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615 2nd Ave, Ste 275, Seattle, WA 98104
206.696.7503 | supportccyj@ccyj.org | www.ccyj.org

Washington State Truancy Benchbook

April 2014



Hannah Gold, JD, MS
Project Manager, Center for Children & Youth Justice

Rebecca Yates
Intern, Center for Children & Youth Justice,

With assistance from Sarah Ganzhorn
Project Assistant, Center for Children & Youth Justice

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Introduction

In 1995 the Washington State Legislature provided parents with tools to assist in the raising and educating of their children. These laws, created in response to the murder of 12-year-old truant and runaway Becca Hedman, are referred to as the “Becca laws” or “Becca.” The laws created mechanisms to provide interventions for truant and at-risk youth. The Becca laws also require schools to take proactive steps to keep children in school and to file truancy petitions if the school’s interventions fail. Interestingly, the legislature placed the courts in the position of analyzing a child’s needs, reinforcing parental interventions and prescribing further interventions or sanctions as needed.

In the early days, the courts turned to contempt and detention to force children to attend school and follow parental instructions. As the initial flood of cases came into the court, judicial officers struggled to find a way to effectively and quickly address the issues they were seeing in these young lives. Over time it became clear that the issues impacting the children and families covered by the Becca law ran the gamut from very simple scheduling concerns to child and/or parent substance abuse, child and/or parent mental health problems, bullying at school, learning disabilities or a myriad of consequences of poverty.

We learned that truancy was most often the red flag indicating very complex issues in families and children’s lives. We learned that the standard judicial tools of contempt and detention had limited impact on addressing the issues which were causing the behaviors. We learned that the court needed to order services and interventions that actually responded to the needs of the family and had a positive impact on the behavior of the parties. We learned that detention is not the first or the best answer.

This Benchbook is a compilation of the learning since Becca was passed, with a focus on truancy. The Benchbook is designed to assist judicial officers, court personnel, and practitioners to better address the issues faced by the Becca population. The Benchbook covers changes in the law, as well as a societal shift towards upstream, less punitive interventions with a clearer focus on getting students back in school and keeping them out of court.

As you use this Benchbook please spend time on the sections devoted to the underlying causes of truancy and on the various and appropriate interventions available. Use this Benchbook as a tool to start discussions with your peers across the state, your community and your staff members.

We have learned a lot over the years. Our children deserve the best we know how to give.

Patricia Clark
King County Superior Court Judge (ret.)

Preface

Rebecca “Becca” Hedman, after running away from her home, crisis centers and drug treatment programs, was turned to prostitution and, at age thirteen, was murdered by a man who had paid her for sex.¹ Years later, her history continues to haunt judicial officers and youth advocates alike in Washington years later because her death represents the failure of the services and interventions designed to protect vulnerable youth. Motivated by Becca Hedman’s story, the Washington State Legislature passed the “Becca Bill” in 1995.²

The Becca Laws are Washington’s procedures for serving truant students, at-risk youth, and children in need of services. The Becca Laws provide courts and families with authority to link schools and courts in a common responsibility to serve at-risk youth.³ The truancy laws prescribe the various steps schools and courts must take to attempt to stop or prevent truancy before it leads to greater problems. The law links courts and schools in a common responsibility to ensure that Washington’s constitutional duty “to make ample provision for the education of all children residing within its borders” is fulfilled.⁴

Purpose & Structure

Purpose:

The purpose of this Benchbook is to provide both new and experienced judicial officers with information and resources as they work with youth, families and schools in the courtroom. Because of the great diversity across Washington State in the methods of conducting truancy proceedings and the availability of youth services and other programs, the Truancy Benchbook is meant to be illustrative, not exhaustive.

Structure:

The Truancy Benchbook is divided into four sections: Law & Proceedings, Practice Tips, Common Barriers to School Attendance, and Resources by County. The Law & Proceedings section includes a summary of Washington truancy laws and a description of the stages of the truancy process. The Practice Tips section includes information on interacting with youth and families, a sample truancy colloquy, and suggested interventions and sanctions. The section entitled Barriers to School Attendance identifies some common reasons why a student may not be attending school, ways to identify barriers, suggested interventions and resources with which to respond. The Resources section is comprised of examples of services available across Washington State relevant to youth in truancy proceedings and also of the varying approaches Washington jurisdictions are taking to work with truant youth.

All websites and email addresses listed in the electronic version of the Truancy Benchbook are hyperlinked. By holding the Ctrl button and clicking on the link your internet browser will open and take you directly to the website or your email program.

¹ Kery Murakami, *Would ‘Becca Bill’ Have Saved Becca*, The Seattle Times, Jun. 23, 1995, <http://community.seattletimes.nwsourc.com/archive/?date=19950623&slug=2127830>.

² *Id.*

³ *Id.*; RCW 28A.225 et seq.

⁴ Wash. Const. Art. IX §1.

Effective Date:

The statutes, rules, and case law in the Truancy Benchbook are accurate as of December 2013. The reader is advised to check for amendments or other changes in law and policy after that time.

Acknowledgements

The Center for Children & Youth Justice would like to thank the John D. and Catherine T. MacArthur Foundation's Models for Change for financial support, without which the creation of the Truancy Benchbook would not be possible. A special thanks to the Washington Models for Change Judicial Advisory Council whose members were kind enough to give detailed edits on multiple drafts of this document. Thank you to the Superior Court Judges Association Family and Juvenile Law Committee for their input. Thank you to the Washington Association of Juvenile Court Administrators for their feedback, as well as the many Juvenile Court Administrators throughout the state who shared their resource information with us. A special thanks to King County Commissioner Jacqueline Jeske, University of Washington School of Law Court Improvement Training Academy, TeamChild and the ACLU of Washington Foundation, and the Washington State Becca Task Force for allowing us to use and adapt their work.

Law & Proceedings

Summary of Truancy Laws⁵

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⁵ Content for this section was adapted from the University of Washington, Court Improvement Training Academy's Washington State Juvenile Nonoffender Benchbook chapter on Truancy. The original summary was written by Renee Morioka and updated by Meghann McCann in 2011. The full benchbook is available at www.uwcita.org/juvenile-nonoffender-benchbook.html.

1. Definitions

- **Parent** – A parent means a parent, guardian, or person having legal custody of the child.⁶
- **Home-Based Schooling** - Instruction is “homebased” if it consists of planned and supervised instructional and related educational activities that includes a curriculum and instruction in the basic skills and subjects, and only if the instruction is provided for the appropriate amount of hours by a sufficiently qualified parent or a parent supervised by a certificated person.⁷
- **Unexcused Absence** – An unexcused absence means that a child (1) has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy; and (2) has failed to meet the school district’s policy for excused absences.⁸
Washington recognizes the following as valid excuses for school absence: (1) Participation in a district or school approved activity or instructional program; (2) Illness, health condition or medical appointment for the student or person for whom the student is legally responsible; (3) Family emergency; (4) Religious or cultural purpose; (5) Court, judicial proceeding, or serving on a jury; (6) Post-secondary, technical school or apprenticeship program visitation, or scholarship interview; (7) State-recognized search and rescue activities; (8) Absence directly related to the student's homeless status; (9) Absences related to deployment activities of a parent or legal guardian who is an active duty member; (10) Absence resulting from a disciplinary/corrective action; and (11) Principal (or designee) and parent, guardian, or emancipated youth mutually agreed upon approved activity.⁹
- **Community Truancy Board** – A community truancy board is composed of members of the local community in which the child attends school. Juvenile courts may establish and operate community truancy boards.

2. Mandatory Attendance by Age and Exceptions

2.1 Children aged eight through 17

Children aged eight until 18 must, on a full-time basis, attend the public school within the district where he or she resides.¹⁰ Parents have equal responsibility for ensuring their child’s school attendance.¹¹ Full-time attendance is mandatory unless the following circumstances exist:

- (1) The child is attending an approved private school for the same time or is enrolled in an extension program;¹²
- (2) The child is receiving home-based instruction; or
- (3) The child is attending an education center;¹³ or

⁶ RCW 28A.225.010(2).

⁷ See RCW 28A.195.010; see RCW 28A.225.010(4)(a)–(c) for additional details.

⁸ RCW 28A.225.020(2).

⁹ WAC 392-400-325

¹⁰ RCW 28A.225.010(1).

¹¹ *Id.*

¹² RCW 28A.195.010(4); See RCW 28A.225.010(3); RCW 28A.305.130(5).

¹³ As provided in RCW 28A.205.

- (4) The school district superintendent of the district in which the child resides has excused the child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the Department of Social and Health Services (DSHS), is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent; or
- (5) The child is 16 years of age or older and (i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated; (ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or (iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education.¹⁴

2.2 Children aged six through seven

Children aged six to seven are not required to enroll in school. If parents of children aged six to seven choose to enroll their children in a public school, they are subject to truancy and compulsory attendance requirements.¹⁵ These requirements are inapplicable once a parent formally withdraws that child from school—so long as the child is currently less than eight years old, and there is no pending truancy petition against the parent and/or child.¹⁶

3. School's Duties upon Failed Attendance¹⁷ *(See Truancy Process Flowchart)*

3.1 First unexcused absence in one month

Inform the child's custodial parent, parents, or guardian by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence. School officials shall inform the parent of the potential consequences of additional unexcused absences. If the custodial parent, parents, or guardian is not fluent in English, the preferred practice is to provide this information in a language in which the custodial parent, parents, or guardian is fluent.¹⁸

3.2 Second unexcused absence in one month

The school must schedule a conference with the parent and child at a reasonably convenient time to analyze the causes of the child's absences. This may take place during a parent-teacher conference if the parent-teacher conference is scheduled to occur within 30 days of the second unexcused absence.¹⁹ If the youth is aged eight through 17, the conference may occur without the parent's presence if the parent fails to attend, but the parent must be notified of the steps to be taken to eliminate or reduce the child's absences.²⁰ However, if the child is six or seven, these conferences may *not* take place in the parent's absence. The statute does not provide direction as to the school district's responsibility if the parent does not appear.

¹⁴ See RCW 28A.225.010(1)(a)–(e); RCW 28A.305.190.

¹⁵ RCW 28A.225.015.

¹⁶ *Id.*; RCW 28A.225.035.

¹⁷ RCW 28A.225.020.

¹⁸ RCW 28A.225.020(1)(a).

¹⁹ *Id.* at (b).

²⁰ *Id.* at (c).

The school must also take steps to eliminate or reduce the child's absences which, if appropriate, shall include adjusting the child's school program assignments, providing more individualized or remedial instruction, offering assistance in enrolling the child in available alternative schools or programs, or assisting the parent or child to obtain supplementary services that may help eliminate or ameliorate the cause or causes for the absence from school.²¹

3.3 Fifth through sixth unexcused absence in one month

No later than the fifth unexcused absence in one month, the school district must:²²

- (1) Enter into an agreement with a student and parent that establishes school attendance requirements;
- (2) Refer a student to a community truancy board, if available. The community truancy board must enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or
- (3) File a truancy petition.

3.4 Seventh unexcused absence in one month and/or tenth unexcused absence of school year

If previous actions taken by a school district have not been successful in substantially reducing the child's absences, the school district is required to file a truancy petition not later than the seventh unexcused absence in one month or not later than the tenth unexcused absence during the current school year.²³

3.5 School transfers do not provide exceptions

"If a child transfers from one school district to another during the school year, the receiving school or school district shall include the unexcused absences accumulated at the previous school or from the previous school district for purposes of this section."²⁴

4. Truancy Petitions

4.1 Failure to file a petition

If the school district fails to file a petition under this section, the parent of a child with five or more unexcused absences in any month during the current school year or upon the tenth unexcused absence during the current school year may file a petition with the juvenile court alleging a violation.²⁵

4.2 Contents of the truancy petition *(See Preliminary Hearing)*

Truancy petitions must allege the following:²⁶

- The child has unexcused absences during the current school year;

²¹ *Id.*

²² RCW 28A.225.030(2).

²³ *Id.* at (1).

²⁴ RCW 28A.225.020(3).

²⁵ RCW 28A.225.030(1).

²⁶ RCW 28A.225.035(1)–(2).

- Actions taken by the school district have not been successful in substantially reducing the child’s absences from school; and
- Court intervention and supervision are necessary to assist the school district or parent to reduce the child’s absences from school.

The petition must also include the facts that support these allegations. The request for relief should specify what interventions the court might order.²⁷ The petition shall set forth the name, date of birth, school, address, gender, race, and ethnicity of the child and the names and addresses of the child’s parents, and shall set forth whether the child and parent are fluent in English, whether there is an existing individualized education program, and the child’s current academic status.²⁸

4.3 Notice/service of petition

The school district may serve petitions upon the parents and/or child by certified mail, return receipt requested. If such service is unsuccessful, or if the receipt is not signed by the addressee, then personal service is required.²⁹

4.4 Court’s responsibilities upon filing a petition

When a truancy petition is filed, the juvenile court must schedule a hearing on the petition. In the alternative, if the court determines that a referral to an available community truancy board would substantially reduce the child’s unexcused absences, the court may refer the case to a community truancy board under the jurisdiction of the juvenile court.³⁰ (*See Post-Filing Diversions*)

If a truancy hearing is scheduled before the court, the court shall separately notify the child, the parent of the child, and the school district of the hearing. If the parent is not fluent in English, the preferred practice is for notice to be provided in a language in which the parent is fluent.³¹ (See Language & Cultural Barriers) Second, the court must notify the parent and the child of their rights to present evidence at the hearing and notify the parent and the child of the options and rights available under the Family Reconciliation Act.³² (*See At-Risk Youth & Child in Need of Services*)

4.5 Referral to a community truancy board.

If a referral is made to a community truancy board, the truancy board must meet with the child, a parent, and the school district representative and enter into an agreement with the petitioner and respondent regarding expectations and any actions necessary to address the child’s truancy within 20 days of the referral.³³

If the child is six or seven years old, the child shall not be required to attend the meeting, and the agreement will only be between the truancy board, the school district, and the parent. The court may permit the truancy board or truancy prevention counselor to provide continued supervision over the student, or parent if the

²⁷ See RCW 28A.225.090.

²⁸ RCW 28A.225.035(1)–(2).

²⁹ RCW 28A.225.030(5).

³⁰ RCW 28A.225.035(4).

³¹ *Id.* at (7)(a)(i).

³² *Id.* at (7)–(9).; See RCW 13.32A.

³³ RCW 28A.225.035(5).

student is age six or seven.³⁴

If the truancy board fails to reach an agreement or the parent or student does not comply with the agreement, the truancy board shall return the case to the juvenile court for a hearing.³⁵

4.6 Student's required attendance at initial hearing and consequences for failure to appear

The court may require the attendance of the child (if he or she is eight-years-old or older), the parents, and the school district at any hearing on a truancy petition.³⁶ If the student does not appear for this initial hearing, the court may not issue a bench warrant but may enter an order of default and assume jurisdiction.³⁷ The school district is responsible for determining who shall represent the school district at hearings at a truancy petition.³⁸

4.7 Student's Right to Counsel

Youth are not entitled to an attorney or a guardian ad litem for the first truancy hearing by the Washington constitution or by statute.³⁹ However, if a hearing occurs in which a student is not represented by counsel, the court shall advise the student of his or her rights by means of a colloquy between the court and the child (if he or she is eight-years-old or older), and the parent.⁴⁰

At the request of the school district, a school district representative who is not an attorney shall be allowed to represent the school district at any future hearings.⁴¹

4.8 Burden of proof, jurisdiction timeline, and transfer of jurisdiction to another county

Burden of proof and basis to grant the school district's petition

If the allegations in the petition are established by a preponderance of the evidence, the court must grant the petition. The court then enters an order assuming jurisdiction to intervene for a period of time it determines will most likely cause the juvenile to return to and remain in school while subject to truancy proceedings.⁴²

- Jurisdiction timeline:
The time period should be based on the facts alleged in the petition and the circumstances of the juvenile. In no case can the order expire before the end of the school year in which it is entered.⁴³
- Relocation to another county:
If the juvenile court assumes jurisdiction in one county and the child then relocates to another county, the juvenile court in the receiving county shall, upon the request of a school district or parent, assume jurisdiction of the petition filed in the previous county.⁴⁴

³⁴ *Id.*

³⁵ *Id.* at (6).

³⁶ *Id.* at (8)(a).

³⁷ *Id.* at (8)(b).

³⁸ *Id.* at (9).

³⁹ *Bellevue Sch. Dist. v. E.S.*, 171 Wn .2d 695, 714 (2011); RCW 28A.225.035(10).

⁴⁰ RCW 28A.225.035 (7)(b).

⁴¹ *Id.* at (10).

⁴² *Id.* at (12).

⁴³ *Id.*

⁴⁴ *Id.* at (15).

5. Truancy Jurisdiction

5.1 Report of student's progress and subsequent/additional violations mandated

If the court assumes jurisdiction by finding a child truant, the school district must periodically report to the court any additional unexcused absences by the child, what actions the school district has taken, and an update on the child's academic status. The court must receive the first of these reports from the school district no later than three months from the date it assumed jurisdiction.⁴⁵ (*See Progress Report*)

5.2 Scope of Court's Authority

A court may order a child subject to a petition to do one or more of the following:⁴⁶

- (1) Attend his or her current school. Minimum attendance requirements may also be set forth, counting absences due to suspensions as unexcused;
- (2) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, a skill center, dropout prevention program, or another public educational program;
- (3) Attend a private nonsectarian school or program including an education center.
- (4) Be referred to a community truancy board, if available; or
- (5) Submit to testing for the use of controlled substances or alcohol based on a determination that such testing is appropriate to the circumstances and behavior of the child and will facilitate the child's compliance with the mandatory attendance law. If any test ordered under this subsection indicates the use of controlled substances or alcohol, the minor may be ordered to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the drug assessment at no expense to the school.

