

State of Delaware
Justice of the Peace Truancy Court
Annual Report
July 2013 - June 2014

*“Education is all a matter of
building bridges.”*

- Ralph Ellison

Mission

It is the mission of the Justice of the Peace Truancy Court to serve the people of Delaware by supporting and collaborating with school districts in their early intervention efforts to address the obstacles to regular attendance for a critically at-risk segment of the state's population.

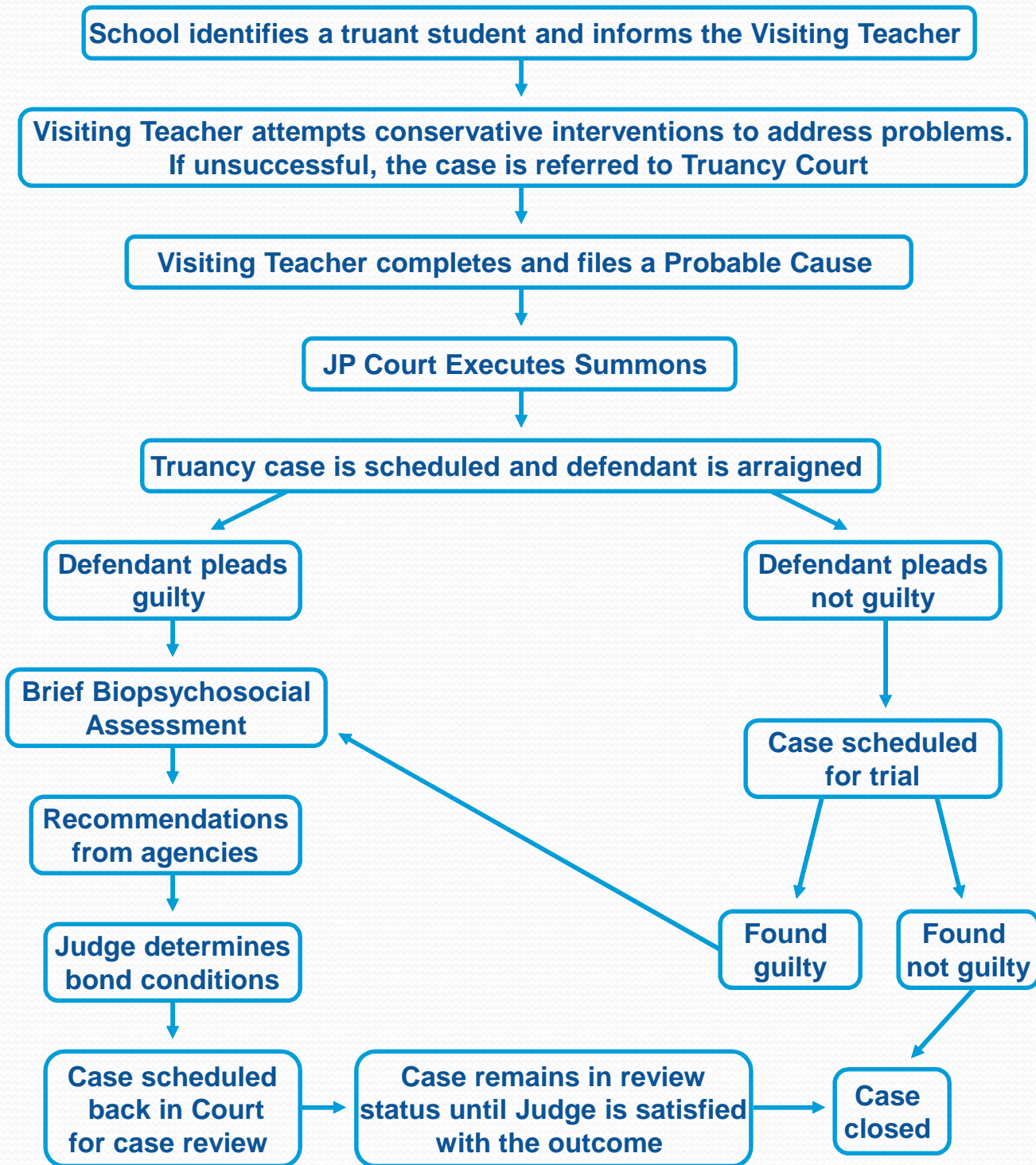
The Truancy Court Model

Truancy Court provides the authoritative presence, community resources, and collaborative planning for those students and families requiring intervention beyond the district level. Outreach efforts are aimed at addressing attendance problems and achieving compliance with Delaware's attendance laws. Truancy historically has been a reliable predictor of juvenile delinquency and often is a signal of personal and/or family issues that have gone without appropriate interventions. Some of these issues include homelessness, mental illness, substance abuse, child abuse/neglect, unmet educational needs, and limited access to healthcare.

