

# Making the Most out of Truancy Court

Effectuating Change in a System Without  
Teeth



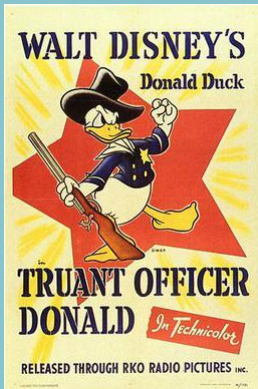
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## Why does it matter?

- 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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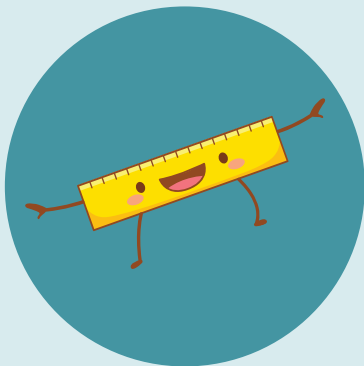


## School to Prison Pipeline

- 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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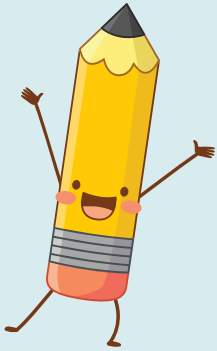
## COVID Changed Everything

- 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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## Materials

- School Justice Roundtable Report:  
[https://coag.gov/app/uploads/2021/03/School-Justice-Report\\_Engaging-Our-Community\\_22021-2.pdf](https://coag.gov/app/uploads/2021/03/School-Justice-Report_Engaging-Our-Community_22021-2.pdf)
- Exploring an Unexamined Source of Racial Disparities in Juvenile Court Involvement: Unexcused Absenteeism Policies in U.S. School:  
[https://www.attendanceworks.org/wp-content/uploads/2019/06/Clea\\_McNeeley\\_AERA\\_Open\\_April\\_2021.pdf](https://www.attendanceworks.org/wp-content/uploads/2019/06/Clea_McNeeley_AERA_Open_April_2021.pdf)  
<https://www.attendanceworks.org/new-report-how-do-unexcused-absences-disrupt-efforts-to-improve-attendance/%20>
- Seeing What's Underneath: A Resource for Understanding Behavior & Using Language in Juvenile Court:  
<http://defendyouthrights.org/wp-content/uploads/A-Resource-for-Understanding-Behavior-Using-Language-in-Juvenile-Court.pdf>