



STATE OF DELAWARE
JUSTICE OF THE PEACE COURT
Where Justice Starts

TRUANCY COURT ANNUAL REPORT
JULY 2015 - JUNE 2016

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.

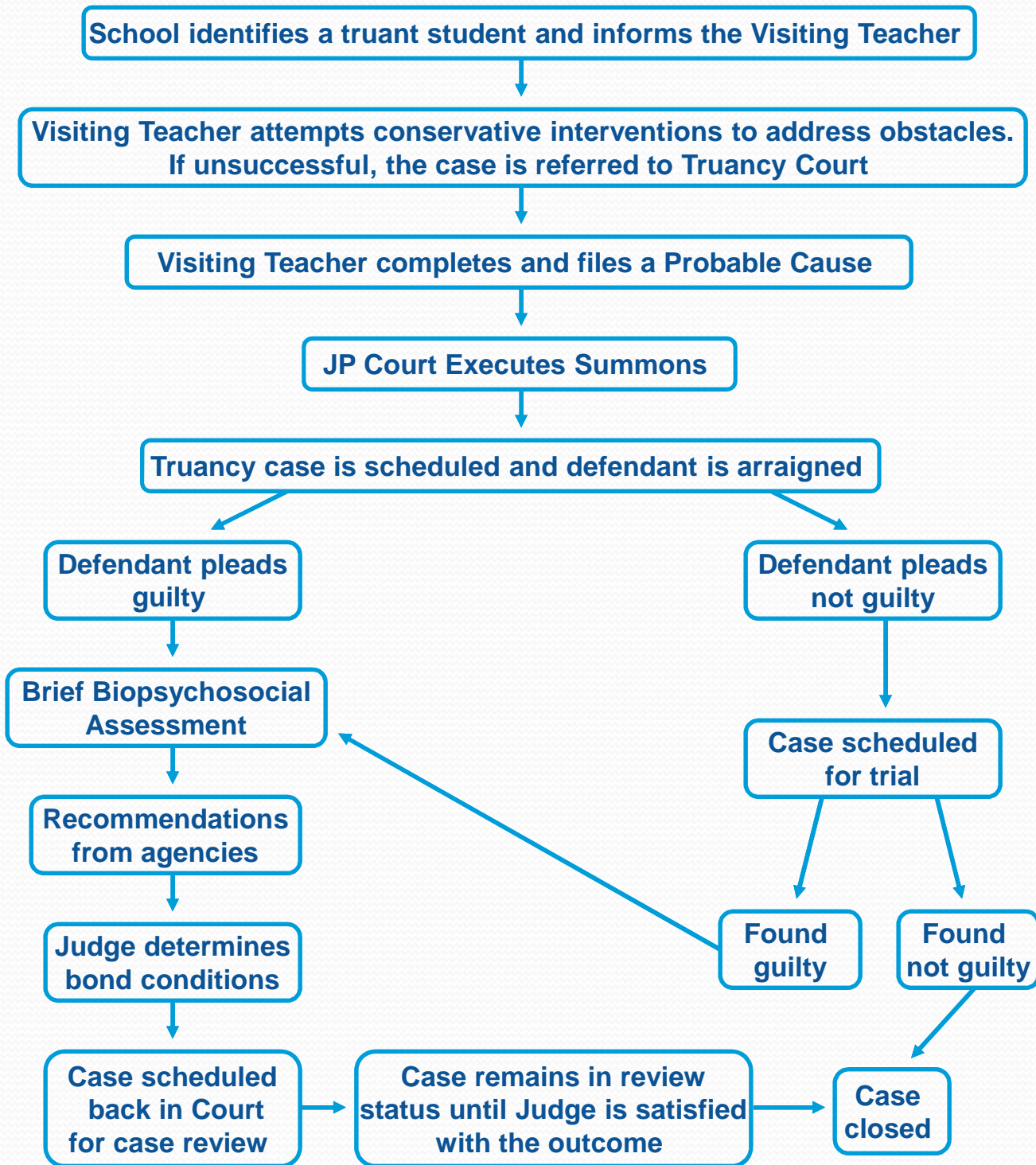
The Truancy Court Model

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 4,694 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 the obstacles to regular attendance and academic performance. 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 be incomplete 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 fifth grader with 10 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. Included are behavioral health providers, substance abuse treatment protocol, career exploration and educational support tools, human services resource guides, and biopsychosocial and referral forms.