Delaware's Truancy Court serves as the hub for the support services necessary to address these issues, thereby increasing the likelihood of consistent school attendance. Truancy Court is innovative in its remedial, non-punitive approach to improving school attendance, as opposed to the more discipline-based measures of enforcing the law and mandating change seen in traditional court settings.

This comprehensive, wraparound approach to addressing truancy has proved to be an effective intervention strategy when cases reach the judicial level. We collaborate with multiple agencies in our ongoing efforts to address the multi-domain student and family obstacles negatively impacting attendance and academic achievement.

How a Case Enters Truancy Court



A Recipe for Success – Truancy Court Best Practices

Specific to the therapeutic nature of the process and pursuant to recommendations of the National Center for School Engagement regarding truancy intervention programs, Truancy Court continues to utilize the following best practices:

Collaboration

- We collaborate with multiple agencies in our ongoing efforts to address multi-domain student and family obstacles negatively impacting student attendance and academic achievement.

- Our partners include:
 - Local school districts
 - Department of Education
 - Division of Youth Rehabilitative Services
 - Division of Prevention and Behavioral Health Services
 - Division of Family Services
 - Office of the Attorney General
 - Office of the Public Defender
 - Private providers
 - Community agencies

Family Involvement

- We partner closely with parent/guardians and students in the development of case intervention plans.

- Parents are encouraged to be active members of the intervention team. As much as possible, parents are asked to drive the implementation of the plan to address their children's attendance problems.

Comprehensive Approach

- We employ a comprehensive, wraparound approach to addressing truancy.
- We utilize a broad continuum of behavioral health and other community-based services to address student and family dysfunction across multiple life domains.
- Our program is therapeutic and problem-solving in theory and practice, embracing a strengths-based approach to student and family interventions. Student and family strengths are identified and serve as the foundation for goal-directed solutions.

Use of Incentives and Sanctions

- Judges collaborate with Visiting Teachers, parents, and students to identify creative incentives based on students' interests. Examples include allowing participation in enjoyable recreational activities, lifting restrictive conditions, and allowing increased independence and a role in decision-making.
- Multiple sanctions are available, as needed, including curfews, GPS monitoring, pre-adjudicatory services, and criminal contempt. GPS provides crucial community monitoring and data on which future interventions are based.

A Supportive Context

- Truancy Court exists as part of a larger system committed to reducing truancy and dropouts. It is but a step in the overall intervention process, one supported by local districts, the Department of Education, and multiple state agencies.
- As part of the process, we've supported and been an agent for systemic change, including code change requiring earlier intervention at the district level.

The Visiting Teachers

Visiting Teachers are the district representatives responsible for filing truancy charges with Truancy Court. Over the past four years, there have been 4,757 cases filed with the Court. The Visiting Teachers are not only responsible for filing failure to send/attend charges, but also for the ongoing monitoring of attendance and academic performance of each case until closure with Truancy Court. The Visiting Teachers attend arraignments and all subsequent case reviews, serving as the primary source of information for the Judges.

In addition, their close monitoring between case reviews allows for swift intervention, should a case deteriorate and require more immediate action by the Court. If Truancy Court is better viewed as a fluid reaction of events, then the Visiting Teachers are the catalysts, precipitating the energy for positive change. Their work, however, begins long before truancy charges are filed with the Court. The filing of charges against a parent and/or student represents the more aggressive intervention in addressing truancy. Prior to this step, the Visiting Teachers utilize more conservative, but no less vital, measures in an effort to engage parents and students.

These strategies can include face-to-face meetings with parents, students, and school staff (in the home or school), agenda books, attendance contracts, tutoring, transportation assistance, after-school programming, and reviews of special education components.

In summary, the Visiting Teachers use their diverse experiences in education, counseling, social work, and administration to comprehensively assess cases and identify not only the obstacles to regular attendance, but also the solutions. It is only after their considerable efforts have proved insufficient that they go the Truancy Court route. It is important to recognize their substantial outreach efforts on behalf of Delaware's students.

