

Senate Bill 1489: Saving Money and Applying a Common Sense Approach to Reducing Truancy

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The Problem

In 2009, 120,000 Failure to Attend School charges were issued in Texas. These citations, which are Class C misdemeanors that carry fines of up to \$500 per ticket, are entered in a student's criminal record and limit opportunities to find gainful employment and attend college because employers and schools inquire about (non-traffic-related) criminal citations. These are serious consequences that often set young people on the road to lifelong failure—and thus a lifetime of living on the taxpayer dime. The 2012 class of high school dropouts are expected to cost Texans between \$6 and \$10 billion over their lifetimes.¹

This is not the best way to use our criminal justice system. These citations have become the standard government solution to truancy problems, and they have largely replaced the decentralized, collaborative model that emphasizes communication between parents, teachers, and administrators.

An adult dropout between the ages of 18-21 who determines that he or she has made a mistake and ought to return to school, is precisely the sort of individual whom Texans should want to encourage. Current law, however, is not always so encouraging: when these students leave school for family or work related reasons, they can be charged with a Class C misdemeanor. Current law, therefore, can act as a disincentive to returning to school.

The Solution

Senate Bill 1489 (SB 1489) is based on Positive Behavioral Interventions and Supports, an *evidence-based* model that reduces these referrals, reduces the number of dropouts, and improves academic performance.² SB 1489 proposes to ensure that school districts first utilize evidence-based truancy prevention measures designed to minimize the number of truant students sent to the courts. However, it does not preclude criminal charges.

It also allows students who ultimately graduate to expunge their truancy criminal record, providing a positive incentive to get on the right track.

Furthermore, SB 1489 eliminates a disincentive for adults under 21 wishing to complete high school by removing the authority to criminally charge adults who return to school, but who are unable to complete the school year.

The bill deserves the support of all legislators. ★

¹ Roman Alvarez, et al., *The ABC's of Texas Education: Assessing the Benefits and Costs of Reducing the Dropout Rate* (May 2009).

² Marc Levin, *Schooling a New Class of Criminals? Better Disciplinary Alternatives for Texas Students*, Texas Public Policy Foundation, Policy Perspective (March 2006).