Tools for Truancy Judges


Beyond both formal and informal continuing education opportunities on the topic of trauma-informed care, the truancy judges have been equipped with a variety of tools and resources designed to be sensitive to the trauma histories of students and their families. Examples of such include the “Bench Cards for the Trauma-Informed Judge” from the National Child Traumatic Stress Network.

While the entirety of these documents is not applicable to the Truancy Court process, given some of the child protective references, the bulk of the information is quite useful. The first card serves as a guide for the information gathering process. The second is a sample addendum designed to support court-ordered assessments.

In addition, the judges have been provided with a checklist of district interventions, which includes questions intended to generate a profile of student/family functioning. Although limited in scope, relative to the comprehensive biopsychosocial form in the Bench Book, it provides a more user-friendly way of collecting important background information on a truancy case. It can be a helpful guide at arraignment and during subsequent hearings, with the understanding that it could be difficult to collect all relevant background information during the first meeting with a family.

Behavioral Health Case Planning

The enmeshment of addiction and mental illness can present considerable obstacles for clients active with Truancy Court. Several case examples speak more specifically to the challenges of ensuring a positive connection with dual-diagnosis treatment. Many client profiles demonstrate how trauma can catalyze a vicious chain of events, including self-medication, abuse of oneself and others, deteriorating mental health, misdiagnosis, and detrimental assumptions.



The harsh realities of some of our clients' histories call for patience, compassion, and perseverance. Although judges and case managers are not addictions, mental health, or trauma-response specialists, their roles are critical in providing brief interventions as a “bridge” to more intensive services. At the Truancy Court level, we can begin building that “bridge” by utilizing motivational interviewing practices to foster positive engagement during our hearings and ancillary contact with defendants, their families, and providers.

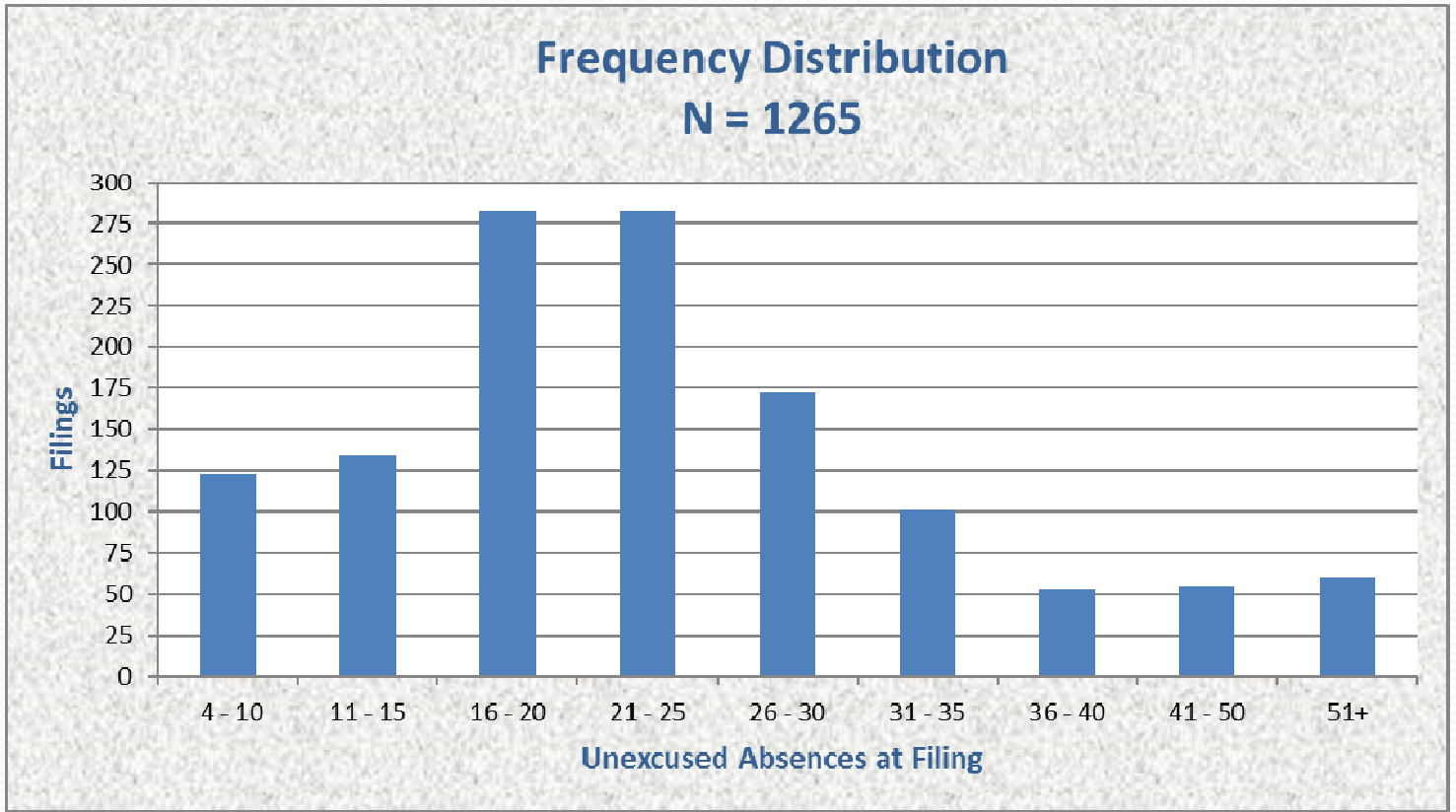
Such practices include reassuring a client and/or family (again directly or through nonverbal indicators) of a safe environment, which includes the confidentiality of the information they share. While part of our charge is necessarily enforcement-based, our relationships with clients and community partners can be better characterized as family-focused and collaborative, notable for therapeutic accountability in case planning and decision-making.

