

Clark County

# Clark County Truancy Manual

A Partnership between Clark County Juvenile Court,  
Educational Service District 112,  
and Clark County School Districts

2016

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## Introduction

In 1995, Washington State passed the Becca Law to address at-risk and truant youth. The law was intended to empower parents, schools, law enforcement, and courts to intervene early in the lives of at-risk youth. With regard to truancy, the law mandates actions by school districts, commencing with the first unexcused absence. Truancy petitions must be filed with the juvenile court after seven unexcused absences in a month or ten unexcused absences in a school year.

The Juvenile Court is required to process school district petitions and assume jurisdiction if the evidence supports the petition. The court may order attendance, involvement with alternative programs, and other actions to resolve the attendance problem. If students and/or families are alleged to be noncompliant, the court may enter an order of contempt which may result in sanctions for youth and in some cases parents. Youth are subject to a variety of sanctions which may include detention and other actions.

Although the Becca Bill is a statewide statute, each county in the state can interpret and develop its truancy program based upon the philosophy of that county. The Clark County Superior Court Judges and Commissioners have a historical understanding that detention is an inadequate response to truancy. Truancy is a symptom of an underlying problem or need and that formal court involvement and juvenile detention should be used as a last resort, only after all appropriate and available resources have been tried. Early intervention is critical before a cycle of irregular attendance, school disengagement, and academic failure becomes entrenched. A coordinated, comprehensive approach provides the best opportunities for all students, maximize needed funding opportunities, and improve the future for individuals and communities.

The Clark County Truancy Project (CCTP) was developed in 1997, in partnership with Educational Service District 112 and local school districts, as a program to intervene with youth and families referred for truancy petitions under the Washington State Becca Law as a way to effectively deal with truancy while reducing the need for formal court hearings and action.

The goal of the program is to use education and support services in a graduated response plan to increase school attendance and substantially reduce the need for the court to invoke contempt proceedings except in exceptional cases where alternative interventions have failed to address persistent truant behavior.

In 2008, Clark County was selected as a Models for Change site and awarded a grant by the John D. and Catherine T. MacArthur Foundation. Models for Change enabled Clark County to evaluate and enhance the performance of our Clark County's truancy interventions, improve outcomes for youth being served, and position the program for replication in other communities.

We would like to thank the John D. and Catherine T. MacArthur Foundation for their generous support of this project. Credit also goes to members of the Clark County Models for Change Steering Committee and workgroup members for their contributions and ongoing commitment to our local truancy interventions.

## About this Manual

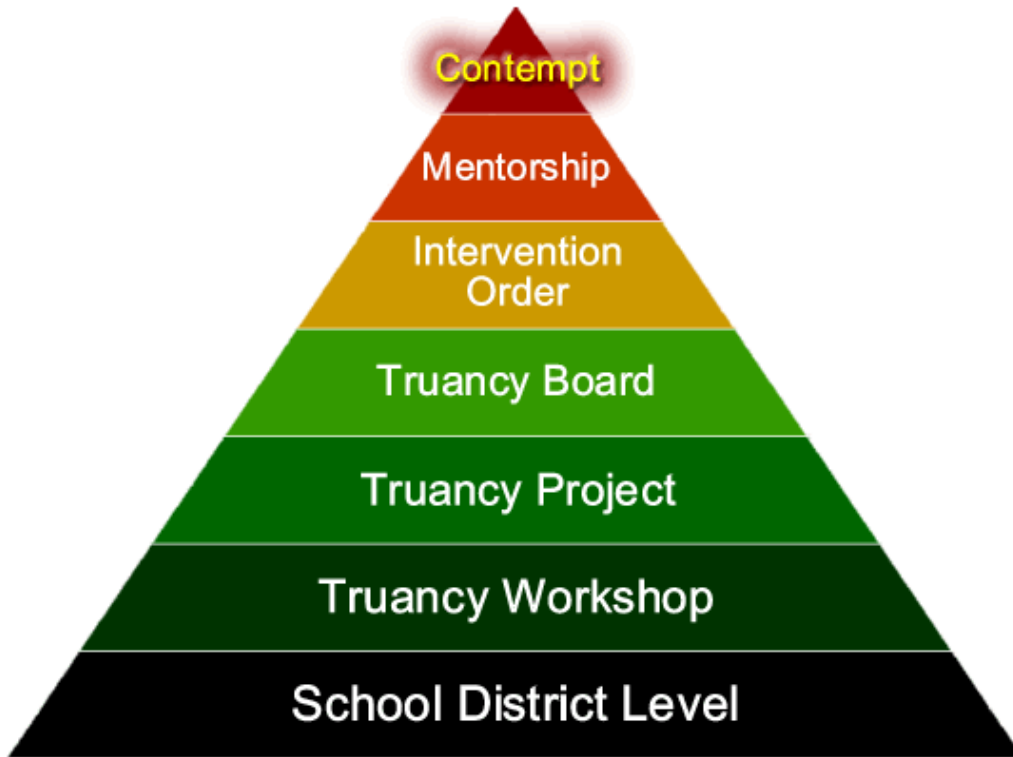
The Clark County Truancy Manual is intended to provide a single source of information for individuals involved in the truancy court process, including school officials, Juvenile Court staff, Clark County Truancy Project staff and attorneys.