6. Contempt (*See Contempt Hearing and Detention*)

Issues of civil contempt are complicated. The court should undertake a review of applicable current court decisions prior to issuing orders of contempt and imposing sanctions.⁴⁷

6.1 Child's failure to comply with court order

If the child fails to comply with the court order or continues to be truant after entering into an order with the truancy board, the court may order the child to be subject to up to seven days of detention, as a remedial sanction, or may impose alternatives to detention such as community restitution.⁴⁸ Detention cannot be ordered for a period greater than that permitted pursuant to a civil contempt proceeding against a child under

⁴⁵ *Id.* at (13).

⁴⁶ RCW 28A.225.090(1).

⁴⁷ See the benchbook entitled *Indirect Contempt: Remedial Sanctions*, Commissioner Bart Vandegrift, Chelan County Superior Court (last updated August, 2013).

⁴⁸ RCW 28A.225.090(2), (4).

the Family Reconciliation Act, allowing no more than 7 days of detention to be ordered per finding of contempt.⁴⁹ (*See Detention*)

When detention or an alternative to secure detention such as electronic home monitoring is ordered, the court must also provide a purge condition that the child is able to complete on his or her own.⁵⁰ (*See Detention, Contempt Hearing, or Purge Hearing*)

None of the above court actions are applicable to children ages six through seven who otherwise must satisfy the compulsory attendance law.⁵¹

6.2 Parent's failure to comply with court order

Parents whose children violate either the compulsory attendance laws or unlawfully work during public school hours may be fined not more than twenty-five dollars for each day of unexcused absence from school.⁵² The court shall remit 50 percent of the fine collected under this section to the child's school district.⁵³

For parents petitioned with allowing their child aged eight through seventeen to miss school, it is a defense to show that they exercised reasonable diligence in attempting to cause a child in their custody to attend school or that the child's school did not perform its duties to intervene and assist the family as required by law.⁵⁴

The court may order the parent to provide community restitution instead of imposing a fine.⁵⁵ Any fine imposed pursuant to this section may be suspended upon the condition that the parent participates with the school and the child in a supervised plan for the child's attendance at school or upon condition that the parent attends a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.⁵⁶

⁴⁹ *Id.*; *See* RCW 7.21.030(2)(e); *See* RCW 13.32A.

⁵⁰ *In re M.B.*, 101 Wash. App. 425, 438-462 (2000).

⁵¹ RCW 28A.225.090(5).

⁵² I.e. parents who violate RCW 28A.225.010, RCW 28A.225.015, or RCW 28A.225.080.

⁵³ RCW 28A.225.090(3).

⁵⁴ *Id.*; *See* RCW 28A.225.020.

⁵⁵ *See* the benchbook entitled *Indirect Contempt: Remedial Sanctions*, Commissioner Bart Vandegrift, Chelan County Superior Court (last updated August, 2013) for legal analysis of these sanctions.

⁵⁶ RCW 28A.225.090(3).

TRUANCY PROCESS FLOWCHART

SCHOOL DISTRICT INTERVENTIONS

ONE UNEXCUSED
ABSENCE

NOTICE TO PARENT
School must notify parent or guardian in writing or by phone of the unexcused absence and the consequences for further absences. RCW 28A.225.020

2 OR MORE UNEXCUSED
ABSENCES IN A MONTH

CONFERENCE WITH PARENT & CHILD
School must schedule a meeting with the parent or guardian and child to analyze the reasons for absences. School must take steps to eliminate or reduce the child's absences. RCW 28A.225.020

NO LATER THAN THE
5TH UNEXCUSED
ABSENCE IN A MONTH

AGREEMENT WITH PARENT
School must enter into an agreement with the student and parent that establishes school attendance requirements. School *may* refer the student to a community truancy board or file a petition in juvenile court. RCW 28A.225.020

7TH UNEXCUSED
ABSENCE IN A MONTH
OR 10TH IN A SCHOOL
YEAR

FILE A PETITION IN JUVENILE COURT
If the steps taken by the school are not successful in substantially reducing the child's absences, the district must file a truancy petition in juvenile court. RCW 28A.225.030(1)

DURING THIS TIME, THE SCHOOL MUST TAKE STEPS TO ELIMINATE OR REDUCE THE ABSENCES, INCLUDING:

- Adjusting the school program or assignments,
- Providing individualized or remedial instruction,
- Providing appropriate vocational courses or work experience,
- Referring child to community truancy board,
- Requiring attendance at an alternative school or program, or
- Assisting parent or child to obtain supplementary services

JUVENILE COURT PROCESS

JUVENILE COURT PROCESS

NOTICE OF PETITION & SUMMONS FOR COURT

School district should serve notice of petition and summons to appear at a court. RCW 28A.225.035

TRUANCY FACT FINDING

District must prove by a preponderance of evidence that 1) the student had the unexcused absences, 2) steps taken by the district did not substantially reduce the absences, and 3) that court intervention is necessary to assist the school. RCW 28A.225.035(1),(12)

ORDER OF TRUANCY

Court may enter an order directing the student to attend school or an order may be entered in default or by agreement of the district, student, and/or parent without a hearing. RCW 28A.225.035(8)(b),(12)

PROGRESS REPORT / REVIEW HEARING

Within 3 months of the court assuming jurisdiction, the school district must file a progress report updating the court re: any further absences, the student's academic status, and steps the school has taken. RCW 28A.225.035(13)(a)
The court may hold any review hearings it feels necessary before dismissing the case.

DISMISSAL

The court's jurisdiction must continue at least until the end of the school year of filing but can be longer if the court deems necessary. RCW 28A.225.035(12).

CONTEMPT HEARING

District may seek contempt sanctions if student has additional unexcused absences or otherwise violates the court order. Because sanctions may include detention, youth are entitled to a lawyer. The court may not order detention without an opportunity to purge. RCW 28A.225.090(2); *In re M.B.*, 101 Wash. App. 425, 438-453 (2000); *Bellevue Sch. Dist. vs. E.S.*, 171 Wn.2d 695, 714 (2011).

PURGE HEARING

Purge requirements must be in the contemnor's current power to perform, must be within the court's authority to order and reasonably related to the cause or nature of the contempt. *In re M.B.*, 101 Wash. App. 425 (2000).

Preliminary Hearing

Agreed Order:

Many courts do not hold preliminary hearings if the parties sign an agreed order. However, if the court does hold a preliminary hearing, and the youth is not represented by counsel, the court needs to have a colloquy advising the youth and parents of their rights.⁵⁷ (*See Truancy Colloquy*)

An Agreed Order should contain:

- (1) Finding: The student has unexcused absences.
- (2) Finding: The school district's interventions have not been successful in substantially reducing absences.
- (3) Order compelling the student to go to school.
- (4) Any other orders the school district and student (and student's family have agreed to).
- (5) Dates of court's jurisdiction (must extend until at least the end of current school year).
- (6) Signatures of all the parties.

Contested Hearing:

- ✓ Has the court conducted a colloquy advising student and family of rights?
- ✓ Has the school district proved that there are too many absences?
- ✓ Has the school district proved that it took actions and those actions have failed?
- ✓ Has the school district proved that court intervention is necessary?

(1) The school district must prove by a preponderance of evidence that:⁵⁸

a) The student has at least 5 unexcused absences in a month or 10 in a school year.

i) There are 11 statewide excuses for absence from school:⁵⁹

- a) Participation in a district or school approved activity or instructional program;
- b) Illness, health condition or medical appointment the student or person for whom the student is legally responsible;
- c) Family emergency;
- d) Religious or cultural purpose;
- e) Court, judicial proceeding, or serving on a jury;
- f) Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
- g) State-recognized search and rescue activities consistent with RCW 28A.225.055;
- h) Absence directly related to the student's homeless status;
- i) Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;
- j) Absence resulting from a disciplinary/corrective action and
- k) Principal (or designee) and parent, guardian, or emancipated youth mutually agreed upon approved activity.

⁵⁷ RCW 28A.225.035(7)(b).

⁵⁸ Id. at (12).

⁵⁹ WAC 392-400-325.

- ii) The school principal (or designee) has the authority to determine if an absence meets the above criteria for an excused absence.⁶⁰
 - b) The school district's interventions have not been successful in substantially reducing absences.
 - i) The school district should have, before filing a petition, notified the family about the student's first unexcused absence, had a conference with the student and his or her family, and taken steps to reduce absences, including:⁶¹
 - (1) Adjusting the school program or assignments,
 - (2) Providing individualized or remedial instruction,
 - (3) Providing appropriate vocational courses or work experience,
 - (4) Referring child to community truancy board,
 - (5) Requiring attendance at an alternative school or program, or
 - (6) Assisting parent or child to obtain supplementary services.
 - c) Court intervention is necessary to assist the school district and the student (and his or her family) in reducing school absences.
- (2) The court must have an in court, or on the record, colloquy with the student and his or her family, advising them of their rights.⁶²
- (3) If the student is in a special education program or has a mental or emotional disorder, the court must inquire into what actions the school district has taken to assist the child.⁶³
- (4) If the student fails to appear at the preliminary hearing, the court may enter a default order but may not issue a bench warrant.⁶⁴ A colloquy advising the student of his or her rights must occur at the next hearing at which the student is present.

Orders & Interventions:

- At this stage, it is common simply to order the student to attend school.
- It may be necessary to set a realistic attendance goal, rather than a goal of perfect attendance.
- The court can also order school district to take specific actions that may be appropriate (e.g. provide better transportation).

The court may order: ⁶⁵

- The child to attend school (including minimum attendance requirements).
- Attend a different public school, an alternative education program, a center, a skill center, dropout prevention program, or another public educational program.
 - Resources like these are discussed in the *Resources* and *Barriers to School Attendance* sections
- The child to attend a nonsectarian private school under certain circumstances.
- The child to submit to drug or alcohol testing.

⁶⁰ *Id.*

⁶¹ RCW 28A.225.020(1).

⁶² RCW 28A.225.035 (7)(b).

⁶³ *Id.* at (11).

⁶⁴ *Id.* at (8)(b).

⁶⁵ RCW 28A.225.090(1).

Review Hearing

No Required Review Hearings:

There is no requirement to hold review hearings, although school districts must report back to the court about the student's progress and the court may hold contempt hearings if the child continues to be truant.⁶⁶ (*See Progress Report*)

Optional Review Hearings:

The following are some suggested times to hold a review hearing:

- Just before the court's jurisdiction expires
 - To make sure everything is in place for future success
- Just before the end of the school year
 - To check in on summer plans and see if any provisions for remedial work have been made
- A few weeks into a new school year (if the jurisdiction extends longer than the school year)
 - To make sure that the student is starting off on the right foot
- To verify enrollment in new school or alternative program

Suggestions for Praising Accomplishments:⁶⁷

It is important to recognize the positive steps a student has taken, not just focus on the ways he or she needs to improve.

- Praise improved attendance (even if it still is not perfect).
- Praise academic accomplishments.
- Praise accomplishments unrelated to school achievements, like getting a job or helping take care of a family member.
- Invite the school district representative and any family members present to tell the student what he or she has done well since the preliminary hearing.
- Create an award program like King County Prosecuting Attorney's Office's "Academic Awareness Awards" and nominate improved students.
- Give out certificates for accomplishments such as finishing a credit-retrieval program or increasing attendance by more than 50%.⁶⁸

Dismissal Procedures:

The court's jurisdiction over student must last at least until the end of the school year in which the petition was filed.⁶⁹ Once the court's jurisdiction expires, the court should dismiss the case.

⁶⁶ RCW 28A.225.035(13).

⁶⁷ *Id.*

⁶⁸ Suggested by Commissioner Jacqueline Jeske of King County.

⁶⁹ RCW 28A.225.035(12).

Progress Report

As of 2012, schools must periodically report to the court on the attendance records and academic progress of any truant students over whom the court has jurisdiction.⁷⁰ The modification in reporting procedures is part of a larger bill (SB 6496 2011-2012) that also modifies the required contents of the original petition and when the court could issue bench warrants for students who failed to appear at their hearings.⁷¹

Parties:

Once the court assumes jurisdiction, the school district must begin reporting to the court about the student's progress.

Timing:

The court must receive the first report no later than three months after the court assumes jurisdiction over the student. After that the school district must send reports periodically throughout the court's jurisdiction over the youth.

Content:

These reports must include:

- The student's academic status
- Any actions taken by the school district to improve the student's attendance.
- Whether the student has any additional unexcused absences

Sample:

Courts are responsible for creating their own version of the progress report. See the next page for a sample Progress Report Form developed by the Washington State Becca Task Force in accordance with the new legislation.⁷²

⁷⁰ RCW 28A.225.035 (13).

⁷¹ Substitute Senate Bill 6494, <http://apps.leg.wa.gov/documents/billdocs/2011-12/Pdf/Bills/Session%20Laws/Senate/6494-S.SL.pdf>.

⁷² Contact Hannah Gold at hgold@ccyj.org for an electronic copy.

SAMPLE

SUPERIOR COURT OF WASHINGTON FOR _____ COUNTY JUVENILE COURT DEPARTMENT

<p style="text-align: center;">_____ SCHOOL DISTRICT, Petitioner, v. _____ Student Respondent, (DOB _____) _____ Parent/guardian Respondent.</p>	<p>No. _____</p> <p style="text-align: center;">PROGRESS REPORT</p> <p>School Name: _____</p>
---	--

I. FINDINGS

(Check sections 1 or 2 below)

1.1 A Petition for an Order to Compel School Attendance was filed on ___/___/___ by the above- named school district against the above named Respondent(s). The matter was stayed until ___/___/___.

2.1 An Order to Compel school attendance was entered against the above-named respondent on ___/___/___.
Jurisdiction was assumed through ___/___/___.

3.1 Since then the following has occurred:

The student has been long-term suspended or expelled for the following dates ___/___/___ to ___/___/___.

The student has been withdrawn by parent school district for the following reason:

The student has had _____ unexcused absences out of _____ school days

The student's attendance has improved not improved

The student's academic performance has improved not improved

Other _____

4.1 Attendance records are attached

4.2 Semester transcript is attached

4.3 Quarterly grade report is attached (if available)

SAMPLE

5.1 Since the last hearing, the district/school has made the following effort to reduce this student's absences:

- | | |
|--|--|
| <input type="checkbox"/> adjusted schedule | <input type="checkbox"/> shortened day |
| <input type="checkbox"/> changed class assignment/teacher | <input type="checkbox"/> provided tutoring |
| <input type="checkbox"/> adjusted student's program | <input type="checkbox"/> offered special school district programs: |
| <input type="checkbox"/> course changes | <input type="checkbox"/> alternative school placement |
| <input type="checkbox"/> vocational classes | <input type="checkbox"/> retention & retrieval programs |
| <input type="checkbox"/> work experience | <input type="checkbox"/> school counseling |
| <input type="checkbox"/> arranged transportation changes | <input type="checkbox"/> other |
| <input type="checkbox"/> ESL evaluation and assessment undertaken | <input type="checkbox"/> provided individualized remedial instruction |
| <input type="checkbox"/> arranged for morning calls | <input type="checkbox"/> conducted home visits or conference |
| <input type="checkbox"/> referred the student to a community truancy board
(please attach a narrative statement on actions
taken by truancy board) | <input type="checkbox"/> contacted community agencies providing
repositioned staff to school districts or school
sites. Please list: _____ |
| <input type="checkbox"/> made a special education referral (Focus of
Concern): | <input type="checkbox"/> contacted the student's probation officer
(name of P.O.) _____ |
| <input type="checkbox"/> testing completed | <input type="checkbox"/> contacted local police department |
| <input type="checkbox"/> held Multi-Disciplinary Team Meeting | |
| <input type="checkbox"/> Comments: _____ | |

Signed this ____ day of 20__ in _____, WA.

Print name of person filing this form

Signature & Job Title

Address

City, State, ZIP

Telephone Number

(For Court Use Only) ORDER

The Court has determined:

- No further action
- The court orders this case to be reviewed on _____ at _____. Specifically the court will review

Dated: _____

Judge/Court Commissioner

Contempt Hearing

- ✓ Is the student represented by counsel?
- ✓ Is the student contesting being in contempt?
 - Did the school district prove an intentional violation?
 - Did the student fail to prove an inability to comply with the order?
- ✓ Is the student contesting the proposed sanction / purge condition?
 - Is the sanction / purge condition reasonably related to increasing attendance?
 - Is the student able to fully perform the sanction / purge condition?
 - Does the court have the power to order this sanction / purge condition?
- ✓ Have all other alternatives been exhausted before ordering detention?

Uncontested Hearing:

If the student does not contest the fact that he or she is in contempt and does not contest the proposed sanction, the court's main job is to make sure that the student:

- ✓ Understands the sanction
- ✓ Has everything he or she needs to complete the purge requirement, and
- ✓ Knows when to come back for a purge hearing.

