

Addressing Truancy and Other Status Offenses

Guidance for Education Professionals and Systems

Each year, hundreds of thousands of young people become involved with the juvenile court system because of non-criminal behaviors such as truancy, running away from home, or “unruliness” or “ungovernability.” These acts, known as status offenses, can lead youth to be locked in juvenile detention facilities if they disobey court orders and continue to commit them.

The Coalition for Juvenile Justice released its *National Standards for the Care of Youth Charged with Status Offenses*, which included concrete recommendations for limiting or avoiding court involvement and eliminating secure confinement for non-criminal juvenile offenders. The *National Standards* address numerous issues affecting

education systems and their roles identifying and responding to noncriminal misbehaviors of school age youth, particularly instances where a young person is truant.

The *National Standards* pay special attention to issues relating to truancy and chronic absenteeism because research has shown that missing school is a significant risk factor for later drug use, delinquency, adult criminality, suicide attempts and employment problems.ⁱ The *Standards* also acknowledge and support the need for early identification and intervention for truant youth to avoid status offense and/or justice system involvement that may not only harm the young person, but his or her school and community.

CLAYTON COUNTY, GEORGIA'S APPROACH TO DIVERTING TRUANT YOUTH AWAY FROM THE COURT SYSTEM

Under Georgia law, the chief judge of each county Superior Court can establish a Student Attendance Protocol Committee to ensure coordination between stakeholders involved in compulsory attendance issues and to help reduce the number of unexcused absences from county schools.

In 2010, using this state law and his inherent convening authority as leverage, the Honorable Steven Teske, Presiding Judge of the Juvenile Court of Clayton County, GA developed a court-wide Truancy Intervention and Other Status Youth Protocol. The protocol mandates that county schools cannot petition a chronically absent student to court until:

- The student has first been referred to a multi-disciplinary child study team;
- The child study team has conducted an assessment and evaluation of the child to determine the underlying causes of his/her truant behavior; and
- The child study team has developed an individualized treatment plan for the child.

Under the protocol a petition for truancy can only be filed if the child or parent refuses to cooperate or a court order is necessary to access services that cannot otherwise be accessed voluntarily. Under no circumstances can the student be detained as punishment for not attending school.

The *National Standards* aim to help education and other service professionals who work with young people who are truant or at risk for being truant by offering a set of ambitious yet implementable

standards that are portable, easily understood, and designed to spur and inform state and local practice and policy reform.

Specifically, the *National Standards* call for the following:

- **Youth-serving and school systems should ensure young people don't enter the status offense system because of learning, mental health, sensory, speech/language or co-occurring disabilities** (*Section I, Standard 9*). Commentary to the National Standards suggests that professionals use resources at their disposal through IDEA, Section 504 and/or Medicaid-EPSTD to identify the extent of the disability and provide relevant services to avoid status offense system involvement that may only exacerbate the problems the child and family are experiencing. It also provides concrete suggestions for education system professionals, as well as mental health and law enforcement to steer at risk youth with disabilities away from the status offense court system.
- **Youth-serving and education systems should train professionals who first respond to alleged status offenses, such as truancy, about family and community dynamics and other factors that can cause these behaviors, as well as the availability and role of screenings, assessments and services** (*Section II, Standard 3*). The commentary to this section of the National Standards also includes possible components/subject areas that could be the focus of training seminars, such as adolescent development, risks of detention and justice system involvement and trauma-informed practices.
- **Education systems should implement responses to truancy that match the reasons youth are absent from school and that aim to avoid court involvement, school suspension or expulsion** (*Section II, Standard 5*). Commentary to this section includes a discussion of research supporting the need to keep truant youth out of the court system and offers concrete steps education system professionals can take to identify and address the causes of truancy without justice system involvement, such as contacting the family and following up with a home visit or in-school meeting, making appropriate referrals and developing a plan with the youth and family to resolve the issues. School-based truancy or youth courts,ⁱⁱ as well as alternative learning environments, are also discussed as possible responses.

In addition to the above, the *National Standards* address many issues essential to working with youth in status offenses cases, such as adolescent brain development, trauma and early intervention and diversion strategies, as well as concrete recommendations relating to vulnerable populations, such as girls, LGBTQ and minority youth.



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ⁱ Office of Juvenile Justice and Delinquency Prevention Model Programs Guide (and citations therein) (no date). *Truancy Prevention*. Available at <http://www.ojjdp.gov/mpg/progTypesTruancy.aspx>.

ⁱⁱ For more information see Office of Juvenile Justice and Delinquency Prevention Model Programs Guide (no date). *Teen/Youth Courts*. Available at <http://www.ojjdp.gov/mpg/programTypesDescriptions.aspx?ptype=2,35>.