The Truancy Court Judges and Case Management Staff

A review of the Truancy Court landscape set against the backdrop of an annual report would not be complete without mentioning the roles of the Judges and Truancy Court staff. The Judges' training, experience, and diverse backgrounds provide for innovative interventions, uniquely nurturing yet authoritative guidance, and insights necessary for serving a wide range of student profiles, from the third grader with 7 unexcused absences to the 15 year old on Level III probation, whose days out of school far outnumber those attended. Truancy Court's case management staff support treatment planning and service implementation, from obtaining signatures on consent forms to making referrals to providing key follow up in between hearings to maximize the chances for success. Truancy case managers are the primary contacts for Visiting Teachers, parents, and providers.

Truancy Court Resources

The Truancy Court intervention process is founded on the idea of customizing a case plan for each student/family. Resources for these plans can range from behavioral health services to tutoring to food and utilities assistance. Information for such supports can be found in the Truancy Court Bench Book, which is available at each of the three Truancy Court locations. The Bench Book is an essential tool for Judges and case management staff. It is regularly reviewed and updated to include a well-organized and comprehensive list of resources and evaluative tools across multiple intervention areas.

The Truancy Court Resources attachment provides a description of all Bench Book additions for 2013-2014. Included are substance abuse treatment protocol, career exploration and educational support tools, human services resource guides, and biopsychosocial and referral forms. These resources were researched, screened, and/or developed by the Truancy Court Coordinator:

The Truancy Court Coordinator – Activities and Initiatives

The Truancy Court Coordinator, Edward Atwood, continues to provide statewide administrative and clinical oversight of the Truancy Court program. As the Court's subject matter expert in the areas of education, social work, and psychology, Mr. Atwood is in a unique position to affect positive change in both policy and practice, within the Court and among the Court's many collaborative partners.

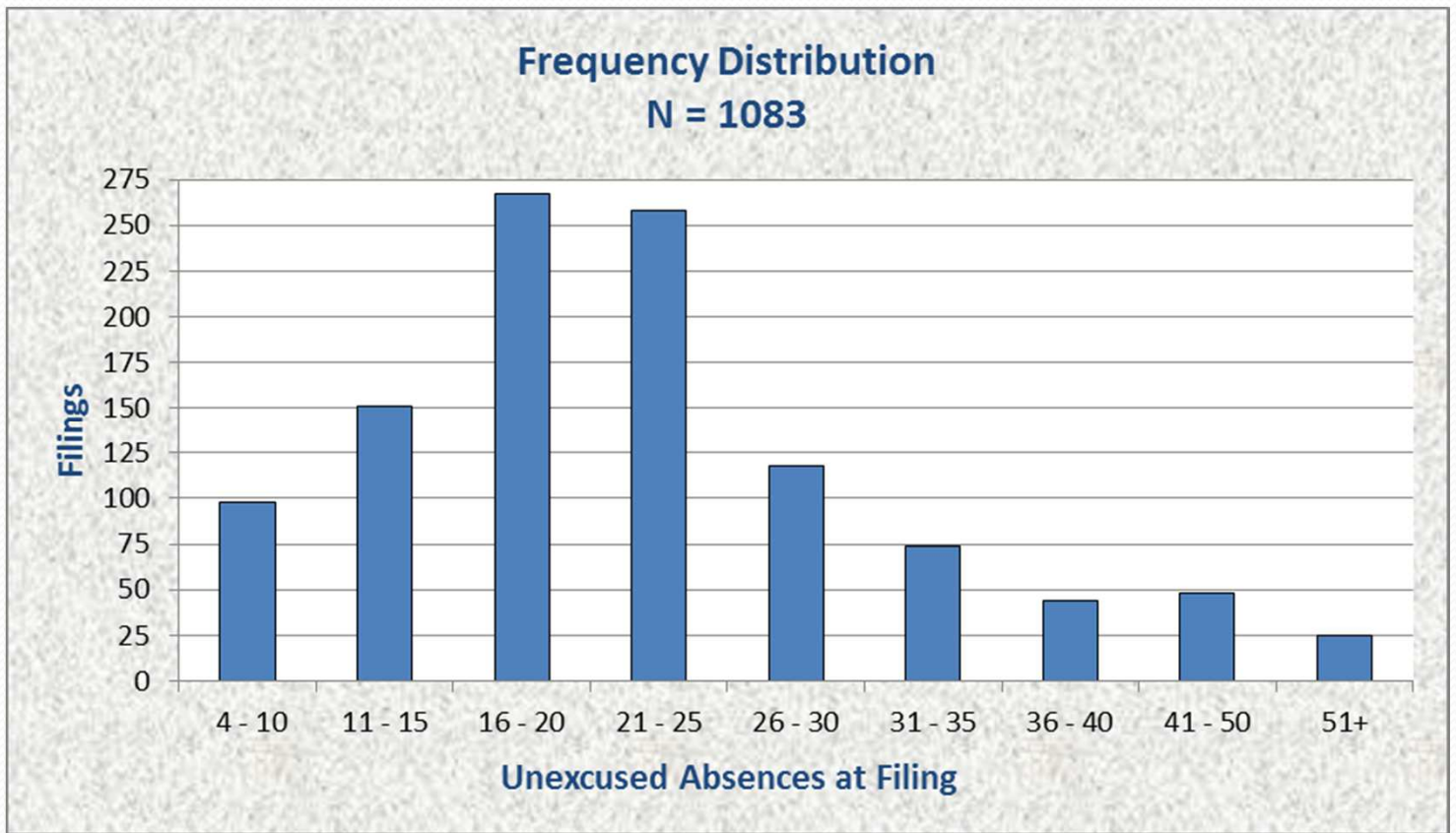
As was the case with the Truancy Task Force, where he served as committee chair and advocate for essential code change, Mr. Atwood has again been integral to the work of multiple groups. Beyond his management, coordination, and oversight responsibilities, he is active in the following areas:

- *Judicial Education: Trauma-Informed Care, Basic Legal Education (Truancy), clinical consultation, truancy-specific research and resource dissemination.*
- *Delaware Association of Visiting Teachers: Training, consultation, and participation in the annual conference on truancy and dropout prevention.*
- *School Pathways to the Juvenile Justice System Project: Member of the executive committee, co-chair of the truancy subcommittee.*
- *Youth Re-Entry Education Task Force: The Task Force will develop recommendations for ensuring the appropriate services are available for youth when they return to their communities from juvenile secure-care facilities.*
- *Delaware Trauma-Informed Care Interest Group: State and community agencies partnering to advocate for the adoption of trauma-informed care principles.*

Statistical Markers for 2013-2014

Filings

- 1083 new filings, compared to 1046 for 2012-2013.
- Statewide filing rate: 0.8%
 - The filing rate is shown as a percentage of total statewide enrollment.
 - Enrollment for the 2013-2014 school year: 133,369.
- Among all districts, Colonial had the most filings at 160.
 - This is the first time Colonial SD has had the distinction of filing the most truancy cases in a given school year.
 - Colonial's filing rate: 1.6%, tied for second highest (with Cape Henlopen).
- Lake Forest had the highest filing rate at 1.7%.
- Appoquinimink had the lowest filing rate at 0.3%. Milford and Smyrna were tied for second lowest at 0.4%.
- Unexcused absences across 1083 filings:
 - Mean: 22.8 (consistent with the previous six year average (22.1))
 - Median: 20
 - Range: 121 (H – 125, L – 4)
 - SD: 11.4



- Mean age at filing: 13.3
 - This is consistent with the previous six year average (13).

- Mean grade at filing: 6.4
 - This is consistent with the previous six year average (6.3).

Cross Comparison of Truancy Case Filings

NEW CASTLE COUNTY	2008-08	2009-10	2010-11	2011-12	2012-13	2013-14
Appoquinimink	18	23	30	30	32	30
Brandywine	90	78	215	135	136	141
Christina	123	176	232	124	156	124
Colonial	128	55	89	109	99	160
Red Clay	60	113	143	101	109	94
NCC Vo-Tech	0	0	0	1	1	1
Charter Schools	7	14	27	42	44	46
<i>TOTAL</i>	<i>426</i>	<i>459</i>	<i>736</i>	<i>542</i>	<i>577</i>	<i>596</i>
KENT COUNTY	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Capital	36	49	32	98	71	62
Caesar Rodney	49	60	108	151	74	87
Lake Forest	48	40	67	49	40	65
Smyrna	7	15	16	15	27	20
Poly Tech	0	0	0	0	0	0
Charter Schools	13	19	13	13	26	2
<i>TOTAL</i>	<i>153</i>	<i>183</i>	<i>236</i>	<i>326</i>	<i>238</i>	<i>236</i>
SUSSEX COUNTY	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Charter	0	0	0	3	2	0
Cape Henlopen	19	40	32	62	24	79
Delmar	16	8	29	18	25	33
Indian River	67	86	175	235	92	66
Laurel	9	6	11	60	35	15
Milford	46	52	86	22	17	17
Seaford	7	5	9	11	19	23
Woodbridge	25	7	9	26	17	18
<i>TOTAL</i>	<i>189</i>	<i>204</i>	<i>351</i>	<i>437</i>	<i>231</i>	<i>251</i>
GRAND TOTAL	768	846	1323	1305	1046	1083

Determining Case Dispositions

As indicated above, we closely track filings by district, unexcused absences at filing, average grade at filing, and average age at filing. This, along with detailed demographic data allows us to provide constructive feedback to the districts and the Department of Education. However, that paints only part of Truancy Court's statistical picture. The remainder is viewed in the form of case outcomes.