The Manual is divided into four parts. Part one provides school district representatives a step-by-step process for the district's involvement in each level of the Clark County truancy process. Part two provides a description of the Clark County Truancy Workshop. Part three details the Clark County Truancy Project operated by Educational Service District 112. Part four focuses on what happens if pre-court interventions are unsuccessful and, as a last resort, the child is referred to court.

Applicable statutes, regulations, and model forms have also been included in the appendices.

Throughout this Manual, unless indicated otherwise, the term "parent" means biological parent, adoptive parents, step-parent, person with legal custody, or guardian. "Guardian" is defined by statute as "a person who legally has the care and management of a child."

Statutes and state regulations are current as of Oct. 13, 2013. Go to <http://apps.leg.wa.gov/rcw/> to check for updates.



## Clark County Truancy Process: School District Level

## SCHOOL DISTRICT LEVEL

This section is intended to provide school district representatives a step-by-step process for the district's involvement in each level of the Clark County truancy process.

### Step 1: School Monitoring, Notifying and Conferencing

#### School/District Requirements

- **Provide Written notification to parents** – As per RCW 28A.225.005 schools will notify parents and students about Truancy issues and have that signed by parent each year
- **One unexcused absence in a month** – the school is required to inform the parent in writing or by phone.
- **Two unexcused absences in a month** – the school is required to initiate a parent conference to improve the student's attendance.
- **Five unexcused absences in a month** – the parent and school must enter an agreement to improve the student's attendance.
- **Seven unexcused absences in a month, or ten unexcused absences in an academic year** – the school district shall file truancy petitions with the juvenile court.

### Step 2: Filing a Truancy Petition

A truancy case begins when the school files a truancy petition. In the petition, the school alleges that the student has had seven unexcused absences in a month or ten unexcused absence in a school year, and despite efforts by the school, the student's absences continue without substantial reduction. Petitions must be filed with the court prior to the end of the current school year. Petitions filed in June may be invited to the workshop in September or October.

Once the school official determines that a petition must be filed on a student because he/she has met the statutory definition of truant, the school official will prepare a Petition Regarding Truancy (2) and a Notice and Summons (3). Fill out the Petition thoroughly checking all the boxes that apply and making sure that all of the actions and steps taken by the school to address the truancy are included. Attach copies of the attendance records and other supporting

documents to the Petition. File the original and one copy of the petition and Notice and Summons with the Clark County Juvenile Court Clerk's Office. Be mindful to set the hearing date on the notice and summons out 3-4 weeks in order to allow for court clerk processing and mailing rules. Court staff will assign each student a Juvis number and then provide the paper work to the Clerk's office. Once processed by the Clerk's Office, a case number (SCOMIS#) and appearance date is set. The school official must pick up the conformed copies of the Petition and Notice and Summons from the Clerk's Office and personally serve it to the student. Service is achieved by either certified mail or by personal deliver to the student/parent using an Return of Service (5). It will state what is being mailed to the family.

Regardless of the method used, families will receive:

- Workshop invitation
- a copy of the Petition Regarding Truancy
- a copy of the Order to Stay Truancy Proceedings
- Notice and Summons
- an informational brochure (if the district uses one).

Families served in person must receive notification at least 5 days prior to their scheduled court appearance, while families served via certified mail will receive 8 days prior notice, excluding weekends and holidays (5 days notice prior to the court date plus 3 additional days for mailing).

The petition must include a list of all interventions that have been attempted as set forth in RCW 28A.225.020, include a copy of any previous truancy assessment completed by the child's current school district, the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information document signed by the parent and child, pursuant to RCW 28A.225.005. The petition will include copies of attendance records and the attendance agreement.

### Step 3: Truancy Workshop

At the workshop, the school official must bring the mail return receipt card, Return of Service (5), the original Order to Stay Truancy Proceedings (4) and three copies of the Stay Order. The copies will be conformed/date stamped by the Truancy Project and provided to the family during the second half of the workshop. One copy will be kept by the district. The original will be signed by the student and family during the second half of the workshop and filed with the court after the commissioner/judge has signed it.

