

COMMONWEALTH OF VIRGINIA
Juvenile & Domestic Relations District Court
Eighth Judicial District

220 North King Street
Post Office Box 69104
Hampton, Virginia 23669

TO: All Court Appointed Counsel

FROM: Judge Jay E. Dugger

DATE: August 10, 2010

SUBJECT: Hampton's HERE! Initiative for Truancy Prevention and Intervention

Attached to this memorandum you will find a detailed memo outlining a new process for truancy prevention and intervention which will be implemented beginning in the coming school year. This initiative has been undertaken through a collaborative effort which includes Hampton City Schools, Hampton Department of Social Services, Healthy Families Partnership, Hampton Court Services, Hampton Magistrates Office, Hampton Commonwealth's Attorney's Office, Hampton Police Department, Hampton Sheriff's Department, Hampton Juvenile and Domestic Relations District Court and Hampton-Newport News Community Services Board. As you will see in reviewing the memo, the new system attempts to intervene much earlier in truancy situations but also standardizes procedure and frontloads services to children and families who require them in order to deal with underlying problems leading to truancy.

Upon implementation of this initiative, truancy cases will be placed on the docket much earlier than was previously the case. In many truancy related cases in the past, the child would have 20 to 30 or even more unexcused absences before the case was actually heard in the Juvenile and Domestic Relations District Court. Now the matter will be placed on the docket within three days of the filing of a CHINS petition or the issuance of a warrant for Contributing to the Delinquency of a Minor. Trials will be set within seven days of the arraignment unless good cause is shown to continue the matter beyond that time period.

In order to maintain consistency in the handling of these cases, only private court appointed counsel will be used to represent children or parents involved in truancy related matters. In the past private counsel have handled all CHINS petitions but the public defender has been used in contributing charges. In order to have more uniformity, the Court has decided that it is appropriate to have private court appointed counsel to handle all of these matters.

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It is the hope of the Court that by utilizing our strong system of care in Hampton we can reduce the incidence of truancy and bring about a prompt handling of the matter which will solve not only the attendance issue but also provide services to assist the families involved so that these children will be in school ready to be active participants.

Thank you in advance for your participation.

HAMPTON'S *HERE!* INITIATIVE

Hampton's HERE! initiative is a series of truancy related programs and events coordinated and created through the collaboration of the Hampton Juvenile and Domestic Relations District Court, Hampton City Schools, Hampton Department of Social Services, Hampton-Newport News Community Services Board and other community partners.

Public Relations and Community Outreach

1. Hampton City Schools will communicate information to the public about Hampton's HERE! initiative and the desire of our entire system to minimize truancy and to ensure that children are engaged and ready to learn. We will provide every opportunity to assist families to ensure that these things take place.
2. Hampton City Schools will publicize the HERE! initiative through pamphlets, bumper stickers and banners, using various logos developed by the Hampton City Schools so that people will be constantly reminded of the importance of the initiative and the desire of the school system to support student attendance and educational success.
3. Hampton City Schools will partner with local businesses to join in the HERE! initiative by posting signs and barring unaccompanied school-aged minors from their businesses during the school day.
4. Hampton City Schools will create programs whereby student representatives will demonstrate to their fellow students the importance of school attendance.
5. Hampton City Schools will utilize an attendance contract with all students and their parents or guardians, informing the students and parents or guardians of the benefits of attendance and the consequences of non-attendance.

Reform of Hampton City School and Court Process Regarding Truancy

Hampton City Schools in collaboration with its community partners will create a structured system for the handling of unexcused absences prior to court referral.

1. The School Board will adjust school policy as may be recommended by the school administration such that school attendance policies will be consistent with the systems outlined in the HERE! initiative. The School Board should appoint attendance officers for each school as well as an attendance officer for the school system based on the

structure outlined below. The attendance officer in each school would likely be the school counselor(s) for that particular school.