The primary consideration in determining "compliance – successful outcome" is the degree of improvement in attendance. As a general rule, students achieving "compliance" with the Court will have demonstrated an 80% - 90%, or greater, reduction in the rate of unexcused absences, when compared with the attendance record at filing.

A secondary consideration in determining "compliance" is the student's academic performance. Insofar as a student's academic achievement can be linked to his/her attendance, performance in this area can be considered as part of the overall determination of case success.

While seeing a student return to school and achieve "compliance" with the Court is the ultimate goal, there are other outcomes that can be positive in nature. These include "appropriate home school plan" and "successful homebound" dispositions. Outcomes like these are not considered as part of the Court's compliance rate, but they are noteworthy relative to the many final disposition possibilities.

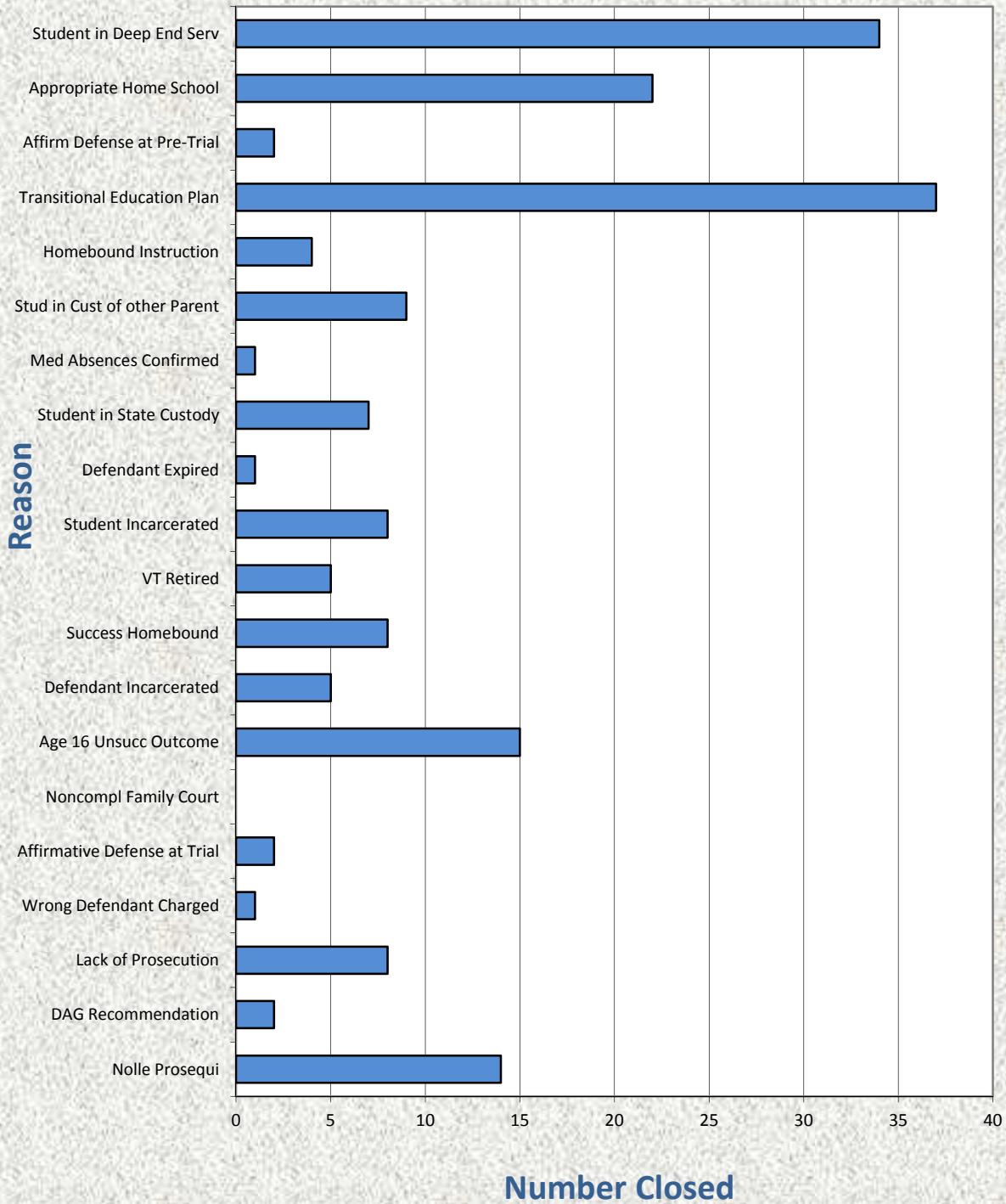
Historically, the Court has made extensive efforts to be as specific as possible when it comes to identifying the reason for final disposition on a case. This aids in program evaluation, judicial feedback, and interdepartmental collaboration/communication. The next few pages explain the dispositional details for 2013-14.