The legislation requires all Petitions to receive an initial Stay Order. All the Stay Orders will signed and filed each Monday. Please file any Return of Service slips as well. If you do not have a Return of Service indicating that the family is aware of the workshop it will be the responsibility of the school district to notify and recite those families back to the Workshop. If

you have Return of Service indicating that the families were notified yet they did not appear at the workshop the school district should make a referral to the Truancy Project for follow up.

The Workshop provides information to the students and families about the truancy process and community resources. The school district will meet with the families along with a Truancy Project specialist to come up with an agreement to address school attendance and reengagement. Specific resources should be outlined for the families depending on their circumstances. The workshop agreements will be used by the schools to monitor progress.

If the youth continues to accrue unexcused absences after the workshop, the school official should refer the youth to the Clark County Truancy Project. If the youth does not improve their attendance or does not cooperate with the Truancy Project, they will be negatively exited from the program and referred back to the school district for court intervention. At this point, the school should file an Order Lifting Stay and Scheduling Hearing (5).

## Step 4: Vacate Stay and Intervention Order

If a Stay must be vacated, the school official must complete the Motion for Order Lifting Stay (6) and Notice of Hearing (9) which sets a Monday court date. File the originals and one copy of each with the Clark County Juvenile Court Clerk's office. After picking up the conformed copy personally serve or mail a copy of all documents filed (Forms 6 and 9) to the family, giving them at least five days advance notice as set forth above. BEST PRACTICE TIP: Include a copy of the proposed Findings and Order on Truancy Petition (8) with the other documents you serve or mail to the youth/family at this time. This advises what the court will be ordering. Make sure that you once again document service on the youth/family – with a Return of Service (5). It is important that you have certified mailing confirmation on either the original Petition regarding Truancy or the current Notice of Hearing. The Court needs to know that the family is aware that this process is occurring. Also anyone that appears in court to present the information on the Petition and Intervention Order should not be serving the paperwork to students and families.

At the time of the hearing, have an Original and 3 copies of the Order Lifting Stay (7) and Findings and Order on Truancy Petition (8) to be completed and presented. The in court clerk will retain the originals for filing. School staff will conform a copy for the school and two copies for the family after the Commissioner/Judge makes the decision. This part of the process is a court hearing and the school district will be required to present evidence to prove their case. This would include attendance records, documentation of interventions provided/attempted by the school and interventions provided/attempted by the Truancy Project.

If there is a continuation of unexcused absences after an Intervention Order is granted, the student may be referred to the Juvenile Court Truancy Probation Counselor for supervision. The school district should forward a copy of the Findings and Order on Truancy Petition (7), Referral to Juvenile court, along with the youth's most recent attendance records and the exit summary from the Truancy Project if applicable. School Districts will continue to provide attendance records to Juvenile Court staff supervising the youth.



Please note that schools may be required to provide reports to the court every 3 months. The report must include the following: 1) any additional unexcused absences by the youth; 2) actions taken by the school district; 3) the outcome of the actions; and 4) an update on the youth's academic status. (School Progress Report (14))

## Step 5: Contempt

School Districts will collaborate with the Juvenile Court Truancy Probation Counselor in making the decision to move forward with Contempt proceedings. When that decision is made, School Districts will complete a Motion to Set Show Cause Hearing and Order to Set Show Cause Hearing-Contempt (11 and 12). This will document further absences and a failure to comply with orders from the Court on the Truancy Intervention Order. The School District Staff will complete these forms and provide them to the Truancy Probation Counselor. The Probation Counselor will file the documents received from the school, notify the students and families and will present and/or assist presenting the case in court. School districts are encouraged to attend these hearings. The school official's presence conveys to the students and their parents the fact that the schools are part of the overall truancy "team," and the overall commitment to resolving truancy issues.