Contested Hearing: ⁷³

- (1) If the student is contesting the underlying order:
 - a) If there was a default order because a student failed to appear, it may be invalid if notice was not proper.
 - b) An agreed order could be invalid if the student and family did not understand their rights.
- (2) If the student is contesting the hearing:
 - a) The hearing may have to be rescheduled if the student did not receive proper notice or did not have adequate time to prepare and consult with an attorney.
- (3) If the student is contesting being in contempt:
 - a) It is the school district's burden to prove by a preponderance of the evidence that the student intentionally violated the court order.
 - i.) All of the school district's evidence must conform to evidence rules.
 - b) If the school proves the violation, it is the student's burden to prove his or her inability to comply with the court order.
 - i.) If the student only failed to comply because of a lack of assistance from the school, the violation may not have been willful.
- (4) If the student is contesting the sanction:
 - a) Student's promise to comply in the future should be enough, unless it is "demonstrably unreliable."
 - b) All sanctions must be remedial, not punitive.
- (5) If the student is contesting the purge condition (or if the sanction *is* the purge condition):
 - a) The condition must be reasonably related to coercing compliance with the original order.
 - b) The student must be able to perform the condition without relying on another's action.
 - c) The court's orders must be within its powers. For example, the court cannot order a student to enter an inpatient drug treatment program or to take psychotropic medications.

⁷³ *Defending Youth in Truancy Proceedings: A Practice Manual for Attorneys* © ACLU of Washington Foundation and TeamChild September 2008, rev. October 2009, 52-53.

Purge Hearing

- ✓ What were the exact requirements of the purge conditions?
- ✓ Did the student do everything within his or her power to comply?
- ✓ If there was not *perfect* compliance, did the student substantially comply?
- ✓ Is the student represented by counsel?

School district and student agree that student **has** purged contempt:

- Court retains jurisdiction over the student but should find that the student has purged contempt.
- It may be appropriate to schedule a review hearing for this student in order to ensure that he or she continues on the right track.

School district and student agree that student **has not** purged contempt:

- The court can examine the purge conditions to see if they are appropriate and realistic.⁷⁴
- The court can make inquiries as to why the student failed to comply and see if there is anything the student needs in order to complete the purge condition (e.g. physical supplies or adult assistance).
- The court should explore other alternatives before using detention.⁷⁵

School district and student disagree about whether student's actions constitute a purge:

- The "court has discretion to determine whether the contemnor satisfied the purge condition, but the court must state its expectations with sufficient clarity to communicate what is required."⁷⁶
- The court can look at what the student **has** accomplished and determine if
 - It is a substantial improvement over previous behavior
 - The student is now on the right track to improve attendance
 - The student has taken other (not court-ordered) steps to remove barriers to education

School district and student disagree about whether the purge condition was appropriate.⁷⁷ Was it:

- Designed to serve remedial aims? Or directed at obtaining future compliance?
- Within the power of the child to fulfill (not dependent on a third party)?
 - e.g. Did the court order a child to *be accepted into* a program, not just *apply* to one?
- Reasonably related to the cause or nature of the child's contempt?
- Within the court's power to order?
 - The court can make *one* purge requirement something that the child may volunteer to fulfill (but which the court cannot order).
 - The court must also provide *an alternative* purge requirement which it does have the authority to order.

⁷⁴ See *In re M.B.*, 101 Wash. App. 425, 450 (2000).

⁷⁵ *Id.* at 439.

⁷⁶ *Id.* at 462.

⁷⁷ *Id.* at 438-462.

Detention

Detention is only appropriate if:

- ✓ Alternatives are not available.
- ✓ Prior purge sanctions have failed.
- ✓ It is a coercive sanction, not a punishment.
- ✓ The sentence is 7 days or fewer.
- ✓ Reasonably related purge condition established.
- ✓ The child is able to perform the purge condition.

No Detention:

- ✗ For children aged 6 or 7.
- ✗ At a preliminary hearing.
- ✗ For failure to appear at a preliminary hearing.
- ✗ For failure to appear at a non-contempt review hearing

If Ordering Detention as a Civil Sanction for Contempt:⁷⁸

- The child's promise to comply must be demonstrably unreliable and no "alternatives [to detention] appear available."
- Detention must be a remedial sanction or coercive tool, not a punishment, or else it will be considered criminal and the contemnor will be entitled to full criminal due process.
- The maximum sentence is 7 days.⁷⁹
 - Unless the court uses its "inherent contempt power" but then it must
 - Make specific findings why all statutory powers are inadequate.⁸⁰
 - Articulate a reason why the specific sentence will be effective.⁸¹
 - Courts may not aggregate detention sanctions. The maximum is 7 days per finding of contempt, not 7 days per violation.⁸²
- The court must also give a purge condition which must be:
 - Designed to serve remedial aims. That is, it must be directed at obtaining future compliance.
 - Within the power of the child to fulfill (not dependent on a third party).
 - e.g. The court can order a child to *apply* to a program, but not to be *accepted* into a program.
 - Reasonably related to the cause or nature of the child's contempt.
- The purge condition must be within the court's power to order.
 - The court can make *one* purge requirement something that the child may volunteer to fulfill (but which the court cannot order)
 - e.g. entering a drug treatment program
 - It must also provide *an alternative* purge requirement which it does have the authority to order
- A detained youth should have the opportunity to fulfill a purge condition by the next available hearing day.⁸³

⁷⁸ Unless otherwise noted, the source for this material is *In re M.B.*, 101 Wash. App. 425, 438-462 (2000).

⁷⁹ RCW 28A.225.090(2).

⁸⁰ *In re Dependency of A.K.*, 162 Wn.2d 632 (Wash. 2007).

⁸¹ See *In re Silva*, 166 Wn. 2d 133 (2009).

⁸² *In re N.M.*, 102 Wash. App. 537, 543-45 (2000).

⁸³ *In re M.B.*, 101 Wash. App. 425 (2000).

- The court must release the child upon performance of purge requirement.

Information on Juvenile Detention for Youth and Family:

Make sure that youth and family know:

- Contact information for detention facility, including:
 - Address
 - Telephone Number
 - Telephone Policies
 - Mail Policies
 - Visiting Hours & Policies
- Length of Stay & Release Date (if not released early because of completed purge).
- Why the child is being sent to detention.

Make sure that the youth and family:

- Understand the requirements of the purge condition(s).
- Have all necessary supplies to perform purge condition.
- Know the next possible day to have the judicial officer review whether the student has purged contempt.

Practice Tips

Interacting with Youth & Families

General Advice:⁸⁴

- Explain who you are, and what your role is.
- Be willing to share some of your own story.
- Show interest in what the youth is interested in.
- Keep your tone and body language respectful.
- Respond to the youth's strengths.
- Follow the youth's lead.
- Ask open-ended questions.
- Ask for clarification if you don't understand.
- Avoid letting yourself be influenced by stereotypes.
- Empathize / Try standing in the youth's shoes.
- Make sure that you explain any "legalese" or court terms.

Questions to Ask the Student:⁸⁵

- Is this attendance record correct?
- There must be something that makes you not go to school- what is it?
- Are there any teachers or classes at school you really like?
- What's worked well for you in the past (to get you to go to school / when you've succeeded at school)?
- Is there anything you want me to know?
- What would make it easier for you?
- How could we help you?
- What are you good at?
- Tell me about something you've done that you're proud of.

Things to Avoid:

- Try not to blame or accuse youth.
 - It may be important for the student to take responsibility for his or her actions, but it may be better to do so in a forward-looking way rather than a backward looking way (e.g.):
 - Whose job is it to make sure you go to school next week?
 - Not: Whose fault is it that you haven't been going to school?

⁸⁴ This advice is adapted from Mod. 5 National Juvenile Defender Center, Juvenile Law Center *A Juvenile Court Training Curriculum – Module 5: Communicating with Youth: Interviews and Colloquies* (2009).

⁸⁵ These are directed at the student, as written, but can be adapted for speaking with the student's family.

- Be sensitive and discreet when asking about substance abuse, medical problems, domestic violence, trauma, or criminal activity. (*See Trauma or Adverse Childhood Experiences and Substance Abuse & Chemical Dependency*)
 - The youth may not understand that everything is on the public record or may not understand the consequences of making that information public.
 - If the youth or a family member *volunteers* this kind of information, try to balance privacy concerns with making the speaker felt heard.
- Don't criticize the student's family.
 - An unstable home life may cause or contribute to a youth's struggles with truancy, but he or she may not see it that way, or may see it, but still be protective of his or her family.
- Avoid lecturing the student or the family.
 - A youth may get distracted, confused, or defensive during a lecture, and stop paying attention or "check out."
 - Try to make any lessons or points into a dialogue; it can help to keep the youth engaged in the proceedings.
- Do not make assumptions about sexuality or sexual identity. Avoid hetero-normative questioning (e.g. don't always ask girls if they have boyfriends). (*See Sexual Orientation & Gender Identity*)
- Avoid cultural stereotypes but be sensitive to cultural differences. (*See Language & Cultural Barriers*)

Working with Youth Who Have Experienced Trauma⁸⁶

- The very act of describing past adverse experiences may be a trigger for victims of trauma, so only introduce the topic if it is really necessary.
- All conversations with youth who have experienced trauma may require caution because the youth:
 - May be less willing to trust adults.
 - May not have had adequate counseling or treatment.
 - May not be able to explain or control behavior easily.

⁸⁶ See *Trauma or Adverse Childhood Experiences* for more information.

Post-Filing Diversions

The legislation specifies that the use of post-filing diversions is preferred over sending youth directly to court.⁸⁷ The following are some examples of these types of diversions operating throughout Washington State. (See *Resources by County for additional diversion programs*)

Community Truancy Boards (CTBs):

- a) The court stays the truancy petition and refers the student to a CTB.
- b) The CTB is composed of members from the community in which the student attends school, often including youth service providers, educators and administrators.
- c) The CTB hears from the parent, student, and school personnel.
- d) The CTB decides what actions or interventions to recommend in order to keep the student in school and out of court.
- e) CTBs are currently in use in many districts.⁸⁸

School Engagement Workshops:

- a) The Court stays the truancy petition and refers the student and family to the workshop.
- b) The student and family learn about school attendance laws and meet with school representatives to discuss barriers to school attendance and possible solutions.
- c) School engagement workshops are currently in use in King County.

PathNet Initiatives:⁸⁹

- a) PathNet is a model for several programs, including some post-filing diversion initiatives used with juvenile offenders. The four cornerstones of any PathNet initiative are strength-based assessments, a youth-driven plan, a care manager, and connectivity.
- b) Sample programs include:
 - i.) PathNet Pilot Project in King County Juvenile Courts.
 - ii.) Avanza: a school reengagement program for Latino students focusing on both education and employment (King County)
 - iii.) GED*plus*: a route to employability for students who have dropped out of high school. (King County)
 - iv.) LEAP: A re-entry program for youth including pre-apprenticeship, case management, school support, mentoring, and employment opportunities. (King County)

⁸⁷ RCW 28A.225.025.

⁸⁸ E.g., Spokane County offers a toolkit for replication of its Community Truancy Board program available at www.spokanecounty.org/juvenilecourt/content.aspx?c=2837 .

⁸⁹ www.psesd.org/index.php?option=com_content&task=view&id=699&Itemid=767.

INTERVENTIONS & SANCTIONS

INCENTIVES & INTERVENTIONS		
School Based		Outside Referrals
<p>Services:</p> <ul style="list-style-type: none"> • Transportation • Free or Reduced Meals • Tutoring / Saturday school • Counseling • Extra-curricular Activities 	<p>Adjust School Program:</p> <ul style="list-style-type: none"> • Special Education (Evaluate IEP Needs) • English Language Learner (ELL) • Honors or Advanced Placement • Adjust Schedule (to start late or add / remove particular classes) 	<p>Counseling:</p> <ul style="list-style-type: none"> • Family Functional Therapy • Cognitive Behavioral Therapy • Anger Management Classes • Outpatient Substance Abuse Treatment • Sleep Clinician
<p>Change Enrollment:</p> <ul style="list-style-type: none"> • Proximity to Current Residence • Connection to Prior School • Alternative Programs • Online Schools 	<p>Staff & Administration:</p> <ul style="list-style-type: none"> • Bullying Intervention • Attendance / Sign-In Sheets • School Behavior Contract • Homelessness Liaison • Identify Teacher or Staff Support Contact 	<p>Community Programs:</p> <ul style="list-style-type: none"> • Support Groups • Alcoholics Anonymous • Alateen • Mentorship Programs

PURGE CONDITIONS & SANCTIONS

Purge Conditions or Sanctions		Sanctions
<p>Goals:</p> <ul style="list-style-type: none"> • Tour local college or community college – prepare course schedule from catalog • Prepare a career plan including what education and other qualifications will be necessary • Take an aptitude test • Draft a resume • Meet with school counselor to plan how to get back on track. • Keep a log of contact with your teachers 	<p>Warnings:</p> <ul style="list-style-type: none"> • Tour adult or juvenile detention facilities • Prepare a budget for living independently on minimum wage 	<p>Lighter Sanctions:</p> <ul style="list-style-type: none"> • Community Service • Allow youth to purge one hour of service per day of school attended • Prohibit or Limit Cell Phone, TV, Computer, or Gaming Console Use
<p>Essay Topics:</p> <ul style="list-style-type: none"> • Tell me about something that you are proud of • Explain why you are not attending school • Describe what you do when you are not in school • Tell me about someone you admire (could be a famous person or someone you know), and think of ways you are like that person • What are your goals and dreams? • Tell me anything about yourself that is important for me to know 	<p>Book Assignments:</p> <p><i>See the next pages for prompts and books on:</i></p> <ul style="list-style-type: none"> • Addiction-Substance Abuse • Adoption • African American Youth • Asian American Youth • Bullying • Difficult Families • Foster Care • Gangs • History • Homelessness • Incarceration & Criminal Activity • Latino Youth • LGBTQ Youth • Mental Illness • Native American Youth 	<p>Alternatives to Secure Confinement:</p> <p>Must provide a purge condition along with any of the following:</p> <ul style="list-style-type: none"> • Work Crew • Electronic Home Monitoring • Day Reporting Center • Weekend Reporting Center

Book Assignments

Possible Interventions, Purge Conditions, & Sanctions:

- Get a public library card – may not be appropriate as a sanction or purge in some counties, depending on procedures for getting a card.
- Go to school library or public library.
- Select a book from the list, or a similar book based on the recommendation of a teacher or librarian. The judicial officer could assign the youth to read a book on a particular subject or just to read any of the books.
- Provide a written response to one of the following prompts:⁹⁰
 - Describe a difficult decision one of the characters made. What were the consequences? What would you have done differently? How does this compare to important decisions you have made?
 - (If the book is not in diary form): Write a journal or diary entry for an important day for one of the main characters.
 - Think of a different ending for the book. Compare your ending to the original. Is yours more fair? More realistic? Funnier?
 - Review the book. You can comment on the style of the book, the characters, the setting, etc. Say whether you recommend it to other students your age.
 - Write a letter (you don't have to really mail it) to the author of the book or one of the characters. Tell them what you thought of the book and ask them questions about the events in their lives.
 - Pretend you are a journalist covering an event in the book for a local newspaper. Write an article about one of the events. You can make up quotes from the characters as if you had interviewed them.
 - Write a song, poem, or rap about the book.
 - Write your own test on the book. Come up with multiple choice questions and essay questions. Then answer your questions.

The following books form a non-exhaustive list of titles that may be interesting, inspiring, or thought provoking for youth. Though mostly aimed at young adult audiences, some of these books have adult themes or describe traumatic experiences that may be troubling to youth. This is especially true for youth who have experienced similar traumatic experiences, but those youth may also be the ones who benefit the most from hearing that others have experienced similar things.

If possible, it may help to develop a supply of these books to give or loan to youth in order to eliminate extra steps. Otherwise, it may be necessary to provide the students with information about local libraries or services that provide books to young people.

⁹⁰ Adapted from The Cheeky Lit Teacher's *150 Book Report Alternatives*, <http://cheekylit.com/75-book-report-alternatives/>.

Book Lists by Topic⁹¹

Addiction – Substance Abuse:

Clean by Amy Reed

Dope Sick by Walter Dean Myers

Leave the Light On: A Memoir of Recovery and Self-Discovery by Jennifer Storm

The Lost Years: Surviving a Mother and Daughter's Worst Nightmare by Kristina Wandzilak

A Teen's Guide to Living Drug Free by Bettie B. Youngs

Tweak: Growing up on Methamphetamines by Nic Sheff

We All Fall Down: Living with Addiction by Nic Sheff

Smashed: The Story of a Drunken Girlhood by Koren Zailckas

Adoption:

All About Adoption: How to Deal with the Questions of Your Past by Anne Lanchon

The Face in the Mirror: Teenagers and Adoption by Marion Crook

How It Feels to Be Adopted by Jill Kremetz

The Secret of Me: A Novel in Verse by Meg Kearney

When the Black Girl Sings by Bil Wright

African-American Youth:

Autobiography of my Dead Brother by Walter Dean Myers

Born in Sin by Evelyn Coleman

First Semester (Kimani Tru) by Cecil R. Cross

Freedom Riders: 1961 and the Struggle for Racial Justice by Raymond Arsenault

Monster by Walter Dean Myers

Next Semester (Kimani Tru) by Cecil R. Cross

Standing Against the Wind by Traci L. Jones

Unsigned Hype: A Novel by Booker T. Mattison

When the Black Girl Sings by Bil Wright

Asian-American Youth:

Kira-Kira by Cynthia Kadohata

Money Boy by Paul Yee

Nothing but the Truth and a Few White Lies Justina Chen Headley

Bullying:

Brutal by Michael Harmon

I Swear by Lane Davis

Thirteen Reasons Why by Jay Asher

⁹¹ This list is adapted from one created by Commissioner Jacqueline Jeske in King County. All books are hyperlinked to descriptions of the books on the Seattle Public Library's website or Amazon.com.