Dispositions

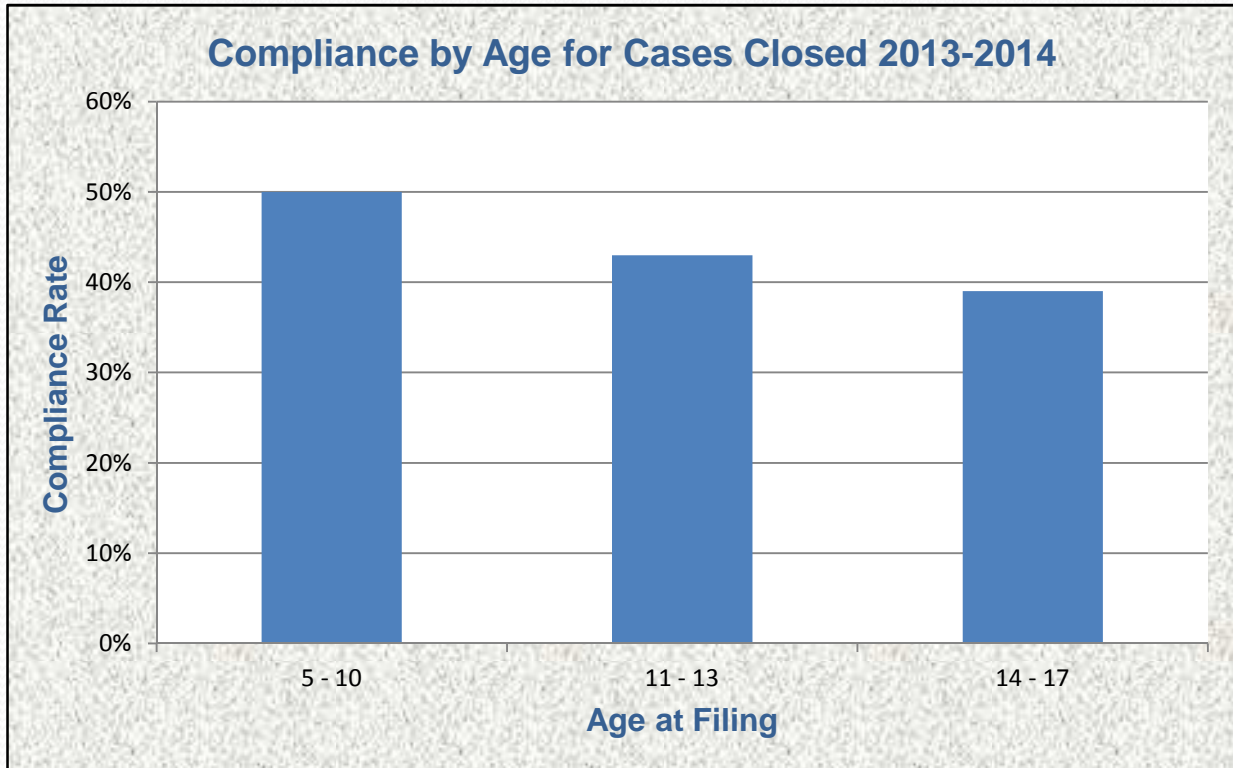
- 943 cases were closed during the 2013-2014 school year.
 - This is consistent with the previous five year average (965).
- 42% achieved compliance with Truancy Court.
 - This is consistent with the previous five year average (43%).
- 6.3% were closed as non-compliant, unsuccessful outcome.
 - This is consistent with the previous five year average (6.6%).
- 97 cases were closed via Visiting Teacher dismissal, representing 10.3% of all cases closed.
 - This is nearly a 5% decrease compared to 2012-2013.
- 80 cases were closed due to defendants' relocating out of state, representing 8.5% of all cases closed.
 - This is a 2.3% increase compared to 2012-2013.
- 126 cases were closed due to defendants' relocating in Delaware, representing 13.4% of all cases closed.
 - This is consistent with 2012-2013 (12.3%).

