

<p>DISTRICT COURT, LARIMER COUNTY, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, Colorado 80521</p> <hr/> <p>IN RE THE TRUANCY POLICY OF THE 8TH JUDICIAL DISTRICT</p>	<hr/> <p>Courtroom: 3A</p>
<p align="center">ADMINISTRATIVE ORDER 2016-1</p>	

Senate Bill 15-184, codified as C.R.S. 13-5-145, was enacted by the Colorado General Assembly and signed into law by Governor Hickenlooper in 2015 with the intent to reduce the use of detention as a sanction in truancy cases. The general assembly found that detaining a juvenile who violates a court order to attend school does not improve the likelihood that the juvenile will attend school and does not address the underlying causes of the juvenile’s truancy. The law recommends that truancy courts only use detention as a sanction of last resort. The general assembly furthermore found that the best methods to address truancy and its underlying causes will vary by community. As such, the law requires a meeting of community stakeholders in each judicial district, to assist the chief judge in creating a policy for addressing truancy cases that seeks alternatives to the use of detention as a sanction.

The undersigned chief judge met with the magistrate presiding over the truancy docket to discuss the use of detention as a sanction in truancy cases pursuant to SB 15-184. It was determined that in this district detention of a juvenile is being used very sparingly at present as a sanction in truancy cases. In fact, the largest School District, Poudre, has had their own policy in place for some time mandating that they utilize methods other than filing truancy cases. That district has a very detailed policy and plan for use of resources, other than the courts, to entirely avoid filing truancy cases. For those other school districts in this judicial district who do file truancy cases, the court now has and will continue a policy that detention would only be used as a sanction of last resort. If a truancy petition is filed, the court will consider all viable alternatives to detention to attain the goals of improving a student’s school attendance, educational performance, and ultimately successfully terminating the truancy action. The court is furthermore committed to partnering and working collaboratively with the school districts, law enforcement, and community agencies to further reduce the number of truancy cases filed in Larimer County.

The undersigned chief judge, with the assistance of the magistrate who presides over truancy cases in the 8th Judicial District, convened the meeting of community stakeholders to create a truancy policy. Seeking representatives from each, the undersigned chief judge and the magistrate reached out to the following community stakeholders: (1) The School Districts in the 8th Judicial District, Estes Park, Walden, Thompson and Poudre School Districts; (2) the Larimer County Department of Human Services; (3) guardians *ad litem*; (4) the Larimer County Probation Department; (5) SB-94; (6) the Larimer County District Attorney's Office; (7) defense attorneys; (8) court-appointed special advocates; (9) the Larimer County Commissioners' Office; (10) local legislators; (11) SAFY; (12) The Matthews House; and (13) SummitStone Health Partners.

The court and the stakeholders identified several common challenges for students who struggle with school attendance and performance:

- Lack of family resources for such things as transportation to school and child care for students who are parents themselves;
- Students who have a combination of truancy, juvenile delinquency and/or dependency and neglect cases pending at the same time;
- Students who are in foster care;
- Dysfunctional family issues;
- Students with mental health issues;
- Students who are the victims of bullying;
- Students struggling with substance abuse issues;
- The lack of support and reinforcement from the student's parents on the importance of education;
- Truant students often feel unwelcome or uncomfortable when returning to school, or feel like they are too far behind in their studies for their attendance to now make a difference;
- Early identification and intervention when a student has special educational needs;
- The lack of funding for community-based programs to assist truant students and their families;
- Lack of effective communication between agencies.

There are a number of current programs and strategies available as well as additional ones identified by the committee that can be utilized to reduce the number of truancy cases filed in Larimer County, as well as alternatives to imposing detention as a sanction. These include:

- Ongoing efforts and meetings of stakeholders, whether in subcommittees or as a group to discuss their role in accomplishing the overarching goal of reducing

detention use in truancy cases and explore methods by which information is more readily shared with other stakeholders. Subcommittees are comprised of: (1) school districts; (2) the courts, probation, and law enforcement; and (3) community service providers.

- Identifying children at risk for truant behavior at an early age and/or earlier in the school year, and providing intervention services to those students (school districts).
- Early assessment of whether the child would benefit from specialized educational programs (school districts).
- Use of Family Partnerships to offer cognitive behavioral therapy classes or youth sentenced to probation. (courts and community service providers).
- SummitStone, ARC, Matthews House, LaFamilia and other agencies providing assistance and counseling in areas, such as mentoring, homework support, individual and group substance abuse treatment, management of medications, individual and family therapy, barriers to school attendance, credit recovery for parents, and unique issues for children of undocumented parents (community service providers).
- The Specialized Alternatives for Families and Youth of Colorado (“SAFY”), which works with children who have suffered trauma and provides multigenerational treatment services for families in crisis (community services providers).
- Campus Corps, which provides mentoring by college students to at risk youth (school districts).
- Existing community groups that provide mentoring and support for youth, such as the Boys & Girls Clubs of Larimer County, and reaching out to adults who have participated in those programs to provide testimonials regarding the benefits of participating in those programs (community agencies).
- Parent and student workshops presented through the school districts, which would identify family and student needs and allow for early intervention, provide the family with information on available community resources, establishing school attendance plans, goal setting, etc. (school districts).
- Obtaining quantitative and qualitative data from students whose truancy cases were successfully terminated to identify what factors led to that student’s success (school districts).
- Establishing “welcoming committees” and support groups consisting of school staff and possibly other students when a truant student returns to school (school districts).
- School districts may want to consider whether breaking the school year down by quarters, as opposed to semesters, for issuing grades and accumulating school credits would provide truant students with a better opportunity to succeed (school districts).
- Investigate the feasibility of completing manifestation evaluations, either pre-truancy filing or after a truancy action is opened, and determine how other

districts pay for these evaluations (school districts and community service providers).

The importance of an education cannot be overstated and the court is committed to working with community stakeholders to reduce truancy and improve the educational experience of our youth. In the 8th Judicial District, the school districts have varying policies and positions concerning the involvement of the court in truancy matters. The court supports those individual policies. The court does want to be available in a responsive and timely manner to support these school districts. There are several common challenges students encounter that increase the risk of truant behavior. To address these challenges, thereby increasing the likelihood that the student will be successful and reduce the use of detention as a truancy sanction, a number of strategies, listed above, have been identified and many are already in place. The court and stakeholders will collect information, which will include identification of the risk factors then-existing, to measure the success of the alternatives to detention in truancy cases that are employed in the 8th Judicial District. In addition, the undersigned judge plans to re-convene this group of stakeholders as often as necessary to gauge the progress and success of the 8th Judicial District Plan.

Dated: February 8, 2016

BY THE COURT



Stephen J. Schapanski
Chief Judge