Difficult Families:

Eleanor & Park by Rowell Rainbow
Don't Breathe a Word by Holly Cupala
The Glass Castle by Jeannette Walls
Random Family by Adrian Nicole LeBlanc
Sorta Like a Rockstar by Matthew Quick
Zebra Forest by Adina Gewitz

Foster Care:

Compromised by Heidi Ayarbe
Shifting by Bethany Wiggins

Gangs:

Lady Q: The Rise and Fall of a Latin Queen by Reymundo Sanchez
My Bloody Life: The Making of a Latin King by Reymundo Sanchez
Monster by Walter Dean Myers
Once a King, Always a King: The Unmaking of a Latin King by Reymundo Sanchez

History:

Cesar Chavez: A Hero for Everyone by Gary Soto
Freedom Riders: 1961 and the Struggle for Racial Justice by Raymond Arsenault
North by Night: A Story of the Underground Railroad by Katherine Ayers

Homelessness:

Compromised by Heidi Ayarbe
Don't Breathe a Word by Holly Cupala
Sorta Like a Rockstar by Matthew Quick

Incarceration and Criminal Behavior:

Breathing Underwater by Alex Flinn
Hole in My Life by Jack Gantos
How to Be a Successful Criminal: The Real Deal on Crime, Drugs, and Easy Money by Ron Glodoski
Running Scared by Robert Leon Davis
Zebra Forest by Adina Gewitz

Latino Youth:

Cesar Chavez: A Hero for Everyone by Gary Soto
How the Garcia Girls Lost Their Accents by Julia Alvarez
Lady Q: The Rise and Fall of a Latin Queen by Reymundo Sanchez
La Linea by Ann Jaramillo
My Bloody Life: The Making of a Latin King by Reymundo Sanchez
Once a King, Always a King: The Unmaking of a Latin King by Reymundo Sanchez
Parrot in the Oven: Mi vida by Victor Martinez
The Secret Story of Sonia Rodriguez by Alan Lawrence Sitomer
Soledad: A Novel by Angie Cruz

LGBTQ Youth:

Boy Meets Boy by David Levithan

In a Queer Voice: Journeys of Resilience from Adolescence to Adulthood by Michael Sadowski

Leave the Light On: A Memoir of Recovery and Self-Discovery by Jennifer Storm

Money Boy by Paul Yee

So Hard to Say by Alex Sanchez

Mental Illness:

How I Made It to Eighteen: A Mostly True Story by Tracey White

Thirteen Reasons Why by Jay Asher

Wintergirls by Laurie Halse Anderson

Native American Youth:

Absolutely True Diary of a Part-Time Indian by Sherman Alexie

Diary of Suqua by Diane Johnston Hamm

Shifting by Bethany Wiggins

Screening Tools

The following are two possible tools a jurisdiction may use to help determine the needs of a student. Some counties may use other tools for general screening or assessment, or may use specific tools to screen for a particular problem. Screening tools can be used at any stage in the truancy proceedings, though early interventions are preferred.

Massachusetts Youth Screening Instrument- Second Version (MAYSI-2)

- Currently in use in Clark and Cowlitz Counties
- Intended for 12 – 17 year old students
- Available in English and Spanish
- Contains 52 Yes or No Questions
- Takes about 10 minutes to complete, and can be administered electronically
- Tallies youth responses on the following scales:
 - Alcohol/Drug Use
 - Angry-Irritable
 - Depressed-Anxious
 - Somatic Complaints
 - Suicidal Ideation
 - Thought Disturbance (only for boys)
 - Traumatic Experiences
- Contains two rankings for when the staff should be alerted:
 - Caution (possible clinical significance)
 - Warning Score (top 10%)
- More information available at:
<http://nysap.us/MAYSI2.html>

Administrative Office of the Courts Washington Assessment of the Risks and Needs of Students (WARNS)

- Currently in use in Benton-Franklin, Clark, Pierce, Spokane, and Thurston Counties
- Intended for: 13 – 18 year old students and / or their parents
- Available in English
- Contains 80 Yes or No Questions
- Takes 10-30 minutes to complete and is currently administered only in pencil & paper format
- Tallies youth responses on the following scales:
 - Substance Abuse
 - Aggression – Defiance
 - Depression - Anxiety
 - Peer Deviance
 - Family Environment
 - School Engagement
- Determines if their risk on each is:
 - Low,
 - Medium, or
 - High.
- More information available at:
www.spokanecounty.org/data/juvenile/modelsforchange/Synopsis%20of%20WARNS.pdf

Truancy Colloquy⁹²

A meaningful colloquy with youth takes time to make sure that youth and their families truly understand their rights and responsibilities in a truancy proceeding. Allotting that time can be difficult given busy truancy calendars, but it is necessary in order to give the youth and family chances to demonstrate their understanding. To do so, judicial officers may ask questions that force the youth to explain the proceedings in their own words or apply what the officer has just said to their current situation.

This sample colloquy has not been validated for or by use in truancy courts. It is included in order to offer ideas. You are encouraged to change the language, order, or tone to fit the needs of your court.

Introductions

Begin by identifying all the parties and explaining why they are there to the youth. It may help to ask some light questions to put the youth at ease (e.g. What is your name? How old are you? What school do you attend?).

Explaining Truancy

Would you please tell me why you are here?

[Depending on youth's answer, use some or all of the following paragraph.]

You are here because your school district says you have not been going to school. It is the law in Washington State that youth your age must go to school. If you miss too many days of school, either more than seven days in a school year or more than five days in a month, your school has to file a truancy petition with the court. That means they are asking me to order you to go to school.

Agreed Orders and Hearings

Before I grant that petition, or order you to go to school, I need to know if you really have missed that much school. There are two ways for me to do that. You and your family can sign an "agreed order" or we can have a hearing. If you have missed a significant amount of school, the truancy hearing will likely result in an order that is very similar to the agreed order offered by the school district. ***Have you ever watched a hearing in court before? Or have you ever signed a court order?*** [If the youth says yes, ask him or her to describe it to you.]

An agreed order means that you and your family agree with the school district about how much school you have missed, that you agree to go to school from now on, and that you agree to do anything else the order tells you to do. If you sign the agreement, it is the same as if we had the hearing, and I decided that the court needed to help you go to school. If you sign the agreement, you do not get to have a hearing and you will have to do everything the agreed order says.

[If they've already signed an order: I have an agreed order that you and your family have signed, but I am not going to sign it until we talk about what it means. ***What does the order say you have to do? Tell me what may happen if you do not follow the order.***]

If you do not sign an agreed order, we will have a hearing. A hearing is a chance for you to tell me your side of the story, and for the school district to tell their side of the story. At the hearing, the school district will tell me

⁹² This sample is adapted from Mod. 5 National Juvenile Defender Center, Juvenile Law Center *A Juvenile Court Training Curriculum – Module 5: Communicating with Youth: Interviews and Colloquies* (2009).

about your absences and the steps it has taken to work with you and your family to help you improve your attendance. You and your family can tell me if you believe the school district is wrong about how many days of school you have missed, or if you had a legitimate excuse (within the school's policy) for not attending school, such as being sick or having a religious activity. After the hearing, I will decide whether to officially order you to go to school. ***Would you like to sign an agreed order or have a hearing? If you would like to sign an agreed order, I will have you meet with the school district representative now.***

Truancy Orders

If you sign an agreed order, or if we have a hearing and I decide to order you to go to school, you must go to school. I may also order you to make sure you do not get suspended or expelled, and I might order you not to drink alcohol or use any drugs. ***Is there anything else I should add to that order that would help you go to school?*** [This may also be a good time to ask the parents if there is anything they think their child needs to help him or her go to school.]

Contempt

If you do not follow the order, there may be consequences. The school may ask me to make you come back to court to have a contempt hearing. Being "in contempt" means that you are not following my order and that I can order you to do other things to try to make you follow my first order – mostly to make you go to school. If you have to come back to court for contempt, you will get an attorney. ***What do you think I might order you to do if you do not follow my order to go to school?***

The court can order you to do a variety of things, ranging from making you write a paper, to doing community service, to sending you to detention. Detention is basically a jail for youth.

[To parents: There may also be consequences for you if your child does not follow the order, unless you can show that you really tried to get your child to follow the order. I can fine you \$25 a day for every day your child misses school or I can assign you community service hours.]

Bench Warrants

It is very important for you to come to court when you are told. When the school district or the judge asks you to come to court, someone will tell you. You will either get a special, certified letter, or someone will come to your house and give you papers that say when you need to come to the court. If you do not come to the court at that time, we can issue a "bench warrant." What that means is that the police may pick you up and you may have to spend a night in detention until a judge can see you.

Wrap-up

[The following questions are a way to check whether the student understands the proceedings while learning more about the student's particular circumstances.]

Do you think your attendance record is correct? Can you tell me what you have been doing when you do not go to school? Have you talked to the school district about ways to help you go to school? Is there anything about what is happening today that you do not understand? Is there anything you would like to ask me?

Bench Warrants

Before issuing a bench warrant consider:

- ✓ Is this a preliminary or review hearing?
- ✓ Was actual notice and warning of potential consequences for not appearing given to the child?
- ✓ Would a warning and continuance suffice?
- ✓ Could the warrant be held until the attorney contacts the student?
- ✓ If warrant is served, how long might the student be detained until he or she is able to have a hearing?

Issuing a bench warrant:

A bench warrant may not be issued for failure to appear at a preliminary hearing.⁹³ Before issuing a bench warrant, there must be proof that the child received actual notice of the hearing and information warning of the potential consequences of failure to appear; however the truancy statute does not specify what type of service is required.⁹⁴

Service of a bench warrant:

A warrant may not be served on a student “inside of a school during school hours in a location where other students are present.”⁹⁵ Since the ultimate goal is to improve school attendance, it is best practice to encourage officers to avoid serving a student in school and disrupting the student’s school day, regardless of whether other students are present.

Practice tips:

- Consider the day of the week on which you are issuing the bench warrant. Will this cause the child to be held in detention longer than necessary as they await a hearing? Could issuance be delayed in order to reduce time in detention?
- When a child fails to appear for the hearing, consider getting agreement from the prosecution and defense to hold the bench warrant until the defense attorney is able to communicate with the child and, ideally, convince the student to come to court without a warrant.⁹⁶
- King County has created a two-tier system. Tier 2 warrants involve the student being screened out while in detention or in the field and the student is given a new court date. With a Tier 1 warrant, the student is booked into detention and appears in court the next day where he or she is released with a new court date. (If the student is booked on a Friday, the next hearing available is Monday.) Both tiers allow for the student to meet with the school representative to discuss steps for reengagement in exchange for an agreed order to quash the warrant. The warrant is sent via email for a judicial signature.⁹⁷

⁹³ RCW 28A.225.035(8)(b). See *Preliminary Hearing* for more information.

⁹⁴ See *Defending Youth in Truancy Proceedings: A Practice Manual for Attorneys* © ACLU of Washington Foundation and TeamChild September 2008, rev. October 2009, page 55 for more information.

⁹⁵ RCW 28A.225.090(2).

⁹⁶ As suggested by Commissioner Royce Moe of Spokane.

⁹⁷ Contact Stephanie Sato, King County Prosecuting Attorney at Stephanie.Sato@kingcounty.gov for more information.

Common Barriers to School Attendance

Identifying Barriers to School Attendance

Determining why a student is not attending school is an essential step in entering orders that will substantially improve that student's attendance. There is rarely one simple reason a student starts missing school, but there are many academic, personal, and family situations that impact a student's learning and ability to attend school.⁹⁸ Recognizing some of the common barriers students face will help judicial officers tailor interventions and services to students' needs.

Judicial officers have the opportunity to learn a lot about the children who appear before them, whether it is from material presented, the student and family's comments, the school district representatives, or judicial colloquy. The following section is designed to assist judicial officers in using that information to recognize barriers and to fashion an order that will help the youth overcome them. This section may be especially useful for judicial officers who have prolonged jurisdiction over a student and who are in a position to recognize changes over time in that student's attitude or behavior.

In some instances, however, the court, because of its limited interactions with the student, may not be well equipped to assess that student's needs in a comprehensive fashion. Screening and assessment tools, such as the (MAYSI-2), and the Washington Assessment of Risks and Needs of Students (WARNS), developed by the Administrative Office of the Courts, may be able to provide more insight. For more information on these tools, refer to the *Practice Tips* section.

As addressed in a number of the barriers listed in this section, the parent or family dynamic may be a significant factor in the student's poor attendance. If that is the case, it is important to be thoughtful about whether it is solely the youth who is responsible for his or her poor attendance or noncompliance with court orders. As you get to know each student, you may conclude that a parent should be added to the truancy petition or that a Child in Need of Services (CHINS) petition should be filed.

In other instances the family may be aware of a problem their child is facing, but not sure how to address it. Under many of the tabs in this section there are links to websites or brochures that provide useful information for families. It may be best to print copies of these materials for interested families, in order to make sure they have ready access to the information. One judicial officer has suggested creating space in or near the courtroom for school representatives or court clerks to keep pamphlets for families and youth.

⁹⁸ See, e.g., George, Thomas (2011). *Truancy in Washington State: Trends, Student Characteristics, and the Impact of the Receiving a Truancy Petition*. Olympia: Washington State Center for Court Research.

General School Disengagement

Essentially all youth who are failing to attend school are disengaging⁹⁹ from school. The task for judicial officers, family members, and the student is to determine if school disengagement is the root of the problem or merely a symptom. Many of the other barriers in this section include indicators or warnings that stem directly from a poor fit between the student and his or her current academic program.

Student Comments that Indicate General Disengagement:

- School is boring or a waste of time
- Teachers are boring or don't care
- Classes are not useful or relevant to real life
- Fell behind and couldn't catch up

Questions to Ask:¹⁰⁰

- Do you have friends at your school?
- Are you involved in any clubs, sports, or other extra-curricular activities?
- Do you get along with your teachers?
- Do you have trouble paying attention / staying focused in class?
- Is there someone who checks in with you at school?

Possible Interventions:

- Adjusting class schedule (avoiding classes that are a bad fit, putting most desirable classes at a specific time, adding classes that the student *is* interested in)
- Changing programs within the school (possibly moving to honors, special education, or ELL classes)
- Investigating whether an IEP is necessary
- Enrolling in a different school, possibly an alternative school
- Finding a teacher or staff member at the school who can check in with the student
- Exploring online school options

Resources:

- National Center for School Engagement: www.schoolengagement.org
- Washington Office of the Superintendent of Public Instruction, Digital Learning Department's list of online school programs and courses:
http://digitallearning.k12.wa.us/approval/providers/#program_providers
- Washington Virtual Academies: http://www.wava.org/dg/dg_wa.html?s
- Insight Schools of Washington - A free, online, public school program that gives students laptops.
<http://wa.insightschools.net/Our-Program.aspx>

⁹⁹ "School disengagement" is a term of art giving a label to the act of "detaching from school, disconnecting from its norms and expectations, reducing effort and involvement at school, and withdrawing from a commitment to school and to school completion," among other aspects. Balfanz, Robert et al, *Preventing Student Disengagement and Keeping Students on the Graduation Path in Urban Middle-Grades Schools: Early Identification and Effective Interventions*, Educational Psychologist, 42(4), 223-35, 224.

¹⁰⁰ These questions are based on items from the National Center for School Engagement's survey, available at www.schoolengagement.org/TruancyPreventionRegistry/Admin/Resources/Resources/NCSEStudentSurvey.pdf.

Safety at School

Bullying & Sexual Harassment:

Many indicators of bullying will not be observable at a hearing, but may be disclosed when a student or family member is describing the situation. Peers are not the only bullies. Teachers and staff may also be responsible for inappropriate behavior.¹⁰¹

Indicators of Bullying & Sexual Harassment:¹⁰²

- Unexplainable injuries
- Lost or destroyed personal items
- Frequent headaches, stomach aches, or faking illness
- Difficulty sleeping or nightmares
- Changing route to or from school
- Fear of attending school
- Depression and thoughts of suicide

Bullying and harassment is not always done in person.

Students may also experience bullying through:

- Social media
- E-mail
- Text messages
- Phone calls

Talking about Bullying and Harassment:

- Many students are extremely reluctant to talk about these issues
- They may not understand that everything they say in court is permanently recorded.
- Questions should focus on determining **if** the student is experiencing bullying and what that student needs, not on **who** is doing the bullying. Students may not want their peers to perceive them as “snitches” or tattle-tales.

Possible Questions:

- Do you feel safe at school?
- Do you get along with your classmates?
- Is there someone at the school you can talk to if you're uncomfortable?