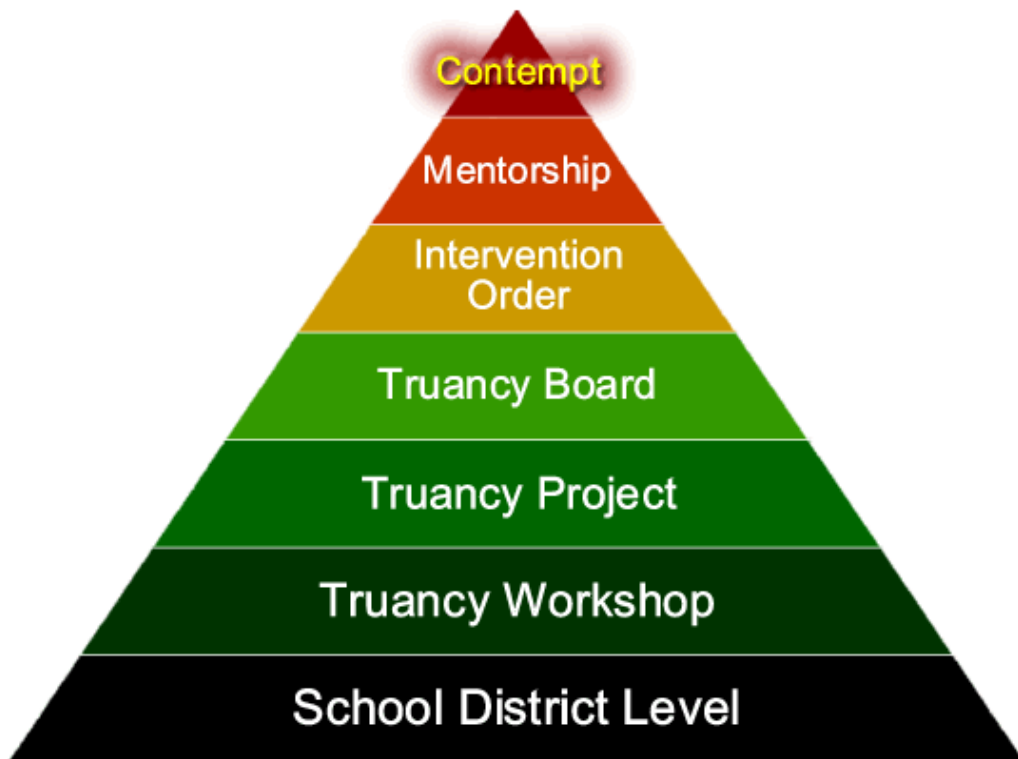
At the youth's first appearance on the order to show cause contempt, he or she will be appointed an attorney at public expense. The student is entitled to an attorney because the judge has the option of placing the youth in detention. A second hearing will be set at this time, typically two to three weeks from the first hearing.

At the second hearing, the youth will either admit or deny that they are in contempt of court. If they do not admit, a contested hearing will be held so that the court can make a finding as to whether or not they have violated the Intervention Order.

After the admission or a finding of contempt, the Order on Hearing-Contempt (13) is signed by the judge. This may include a detention alternative, restorative community service, reports or detention. Youth held in detention for Contempt may purge out in 24 hours by successfully completing other designated tasks, such as going to school, completing a drug/alcohol evaluation, performing restorative community service hours, etc. In addition, the court will typically set a review hearing to track progress.

At that review hearing, if the student does not partake or successfully complete the designated tasks, the court may place the student in detention for a portion of the days ordered. The goal is to reengage the youth in an educational program.

The Truancy Contempt Order is reviewed by the court periodically. The probation department actively monitors the students for a period of six (6) months. If the youth has successfully complied, the Contempt Order is dismissed.



## Clark County Truancy Process: Truancy Workshop

## Truancy Workshop

Truancy workshops are held every Monday at 3:00 in the Multi-Purpose Room at the Clark County Juvenile Court. There is a 30 minute presentation in which a Court Commissioner school district representative, Truancy Project staff and Juvenile Court staff inform students and parents of the concerns and laws regarding truancy, their obligations to attend school, and the consequences of poor attendance.

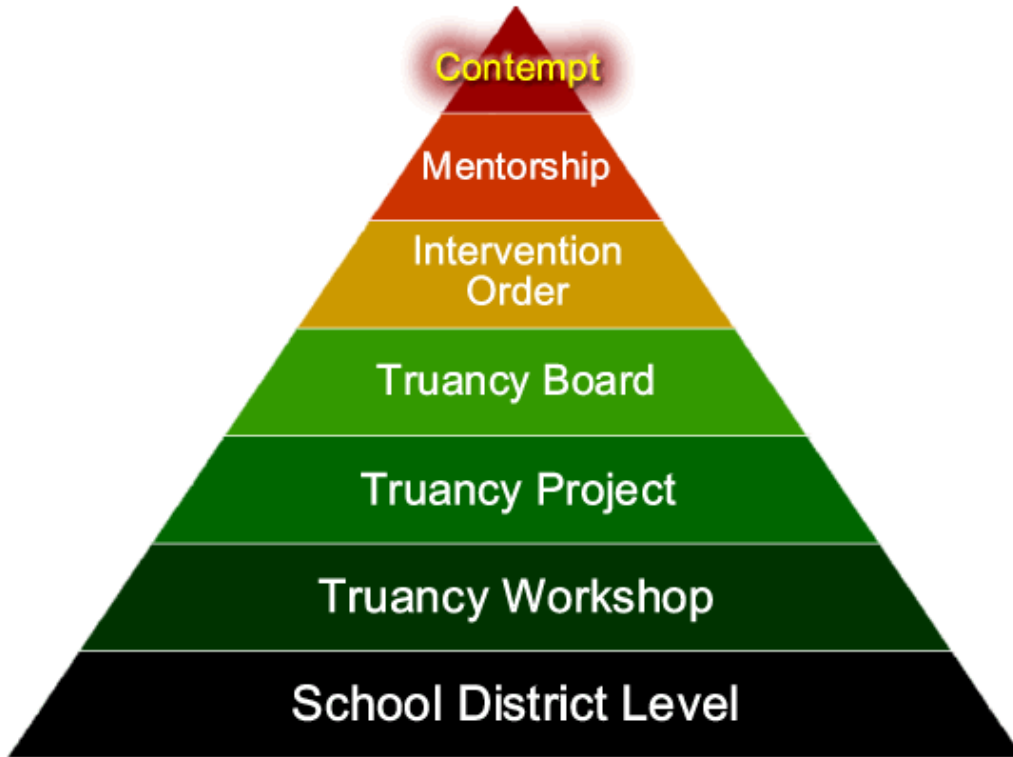
The origination of the Becca Bill (Truancy Laws) is explained at the workshop to better illustrate the purpose of this school attendance law. An analysis of career options and salary ranges is also explored to encourage youth that a diploma, while difficult for some, may help to alleviate several of the financial stressors of adulthood.

