The student's attendance at school during or after the interventions are applied
- The success rate of those interventions
- The number of parents or guardians who participated in the team process
- The number of parents or guardians who identified a designee to participate on their behalf
- The number of parents or guardians who refused participation
- The number of complaints filed in juvenile court
- Any other information deemed useful

The Ohio Family and Children First Cabinet Council shall collect data on pilot program results, including:

- The number of children referred to juvenile court before the pilot was initiated
- The number of children referred to intervention teams
- Interventions utilized and success of the interventions
- The number of children who successfully reengage with the school, and
- The number of children referred to juvenile court by the team

D. RECOMMENDED DATA COLLECTION FOR SCHOOLS

Schools that are not part of a designated pilot program may benefit from collecting information that the pilot sites are collecting. Data can help identify the family barriers, school barriers and community barriers that impact school attendance and lead to juvenile court involvement. Data can provide useful information for developing evidenced-based practices to reduce formal referrals to juvenile courts and to measure the success of absence intervention teams. Data also can inform decision-making on how to focus resources allocated to bridging school attendance barriers.

E. RECOMMENDED UNIFORM DATA COLLECTION PRACTICES FOR COURTS AND SCHOOLS

1. Use Uniform Absence Reasons

This Toolkit uses absence reason categories that promote a uniform and standardized nomenclature that may be adopted by courts and schools throughout Ohio. There are myriad reasons why students do not attend school, and often students, families, courts and schools refer to the reasons using different terminology. The chart below suggests 8 categories. Uniformity in the reasons for absence helps to better gauge the success of school attendance programs.

UNIFORM ABSENCE REASONS	EXAMPLES
1. Personal Issues Involving Parent or Guardian	• Lack of child care (children taking on parental roles) • Divorce • Home dysfunction • Domestic abuse • Substance abuse by parent or guardian • Child neglect • Worry about something happening to another family member when the student is at school • Poverty (economic deprivation and lack of basic resources, such as clothing, food or shelter), • Lacked clean clothing • Child that stays with another family member or friend and is not at home.
2. Child Having Problems with Other Students	• Teasing • Cliques • Swearing (use of foul language) • Comments related to race • Comments related to religion
3. Child Does Not Get Up on Time	• No alarm clock • Oversleeps
4. Problems Getting to School on Time	• Playing on the way to school • Stubborn or stalling • Waiting for friends • Transportation issues • Car does not start • Missing the bus • Not walking to school when it is cold out • Car is not accessible because it is used for other family activities other than school transportation (like parent work)

5. Child Does Not Feel Safe or the Parent Does Not Feel the Child is Safe at School	• Bullying • School phobia • Separation anxiety
6. Illness, Health-Related Problems, Learning Disabilities	• Asthma • ADH • Headaches • Stomach ache • Allergies • Ongoing medical care or appointments • Medication side effects • Depression • Hypochondria • Lack of immunizations • Vision problems • Lice • Bed wetting • Stuttering • Death in the family
7. Academic Concerns	• Frustration with lack of academic achievement • Students being so far behind in course work that they are unable to keep up in class • Lack of curriculum understanding (e.g., poor grounding in kindergarten-through-6th-grade basics)
8. Diminished Value of Education	• Lack of good-attendance pattern in parents' or guardians' own education history • Lack of understanding about state attendance requirements • Failure to provide notes about absences

2. Analyze the Data

Data collection can be accomplished through surveys, direct outreach, and the use of technology. Measure data each school year to show changes that occur within the same group of students.

In the tiered strategy sections above, Joe and Suzy dealt with the family barriers of job loss, lack of finances, and lack of support systems, Tyrone dealt with the school barriers of staffing and policies, and Carlos dealt with the community barriers of inadequate access to medical care, unreliable transportation, and pollution. Each student and family has unique attendance barriers, and data can help effectively evaluate the ability of local courts and school attendance programs to bridge the barriers.

Data can be analyzed for trends or patterns. Do absences spike at a specific time each year? Is illness, school climate, transportation, or bullying an attendance barrier? Looking at aggregated, personally unidentifiable data provides insight into the barriers and bridges to school attendance impacting an individual community as well as the state as a whole.

3. Share the Results

Once data is captured, consider how and with whom to share the results. Distribution of blinded individual and aggregate data about peers can be a driver of change.[90]

Sharing the results of court diversion programs and absence intervention strategies can promote trust between communities, families, and other stakeholders who commit resources to reduce juvenile court involvement and promote student attendance. Sharing the results of dispute resolution and other programs can help support resources dedicated to such programs. Evidence-based information can be used in discussions with funding authorities and in the allocation of resources.

In conclusion, effective evaluation is an important component to designing a school attendance program. While programs may be sustainable in the short-term without effective evaluation, the long-term success and the allocation of resources requires effective evaluation. In the words of Will Durant, "We are what we repeatedly do. Excellence, then, is not an act but a habit."[91]

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90 The Alternative, Most of what you believe about poverty is wrong. Mauricio L. Miller. Page 179

91 Will Durant Quotes. (n.d.). BrainyQuote.com. Retrieved June 18,k 2018, from Brainy-Quote.com website: https://www.brainyquote.com/quotes/will_durant_145967.

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APPENDIX

Appendix A School Attendance Program Design Guide

Appendix B Reference Guide to Tier I, Tier II and Tier III Strategies

Appendix C Sample Forms and Letters

- Form 1 Welcome Back to School!
- Form 2 Ways to Support Your Child
- Form 3 Excessive Absence Letter 7 Days
- Form 4 Invitation to Participate in Mediation
- Form 5 Absence Intervention Team Checklist
- Form 6 Parent Invitation to AIT Meeting
- From 7 Attempts to Obtain Parent Participation in AIT Meeting
- From 8 Absence Intervention Plan
- Form 9 Notice to Participate in School Attendance Mediation
- Form 10 Agreement to Mediate
- Form 11 Mediation Outcome Report and Agreement
- Form 12 Complaint
- Form 13 Entry Referring Case to Diversion
- Form 14 Diversion Requirements Letter to Students and Parents
- Form 15 Notice to Appear for Mandatory Mediation
- Form 16 Post-filing Agreement to Mediate
- Form 17 Mediation Feedback Form

Appendix D Dispute Resolution

- School Attendance Program Brochure
- School Attendance Mediation Flow Chart
- Attendance Coordinator Job Description

Appendix E Statewide Promising Practices

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