Possible Interventions:

- Reporting incidents to school administrators and/or school counselors
- Referring student to out-of-school counselor
- Allowing student to change class schedule or transportation options
- Reporting incidents to police
- Mentorship programs

Resources for Families and Kids:

- Federal Stop Bullying website: www.stopbullying.gov/get-help-now/index.html
- Washington State Office of the Education Ombudsman: A Parent's Role in Preventing Bullying, Harassment, Intimidation in Public Schools. Includes a quiz for parents to see if they're doing everything they can to prevent their children from becoming bullies. www.governor.wa.gov/oeo/bullying/families.asp

¹⁰¹ See, e.g., Smith, P. K. (2004), Bullying: Recent Developments. *Child and Adolescent Mental Health*, 9: 98–103.

¹⁰² www.aauw.org/files/2013/02/hostile-hallways-bullying-teasing-and-sexual-harassment-in-school.pdf at 38.

Gang Involvement:

Indicators of Gang Involvement:¹⁰³

- Unexplained cash, jewelry, or electronics
- Unexplained injuries
- Has friends who are in gangs
- Insistence or focus on wearing a particular color or logo
- Carrying a weapon
- Displaying a gang logo on clothes, binders, walls, etc.

Suggested Interventions:

- Mentorship programs¹⁰⁴
- Counseling, including family counseling – Family Functional Therapy
- Determining a positive, social activity for the student to enroll in
 - Sports
 - School clubs
 - Community-based activities

Resources:

- The National Gang Center offers information about gang involvement across the country and resources for parents, including a Parents' Guide to Gangs¹⁰⁵: www.nationalgangcenter.gov
- Washington Violent Crime Prevention Partnership's 2010 study: Strategies to Address Gang Activity: Suppression, Intervention and Prevention: www.k12.wa.us/Safetycenter/Gangs/pubdocs/StrategiesAddressGangActivitySuppressionInterventionPrevention.pdf
- Seattle Youth Violence Prevention Initiative provides services to at-risk youth in Central, Southeast, and Southwest Seattle: <http://safeyouthseattle.org/>
- The City of Tacoma has been working with the National Gang Center to study and address gang violence in Tacoma. Current status of their program: www.cityoftacoma.org/government/city_departments/neighborhood_and_community_services/human_services_division/gang_reduction/
- Stop Spokane Gangs provides information about the status of gangs in Spokane and support for at-risk youth: <http://stopspokanegangs.org/>
- Northwest Gangs provides information on the various gangs in the Pacific Northwest, including what their colors and symbols look like, approximate territories, and gang-related fatalities: www.nwgangs.com/index.html

¹⁰³ http://cops.usdoj.gov/Publications/GangsCard_FBI.pdf

¹⁰⁴ www.wamentors.org

¹⁰⁵ Available at www.nationalgangcenter.gov/Content/Documents/Parents-Guide-to-Gangs.pdf.

Special Education Needs

Students may need an individualized education program (IEP) because they have a specific learning disability, such as dyslexia or dyscalculia.¹⁰⁶ Others may have an emotional or behavioral problem that is affecting their ability to learn.¹⁰⁷

Special Education Laws:¹⁰⁸

- The law guarantees students with disabilities a free and appropriate public education.
 - Individuals with Disabilities Education Act (IDEA)¹⁰⁹
 - Section 504 of the Rehabilitation Act of 1973¹¹⁰
- A team including the student’s teachers, parents, the student (depending on age), and other school personnel must design and implement an individualized education program (IEP) for all students with diagnosed disabilities.
 - The student’s team must review his or her IEP at least once a year, but can review it more often at the request of the student’s teachers or parents.¹¹¹ The team might review an IEP if:
 - It appears the student is struggling and needs more accommodations or modifications.
 - The student has already met all of his or her goals for the year.
- Students should be placed in the least restrictive environment that can provide the services, accommodations, and modifications they need.
- Before any disciplinary action is taken against a student, the school district must determine whether the behavior is related to the disability. This is called a manifestation determination.

Possible Interventions:

- Refer for comprehensive educational evaluations to determine if an IEP or Section 504 plan is needed.¹¹²
- If the student already has an IEP, review it to make sure it meets the student’s current needs – make sure the IEP addresses attendance issues.
- See if adjustment is needed to have more accommodations and modifications.
- Consider a different school placement.
- Provide additional academic support or counseling.
- Introduce more flexibility into the schedule for students who may need to take breaks.

¹⁰⁶ www.ldonline.org/ldbasics/signs; http://www.kidneeds.com/diagnostic_categories/articles/warnsignld.htm

¹⁰⁷ www.rcselpa.org/docs/policies/Section%20III%20Evaluations/III.m%20Assessment,%20Identification%20and%20Educational%20Planning%20for%20Students%20with%20Emotional%20Disturbance.pdf at 12-14.

¹⁰⁸ Office of the Education Ombudsman & TeamChild, *What Every Parent Needs to Know: Protecting the Educational Rights of Students with Disabilities in Public Schools*, Office of the Education Ombudsman (July 2012), www.governor.wa.gov/oeo/publications/manual_students_with_disabilities.pdf.

¹⁰⁹ <http://nichcy.org/laws/idea>

¹¹⁰ <http://nichcy.org/laws/section504>

¹¹¹ Department of Education’s Guide to Individualized Education Programs, www2.ed.gov/parents/needs/speced/iepguide/index.html#review.

¹¹² <http://nichcy.org/schoolage/evaluation>

Indicators of learning disabilities:

- Struggles with academic tasks including:
 - Note taking
 - Spelling (e.g. spelling the same word differently in the same document)
 - Summarizing
 - Editing
 - Misreads information
- Works slowly and has trouble adjusting to new settings
- May have social or peer difficulties including:
 - Understanding another's perspective
 - Accepting criticism or feedback
 - Resisting peer pressure

Indicators of emotional disturbances affecting learning:

- Does not seem to be in control of behavior, including extreme moodiness and quick temper
- Difficulty or unwillingness to form relationships with peers
- Problems with authority or power struggles
- Tantrums
- Painful shyness or social withdrawal
- Appears anxious or depressed
- Excessively dependent
- Lacks empathy
- Extremely defensive
- Overly perfectionistic
- Self-harm or suicidal ideation

Resources for Families:

- Office of the Education Ombudsman: *Protecting the Education Rights of Children with Disabilities in Public Schools*. Available at: www.governor.wa.gov/o eo/publications/manual_students_with_disabilities.pdf
- National Dissemination Center for Children with Disabilities. *Resources Especially for Foster or Adoptive Parents*. Available at: <http://nichcy.org/families-community/fosteradoptive>

School Discipline

If the student has a history of misbehavior resulting in exclusionary discipline (long- or short-term suspension or expulsion) it may be difficult for him/her to reengage with school because the student may:

- Have fallen behind in classes.
- Have connected with other youth who are not in school during the day.
- Feel anger and alienation from their school and school community.¹¹³

Legal Relationship between Absences and Discipline:

- Absences related to school discipline or corrective actions (including short-term suspension, long-term suspension, and expulsion) are excused.¹¹⁴
- However, absences related to school discipline or corrective actions may be the basis for contempt, if the original order specifies that the student must avoid suspension.¹¹⁵
- Schools may not expel or suspend students for unexcused absences unless the school district has first:¹¹⁶
 - imposed an alternative corrective action or punishment reasonably calculated to modify the student's conduct,
 - provided notice of the unexcused absences to the student's parents or guardians (in their native language),
 - scheduled a conference with the student and his or her parents or guardians to discuss the causes of the student's absences, and
 - taken steps to reduce the student's absences.

Suggested Interventions:

- Craft a behavior contract that specifies non-exclusionary disciplinary actions for violations of school policy. Possible alternative actions include:
 - In-school suspension
 - After school detention
 - Saturday school
 - A school-based community service project
- Provide the student with tutoring in order to catch up on work missed during suspensions
- Consider whether there is an alternative school that might better suit the student's needs.
 - The Washington Association for Learning Alternatives membership list is available at: <http://www.walakids.com/ale-programs.html>

¹¹³ www.acy.org/upimages/OSI_Suspensions.pdf

¹¹⁴ WAC 392-400-325(10).

¹¹⁵ The authority to prohibit suspensions in the original order is found in RCW 28.225.090(1)(a).

¹¹⁶ See WAC 392-400-245(3) for short-term suspension; See WAC 392-400-260(3) for long-term suspension; See WAC 392-400-275(2)-(3) for expulsion.

Transportation

Indicators:

- Often tardy in the morning, or just to first period
- Often absent from first period but present the rest of the day

Questions to Ask:

- How do you get to school in the morning? Has that changed recently?
- How long does it take you to get to school?
- Have you moved recently?

A Student May Lack Transportation Because He or She:¹¹⁷

- Is homeless. (There are federal laws surrounding homeless student transportation: see Homelessness.)
- Has moved.
- Is not taking advantage of or are not aware of school-provided options.
- Used to be driven by a parent or guardian who has changed his or her schedule or lost access to a car.

A Student Might Not Be Using the Transportation Provided by the School District Because:¹¹⁸

- The student has a learning disability or emotional disturbance that affects his or her ability to access or take advantage of ordinary transportation options.
 - E.g. May have trouble keeping track of public bus schedules or transferring.
- The student may be the victim of bullying or harassment.
 - Bullying could take place on the school bus or on public transportation.
 - Or bullies could be taking the bus passes / tokens from the student.
- The student feels that it takes too long (especially with public transportation).
- The student feels that the provided transportation is not socially acceptable.

Possible Interventions:¹¹⁹

- Established school bus route.
- Altering or adding a school bus route.
- Mileage reimbursement for parents to transport student.
- Mileage reimbursement for shelter vans to transport student.
- Providing tokens for public bus or train
- School district motor-pool vehicle.
- Taxi.
- Medicaid or ADA vans.

¹¹⁷ Id.

¹¹⁸ Id.

¹¹⁹ Washington Office of the Superintendent of Public Instruction's Amanda Goes to School, An Educator's Guide for Responding to the Rights and Needs of Homeless Students in Washington State, www.k12.wa.us/homeless/pubdocs/AmandaGoestoSchool.pdf.

Sleep Problems

Indicators:¹²⁰

- Falling asleep in class
- Irritability
- Difficulty waking up in the morning
- Difficulty concentrating
- Depression

Questions to Ask:

- How much sleep do you usually get a night?
- What time do you go to sleep? What time do you wake up?
- What's your bedtime routine like?
- Do you have trouble falling asleep or sleeping through the night? Why?
- Do you have trouble waking up?
- What are you doing when not sleeping at night?

Sleep Tips

- Eliminate caffeinated foods and beverages.
- Set a regular sleep schedule and stick with it, even on weekends.
- Avoid exercise after dinner.
- Wear comfortable clothes or pajamas to bed.
- Make sure your room is not too hot or too cold.
- Avoid stimulating TV, music, video game or computer time before bed.
- Use meditation or relaxation techniques.
- No napping.
- Dim the lights before bedtime. Use bright lights in the morning.

Many teens just need to adjust their routines, but some may suffer from **sleep disorders**, such as:¹²¹

- Insomnia – often brought on by stress, a psychological disorder, or a medicinal side effect
- Obstructive Sleep Apnea
- Restless Leg Syndrome
- Narcolepsy
- Sleepwalking
- Gastroesophageal Reflux Disease (GERD)
- Delayed Sleep Phase Syndrome

Possible Interventions:

- Refer to a sleep clinic or sleep therapist
- Refer to a counselor
- Consider alternative schools with a later start time
- Set a curfew (in severe cases)
- Determine whether this sleep problem should be addressed in an IEP (*See Special Education Needs*)
- Assess whether sleep problem is really a symptom of other barriers (e.g. homelessness or substance abuse)
- Prohibit phone, computer, TV use, and video games after a certain time in the evening.
- Get schedule changed

¹²⁰ Palo Alto Medical Foundation Sutter Health, *Sleep and Sleeping Disorders*, www.pamf.org/teen/health/diseases/sleep.html.

¹²¹ *Id.*; Gavin, Mary L. M.D. *Sleep Problems in Teens*. KidsHealth.org. May 2011, http://kidshealth.org/parent/growth/sleep/sleep_problems.html.

Physical & Mental Health¹²²

Some of the Common Serious Physical Illnesses Affecting Teens:

- Asthma
- Autism Spectrum Disorders
- Cerebral Palsy
- Diabetes
- Epilepsy
- Hearing Loss
- Menstrual Conditions
- Obesity
- Scoliosis
- Vision Loss

Physical and mental health issues that interfere with learning should make students eligible for special education services. *(See Special Education Needs)*

However, students with severe problems may have needs that are outside of the scope of school assistance. These needs are likely also outside the scope of the court's authority, but judicial officers may be able to provide families with helpful information.

Some of the Most Common Mental Illnesses Affecting Teens:

- Anxiety Disorders
 - Post-Traumatic Stress Disorder
 - Obsessive Compulsive Disorder
 - Generalized Anxiety Disorder
- Mood Disorders
 - Depression
 - Bipolar Disorder
- Psychotic Disorders
 - Schizophrenia
- Eating Disorders
 - Anorexia Nervosa
 - Bulimia
- Behavioral Disorders
 - Conduct Disorder
 - Oppositional Defiant Disorder
- Developmental Disorders
 - Attention Deficit Hyperactivity Disorder
 - Autism
- Addictions
 - Mental illness often makes people more vulnerable to chemical addiction

Resources for Families:

- A child's mental health or substance abuse problems may lead the parent to fear for the child's safety. Court may provide information about At-Risk Youth and Children in Need of Services. *(See At-Risk Youth & Child in Need of Services)*
- Families may not be able to afford the medical services needed to treat a child's physical or psychological disorders. The court could offer information about eligibility for Medicaid or Child Health Insurance Program (CHIP), or offer printed copies of the application.¹²³

Resources for Judges:

- Recognizing the signs of teen depression: www.helpguide.org/mental/depression_teen.htm
- Recognizing the signs of anxiety disorders: www.helpguide.org/topics/anxiety.htm

¹²² Teen Mental Health, *Mental Disorder*, <http://teenmentalhealth.org/understanding-mental-health/mental-disorders/>; Lucile Packard Children's Hospital at Stanford, *Adolescent Health Problems*, www.lpch.org/DiseaseHealthInfo/HealthLibrary/adolescent/ahphub.html; Center for Disease Control, *Facts About Developmental Disabilities*, www.cdc.gov/ncbddd/developmentaldisabilities/facts.html.

¹²³ www.dshs.wa.gov/ESA/TEC/; www.benefits.gov/benefits/benefit-details/1615 and www.dshs.wa.gov/pdf/ms/forms/14_001.pdf.

Gender Identity & Sexual Orientation

Lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth may find that their LGBTQ status affects school attendance for many reasons, including:

- The school atmosphere is not safe or inclusive
- They may be struggling with negative and homophobic reactions from their peers, school staff, administrators, and parents, including being the victims of bullying and harassment.
- They may be confused about their sexual orientation or gender identity and lack resources.
- There are often psychological side effects, including depression, associated with teenage gender identity and sexual orientation.

Create a Safe Environment:¹²⁴

- Consider if there is an appropriate space in your courtroom or building to post a “safe space” or “hate free zone” sign.
- Use the youth’s name and pronoun of choice, even if conflicts with his or her legal name or your perception of his or her sex.
- Never make assumptions about a youth’s sexual orientation or gender identity.
 - Avoid using language that implies a particular orientation or identity: E.g. Discuss “partners” and “important relationships” instead of asking about a girlfriend or boyfriend.
 - Having a homosexual orientation does not mean that a youth will have a non-conforming gender identity or vice versa. E.g. A male to female transgender youth who is sexually attracted to males would likely consider herself straight.
- Never discuss the youth’s sexual orientation or gender identity (even if the youth has disclosed information about it to you, his or her parent, or the school district representative) without the youth’s permission.
- Use respectful and appropriate terminology if you do discuss sexual orientation or gender identity. Avoid derogatory or offensive terminology.
- Remember that sexual orientation and gender identity are but two aspects of a youth’s personality and not the only things that define them or their needs.

Glossary of Commonly Used Terms:¹²⁵

- **Bisexual** - A person (male or female) who has significant sexual and or romantic attractions to both males and females or someone who identifies as a member of this community.
- **Homophobia** - The fear and hatred of or the discomfort with people who love and sexually desire members of the same sex. Homophobic reactions often lead to intolerance, bigotry, and violence against anyone not acting within heterosexual norms.

¹²⁴www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/lgbtq_book.authcheckdam.pdf

¹²⁵ www.nyu.edu/life/student-life/student-diversity/lesbian-gay-bisexual-transgender-and-queer-student-center/glossary-of-important-lgbt-terms.html. These definitions come from NYU’s glossary, but several organizations, including GLAAD and HRC have more complete glossaries.

- **Homosexual** - The formal or clinical term that was coined in the field of psychology, sometimes meaning only "gay male," but at times encompasses lesbians and occasionally bisexuals. The word is often associated with the proposition that same sex attractions are a mental disorder, and is therefore distasteful to some people.
- **Queer** - Originally a derogatory slur, it has recently been reclaimed by some to be an inclusive word for all of those within the sexual minority community. Because of the original derogatory nature of the word, it is not necessarily accepted by all.
- **Transgender** - An umbrella term for those individuals whose gender identity does not match with that assigned for their physical sex (e.g. a child born with male genitalia who identifies as a girl). Includes transsexuals, both operative & non-operative, bigendered people, intersexed, & transgenderists.