At the workshop, the school official must bring the mail return receipt card, Return of Service (5), the original Order to Stay Truancy Proceedings (4) and three copies of the Stay Order. The copies will be conformed/date stamped by the Truancy Project and provided to the family during the second half of the workshop. One copy will be kept by the district. The original will be signed by the student and family during the second half of the workshop and filed with the court after the commissioner/judge has signed it.

The legislation requires all Petitions to receive an initial Stay Order. **All** the Stay Orders will signed and filed each Monday. Please file any Return of Service slips as well. If you do not have a Return of Service indicating that the family is aware of the workshop it will be the responsibility of the school district to notify and recite those families back to the Workshop. The Stay Orders will be filed though that Monday.

The school district will meet individually with the families along with a Truancy Project specialist to come up with an agreement for school attendance and reengagement. The student and family are asked to sign a Truancy Workshop Agreement and Clark County Truancy Project Authorization for Use and disclosure of Information. The Truancy Workshop Agreement helps school staff identify factors in the student's life such as complex trauma or adverse childhood experiences that may require more individualized care Specific resources should be outlined for the families depending on their circumstances. Those workshop agreements will be used by the schools to monitor progress. The Clark County Truancy Project Authorization for Use and disclosure of Information grants permission for students to participate in MAYSI-2 or other Mental Health screenings administered by Truancy Project staff and facilitates a seamless referral process between the school district and Truancy Project. The students that attend the workshop will also sign the Stay Order prior

At the workshop students may be "fast -tracked" to the Truancy Project to begin interventions immediately. If a student does not show for a workshop and the school has appropriate return of service or if the youth continues to accrue unexcused absences after the workshop, the school official should refer the youth to the Clark County Truancy Project. If the youth does not improve their attendance or does not cooperate with the Truancy Project, they will be negatively exited from the program and referred back to the school district for court intervention.



## Clark County Truancy Process: Truancy Project

## **Project Overview**

The Clark County Truancy Project (CCTP) was developed in 1996, in partnership with Educational Service District 112, as a program to intervene with youth and families referred for truancy petitions under the Washington State Becca Law as a way to effectively deal with truancy while reducing the need for formal court hearings and action.

This project was created in 1996-97 school year under the guidance of:

- Ernie Veach-White, Administrator  
Clark County Juvenile Court
- Teresa Taylor, Administrator of Student Welfare and Attendance  
Vancouver School District
- Lou Walker, Student Welfare and Attendance Specialist  
Evergreen School District
- Jada Rupley, Assistant Superintendent  
Educational Service District 112
- Susan Gibson, Director of Youth Service Programs  
Educational Service District 112

The Truancy Project seeks to intervene with truant youth and their families to provide them a positive way to return to school and increase student academic achievement.

## **Partnerships**

The Truancy Project relies on several partners for its success. The Clark County Juvenile Court plays a major role through financial and judicial support. The Juvenile Court staff understands that truancy can be a gateway to delinquency and if not stopped early may result in failure at school, failure at home and failure in society. The largest predictor of dropping out of high school is early truancy. As a result, the Juvenile Court partnership and support is critical to keeping youth in school and out of trouble.

All school districts in Clark County participate in the Truancy Project. Each of these districts offers support to the Truancy Project staff as they work to keep kids in school. Further, the school districts support the Truancy Boards with volunteers and referrals.

## STAFFING

In order for the Clark County Community Truancy Project to be successful, it must be composed of all individuals that touch a student's life – student's family, school staff, Truancy Project staff, court personnel, and truancy board volunteers.

