

RESEARCH BRIEF

Unexcused! School Attendance Policies and the School-to-Prison Pipeline

PURPOSE OF THE STUDY

In this study, we attempted to answer the question: Why are racially minoritized K-12 students much more likely than White students to be petitioned to court for being absent from school, even when they miss the exact same number of days of school?

BACKGROUND & PURPOSE

Once education became compulsory in the U.S., school districts adopted policies distinguishing excused absences that were necessary (e.g., snow days, quarantine) from unexcused absences that were not (e.g., skipping school) (Conry & Richards, 2018).

Who gets to decide when missing school is excused? As with most U.S. school policies, the list of excused reasons for absence is typically developed by the dominant group—middle-class Whites (Bonilla-Silva, 2006; Roithmayer, 2014). As a result, schools excuse absences for reasons deemed by Whites to be unavoidable or to reflect personal responsibility. Reasons for missing school that racially minoritized families may deem unavoidable or to reflect personal responsibility could easily be left off the excused list, resulting in the absences of racially minoritized students being disproportionately labeled unexcused.

Whether a school absence is excused or unexcused has consequences. Laws in most states ban punishment for excused absences but require or allow punishment for unexcused absences (Conry & Richards, 2018). Punishments include losing credit for coursework and whole courses, being suspended, being excluded from extracurricular activities, being denied or losing a driver's license, fines, and being petitioned to juvenile or family court for truancy or educational neglect.

The definitions of excused and unexcused absences are race neutral, meaning that the child's race or ethnicity is not taken into account when determining whether absences are unexcused. Yet, racially minoritized students have a greater proportion of their absences unexcused compared to White students (McNeely, et al., 2022). Research is needed to understand why racially minoritized students have a greater proportion of their absences labeled unexcused and the consequences of that labelling. Our study answered the following questions:

- 1. How do neutral attendance policies result in school staff disproportionately labeling the absences of minoritized students as unexcused?**
- 2. How do racial and ethnic disproportionalities in unexcused absences lead to disproportionalities in petitions to juvenile court for truancy?**



RESEARCH IS NEEDED TO UNDERSTAND WHY RACIALLY MINORITIZED STUDENTS HAVE GREATER JUVENILE JUSTICE INVOLVEMENT FOR UNEXCUSED ABSENTEEISM COMPARED TO WHITE STUDENTS.

METHODS

We first documented definitions of excused and unexcused absences in a representative sample of U.S. school districts. We then used administrative data from three districts to determine if racial and ethnic disparities in the proportion of absences designated unexcused accounted for the large racial and ethnic disparities in petitions to juvenile court.

FINDINGS

All 97 school districts excused absences for reasons White students typically miss school but not necessarily for reasons common among racially minoritized students. In a subsequent examination of three school districts, we documented that disproportionalities in the proportion of absences labeled unexcused explained a large portion of racial and ethnic disproportionalities in court petitions for unexcused absenteeism.

Our analysis consisted of two components that, together, tested the plausibility of the claim that attendance policies intended to be race-neutral are not race-neutral in their effect on juvenile court involvement for unexcused absenteeism.

Study Component 1: Policy Analysis. We drew a random sample of 97 U.S. public school districts with 7,000–40,000 students enrolled. From each school district’s website, we extracted the definitions of excused and unexcused absences and rules regarding illness verification by a medical provider.