Online Resources for Youth & Families:

- It Gets Better Project: <http://www.itgetsbetter.org/>
- Supportive Families, Healthy Children: Helping Families with Lesbian, Gay, Bisexual & Transgender Children: http://familyproject.sfsu.edu/files/English_Final_Print_Version_Last.pdf

Washington State Resources:¹²⁶

- **La-Ba-Te-Yah Youth Home Community** La-Ba-Te-Yah is an independent living program for homeless youth, for urban Native Americans and youth of color. There is case management on site. It includes a Two-Spirit Program.¹²⁷ 9010 13th Avenue N.W. Seattle, WA 98117-3405 *Phone:* 206-781-8303
- **Youth Care** www.youthcare.org Youth Care offers transitional living for homeless youth 18-21 and an emergency shelter for 12-17 year olds. *Isis House:* 206-694-4507 *The Shelter:* 206-694-4506. *24 Hour Help/Referral Line:* 800-495-7802
- **Seattle Counseling Services** www.seattlecounseling.org Seattle Counseling Services specializes in providing mental health services to the LGBTQI community. Youth Services offers counseling and support groups for youth. 1216 Pine Street, Suite 300 Seattle, WA 98101 *Phone:* 206-323-1768 *Fax:* 206-323-2184 *Email:* info@seattlecounseling.org
- **Lambert House** www.lamberthouse.org Lambert House is a center for LGBTQ and allied youth ages 14-23 that encourages empowerment through the development of leadership, social and life skills. PO Box 23111 Seattle, WA 98102 *Phone:* 206-322-2515
- **Oasis Youth Center** www.oasisyouthcenter.org Oasis is the only drop-in and support center dedicated to the needs of LGBTQ youth ages 14-24 in Pierce County and is a program of the Pierce County AIDS Foundation. 3520 South Pine Street Tacoma, WA 98409 *Office Phone:* 253-671-2838 *Emergency Cell Phone:* 253-988-2108 *Email:* oasisyouthcenter@gmail.com
- **Quest Youth Center** <http://questyouthcenter.org/> The Quest Youth Center offers LGBTQ individuals between the ages of 14-21 a unique combination of direct service, social service and referrals. 2625 W. Bruneau Place, Suite E Kennewick, WA 99336 *Phone:* 509-396-5198

¹²⁶ www.lambdalegal.org/sites/default/files/publications/downloads/combined_lists_2013.pdf

¹²⁷ "Two Spirit" is a term some Native American people use to identify themselves, rather than LGBTQ. *See, e.g.* <http://en.wikipedia.org/wiki/Two-Spirit>.

Trauma & Adverse Childhood Experiences (ACEs)

Overview:

Children who have experienced trauma may struggle to succeed in school and to cope in everyday life. The phrase adverse childhood experiences (ACEs)¹²⁸ is now frequently used to refer to the broad range of stressful or traumatic events that a youth might experience, such as physical abuse, sexual abuse, neglect, parental mental illness, or parental substance abuse. Youth may experience trauma directly or as a witness. Victims of trauma may experience “posttraumatic stress disorder (PTSD) or other emotional or behavioral symptoms, such as depression, anxiety, or disruptive behaviors.”¹²⁹

Working With Youth Who Have Experienced Trauma:¹³⁰

Conversations with youth who have experienced trauma may require more delicacy because the youth:

- May be less willing to trust adults or may be over-trusting and may quickly become dependent.
- May be more sensitive.
- Likely has not had adequate counseling or treatment.
- May not be able to explain or control behavior easily.

The judicial officer is not a therapist and needs to be careful not to confuse that role for a vulnerable child.

Interventions:

- Counseling that takes advantage of evidence based practices (EBPs), like Trauma-Focused Cognitive Behavioral Therapy, from a provider with experience in child traumatic stress.
- If the student is in immediate danger, consider referring the family to Child Protective Services.
- Provide family with information on handling trauma, such as the National Child Traumatic Stress Network’s Understanding Child Traumatic Stress: A Guide for Parents.¹³¹

Resources to Assist Judges in Becoming “Trauma-Informed”:

- Helping Traumatized Children: Tips for Judges – Provides an overview of the effects of trauma on youth, how to assess trauma, and suggestions for treatment.¹³²
- Identifying Polyvictimization and Trauma Among Court-Involved Children and Youth: A Checklist and Resource Guide for Attorneys and Other Court-Appointed Advocates – Contains an extensive checklist about current and past traumatic experiences and suggestions for appropriate treatment.¹³³
- 10 Things Every Juvenile Court Judge Should Know About Trauma and Delinquency: Contains a short glossary and explores the effects of trauma on youth and how to treat children who have experienced it.¹³⁴

¹²⁸ Vincent J Felitti et al, Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study, *American Journal of Preventive Medicine*, May 1998 (Vol. 14, Issue 4), 245-258. A revolutionary study that explored the occurrence of exposure to childhood trauma and the connection between that trauma exposure and the health and behavior outcomes affecting those children as adults. Many ACEs studies have since been conducted.

¹²⁹ Lindsey Getz, *Trauma-Focused Cognitive-Behavioral Therapy — Hope for Abused Children*. *Social Work Today* May/Jun. 2012, 22, available at www.socialworktoday.com/archive/051412p22.shtml.

¹³⁰ Mod. 5 National Juvenile Defender Center, *Juvenile Law Center A Juvenile Court Training Curriculum – Module 5: Communicating with Youth: Interviews and Colloquies* (2009) at 27.

¹³¹ The National Child Traumatic Stress Network, www.nctsn.org/sites/default/files/assets/pdfs/ctte_parents.pdf.

¹³² The National Child Traumatic Stress Network, www.nctsn.org/sites/default/files/assets/pdfs/JudgesFactSheet.pdf.

¹³³ The Safe Start Center, a project of the U.S. Dept. of Justice, www.safestartcenter.org/pdf/Resource-Guide_Polyvictim.pdf.

Commercially Sexually Exploited Children (CSEC)

Commercially sexually exploited children are youth who have been sexually abused for the financial gain of another (e.g. pimp, gang, caregiver). Typically, the abuse takes the form of prostitution, child pornography, or trafficking.

Indicators:¹³⁵

- Has an older boyfriend or girlfriend or hangs out with older men who are not boyfriends
- Has tattoos with a boyfriend or girlfriend's name or unexplained tattoos on neck, arms, or shoulders
- Has two cell phones
- Has expensive jewelry, clothes, or electronics that seem outside of the youth's price range
- Shows visible signs of physical abuse
- Has a history of physical or sexual abuse and/or family dysfunction
- Is a chronic runaway or is homeless/living in unstable housing
- Uses "street lingo," such as referring to his/her boyfriend as "daddy"
- May exhibit fear, anxiety, depression, submission, tension, and/or nervousness.

Facts:¹³⁶

- Victims may be male, but the majority of commercially sexually exploited youth are female.
- Victims are at great risk for suicide attempts, venereal diseases (including HIV/AIDS), and homicide.
- The average life expectancy of a youth after entering prostitution is seven years.
- Many victims of commercial sexual exploitation were victims of sexual abuse before turning to, or being forced into, prostitution.
- The Federal Trafficking Victims Protection Act (reauthorized in 2009) classifies all minors involved in prostitution as victims, without requiring them to prove that they were forced or coerced into the sex industry.

Interventions & Family Resources:

- Address the immediate safety concerns.
- Counseling.
- Refer to YouthCare's Bridge Program (King County).¹³⁷
- Provide information about At-Risk Youth and Child in Need of Services to the family. (*See At-Risk Youth & Children in Need of Services*)
- Women's Justice Center: A Guide for Mothers, Grandmothers, and Others for Helping a Girl Caught in Prostitution or Sex Trafficking: <http://justicewomen.com/guide/>.
- Hotlines for victims of sex trafficking:
 - National Human Trafficking Resource Center 24-Hour Hotline: 888.373.7888
 - Washington Anti-Trafficking Response Network: Victim Assistance Line: 206.245.0782

¹³⁴ The National Child Traumatic Stress Network, The National Council of Juvenile and Family Court Judges, and The Office of Juvenile Justice and Delinquency Prevention, www.ncjfcj.org/sites/default/files/trauma%20bulletin_0.pdf.

¹³⁵ Girls Education and Mentoring Services (GEMS) Handout, Identifying Commercially Sexually Exploited Youth, www.mecasa.org/joomla/images/pdfs/human_trafficking/gems%20trafficking%20indicators.pdf.

¹³⁶ Chicago Alliance Against Sexual Exploitation, Know the Facts: Commercial Sexual Exploitation of Children, http://g.virbcdn.com/_f/files/59/FileItem-150155-KtF_CSEC.pdf.

¹³⁷ <http://www.youthcare.org/our-programs/services-sexually-exploited-youth#.UgkUBtLVDfc>

Substance Abuse & Chemical Dependency

Indicators:¹³⁸

- Problems at school – including skipping classes and decline in academic performance.
- Neglected appearance – particularly in youth who used to take great care of their looks.
- Insistence on privacy – teenagers often seek more privacy than when they were younger, but an extreme focus on privacy, especially in bedrooms is a warning sign.
- Sudden change in friend groups and evasiveness regarding friends.
- Spending money with no explanation of what it's spent on.
- Stealing money or property – may be done to finance drug habit.
- Mood changes.

The court may order a student to submit to a drug or alcohol assessment, if the judicial officer determines it is appropriate based on the student's behavior and circumstances.¹³⁹ If the student tests positive for drug use, the court may order the student to:¹⁴⁰

- Abstain from using drugs or alcohol.
- Adhere to the recommendations of the drug or alcohol assessment.
- If student is in contempt, the court may allow the student's voluntary entry into an inpatient substance abuse treatment program to purge contempt, but must offer an alternative purge condition.¹⁴¹

Discussing with Youth:

It is important for the court to get pertinent information about the youth's substance use so as to ensure the youth has access to appropriate treatment. However, the court should advise the youth against self-incrimination and should inform the youth that everything is on the record and public to those in the courtroom.

Resources for Families:

- More information on warning signs available from Day Break, a Washington State treatment center.¹⁴²
- Tips for parents on how to talk to their children about drug use.¹⁴³
- American Academy of Child and Adolescent Psychology's Fact Sheet for families about teenage substance abuse.¹⁴⁴
- Washington DSHS's guide on substance abuse treatment options for minors.¹⁴⁵
- Directory of WA residential treatment programs that accept publicly funded chemical dependency treatment patients.¹⁴⁶
- Court may provide information about At Risk Youth and Child in Need of Services. (*See At-Risk Youth & Child in Need of Services*)

¹³⁸ Available at www.mayoclinic.com/health/drug-addiction/DS00183/DSECTION=symptoms and <http://findyouthinfo.gov/youth-topics/substance-abuse/warning-signs-adolescent-substance-abuse>.

¹³⁹ RCW 28A.225.090(1)(e). The law does not explain how the court should make this determination or whether the determination must be made on the record.

¹⁴⁰ *Id.*

¹⁴¹ *In re M.B.*, 101 Wash. App. 425 (2000).

¹⁴² <http://daybreakinfo.org/resources/warning-signs/>

¹⁴³ www.drugfree.org/intervene

¹⁴⁴ www.aacap.org/App_Themes/AACAP/docs/facts_for_families/03_teens_alcohol_and_other_drugs.pdf

¹⁴⁵ www.dshs.wa.gov/pdf/dbhr/Parent%20Guide-revised-9-11.pdf

¹⁴⁶ www.dshs.wa.gov/pdf/dbhr/da/2009certifiedresidentialtreatmentdirectory.pdf

Language & Cultural Barriers

For students or families with limited English proficiency there may be barriers not only to school attendance but also to participating in the truancy proceeding.

Barriers to Attendance:

- Education is provided in a language the student does not understand, so the student has less motivation to attend.
- The student may have a learning disability that has gone unreported or undiagnosed because his or her parents lacked the ability to communicate with the school or because the family is from a culture that does not recognize as many learning disabilities.¹⁴⁷
- The student or family may be reluctant to communicate with school officials because of their immigration status.¹⁴⁸
- Students from families with limited English proficiency may be called away from school to act as translators for family members.¹⁴⁹
- The student may come from a culture that prioritizes family responsibilities (such as caring for younger siblings) over school attendance.

Interventions:

- Placement in an English Language Learner (ELL) classroom or program (if student is not already in an ELL program).
- Evaluating whether the student is proficient enough in English to join the regular curriculum (if student is already in ELL program).
- Explaining the mandatory attendance laws to the student and his or her family in their primary language.
- Counseling for students who may be refugees or whose families emigrated because of adverse conditions in their home country.
- Provide family with information about adult ELL classes or family literacy programs.

Resources for Families:

- ¡Colorin Colorado! A bilingual site for families and educators of English language learners.¹⁵⁰
- Washington Office of the Superintendent of Public Instruction's Resources for Parents in Spanish.¹⁵¹
- Washington Office of the Superintendent of Public Instruction: Migrant and Bilingual Education: Information for Parents.¹⁵²

¹⁴⁷ Waterman, Robin and Beth Harry, Building Collaboration between Schools and Parents of English Language Learners: Transcending Barriers, Creating Opportunities. National Center for Culturally Responsive Education Systems. 7 (2008), www.nccrest.org/Briefs/PractitionerBrief_BuildingCollaboration.pdf.

¹⁴⁸ *Id.* at 8.

¹⁴⁹ Morse, Ann, A Look at Immigrant Youth: Prospects and Promising Practices, National Conference of State Legislatures, Children's Policy Initiative, 5 (2005), www.ncsl.org/documents/immig/CPIimmigranyouth.pdf.

¹⁵⁰ www.colorincolorado.org/web_resources/by_state/washington/

¹⁵¹ www.k12.wa.us/Parents/Espanol/default.aspx

¹⁵² www.k12.wa.us/MigrantBilingual/Parents.aspx

Truancy Proceedings:

- By statute, it is the preferred practice that all notifications from the school to families regarding student absences be in a language in which the family is fluent.¹⁵³
- By statute, it is the preferred practice that notification to families of the preliminary truancy hearing be in a language in which the family is fluent.¹⁵⁴
- Courts must provide an interpreter to families who are unable to readily understand or communicate in the English language.¹⁵⁵

Working with an Interpreter:¹⁵⁶

- Describe roles and clarify expectations.
- Pause frequently to allow the interpreter to translate information.
- Periodically check with the interpreter to see if you are speaking too fast or too slowly, too softly, or unclearly.
- Be aware of non-verbal body language and gestures that may be offensive to the family's culture.
- Provide written materials in the family's native language whenever possible.
- Build in extra time for the session.

Building Cultural Competency:

Judicial officers can improve their interactions with students and their families by improving their own cultural competency:

- Learn to recognize your own internal, implicit biases and associations and how they may affect your reactions to a particular student or his or her family (Short, 10-minute tests available online).¹⁵⁷
- Learn more about the different cultures and communities in the area you serve.
- Read articles designed to help professionals whose work is cross-cultural:
 - Cultural Competence in the Courtroom: A Judge's Insight.¹⁵⁸
 - A look at "how to identify bias in courts' decisions to refer young offenders to mental health and drug or alcohol treatment."¹⁵⁹
 - Teaching cultural competency to law students, 5 habits of cross-cultural lawyering.¹⁶⁰
 - An article on cultural diversity for teachers.¹⁶¹

¹⁵³ RCW 28A.225.20(1)(a).

¹⁵⁴ RCW 28A.225.35(7)(a)(i).

¹⁵⁵ RCW 2.43.010.

¹⁵⁶ Adapted from the American Speech-Language-Hearing Association's advice found at

www.asha.org/practice/multicultural/issues/interpret.htm. *See also*, Washington General Rule 11 Court Interpreters, www.courts.wa.gov/programs_orgs/pos_interpret/index.cfm?fa=pos_interpret.display&fileName=generalRule11.

¹⁵⁷ <https://implicit.harvard.edu/implicit/demo/>

¹⁵⁸ www.mobar.org/uploadedFiles/Home/Publications/Precedent/2010/Fall/Cultural%20Competence%20in%20the%20Courtroom%20A%20Judge's%20Insight.pdf

¹⁵⁹ www.pathwaysrtc.pdx.edu/pdf/fpF0204.pdf

¹⁶⁰ www.law.cuny.edu/faculty/pedagogy/bryant-habits.pdf

¹⁶¹ www.scholastic.com/teachers/article/connect-kids-and-parents-different-cultures-0#assumptions

Homelessness

Indicators:¹⁶²

- Poor hygiene or wears the same clothes for multiple days
- Lack of basic school supplies
- Appears hungry or hoards food
- Lacks medical or immunization records
- Evasive about current address or living situation
- Attendance at numerous schools

Absences directly related to a student's homeless status are excused under Washington law. WAC 392-400-325

McKinney-Vento Law:¹⁶³

- By federal law, students are considered homeless if they do not have a “fixed, regular, and adequate nighttime residence” or if they’re awaiting foster care placement.
- Examples of inadequate residences include:
 - Shelters
 - Motel/Hotels
 - Trailer parks in some cases
 - “Doubled-up” (sharing housing with another family due to economic hardship) or
 - Any site not ordinarily used for sleeping, including in a car, or campsite.
- Schools must provide homeless students with transportation to their school of origin.
- Homeless students are eligible for free meals.
- School districts must appoint a homeless liaison.
- School districts should keep the student in the school of origin unless it is not in the best interest of the child or if the parent/guardian does not desire it.