### ❖ LOCAL SCHOOL DISTRICT PERSONNEL

- Attendance Secretaries
- Principals / Associate Principals
- School Counselors

### ❖ ESD 112 TRUANCY PROJECT EMPLOYEES

- One full time Coordinator
- Three full time Case Managers

### ❖ CLARK COUNTY JUVENILE COURT STAFF

- Juvenile Court Judges and Commissioners
- Juvenile Court Administrators
- Probation Counselors

### ❖ TRUANCY BOARD VOLUNTEERS

- One representative from each participating school district
- Volunteers throughout the community
- A Truancy Project Specialist

## Target Population

The target population for the Clark County Truancy Project is students ages 8 to 17 who are enrolled in a Clark County public school district and have a Petition Regarding Truancy and Order to Stay Truancy Proceedings. Participating youth typically exhibit multiple risk factors for school failure including unexcused absences, class failure, poverty, health or medical issues, and housing issues.

## Referral to the Truancy Project

Students generally receive a referral to the Truancy Project after the school district has filed a Petition Regarding Truancy and an Order to Stay Truancy Proceedings and the student has attended the Workshop. Youth who are identified at the Truancy Workshop as needing immediate intervention can be “fast tracked” to the Truancy Project. If a student had been appropriately notified of the Workshop but did not attend the school should immediately refer to the Truancy Project to follow up with. The school district representative needs to send a completed Clark County Community Truancy Project Referral Form to Project staff. The referring district should include student's transcripts/academic status, attendance records, disciplinary history information and interventions attempted at the school level.

## **Case Management**

After the referral is received, Truancy Project Specialists will immediately begin working individually with the youth and family. The students will be contacted at school or home within the first 30 days

### **Screening**

To assist in rapid identification of potential risk factors/barriers to school engagement and performance, program youth are asked to participate in a mental health screening tool which could include the Gains SS or the Washington Assessment of the Risk and Needs of Students (WARNS) assessment. This tool assesses potential maladaptive behaviors that are contributing to the truancy issue and recommends potential interventions.

### **Case Planning**

The specialist monitors the student's progress through school and home visits and phone calls to the student, parent/guardian and school counselors. The specialist then assesses the student and family needs to determine an individualized plan of action for each student.

- Provide necessary consistent contact to students on an individualized level.
- Serve as a liaison between a student and his/her family and the school district and/or community resources.
- Explore alternative educational opportunities with the student. Possibly connect to resources such as credit recovery, and tutoring if necessary.
- Document contacts, truancy boards, identification of barriers and referrals to services in the county provided C3MS.

## **Truancy Boards**

If youth continue to miss school and the efforts made to intervene are unsuccessful, the Truancy Project Specialist will refer the youth to the Clark County Community Truancy Board.

There are approximately six truancy boards that meet once a month:

1. Battle Ground/Hockinson/Ridgefield/La Center
2. Camas/Washougal
3. Evergreen One
4. Evergreen Two
5. Vancouver One
6. Vancouver Two

The truancy boards generally consist of four to six members, including a school district representative, the youth's Truancy Project Specialist, and volunteers from the community. Truancy boards generally schedule 4 families per board meeting (each is seen separately).

Truancy board volunteers are invited to attend annual trainings. Training topics include motivational interviewing techniques, available community resources and services, and information on youth issues such as suicide, and complex trauma, Adverse Childhood Experiences.

When the Truancy Project Specialist refers a youth and parent to the truancy board, a letter is sent to the family two weeks before the appearance. Prior to meeting with each family, the Truancy Project Specialist gives each truancy board member an information packet, including a written summary of the student's "case," as well as attendance records. If the family does not show up for their scheduled appearance, the student may be negatively exited from CCTP and the Truancy Project Specialist will refer the student back to the school district.

The truancy board meets with the youth, a parent, and a school district representative. The youth and parent are able to share the barriers to getting the youth to school. The members evaluate the youth's circumstances, using both the written summary from the Truancy Project Specialist and first-hand information from the child and family, and then make recommendations for services. The youth and family enter into a written agreement with the Truancy Board that they will follow through with the board's recommendation. The agreement is voluntary in that the family does not have to utilize the recommended services, but if the student does not improve his or her attendance, he or she may be referred back to the school district with a recommendation for formal court intervention.

## **Truancy Project Exit**



The Truancy Project provides case management services to students referred to them during the “stay” period.. Upon exit Truancy Project staff will notify the school district by sending an exit report on each student. Depending on the type of exit (positive, negative, neutral), a recommendation will be made on how to proceed with the student based upon his/her progress. Recommendations may result in a continuation of services with the Truancy Project or a referral to Juvenile Court staff for more intensive services.

Exit reports will include documentation of dates and number of contacts, identified barriers, interventions used (including mental health assessments) and outside referrals made.

**Positive:**

The student has significantly improved their attendance, graduated from high school, enrolled in Job Corps, or completed their GED.