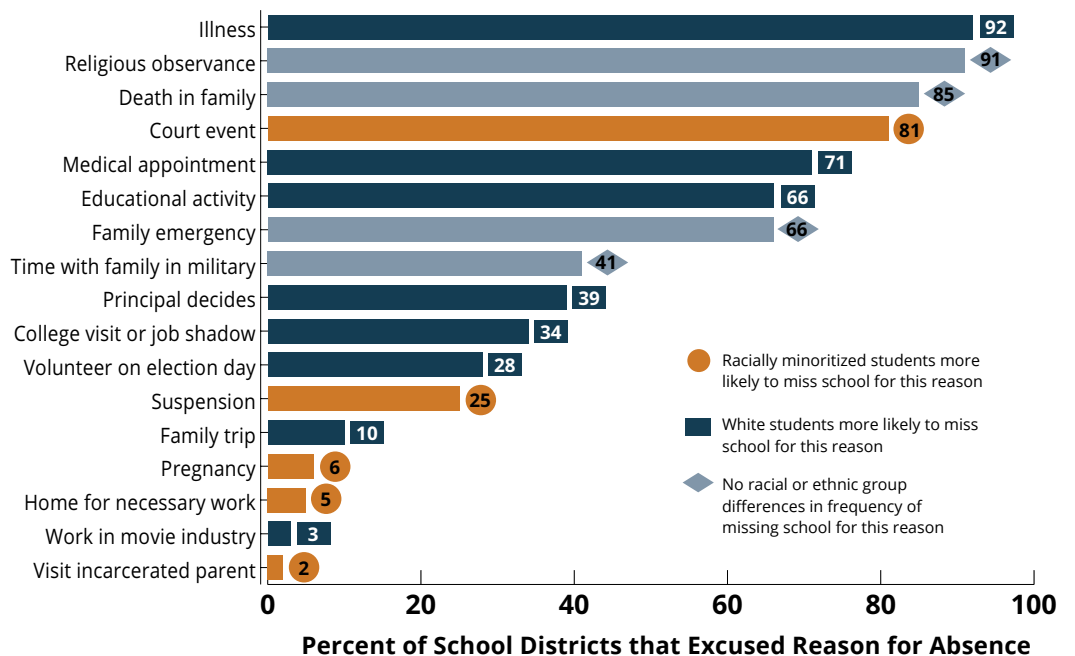
Study Component 2: Analysis of Administrative Data via Minn-LInK. We used administrative data from three school districts to determine if racial and ethnic disparities in the proportion of absences labeled unexcused accounted for racial and ethnic disparities in juvenile court petitions for truancy. This analysis used longitudinal data from 75,276 students between 2009 and 2015. We modeled the risk of court petition using Cox proportional hazards models.

ABSENTEEISM POLICIES: WHAT IS EXCUSED?

All 97 school districts listed reasons for excusing absences (Figure 1). The most common reasons were illness or quarantine (92%), religious observances (91%), a death in the immediate family (85%), and court-ordered events (81%). Thirty-nine percent of schools allowed principals to decide whether absences were excused, as long as their decision followed state education laws.

School districts were less likely to excuse absences for life circumstances disproportionately experienced by racially minoritized students. One in nine Black children (11%), one in 28 Hispanic children (4%), and one in 57 White children (2%) have an incarcerated parent (Pew Charitable Trusts, 2010). Yet only 2% of the districts excused absences to visit incarcerated parents. Similarly, racially minoritized students are disproportionately suspended from school (Bradshaw et al., 2010; Skiba et al., 2011), yet only 25% of districts considered suspensions imposed by the school an excused absence. In many districts, in fact, students were suspended for unexcused absences and those suspensions were then counted as unexcused absences.

Figure 1. Definitions of excused absences in 97 randomly selected U.S. school districts with between 7,000 and 40,000 students



All school districts that excused absences for illness required students to produce illness verification from a medical provider after a certain number of consecutive absences, typically three days (range 0–10). Yet, racially minoritized students are less likely than White students to receive medical care for illness (Ehrlich et al., 2014).

ABSENTEEISM POLICIES: WHAT IS UNEXCUSED?

In all 97 districts any absence that was not explicitly defined as excused was unexcused. In addition, if the absence occurred for an excused reason but the student did not have evidence (e.g., a parental note) the absence was labeled as unexcused.

Just over half (n = 52) of the districts provided examples of reasons for unexcused absences in their parent-student handbook or in guidance for attendance monitors. From these examples, we identified nine categories of unexcused absences:

1. Not having a note from a medical provider for an illness
2. Lack of clothing
3. Being needed at home
4. Transportation issues
5. Parental neglect
6. Family trips
7. Personal business
8. Tardiness and suspensions
9. Unapproved employment

The first six categories on this list, taken at face value, do not indicate disengagement or willful delinquency on the student’s part and may be involuntary, particularly those related to the logistical challenges of poverty (e.g., lack of clothing, medical care, or transportation). The remaining three categories of unexcused absenteeism—personal business, tardiness and suspensions, and unapproved employment—contain a mix of behaviors traditionally considered delinquent (e.g., ditching, tanning appointment), behaviors traditionally considered developmental milestones (e.g., getting a driver’s license and senior-

picture appointments), and behaviors driven by poverty (e.g., unapproved employment).

In several districts, examples of absences that would be labeled unexcused were placed in quotation marks: “I missed the bus,” “The car would not start,” “Going out of town,” and “Had to go to the store.” Such use of quotations has been called sneer quoting, as using quotations when not required implies that the response is considered deceitful.