Possible Interventions:

- Review absences to see if they may be considered excused because the absences are directly related to the student's homelessness (especially before finding the student in contempt).
- Consider transportation alternatives. (*See Transportation*)
- Require school to enroll student in free meal program.
- Refer student and family to the school or district's homeless liaison, or require school to have homelessness liaison contact family.
- If the student has enrolled in a new school, consider a transfer to the school of origin.
- If the student has remained at old school, consider a transfer to a school closer to the student's current residence.

Privacy / Stigma:

Many students and families will not identify themselves as homeless because the popular definition of homeless is much narrower than McKinney-Vento's. Those who do acknowledge their homeless status may still wish to avoid the stigma of the official label.

¹⁶² www.ferndale.wednet.edu/drupal/sites/default/files/CommonSigns_Homelessness.pdf

¹⁶³ McKinney-Vento Homeless Assistance Act of 1987, as amended, Title VII, Subtitle B; 42 U.S.C. 11431-11435; Washington Office of the Superintendent of Public Instruction's *Requirements and Guidance: McKinney-Vento Homeless Education Assistance Act*, www.k12.wa.us/homeless/assistanceact.aspx.

Crisis at Home

Many students struggle with attendance because of a crisis at home. This section addresses some of those problems under separate headings, but here is a sample of other problems that may be affecting a student's ability to go to school:

Unstable Parenting Situation:

- Incarcerated Parent
- Parent Substance Abuse
- Parent Mental Health

Note: Youth and families may try to hide a parent's struggle with mental illness or substance abuse because of the social stigma or in order to prevent DSHS involvement.

Possible Interventions:

- Refer the family to information about local adult counseling and treatment services.
- Refer the family to counseling services that provide "family-centered" care.
- Help adult or youth find local support groups dedicated to mental health or substance abuse problems.
http://www.mentalhealthamerica.net/go/find_support_group
- Offer information about Alateen, or Washington's Alateen program – a division of Al-Anon for teenagers whose lives have been affected by someone else's drinking.¹⁶⁴
- Consider referral to Child Protective Services.

Resources:

- Children of Incarcerated Parents Fact Sheet: Provides information on the percentage of incarcerated parents and the effects that incarceration may have on an inmate's family.¹⁶⁵
- When a Parent Has a Mental Illness: Issues and Challenges: Discusses the ways that a parent's mental illness affects the whole family.¹⁶⁶

Competing Family Responsibilities:

- Sibling Caregiver
- Student Pregnancy

Possible Interventions:

- Review mandatory attendance laws with the youth and the family and emphasize that the student's main job should be attending school.
- Provide family with information about local inexpensive or subsidized childcare options.

Resources:

- Center for Disease Control's Parent and Guardian Resources– Resources and advice for parents on how to talk to their teenagers about sex, and related topics. ¹⁶⁷
- Schools with Graduation, Reality and Dual-Role Skills (GRADS) programs for parenting teens in Washington State.¹⁶⁸

¹⁶⁴National Alateen, www.al-anon.alateen.org/for-alateen; Washington State Alateen, www.wa-al-anon.org.

¹⁶⁵ www.casey.org/Resources/Publications/pdf/ChildrenOfIncarceratedParentsFacts.pdf.

¹⁶⁶ www.mentalhealthamerica.net/index.cfm?objectid=e3412bb7-1372-4d20-c8f627a57cd3d00f

¹⁶⁷ www.cdc.gov/TeenPregnancy/Parents.htm.

At-Risk Youth (ARY) & Child in Need of Services (CHINS)

Truancy, at-risk youth, and children in need of services are all components of the Becca Laws. Parents whose children are not just truant but also running away, struggling with addiction, or otherwise out of control, may feel that they need help from the court beyond getting their children to go to school. Those parents can file an At-Risk Youth petition with the court.

If the court grants an At-Risk Youth petition, it may offer family reconciliation services, such as:¹⁶⁹

- Short-term family counseling,
- Crisis Residential Center (CRC) services,
- Referrals for substance abuse treatment and/or counseling,
- Referrals for mental health services, or
- A short-term, out-of-home living arrangement for the youth.

Parents may have to pay for some of these services.¹⁷⁰

Parents who are unable or unwilling to work out a long-term living arrangement (either at home or with a relative) for their child may file a Child in Need of Services (CHINS) petition. A child who does not agree with his or her parents' living arrangements may also file a CHINS petition. Parents may have to contribute to their child's living expenses.¹⁷¹

Requirements for Filing an At-Risk Youth Petition:¹⁷²

- The child has been absent from home for more than seventy-two (72) consecutive hours without parental consent;
- The child is beyond parental control such that the child's behavior substantially endangers the health, safety and welfare of the child or any other person; or
- The child has a serious substance abuse problem and there are no pending criminal charges related to the substance abuse.
- The parent must have tried other, non-court interventions.
- And the Department has completed a family assessment.

Requirements for Filing a Child in Need of Services Petition:¹⁷³

- The child is beyond the control of his or her parent such that the child's behavior endangers the health, safety, or welfare of the child or other person;
- The child has been reported to law enforcement as absent without consent for at least twenty-four consecutive hours on two or more separate occasions from the home of either parent, a crisis residential center, an out-of-home placement, or a court-ordered placement; and
 - The child has exhibited a serious substance abuse problem; or

¹⁶⁸ resources.parenthelp123.org/service/pregnant-parenting-teen-high-school-program-grads?page=1.

¹⁶⁹ DSHS, Children's Administration, *Adolescent Services, Frequently Asked Questions*, www.dshs.wa.gov/ca/services/srvAdlsfaq.asp#FRS; Washington State Department of Social and Health Services, *Family Reconciliation Services*, www.dshs.wa.gov/pdf/publications/22-448.pdf and www.dshs.wa.gov/ca/services/srvAdlsfaq.asp#FRS.

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² RCW 13.32A.030(3); RCW 13.32A.191.

¹⁷³ RCW 13.32A.030(5); RCW 13.32A.150.

- Has exhibited behaviors that create a serious risk of harm to the health, safety, or welfare of the child or any other person;
- The child is:
 - in need of necessary services, including food, shelter, health care, clothing, or education; or services designed to maintain or reunite the family;
 - or lacks access to, or has declined to utilize, these services; and
 - his or her parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure; or
- The child has been "sexually exploited." (*See Commercially Sexually Exploited Children*)
- And the Department has completed a family assessment.

For a more detailed summary of Washington Laws surrounding ARY and CHINS, see the University of Washington's Court Improvement Training Academy's Juvenile Nonoffender Benchbook, Section V: *Proceedings Under RCW 13.32A and Truancy*.¹⁷⁴

Resources for Families:

- Washington State Department of Social and Health Services brochure on Family Reconciliation Act.¹⁷⁵
- Washington State forms for At-Risk Youth and Child in Need of Services petitions.¹⁷⁶
- Some counties have additional information available about both of these processes on their websites.

For example:

- Clallam County— www.clallam.net/JuvenileServices/youthatrisk.html
- King County— www.clallam.net/JuvenileServices/youthatrisk.html
- Spokane County—
www.spokanecounty.org/data/juvenile/pdf/Steps_in_filing_an_ARY_or_CHINS_Petition.pdf

¹⁷⁴ www.uwcita.org/juvenile-nonoffender-benchbook.html

¹⁷⁵ www.dshs.wa.gov/pdf/publications/22-448.pdf

¹⁷⁶ www.courts.wa.gov/forms/?fa=forms.contribute&formID=19

Resources by County

Adams County

Commonly referred to services:

- In-house programming and interventions
- Local community services such as chemical dependency, counseling, and similar

Pre-court interventions:

- **Juvenile Court presence at local schools:** allows staff to address truancy issues before petitions are filed by working with schools, parents, and the youth.
- **Roundtable Meetings:** if a petition is filed, the Juvenile Court staff holds an intervention meeting with the school, parents, court and truancy officers for the purpose of signing an agreement for the student to attend school. If this agreement fails, then the case moves to court.

Highlighted programs:

- **BE A HERO:** an in-school program led by the Juvenile Court staff to educate youth on the importance of staying in school and to encourage them to stay away from gangs and illegal substances.
- **Boys Council:** a community program for boys and young men ages 9-18 that promotes healthy masculinity development by encouraging the development of strength, responsibility, and community with a cultural-relational framework. www.onecirclefoundation.org/TC.aspx
- Detention alternative programming may be offered to truant youth.
- **Girls Circle:** a community program for at-risk pre-teen and adolescent girls and young women that promotes resiliency and healthy relationships among participants by encouraging the development of strength, courage, confidence, honesty, and communication skills. www.onecirclefoundation.org/GC.aspx
- **Strengthening Families Program:** a parent, youth, and family skills-building curriculum designed to prevent teen substance abuse and other behavioral problems, strengthen parenting skills, and build family strengths. www.sfp.wsu.edu

Contact Person:

Jessie “WENO” Dominguez, *Probation Manager*
Adams County Juvenile Court
509-488-5646 • jessied@co.adams.wa.us

Asotin-Garfield Counties

Commonly referred to services:

- Local alternative schools providing credit retrieval opportunities.
- Quality Behavioral Health: for chemical dependency and mental health services. www.qbhs.org

Contact Person:

Vonda Campbell, *Administrator*
Asotin-Garfield Counties Juvenile Court
(509) 243-2024 • vcampbell@co.asotin.wa.us

Benton-Franklin Counties

Commonly referred to services:

- **Chiawana High School Student Success Program:** 509-543-6786
- **Fast Forward:** a program that works with educational institutions to provide youth who have dropped out of high school with opportunities to finish their education. www.fastforwardnow.org
- **New Horizons Extended Day Academy**

Pre-court interventions:

- **Student Truancy Boards:** used for the majority of truancy petitions filed by schools, these boards educate youth and their families about the truancy process.
- **Parent Truancy Boards:** allows parents to address truancy issues outside of the courtroom if an Agreed Order to Attend School is signed and followed.
- **Truancy Intervention Plans:** used to help students and families identify and address barriers to attendance.
- **Truancy Tracker Program:** informs parents of their child's absences before the school files a petition.

Highlighted Programs:

- **Parent Truancy Board:** includes the parents in the truancy process.
- **Truancy Clinic:** a two hour seminar to help students in contempt of the court with skill development, decision making, and goal setting. After participating in this program, approximately half of youth involved do not return for a subsequent contempt charge.
- **Truancy Tracker Program:** a way for parents to be aware of absences prior to petitions being filed.

Contact Person:

David Wheeler, *Intervention Services Manager*
Benton/Franklin Counties Juvenile Justice Center
(509) 737-2745 • David.wheeler@co.benton.wa.us

Chelan County

Commonly referred to services:

- **Catholic Family & Children Services:** provides mental health, family assistance, and other services. www.cfcsyakima.org/
- **Center for Alcohol & Drug Treatment:** provides chemical dependency prevention and treatment services. www.alcoholdrugtreatment.com/
- **Children's Behavioral Health:** provides behavioral health services for children. www.cvch.org/for-patients/services/behavioral-health-services/childrens-behavioral-health
- **Children's Home Society of Washington:** provides child and family counseling, foster care resources, and other similar services. www.chs-wa.org/
- **Readiness to Learn:** an early intervention school drop-out prevention program administered by the Office of Superintendent of Public Instruction. www.k12.wa.us/ReadinesstoLearn

Contact Person:

Gary Smith, *Probation Manager*
Chelan County Juvenile Court
509-667-6594 • Gary.smith@co.chelan.wa.us

Clallam County

Commonly referred to services:

- **Olympic Personal Growth:** provides chemical dependency services. 360-681-8463
- **TrueStar:** provides chemical dependency assessments and services.
www.clallam.net/JuvenileServices/truostar.html
- **Westend Outreach:** provides mental health and chemical dependency services.
www.forkshospital.org/westendoutreach

Contact Person:

Mike McBride
Clallam County Juvenile & Family Services
(360) 417-2504 • mmcbride@co.clallam.wa.us

Clark County

Pre-court interventions:

- **Truancy Workshop:** a session that educates students and families on the truancy process with the goal of the school representative and family signing a school attendance agreement, putting the truancy petition on hold for a year. If the student meets all the agreements throughout the year, the case is dismissed.
- **Truancy Project:** a project in which Educational Service District 112, Clark County Juvenile Court, and the local school districts partner together to provide pre-court interventions for students that remain truant after going through the Truancy Workshop process. The Project provides case management, screenings for risks such as alcohol and drug use, behavioral issues and more, case-planning, and activities and support for the youth and family. The Project also includes a community-based truancy board that will meet with truant youth and their families when other Project interventions are unsuccessful. If the youth does not comply with attendance requirements, the youth will be exited from the program and referred back to the school district for formal court intervention.
web3.esd112.org/truancy/overview

Contact Person

Jodi Martin, *Program Coordinator*
Clark County Juvenile Court
(360) 397-2201 ext. 4528 • jodi.martin@clark.wa.gov

Cowlitz County

Information on truancy services in Cowlitz County has not been made available.

Douglas County

The Douglas County Juvenile Services department has no established services for truant youth at this time.

Garfield County

Information on truancy services in Garfield County has not been made available.

Grant County

Commonly referred to services:

- **Grant County Integrative Services:** provides mental health, domestic violence, drug and alcohol treatment services, and more. www.co.grant.wa.us/GrIS/

Pre-court interventions:

- The schools handle pre-court interventions; however, the Juvenile Court can provide the school with support during that process.

Contact Person:

Valerie Temple, *Becca & Diversion Counselor*
Grant County Juvenile Court
509-754-5690 ext. 4419 • vtemple@co.grant.wa.us

Grays Harbor County

Commonly referred to services:

- **Children's Administration:** provides family support and resources. www.dshs.wa.gov/ca/
- **ESD 113 programs:** provides resources such as GED preparation and employment readiness. www.esd113.org/domain/274
- Local mental health agencies
- Local chemical dependency agencies
- Mediation

Pre-court interventions:

- **Community Truancy Board:** recently developed in collaboration with a local school district to address truancy outside of the courtroom.

Highlighted programs:

- The Court is working with Grays Harbor College to become a certified GED testing site.

Contact Person:

Gregory J. Reynvaan, *Administrator*
Grays Harbor County Juvenile Department
360-500-4111 • GReynvaan@co.grays-harbor.wa.us

Island County

Highlighted programs:

- The court has developed various purge projects for truant youth in detention focusing on values such as integrity, honesty, respect, and citizenship.

Contact Person:

Cathy Lange, *Probation Officer*
Island County Probation Department
360-679-7325 • c.lange@co.island.wa.us

Jefferson County

Commonly referred to services:

- After school tutoring
- In-school suspension/Friday school
- **Jefferson Mental Health Services:** provides a variety of mental health services for children and families. www.jeffersonmhs.org
- **Peninsula College GED Program:** 360-531-4112
- **Safe Harbor Recovery:** an outpatient chemical dependency treatment program. 360-385-3866
- Various alternative school programs
- Various community service sites

Pre-court interventions:

- **Community Truancy Boards:** piloted in the Port Townsend School District for the last two years
- The Port Townsend School District takes youth who are at risk for truancy petitions to observe local truancy court as a preventative measure.

Highlighted programs:

- The Truancy coordinator attempts to call truant students after petitions are filed in order to answer questions and explain the process.
- The Port Townsend School District's preventative measure.
- The Truancy Coordinator supervises the attendance of youth released by schools to get GEDs.

Contact Person:

Kurt Munnich, *Truancy Coordinator*
Jefferson County Juvenile & Family Court Services
360-385-9190 • kmunnich@co.jefferson.wa.us

King County

Commonly referred to services:

- Court ordered programs:
 - **King County's Juvenile Justice Assessment Team:** used for mental health and drug and alcohol assessments. www.ths-wa.org/programs-and-services/youth-programs-and-services/juvenile-justice-assessment-team-jjat/
 - **Step Up:** a domestic violence program for families. www.kingcounty.gov/courts/step-up.aspx
 - **Wrap Around:** King County's mental health community advocacy program for families. www.kingcounty.gov/healthservices/SubstanceAbuse/Services/Treatment/WrapAroundServices
- Community programs and services: such as mental health assessments, family counseling, individual counseling, and similar. These referrals are monitored by each school district's truancy court representative who connect youth to a variety of organizations and agencies that provide services tailored to meet the court order, the nature of the problem, and the geographical area in which the student and family live.
- Examples of agencies in King County include:
 - **Atlantic Street Services.** www.atlanticstreet.org
 - **Auburn Youth Services.** www.ayr4kids.org
 - **Central Area Youth and Family Services.** 206-322-7676
 - **Consejo.** <http://consejocounseling.org/>
 - **Kent Youth and Family Services.** www.kyfs.org
 - **Northshore Youth and Family Services.** 425-485-6541
 - **Renton Area Youth Services.** www.rays.org
 - **Sound Mental Health.** www.smh.org
 - **South Seattle Youth and Family Services.** www.swyfs.org
 - **Southwest Youth and Family Services.** <http://swyfs.org>
 - **Therapeutic Health Services.** www.ths-wa.org

Pre-court interventions:

- King County's Prosecutor's Office conducts truancy workshops around the county.
- The truancy court supports and encourages community truancy boards.
- Two school districts offer their own truancy workshops.