The remaining 185 cases were closed across 21 other disposition codes, as shown in the following graph.

Remaining Truancy Cases Closed 2013-2014, N = 185



As the following graph demonstrates, younger students are more likely to achieve compliance with Truancy Court. Early intervention, coupled with a trauma-informed, system-of-care approach has been shown to improve outcomes across a full range of environments, from schools to Courts to communities.



The above compliance rates are consistent with the previous five year averages.

Interpreting Compliance Rates and Dispositions

It is important to consider the above-referenced compliance rates relative to the status of truant students and families once they reach Truancy Court. With a statewide filing rate of 0.8% out of 133,369 students (for 2013-2014), the Justice of the Peace Court receives the most challenging cases, those where school-based interventions have failed or resulted in only minimal improvement. With that in mind, the 42% compliance rate for 2013-2014 is all the more significant.

More than 60% of defendants in Truancy Court are active with behavioral health treatment. Many of the defendants the Court sees have co-occurring mental health and substance abuse issues. The topic of dual diagnosis (mental health/substance abuse) becomes more relevant when considering its impact on treatment compliance, especially regarding substance abuse treatment. While parents are sometimes referred for substance abuse treatment, the majority of such referrals are juveniles. A co-occurring mental illness often increases the likelihood of relapse, an obstacle to success requiring careful consideration, calculated planning, and patience..

Behavioral health dysfunction is but one obstacle among many possible presenting symptoms of families appearing in Truancy Court. Other issues include:

- Chronic health conditions and illness (e.g., asthma, ADHD).
- Alienation from people of authority.
- Little or no interest in education or available academic curricula.
- Poor academic performance.
- Perceived lack of parental commitment to education.
- Insufficient parental supervision.
- Lack of age-appropriate rewards/reinforcers and/or consequences.
- Taking on responsibilities usually reserved for adults.
- Fear of violence in the community or in the school setting, including bullying.
- Educator indifference.
- Learning disabilities/special education needs.
- Teen pregnancy.
- Lack of school connectedness.
- Domestic violence.
- Poverty/lack socioeconomic resources.
- Specific trauma.

While there are many variables and risk factors associated with truancy and dropout, they can be divided into two categories, *status variables* and *alterable variables* (Lehr, Johnson, Bremer, Cosio, & Thompson, 2004). *Status variables* are static, and *alterable variables* are those areas more open to community, school, and family interventions. Examples of both types can be seen below. Given the relative impact of each, the Court’s success is contingent on our ability to “bridge” the gap between need and intervention. Despite the myriad of possible impediments, Truancy Court is able to effectively offer individualized attention to families, customize case plans, and serve as a viable, proven intervention strategy for Delaware’s school districts.

Status Variables	Alterable Variables
Age	Grades
Gender	Disruptive behavior
Socioeconomic background	Absenteeism
Ethnicity	School policies
Native language	School climate
Region	Parenting
Mobility	Sense of belonging
Ability	Attitudes toward school
Disability	Educational support in the home
Parental employment	Retention
School size and type	Stressful life events
Family structure	

(National Dropout Prevention Center, 2005 from Lehr, Johnson, Bremer, Cosio, & Thompson, 2004)

A Case Example

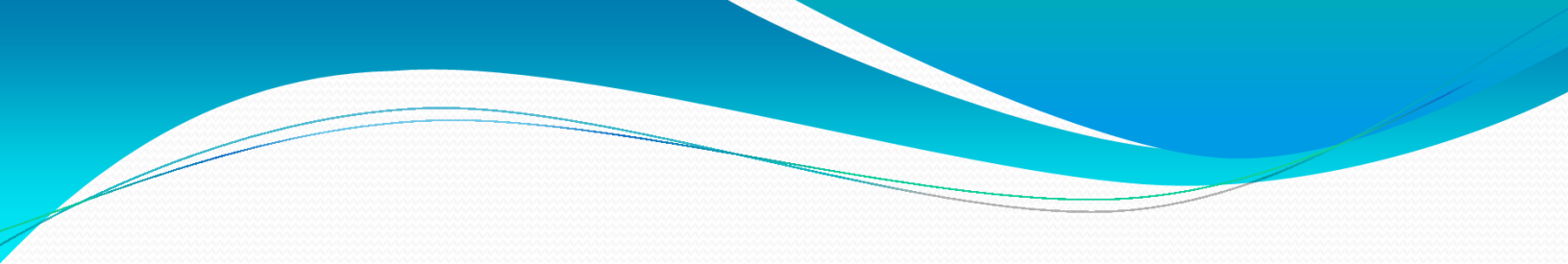
A parent appeared in JP Truancy Court for arraignment for failure to send her child to school. The child was under 12 years of age. The language line was used, as the defendant could speak very little English. The child and older sibling were also present.