**Neutral:**

- Emancipation
- Moved out of jurisdiction
- Home School (could be considered neutral or positive, depending on reason for home school decision)
- Unable to locate
- Parent non-compliant
- Juvenile Probation or JRA Involvement

**Negative:**

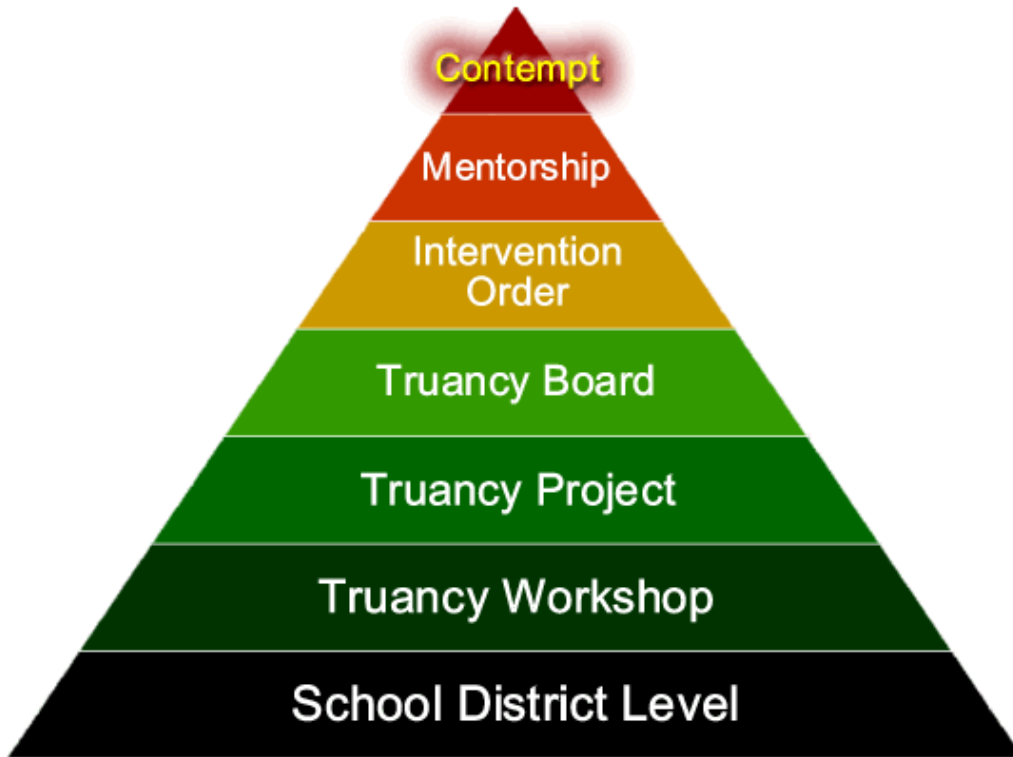
The student does not have improved attendance and has not followed through with board agreements or recommended resources or services. The Truancy Project staff will recommend formal court intervention when the student is in need of services beyond what the Truancy Project is able to offer.

**Best Practices:**

If the Truancy Project is unable to locate a student after 3 attempts that include a home visit, in 30 days the student will be referred back to the school district for further intervention.

If a student does not improve attendance within 90 days they should consider referring back to the school district. There should be a documented attempt or attendance at a Truancy Board and a mental health screening administered. (WARNS, MAYSI, GAINS-SS)

Student improves attendance for 6 months they should be referred back to the school district



Clark County Truancy Process:  
Truancy Court Supervision  
(Intervention Order, Mentorship and Contempt)

## **PROBATION DEPARTMENT RESPONSIBILITIES FOR TRUANT YOUTH**

The Clark County Juvenile Court has a multifaceted mandate to work with the youth of Clark County. This mandate includes truant youth. In responding to truant youth, the Court must take into account the immediate and long-term safety and well-being of the youth and of the community. The Clark County Juvenile Court is committed to Balanced and Restorative Justice. A restorative response to truancy requires the community, through its courts and educational systems, to recognize the obstacles that prevent a youth from being successful and create an appropriate level of support for that youth to build competency and become successful.

The Clark County Juvenile Court submits that the use of detention in and of itself, as a consequence of truancy, will not address the youth's issues that may contribute to truancy. Our experience tells us that prevention/intervention with youth and families involving community resources will give the best possible chance for positive results. Therefore the Juvenile Court will seek evaluation where appropriate, and provide recommendations and supervision of youth found to be truant, placed on an Intervention Order and referred to the Truancy Probation Counselor for further supervision.

The Clark County Juvenile Court will take an active role in assisting school districts through the court process and paperwork, supporting the Truancy Project in their activities with the youth and collaborating in the Workshop process.

