

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/why-texas-is-poised-to-become-a-model-for-truancy-reform>

Public Facing Advocacy Writing

Becky missed school to visit her childhood home with her mother, whose memory was fading due to a degenerative brain disease. Megan missed school because she was put on doctor-ordered bed rest due to pregnancy and delivery complications. Luke was tardy to several periods because he was taking long routes to class to avoid a group of kids who were bullying him because of his sexual orientation. Becky, Megan, and Luke were all charged with Failure to Attend School and now have criminal records.

Until recently, Texas was one of only two states that allowed children to be prosecuted in adult criminal courts for a status offense like truancy (the other is Wyoming). [Over 100,000 truancy cases](#) were filed in criminal courts in Texas each year more than all other states juvenile court truancy cases combined leaving children as young as 12 to pay significant fines and explain criminal records on future college and employment applications. Texas Appleseed's [research](#) revealed that these burdens largely fell on students of color, students with disabilities, and those whose families struggled economically, making fines often impossible to pay.

Fortunately, a number of families, advocates, educators, judges, and legislators recognized the need for change and became part of a [statewide truancy reform movement](#). Each of these groups served a critical role: Texas families told their stories, contacted their legislators, and rallied their communities. At Texas Appleseed, we presented the findings of our research and raised concerns about the legality of some of the practices we saw when we visited courts and talked to families. Our advocate allies joined us to testify in hearings and provide support to legislators. Media outlets investigated unique angles and ran stories that highlighted the impact the system was having on Texas families. And legislators and their staffs negotiated, cajoled, and spoke passionately about the need for change.

The product of this bipartisan movement was House Bill 2398, [signed by Governor Greg Abbott](#) in June. Beginning September 1st, truancy will no longer be a criminal offense in Texas. Schools will have to do more to identify students' needs and provide services to families to address the underlying causes of truancy. If those interventions are ineffective, a school may still refer a student to truancy court but the offense will be civil, so the cases will no longer result in fines, criminal records, or jail time.

The need for change in Texas was clear: the stories of Becky, Megan, Luke, and the hundreds of thousands of other children who have been hurt by Texas's truancy system illustrate that need. And Texas is quite clearly not alone. While Texas's approach to truancy made it an outlier, many states are struggling with antiquated statutes and practices that fail to serve the underlying purpose of status offense laws, which were meant to ensure that kids stayed on a path to good life outcomes.

As with any major reform, the work we do does not end when the law is passed, but continues through its implementation process. We know that some issues like the number of [students with disabilities who are pushed out of school](#) through the truancy process will not be affected by the change in law. Texas Appleseed and our partners will continue our work to ensure the vision for reform articulated by Texas lawmakers is realized, and to advocate for changes that will put students and families first. By investing in understanding the real factors that lead to truancy and in creating supportive programs and meaningful interventions, Texas can go from being one of the worst in the nation in treatment of truancy to being a model for research-driven interventions. Texas is poised to lead and we hope to see schools and other stakeholders make the most of that opportunity.

Morgan Craven is the director of Texas Appleseed's School-to-Prison Pipeline Project. This post first appeared on the Status Offense Reform Center's [blog](#).

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