Mother presented to the Judge the following history for her family:

Mother had been in the United States for a few years and was divorced. The divorce was the culmination of a series of domestic violence events perpetrated by the ex-husband against mother and the two children. One child suffered significant medical problems as a result of the attacks, and mother was seriously assaulted on numerous occasions. As a result, mother suffered from depression and presented with occasional suicidal ideation. The Visiting Teacher, who was present in the courtroom, also voiced concern regarding mother's suicidal tendencies. Mother was doing her best to support the family on minimal child support payments and money she earned cleaning houses. Medical bills from the long history of trauma totaled over \$20,000.

As part of the case intervention plan, the Judge made family counseling part of the bond conditions.

Mother was very concerned about not having any medical coverage for herself and one of the children (as a result of each being born in another country). Mother further indicated that she was able to obtain medical coverage for her other child, who was born in the United States.



The Judge asked the truancy case manager to follow mother to the local State Service Center (SSC) after the hearing to assist in investigating the availability of any additional benefits.

Upon arriving at the SSC, mother, the children, and the truancy case manager met with a DHSS supervisor/case worker. After the truancy case manager relayed the family's presenting issues and explained the gap in services, the case worker made several calls. She made arrangements for mother to apply to the Community Healthcare Access Program (CHAP), which provides access to primary care doctors and medical specialists, and helps with access to other health resources - including prescription programs and laboratory and radiology services.

After assisting with the CHAP application, the DHSS case worker facilitated the scheduling of an appointment at Peoples Place for an intake assessment and family counseling.

Upon learning of the domestic violence history, the case worker referred mother to the Victims' Compensation Assistance Program (VCAP). This allowed mother to apply for relief to cover some of the financial burden resulting from the domestic violence she and her children suffered.

Further review of mother's case revealed possible eligibility for additional food stamp benefits. A separate appointment was made for mother to return to the SSC to complete any necessary applications/paperwork.

While this is a unique case, it is indicative of the family-focused, individualized, wraparound planning and intervention defendants receive while active with Truancy Court.

For the above-referenced case, Truancy Court served as a crucial point of access for multiple supports. Only by addressing child and family functioning across multiple domains, via creative case planning and partnerships, can the obstacles to regular attendance and academic achievement be addressed.

Thank You

Among the countless interactions between students and families, Visiting Teachers, Judges, truancy case managers, behavioral health providers, and community partners, it is easy to forget the people behind the scenes. Those individuals who provide the community outreach, maintain safety in the courtrooms, and process the paperwork for thousands of case events are as vital to the system as any of the aforementioned components. They set the example and a standard of teamwork from which all of us could learn. Without them, the system would surely come to a halt. It is important to recognize these dedicated, Judicial Case Processors, Supervisors, Security Officers, Constables, and Court Managers for their immeasurable contributions.



For more information about Truancy Court, contact:

Edward Atwood, M.S.Ed.
Truancy Court Coordinator
Justice of the Peace Court

480 Bank Lane, Dover, DE 19904
Phone: 302-739-1293
FAX: 302-739-7590
Email: Edward.Atwood@state.de.us

Truancy Court Locations

Sussex County

Justice of the Peace Court #1
9 Main Street
Frankford, DE 19975
Phone: 302-732-9580
FAX: 302-732-9586

Kent County

Justice of the Peace Court #7
480 Bank Lane
Dover, DE 19904
Phone: 302-739-4554
FAX: 302-739-6797

New Castle County

Justice of the Peace Court #10
210 Greenbank Road
Wilmington, DE 19808
Phone: 302-995-8640
FAX: 302-995-8642



References

Lehr, C.A., D.R. Johnson, C.D. Bremer, A. Cosio, and M. Thompson (May, 2004). *Essential Tools: Increasing Rates of School Completion: Moving From Policy and Research to Practice: A Manual for Policymakers, Administrators, and Educators.*

National Dropout Prevention Center/Network. (2005). *Information About the School Dropout Issue: Selected Facts & Statistics.*