|  |  |
| --- | --- |
| District Court, \_\_\_\_\_\_\_ County, ColoradoCourt Address: Phone Number: SCHOOL DISTRICT \_\_\_\_\_\_\_\_\_IN THE INTEREST OF:[STUDENT], Respondent Student,And Concerning:[PARENTS/LEGAL GUARDIANS],Respondent Parent/Guardian | **▲ Court Use Only ▲**Case Number: Division:  |
| **VALID COURT ORDER COMPELLING ATTENDANCE** |

 THIS MATTER came before the Court on \_\_\_\_\_\_\_\_\_\_ (date) for an adjudicatory hearing on the Verified Petition to Compel Attendance (or the “Petition”). The Petition alleges that the Respondent Student’s habitual truancy categorizes the Respondent Student as a “status offender,” as that term is defined in and 28 C.F.R. 31.304(h) and *In the Interest of J.E.S.*, 817 P.2d 508, 512 n. 6 (Colo. 1991) (“Status offenders are youths who commit acts, such as running away and truancy, that would not constitute a criminal offense if committed by an adult, but that nevertheless subject youths to the jurisdiction of the juvenile court.”). The Court has jurisdiction over this matter under C.R.S. §§ 19-1-104, 22-33-108(1). Present at the hearing were the following individuals (check all that apply):

 [ ]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_ on behalf of the School District.

 [ ]  Respondent Student, \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [ ]  Respondent Parent, Legal Guardian, or Custodian, \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [ ]  Respondent Parent, Legal Guardian, or Custodian, \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [ ]  Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 The Court, having considered the parties’ filings, the evidence before the Court, and being otherwise informed about the premises, hereby finds beyond a reasonable doubt:

1. The School District gave the Respondents written notice that it would initiate judicial proceeding on \_\_\_\_\_\_\_\_ (date).
2. The School District filed the Petition on \_\_\_\_\_\_\_\_ (date), and the School District served the Respondents with a written copy of the allegations within a reasonable time.
3. The Respondents have been advised of their legal rights.
4. The Respondent Student has attained the age of six years on or before August 1 of \_\_\_\_\_\_ (year) and is under the age of seventeen years. The Respondent Student, therefore, must attend school pursuant to the Colorado School Attendance Law of 1963, § 22-33-101, et. seq., C.R.S (or “School Attendance Law”).
5. The Respondent Student has not attended school as required by the School Attendance Law, specifically (check one or both):

[ ]  the Respondent Student has four (4) unexcused absences from public school in one month; and/or

[ ]  the Respondent Student has ten (10) unexcused absences from the public school during any school year.

1. Respondent Parents/Guardians have failed to ensure adequate school attendance.
2. The School District created and implemented a treatment plan but, despite the plan, the Respondent Student has not complied with the School Attendance Law.
3. Unless ordered to do so, the Respondent Student will continue to fail and/or refuse to comply with the School Attendance Law.
4. The Respondents were warned that the Respondent Student could be sanctioned for violating this order and that this sanction could include placement in a secure detention or juvenile correctional facility.

 Based on these findings, the Court exercises its discretion to issue an order compelling the Respondent Student to attend school and compelling the Respondent Parent(s)/Guardian(s) to take reasonable steps to assure the child’s attendance. C.R.S. § 22-33-108(6).

 IT IS THEREFORE ORDERED that:

1. Respondent Student, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, shall comply with the provisions of C.R.S. § 22-33-104, as amended, and to regularly attend school in \_\_\_\_\_\_\_\_\_\_\_ School District on time every day for every period unless the Respondent Student is ill or injured or whose absence is approved by the school’s attendance officer.
2. Respondent Parent(s)/Guardian(s), \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, shall make all reasonable efforts and to take all measures necessary to assure that Respondent Student attends school on time every day and otherwise complies with the provisions of C.R.S. § 22-33-104.
3. The Respondents shall cooperate with the School District in complying with the treatment plan created for the child pursuant to C.R.S. § 22-33-107(3)(b) and the attached Stipulation (if any).
4. This matter is closed, but the Petitioner is granted leave to file a Motion for Citation for Contempt of Court if the Respondents fail to comply with this Order.
5. The Responds were or will be served as follows (check one):

[ ]  Respondents were personally served with this Order in open court.

[ ]  Respondents will be served with this Order.

Entered this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

 BY THE COURT:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 District Court Judge