

Making the Most out of Truancy Court

Effectuating Change in a System Without
Teeth



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Why does it matter?

- Often a family's first introduction to Court.
 - Can we make it their last?
- Opportunity to connect families to community resources.
 - School resources
 - Therapeutic resources
 - Mentorship/tutoring
- Diverting families from court involvement



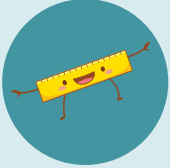
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School to Prison Pipeline

- What is it and how does truancy court fit in?
 - School Justice Report
- Recognize ongoing disproportionality
 - "Exploring an Unexamined Source of Racial Disparities in Juvenile Court Involvement: Unexcused Absenteeism Policies in U.S. Schools"
- What does a GAL have to do with any of it?


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The Basics

- School Attendance Law of 1963
 - C.R.S. 22-33-101 to 22-33-110
- Highlights
- Individualized attendance policies- (22-33-104(4))
- GED (22-33-104.7)
- Legislative intent (22-33-108(5))
 - "A school district shall employ best practices and research-based strategies to minimize the need for court action and the risk that a court will issue detention orders against a child or parent."
 - "...only as a last-resort approach to address the child's truancy and only if a child continues to be habitually truant after school or school district personnel have created and implemented a plan pursuant to section 22-33-107(3) to improve the child's school attendance."
 - Must submit to the court evidence of: 1) Attendance record, 2) Interventions and strategies used to improve attendance, 3) The child's plan and the efforts to implement the plan.

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Pre-Filing

- Attendance letter to parents
- Calls home
- One on one check ins
- Meeting with family/student
- Transportation assistance
- Change in student's schedule
- IEP/504
- Tutoring
- Addressing complaints of bullying
- Counseling or referral to counseling
- Referral to other community resources
- Home visit
- Referral to DHS

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COVID Changed Everything

- Pre-filing procedures
- Court procedures
- Student mental health
- Student priorities
- Access to services



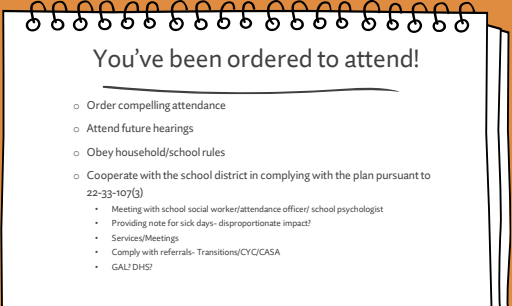
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You've been served!

- Expectations of service and proof of service
- When the school district can't serve- GAL turned PI
- If/When to request a warrant 22-33-108(7)(a.5)

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You've been ordered to attend!

- Order compelling attendance
- Attend future hearings
- Obey household/school rules
- Cooperate with the school district in complying with the plan pursuant to 22-33-107(3)
 - Meeting with school social worker/attendance officer/ school psychologist
 - Providing note for sick days- disproportionate impact!
 - Services/Meetings
 - Comply with referrals- Transitions/CYC/CASA
 - GAL/ DHS?

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You're in Contempt!

- Student
 - Community Service
 - "Supervised Activities"
 - Participation in services for at-risk students
 - Other activities having the goal of ensuring the youth has an opportunity to obtain a quality education
 - Detention (48 hours)- "National and Colorado-specific evidence shows that detaining children and youth for truancy alone is counterproductive and harmful to children and youth"
- Parent
 - Up to \$25 per day or confinement until the order is complied with

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Creative Options

- Engagement in services/activities
- Changes to enrollment style/location
- Writing a paper-tailor the topic
- Projects
- Turning over electronics
- Sitting in truancy court
- Other ideas?



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GAL Advocacy

- Holding the school accountable to their duties
- Bridging communication/expectations between families and schools
- Focusing on the issue- attendance!
- Connecting families to services and supports
- Recognizing when it goes beyond truancy



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Connecting with Families

- Truancy is a problem-solving court
 - Seeing What's Underneath: A Resource for Understanding Behavior and Using Language in Juvenile Court
- Making court friendly
 - Snacks
 - Supplies
 - Books
- Being creative with engagement
 - Virtual visits/flexibility
 - School visits
 - Family outreach
- BPCT/Quarterly Meetings

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- **School Justice Roundtable Report:**
https://icwg.org/app/uploads/2021/03/school-justice-report_engaging_our_community_2021-2.pdf
- Exploring an Unexamined Source of Racial Disparities in Juvenile Court Involvement: Unexcused Absenteeism Policies in U.S. Schools: https://www.attendanceworks.org/wp-content/uploads/2021/06/Clea_McNeelney_AERA_Open_Appl_2021.pdf
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- Seeing What's Underneath: A Resource for Understanding Behavior & Using Language in Juvenile Court: <http://defendyourrights.org/wp-content/uploads/4-A-Resource-for-Understanding-Behavior-Using-Language-in-Juvenile-Court.pdf>

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