Highlighted programs:

- The Juvenile Court collaborates with King County school districts to change school discipline charges through OSPI, various ESDs, and the State Legislature in order to prevent students from getting involved in the court system.
- As of 2013, community truancy boards in the county have been approved as post-preliminary services (in addition to pre-court diversion) with the hope of re-engaging students and keeping them from further contact with the court.
- **Washington Youth Academy:** A state-wide organization that engages students in order to further academic completion. www.ngycp.org/site/state/wa/

Contact Person:

For questions concerning King County's community truancy boards and/or workshops, contact:

Jan Solomon, *ARY Programs Manager*

King County Juvenile Court

206-205-9335 • Jan.solomon@kingcounty.gov

Kitsap County

Information on truancy services in Kitsap County has not been made available.

Kittitas County

Commonly referred to services:

- Community restitution opportunities
- In-house counseling

Pre-court interventions:

- **Youth engagement:** if the truant youth is already under supervision through the court, the court uses motivational interviewing and other engagement techniques to address the truancy issue.
- The court may informally consult with local school districts and families to develop plans for how to address absences.

Contact Person:

Michael Stafford, *Assistant Juvenile Court Administrator & Probation Manager*
Kittitas County Juvenile Court Services
509-962-7516 • juvenile@co.kittitas.wa.us

Klickitat County

Commonly referred to services:

- **Central Washington Comprehensive Mental Health/Dependency Services:** individual and family counseling plus mental health and dependency evaluations. Goldendale location: 509-773-5801; White Salmon location: 590-493-3400
- **Department of Social and Human Services:** provides family reconciliation services. 800-557-9671

Pre-court interventions:

- **Truancy Intervention Program:** after the school has filed a petition, the court's Becca Coordinator meets with the school, the student, and the family to discuss ways to help the student be successful at school. The truant youth may be required to attend the school's credit retrieval program and may also be required to develop an educational plan with a school counselor.

Contact Person:

Sam Counts, *Becca Coordinator*
Klickitat County Juvenile Court
509-773-3440 • samc@co.klickitat.wa.us

Lewis County

Information on truancy services in Lewis County has not been made available.

Lincoln County

Commonly referred to services:

- **Lincoln County Drug & Alcohol:** provides chemical dependency treatment. 509-725-2111
- **NEW Alliance Counseling Services:** provides mental health and chemical dependency prevention and treatment services. www.co.stevens.wa.us/counseling/
- The court also provides after-school tutoring.

Pre-court interventions:

- Juvenile court staff will contact the student and family to provide information concerning available services once the school district reports a youth as truant.

Highlighted programs:

- The court works closely with the schools to build relationships with truant youth in order to help meet their needs as much as possible.

Contact Person:

Bill Manion, *Administrator*
Lincoln County Juvenile Court
509-725-7475 • bmanion@co.lincoln.wa.us

Mason County

Information on truancy services in Mason County has not been made available.

Okanogan County

Commonly referred to services:

- Community mental health and chemical dependency services
- The court also collaborates with local churches, businesses, schools, and police force to provide services to truant youth.

Contact Person:

Dennis Rabidou, *Superior Court Administrator*
Okanogan County Superior Court
509-422-7264 • drabidou@co.okanogan.wa.us

Pierce County

Commonly referred to services:

- **Common Voice:** provides parental support. www.acommonvoice.org
- **Community Counseling Institute:** provides education and treatment services for chemical dependency. www.cciwa.org
- **Comprehensive Life Resources:** provides behavioral and mental health services and family support resources. www.comprehensiveliferesources.org
- **D & A Lakeside Milam Recovery:** provides chemical dependency treatment services. www.lakesidemilam.com
- **Fresh Start Program:** GED program through Tacoma Community College. 253-566-5086
- **Goodwill Services:** provides a variety of services including personal development, job training, GED preparation, and more. www.tacomagoodwill.org/services/ya/
- **Positive Steps:** provides support and resources to help families reduce truancy. www.psesd.org/?s=positive+steps
- **Reach Program:** provides career, education, and personal development for youth and young adults. www.reachtacoma.org
- **YMCA:** provides a variety of family services. www.ymcapkc.org

Pre-court interventions:

- **Community Truancy Boards:** available in some school districts.
- **Mini-petition:** After a youth has had five absences and the school has been unsuccessful at communicating with the student and family, the school district can file a mini-petition. This gets the Juvenile Court involved and is intended to engage the family and student to improve attendance without full court intervention.
- **Truancy Workshops:** sessions provided by the Juvenile Court to educate youth and families on the truancy process after petitions are filed.

Highlighted programs:

- Comprehensive Life Resources
- Positive Steps
- Truancy Workshops

Contact Person:

Marco Salas, *Truancy Supervisor*
Pierce County Juvenile Court
253-798-3343 • msalas@co.pierce.wa.us

San Juan County

Commonly referred to services:

- After school library assistant
- **Compass Health:** provides chemical dependency evaluations. www.compasshealth.org
- Private medical providers for evaluations
- School tutoring programs

Highlighted programs:

- The court and local schools work closely together to provide services for truant youth and to monitor their attendance.

Contact Person:

Tom Kearney, *Administrator*
San Juan County Juvenile Court Services
360-370-7440 • tomk@sanjuan.co.com

Skagit County

Commonly referred to services:

- Chemical dependency assessments
- **Community Action:** a non-profit organization that provides various services to low-income families including food, housing, help with utility bills, and more. www.communityactionskagit.org/District/
- Community mental health programs
- Community workshops
- **Functional Family Therapy (FFT):** an evidence-based family intervention that addresses at-risk behavior and builds family strengths.
www.skagitcounty.net/Common/Asp/Default.asp?d=CommunityServices&c=General&p=FFT.htm
- **Integrated case management:** a program in which staff members from various agencies (such as the Children's Administration, the local ESD, probation, and so on) get together to staff truancy cases.
- School credit retrieval programs available at various schools
- **Service with a Purpose (SWAP):** a program that connects youth with volunteer work and mentors.
Contact: Ericka Christensen at erickac@co.skagit.wa.us
- **Skagit Domestic Violence & Sexual Assault Services:** an organization that provides domestic violence and sexual assault services. Website: www.skagitdvsas.org/
- **"What If" project:** collaboration between incarcerated and formerly incarcerated adults and law enforcement personnel that visits youth in detention. Website: www.theifproject.com/
- **Worksource:** a program providing students with training and workshops to expand educational and employment opportunities. Website: www.worksourcenorthwest.com/

Pre-court interventions:

- Community truancy boards: contact Joelenem Meckstroth at joelenem@co.skagit.wa.us
- **Engagement in Education (EIE) Workshop:** a workshop offered to youth and their families educating on the truancy process and future impacts of truancy. Contact Joelenem Meckstroth at joelenem@co.skagit.wa.us

- **Kindergarten Round-Up:** an event held at the beginning of each school year in which a staff member from the Skagit County Juvenile Court educates families on the importance of school attendance. Contact Ericka Christensen at erickac@co.skagit.wa.us
- **Back to School Fairs:** at these school events, representatives from the Juvenile Court speak to youth and families about the truancy process and the importance of school attendance. Contact Ericka Christensen at erickac@co.skagit.wa.us
- Parent letter: sent to parents with students in K-8 grades as an effort by the juvenile court to educate parents on truancy issues. Contact Ericka Christensen at erickac@co.skagit.wa.us

Contact Persons:

Ericka Christensen, *Truancy Intervention Specialist*
 Skagit County Community Services
 360-419-3420 • Ericka@co.skagit.wa.us

Joelene Meckstroth, *Truancy Intervention Specialist*
 Skagit County Community Services
 360-419-3420 • Joelenem@co.skagit.wa.us

Skamania County

Commonly referred to services:

- **Skamania County Community Health Department:** provides services including mental health and chemical dependency treatment. www.skamaniacounty.org/community-health/

Pre-court interventions:

- After a school files a truancy petition, the court meets with the school and family. If an agreement is made concerning the youths' attendance and the youth attends school as agreed, the petition is stayed until the youth turns 18 or graduates from high school or the equivalent.

Contact Person:

Jennifer Allinger
 Skamania County Juvenile Department
 509-427-3715 • allinger@co.skamania.wa.us

Snohomish County

Commonly referred to services:

- **Detention Alternatives:** such as life skills development, community service, and GED programs. www1.co.snohomish.wa.us/Departments/Superior_Court/Juvenile_Services/Services/Detention/Juvenile_Detention_Alternative_Programs.htm

Highlighted programs:

- **Juvenile Educational Transitional Services, Plus (J.E.T.S.+):** a partnership between Snohomish County Juvenile Court, Everett School District, the Northwest Educational Service District #189, and other community agencies provide educational services in addition to employment, college

application, and life skills development services while also providing community service and arts education opportunities.

Contact Person:

Jessica Gurley, *Community Services Supervisor*
Snohomish County Superior Court
425-388-7840 • Jessica.gurley@snoco.org

Spokane County

Commonly referred to services:

- **West Valley School District Community Truancy Board (CTB) Model:** has been replicated in four school districts for a total of nine unique CTBs within Spokane County. CTBs are a collaborative, community based approach to working with truant youth in order to keep them in school. CTBs seek to address the problem of truancy by engaging truant youth and their families in a restorative justice oriented program in which a variety of school, court, and community resources are coordinated to improve school attendance, promote school attachment, and enhance academic achievement. The goal of the intervention is successful school re-engagement and renewed progress toward graduation. The CTBs are offered as a resource for K-12 grades
- **Day-Reporting School Program:** conducted at the Juvenile Court, this program has a classroom specifically for truant, suspended, and/or transitional youth.
- **Functional Family Therapy:** available for some truant youth who have mental health diagnoses.
- **Weekend Program:** a program for truant youth geared toward addressing reasons for truancy and helping youth and families recognize their strengths and assets. After this program, many youth also participate in community service. www.spokanecounty.org/juvenilecourt/content.aspx?c=2723

Spokane County’s community truancy boards typically include various service organizations that might also provide service referrals. These boards often include the following:

- **Boys & Girls Club:** provides a variety of programs including education and career development. www.bgcspokanecounty.org
- Food Bank and SNAP services
- **Job Corps:** an educational and job training program. www.jobcorps.gov
- Local mental health providers
- Native American representatives for certain boards
- **Next Generation Zone:** provides career and employment services to youth and young adults. www.wdcspokane.org/next-generation-zone
- **Teen Closet:** provides clothing to foster care youth. www.teencloset.org
- **YMCA:** provides a variety of programs relevant to at-risk youth. www.ymcaspokane.org/

Pre-court interventions:

- Spokane Public Schools is piloting a pre-filing intervention for middle school youth.

Highlighted programs:

- **Check & Connect Program:** a best practice model implemented in the West Valley School District by a court-based Truancy Specialist to assist students in complying with community truancy board requirements in order to reduce truancy. www.spokane.ciswa.org/services/check-and-connect-mentoring/

- **Communities in Schools – Spokane Branch:** part of the nation’s leading dropout prevention organization, working in public schools to surround students with a community of support, empowering them to stay in school and achieve in life. Currently CIS is found in three school districts where they offer a variety of prevention and intervention services. <http://spokane.ciswa.org/>
- **Electronic Home Monitoring (EHM):** used for the highest risk cases, it tracks youth during school hours to ensure attendance.

Contact Person:

Bonnie Bush, *Administrator*
 Spokane County Juvenile Court Services
 (509) 477-2406 • Bbush@spokanecounty.org

Stevens/Pend Oreille/Ferry Counties

Stevens:

Commonly referred to services:

- Local mental health and chemical dependency providers

Pre-court interventions:

- The court partners meets with local school districts to educate the youth on the truancy process and to address the reasons for absences in order to fix any problems before court involvement is necessary.

Contact Person

John Olson, *Juvenile Probation Officer—Truancy*
 Stevens County Juvenile Court
 509-684-2549 • jolson@co.stevens.wa.us

Ferry:

Commonly referred to services:

- **New Alliances:** for chemical dependence and mental health services. 509-775-3341

Contact Person:

Cleve Ives, *Juvenile Probation Counselor*
 Ferry County Juvenile Probation
 (509) 775-5225 ext. 1108 • juvenile-dept@co.ferry.wa.us

Pend Oreille:

Commonly referred to services:

- **Alternative school:** youth must request to join and then judge will approve.
- **Pend Oreille County Counseling:** If a truant youth is already connected, the judge may reinforce their participation in that service. www.pendoreilleco.org/county/cs.asp

Contact Person:

Cindy Delay, *Juvenile Officer*
 Pend Oreille Juvenile Court
 509-447-4021 • cdelay@pendoreille.org

Thurston County

Commonly referred to services:

- **Behavioral Health Resources:** an organization that provides mental health and chemical dependency services to a variety of populations including children and their families. www.bhr.org
- **Community Youth Services:** an organization that provides a variety of child and family services. www.communityyouthservices.org
 - **Haven House:** a program providing safe shelter or temporary time-out when parents and youth are in conflict. 360-943-7861 or 360-754-1151
 - **Multi-Systemic Therapy:** a program that provides short-term, intensive services for adolescents and families with challenges in school, families, juvenile justice, mental health, anti-social behavior, and child welfare. Contact Tricia Wiltse at 360-918-7889 or Amanda Ford at 360-918-7877
 - **Youth Build:** a program that provides work opportunities to youth as they earn their diplomas. Contact Sarah Wilkins at 360-943-0780 ext. 126
- **Conscious Parenting Project:** provides counseling, workshops, and other services for parents of adolescents. Contact Debi Bailey at 360-943-0852
- **Department of Social and Health Services:** www.dshs.wa.gov and 1-888-713-6115
 - Family Team Decision Making Meetings
 - Family Assessments
- **Family Alliance for Mental Health:** a program that provides comprehensive services for youth and families. Contact Donna Obermeyer at 360-790-7505
- **GRAVITY:** a program that provides drop-out reengagement services and assistance with barriers to education, GED preparation, college applications and financial aid forms, and job readiness. www.esd113.org/GRAVITY
- **Healing Hearts Ranch:** provides therapeutic horse riding to children and young people. Contact Kristi Dees at 360-539-7677
- **Juvenile Drug Court:** Truant youth may be required to observe proceedings for this program. Contact 360-709-3131
- **Monarch Children's Justice Center:** provides counseling and advocacy services for youth who have been sexually assaulted or abused. www.monarchcjac.org
- **Washington Youth Academy:** A state-wide organization that engages students in order to further academic completion. Contact Kasie Roach at 360-473-2629. www.ngycp.org/site/state/wa/

Highlighted programs:

- **GRAVITY:** The Court has found that some truant youth unable to succeed in other educational settings show progress in this program.
- **Healing Hearts Ranch:** The Court has led two community service days for truant and at-risk youth and found that participation led to improvement in attitude, motivation, and willingness to engage in the community.

Contact Person:

Michael Fenton, *Juvenile Court Administrator*
Thurston County Juvenile Court
360-709-3131 • FentonM@co.thurston.wa.us

Wahkiakum-Pacific Counties

Due to low truancy petition filing rates in these counties, there are no established services in place for truant youth at this time.

Walla Walla-Columbia Counties

Commonly referred to services:

- Truancy Committee: a group composed of representatives from each school in the county that reviews truancy cases.

Pre-court interventions:

- Day-Reporting: If a truant youth is already on probation, they can be sent to a school program that requires day-reporting through the Probation Department.

Contact Person:

George Wiese, *Assistant Director*
Walla Walla Juvenile Justice Center
509-524-2814 • gwiese@co.walla-walla.wa.us

Whatcom County

Information on truancy services in Whatcom County has not been made available.

Whitman County

Commonly referred to services:

- **Palouse River Counseling Services:** provides mental health and chemical dependency treatment, case management, and similar services. www.palouserivercounseling.org

Pre-court interventions:

- When a youth becomes truant, local schools intervene with the youth and the family to encourage attendance and address barriers. If the youth remains truant, the Whitman County Becca Coordinator will meet with the youth one-on-one to try and address the truancy before the petition is filed.

Contact Person:

Sherri Aune, *Becca Coordinator*
Whitman County Juvenile & Family Courts
509-397-5300 • sherria@co.whitman.wa.us

Yakima County

Commonly referred to services:

- **Central Washington Comprehensive Mental Health:** provides mental health assessments and treatment for students referred by the schools. www.cwcmh.org
- **Dependence Health and Merit Treatment Services:** provides chemical dependency assessments and treatment for students referred by the schools. www.meritresourceservices.org
- **Madison House:** provides after-school tutoring and activities. www.yugm.org/services/madisonhouseyouthcenter.html
- **Rod's House:** a drop-in resource center for homeless youth that provides many services, including educational support. www.rodshouse.org
- **Team Child:** provides legal services for youth involved in the juvenile justice system, including assistance with truancy petitions. www.teamchild.org
- **Truancy Becca Coordinator:** represents the school districts in court and also guides families through the process providing education and resources on truancy issues

Highlighted Programs:

- The Sunnyside School District partners with ESD 105 to provide a truancy class that educates students and families on the importance of school attendance, the truancy process, and other preventative measures

Contact Person:

Joelle Dickerson, *Juvenile Probation Counselor/Becca Coordinator*
Yakima County Superior Court
509- 574-2091 • Joelle.Dickerson@co.yakima.wa.us



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