RACIAL AND ETHNIC DISPARITIES IN UNEXCUSED ABSENCES

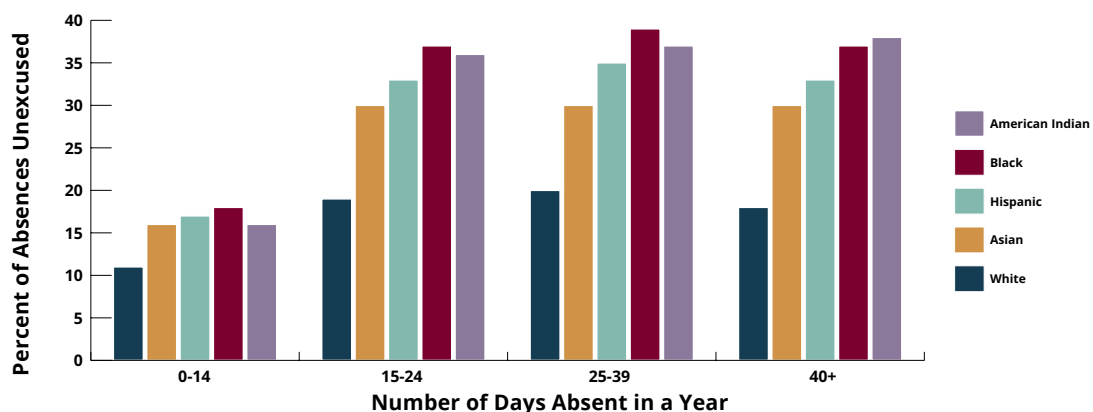
In the three school districts analyzed in the second study component, Racial and ethnic disparities in unexcused absences occurred at every level (Figure 2). Overall, 24% of the absences of American Indian and Black students were unexcused, compared to 13% for White students, 18% for Asian students, and 21% for Hispanic students.

RACIAL AND ETHNIC DISPROPORTIONALITIES IN UNEXCUSED ABSENCES EXPLAIN RACIAL AND ETHNIC DISPROPORTIONALITIES IN TRUANCY PETITIONS TO JUVENILE COURT

By the end of 10th grade, 16% of American Indian students had been petitioned to court for truancy, compared to 3% of White and Asian students, 8% of Black students and 6% of Hispanic students. After accounting for the total number of absences, American Indian students were still 4.5 times more likely than White students to be petitioned to juvenile court for unexcused absenteeism. Black students were 3.1 times more likely and Hispanic students were 1.6 times more likely than White students to be petitioned to court.

However, once we accounted for disparities in the proportion of absences labeled unexcused, Black and Hispanic students were no longer at disproportionate risk for being petitioned to court for truancy. American Indian students, however, were still twice as likely as White students to be petitioned to juvenile court.

Figure 2. Weighted proportion of total unexcused absences by race/ethnicity (179,237 person-years)



Conclusion

Across U.S. schools, absenteeism policies excuse the following reasons for absence: medical appointments, illness verified by a medical provider, extracurricular activities, time spent with a parent in the military, and prearranged family trips. These reasons are all deemed to be unavoidable, responsible, or meritorious. Absences not fitting into these categories are unexcused, even though they may have merit or be responsible choices if seen through a different lens. Absences due to poverty (e.g., no note from a medical provider or no alternative transportation after missing the bus), prioritizing sibling and elder care over self, and the disproportionate policing of racially minoritized youth (school suspensions or visiting an incarcerated parent) were unexcused in most districts in our nationally representative sample.

These absenteeism policies logically would create racial and ethnic disparities in the proportion of absences unexcused because racially minoritized students are more likely to experience poverty, be needed to support their family, and be policed.

In a sample of three metropolitan school districts, we documented the pattern predicted by the policy content analysis. American Indian and Black students were nearly twice as likely as White students to have school absences labeled unexcused, and Hispanic and Asian students were 50% more likely, even after controlling for absenteeism levels.

These disproportionalities in unexcused absences fully accounted for the large disproportionalities in juvenile court petitions for Black and Hispanic students. However, American Indian students were still twice as likely as White students to be petitioned to court.

Immediate, feasible changes could make unexcused absenteeism policies more equitable. For example, visits to incarcerated parents should be excused absences, as they support family functioning in exactly the same way as visits with military parents. Additionally, students who have multiple-day mourning periods after a death should not be penalized by policies excusing only one day for a death in the family. Finally, suspensions for absenteeism should be excused.

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LIMITATIONS

A direct test of how color-blind absenteeism policies lead to racial and ethnic disparities in juvenile court petitions for unexcused absenteeism would have required longitudinal student-level data on unexcused absenteeism and juvenile court petitions from hundreds of school districts. Nonetheless, this is the first study to provide evidence that day-to-day attendance policies can create inequities in juvenile court petitions.

The Center for Advanced Studies in Child Welfare (CASCW) is a resource for child welfare professionals, students, faculty, policy-makers, and other key stakeholders concerned about child welfare in Minnesota. **Minn-LInK** is a unique collaborative, university-based research environment with the express purpose of studying child and family well being in Minnesota using state administrative data from multiple agencies.

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