## **REFERRAL TO THE TRUANCY PROBATION COUNSELOR**

If the School District wishes the Juvenile Court to assume supervision they will make a referral which should include the Clark County Juvenile Court Truancy Intervention Referral Form, the youth's most recent attendance, credit and discipline records, and the exit summary from the truancy project if applicable. The case is then handed off for Juvenile Court intervention/case management. Districts however continue to provide attendance records to Juvenile Court staff supervising the youth. A referral to the Juvenile Court for supervision can happen any time after an Intervention Order is authorized.

## **ROLE OF THE PROBATION COUNSELOR**

- The Truancy Probation Counselor will receive referrals from the School Districts on youth that have active Intervention Orders and are not responding to services provided thus far.
- Probation Counselor meets with youth and parent for interview re family/youth history, obtains education assessments and releases of information, and gathers information from other agencies involved in the family.

- If drug/alcohol concerns, mental health issues, or family issues are found, the Probation Counselor will provide referrals to appropriate resources and evaluation services for the youth and family.
- Probation Counselor will provide case management services and meet with youth and family to assist in re-engagement into school.
- During the court supervision period, non-compliant behavior will be addressed by the Probation Counselor and may result in further Court appearances.
- Once referred to the Juvenile Court, Intervention Orders can be supervised for the duration of the order. Intervention Orders on Truancy Petitions remain in effect until the youth is 18 years of age or graduates or achieves a GED. Intervention Orders could be dismissed if a youth is doing well at school.
- The court will review violations before further detention or intervention is instituted. The court will consider graduated sanctions.

Under the guidance of the Truancy Probation Counselor the Tracker/Intern/Mentor will:

- Track truancy intervention orders that have been referred to the Juvenile Court.
- Meet with youth, school and family on a regular basis to monitor attendance and establish a relationship with the youth in order to work toward re-engagement with school.
- Communicate with the Truancy Probation Counselor regarding of the youth's performance, especially in regard to non-compliant behavior.
- Have in place referrals to CDAC, DCFS and evaluation services for the youth and family to complete as part the plan where D/A, mental health, of family issues are discovered.

## **TRUANTS AND CRIMINAL CONDUCT**

- If a truant youth moves from a stay order or intervention order to community supervision (probation) the truancy order may be dismissed. This is dependent on the youth's age and the length of community supervision. In such cases, the Probation Counselor will notify the school district of the youth's status. School attendance issues are monitored as part of the youth's community supervision order.
- In cases where the youth is given a short term of community supervision, or is very young, the Intervention Order will remain in effect. The Probation Counselor will monitor and address the youth's attendance while they are under community supervision. When the youth is discharged from community supervision, the Probation Counselor will notify the school district.

**\*\*Note:** When a youth enters a diversion contract, the Intervention Order remains in place. The youth's attendance should continue to be monitored by the school district or Truancy Probation Counselor as diversion contracts are short term interventions and do not address truancy concerns.

## CONTEMPT PROCEDURE

Contempt proceedings are considered a last resort for youth. Studies show that contact with the Court system can increase a youths risk to offend criminally. When all attempts to engage a youth have failed and it is determined that a youth's refusal to attend school is a "will" issue and not a "skill" problem, contempt paperwork can be filed. The Juvenile Court will collaborate with the School District on this process to make sure that no options have been missed.

The School District Representative will be responsible for filing a Motion to Set Show Cause Hearing and Order to Set Show Cause Hearing-contempt (11 and 12) The Truancy Probation Counselor will file them with the court and send appropriate notice to the youth and family. A Truancy Contempt Order (13) will be prepared for Court also. The Truancy Probation Counselor will also notify attorneys of potential assignments and dates of court.

See Step 5 under School District Level for more information on the Contempt Process.

## **Chapter 28A.225 RCW    COMPULSORY SCHOOL ATTENDANCE AND ADMISSION**

### **RCW Sections**

- [28A.225.005](#) Compulsory education, requirements -- Informing students and parents annually.
- [28A.225.010](#) Attendance mandatory -- Age -- Exceptions.
- [28A.225.015](#) Attendance mandatory -- Six or seven year olds -- Unexcused absences -- Petition.
- [28A.225.020](#) School's duties upon child's failure to attend school.
- [28A.225.025](#) Community truancy boards.
- [28A.225.030](#) Petition to juvenile court for violations by a parent or child -- School district responsibilities.
- [28A.225.031](#) Alcohol or controlled substances testing -- Authority to order.
- [28A.225.035](#) Petition to juvenile court -- Contents -- Court action -- Referral to community truancy board -- Transfer of jurisdiction upon relocation.
- [28A.225.055](#) Excused absences -- Search and rescue activities.
- [28A.225.060](#) Custody and disposition of child absent from school without excuse.
- [28A.225.080](#) Employment permits.
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