2. The school system should designate individuals who will contact a student's parent(s) or guardian upon the student accruing one or two unexcused absences to find out why the child has missed school and investigate whether there are indications of family or student problems. If problems do exist, the school counselor will contact the family to determine what services or referrals may be necessary to assist the family.
3. Upon the third or fourth unexcused absence, the school counselor/attendance officer should contact the family again to determine whether there are problems for which our system of care could help. At this time, the school counselor, with the assistance of Youth Parent Empowerment Program (YPEP) personnel, will begin the evaluation and referral process if the parent(s) or guardian is requesting assistance.
4. On the fifth unexcused absence, the school attendance officer should, pursuant to statute, set an immediate conference which should include the parent(s) or guardian, child, YPEP personnel, school counselor, teachers and other individuals who might be appropriate and available. The school attendance officer would create a plan during that meeting to ensure the child's regular attendance and to assist the family with services through YPEP or through the City's overall system of care. If the parent(s) or guardian and child fail to participate in the conference, a school representative will attempt to make a home visit. The attendance officer could utilize the Hampton Police Department truancy officer, a school social worker or other collaborative partners as the situation may require.
5. Upon a sixth unexcused absence, a conference should be set within 2 days and the parents will be given notice that if the problem is not solved with whatever assistance may be necessary and available, the school system will file either (1) a criminal charge against the parent(s) or guardian for contributing to the delinquency of a minor pursuant to §18.2-371 for non-attending children under age 10 or (2) a child in need of supervision (CHINS) petition for children who currently are 10 or above and/or a contributing charge against the parent(s) or guardian for a child 10 or above. Again, this conference should include all appropriate personnel who are available to assist the family.
6. If the attendance problem persists, the school-wide attendance officer would then file an appropriate petition for CHINS with an affidavit of compliance or a criminal charge

against the parent(s) or guardian for contributing to the delinquency of a minor, again, with the appropriate affidavit showing probable cause.

7. Hampton City Schools will develop an addendum form which will replace the current policy outlined in the student handbook. Until such time as the handbook can be amended, the amendments and the fact that they replace the policy outlined in the current handbook form will be acknowledged by parent(s) or guardian by the signing of the attendance contract which will contain a statement that the parent(s) or guardian and the child are aware that the HERE! initiative policies replace those in the current handbook.

The Hampton Juvenile and Domestic Relations District Court, in cooperation with the Court Services Unit, The Magistrate's Office, the Commonwealth's Attorney's Office, the Hampton Police Department and the Sheriff's Department will create an expedited procedure to handle truancy related cases, again with the overall goal being to assist the family with any underlying issues and ensure that the child is in school and in the best position to learn and be successful.

1. Upon the filing of a petition with the Court Services Unit, the matter should be set for hearing as promptly as possible allowing for expedited service in cooperation with the Hampton Sheriff's Department. Upon the first hearing in the Juvenile and Domestic Relations District Court, the matter will be set for trial within 7 days and, should the child be found to be in need of supervision, the disposition shall be set within 2 weeks of the trial allowing 2 weeks for the matter to be staffed by the Hampton Community Assessment Team.
2. Contributing to the delinquency of a minor charges related to truancy will also be expedited on the docket and set for trial within 7 days. Continuances in truancy related matters would be allowed upon showing of good cause only.

Systems of Care Approach to Truancy Interventions

Hampton's system of care and community based service providers will partner with Hampton City Schools to ensure that services are provided to support parents' or guardians' efforts in support of their children's attendance and success in school.

1. The Community Services Board (CSB) through its ongoing role as the primary service provider for YPEP will partner with school personnel and families to provide services in support of children's regular attendance and educational success.

2. Hampton's Comprehensive Services Act office and Family Assessment and Planning Team will work collaboratively with local providers, Hampton City Schools and CSB to ensure that needed services are provided to support families.
3. Hampton's Healthy Families Partnership will partner with Hampton City Schools to create a parent education curriculum specifically aimed at supporting educational success for children. This A+ Parenting Program will be offered to any parent or guardian who wishes to attend with preference for those referred as a result of parents' or guardian's involvement in the HERE! initiative.
4. Hampton Department of Social Services (HDSS) and Hampton City Schools will partner to ensure that all families receiving TANF benefits are complying with compulsory school attendance laws as required. Through the TANF Assistance and Planning Team, HDSS will connect TANF families to any services necessary to support children's regular attendance and school readiness.
5. Hampton Police Department will partner with Hampton City Schools to assist school truancy officials in the various aspects of truancy intervention. Hampton Police Department will have a dedicated full-time truancy officer in order to achieve this.