These trauma-informed approaches emphasize empowerment, respect, and recognition of clients' distinct histories. This recognition is not limited only to one's trauma history. Noting a person's strengths can be a powerful motivator, validating one's contributions across multiple life domains and helping to minimize the risk of re-traumatization.

Statistical Markers for 2015-2016

Filings

- 1265 new filings, compared to 1260 for 2014-2015.
- Statewide filing rate: 0.9%
 - The filing rate is shown as a percentage of total statewide enrollment.
 - Enrollment for the 2015-2016 school year: 136,027.
- Among all districts, Capital had the most filings at 208.
 - This represents the most cases Capital SD has ever filed in one school year.
 - Brandywine's filing rate: 3.2%, highest in the state.
- Lake Forest had the second highest filing rate at 2.3%.
- Smyrna had the lowest filing rate at 0.1%. Appoquinimink had the second lowest at 0.3%.
- Unexcused absences across 1265 filings:
 - Mean: 24.7 (2014-2015: 23.4)
 - Median: 22
 - Range: 166 (H – 170, L – 4)
 - SD: 14.9



- Mean age at filing: 13
 - This is identical to 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	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Appoquinimink	30	30	32	30	38	33
Brandywine	215	135	136	141	233	190
Christina	232	124	156	124	131	115
Colonial	89	109	99	160	82	96
Red Clay	143	101	109	94	102	189
NCC Vo-Tech	0	1	1	1	1	7
Charter Schools	27	42	44	46	32	43
<i>TOTAL</i>	<i>736</i>	<i>542</i>	<i>577</i>	<i>596</i>	<i>619</i>	<i>573</i>
KENT COUNTY	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Capital	32	98	71	62	206	208
Caesar Rodney	108	151	74	87	119	122
Lake Forest	67	49	40	65	75	86
Smyrna	16	15	27	20	14	3
Poly Tech	0	0	0	0	8	24
Charter Schools	13	13	26	2	11	27
<i>TOTAL</i>	<i>236</i>	<i>326</i>	<i>238</i>	<i>236</i>	<i>433</i>	<i>470</i>
SUSSEX COUNTY	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Charter	0	3	2	0	0	1
Cape Henlopen	32	62	24	79	46	29
Delmar	29	18	25	33	17	16
Indian River	175	235	92	66	48	76
Laurel	11	60	35	15	31	15
Milford	86	22	17	17	18	18
Seaford	9	11	19	23	30	55
Woodbridge	9	26	17	18	18	12
<i>TOTAL</i>	<i>351</i>	<i>437</i>	<i>231</i>	<i>251</i>	<i>208</i>	<i>222</i>
GRAND TOTAL	1323	1305	1046	1083	1260	1265

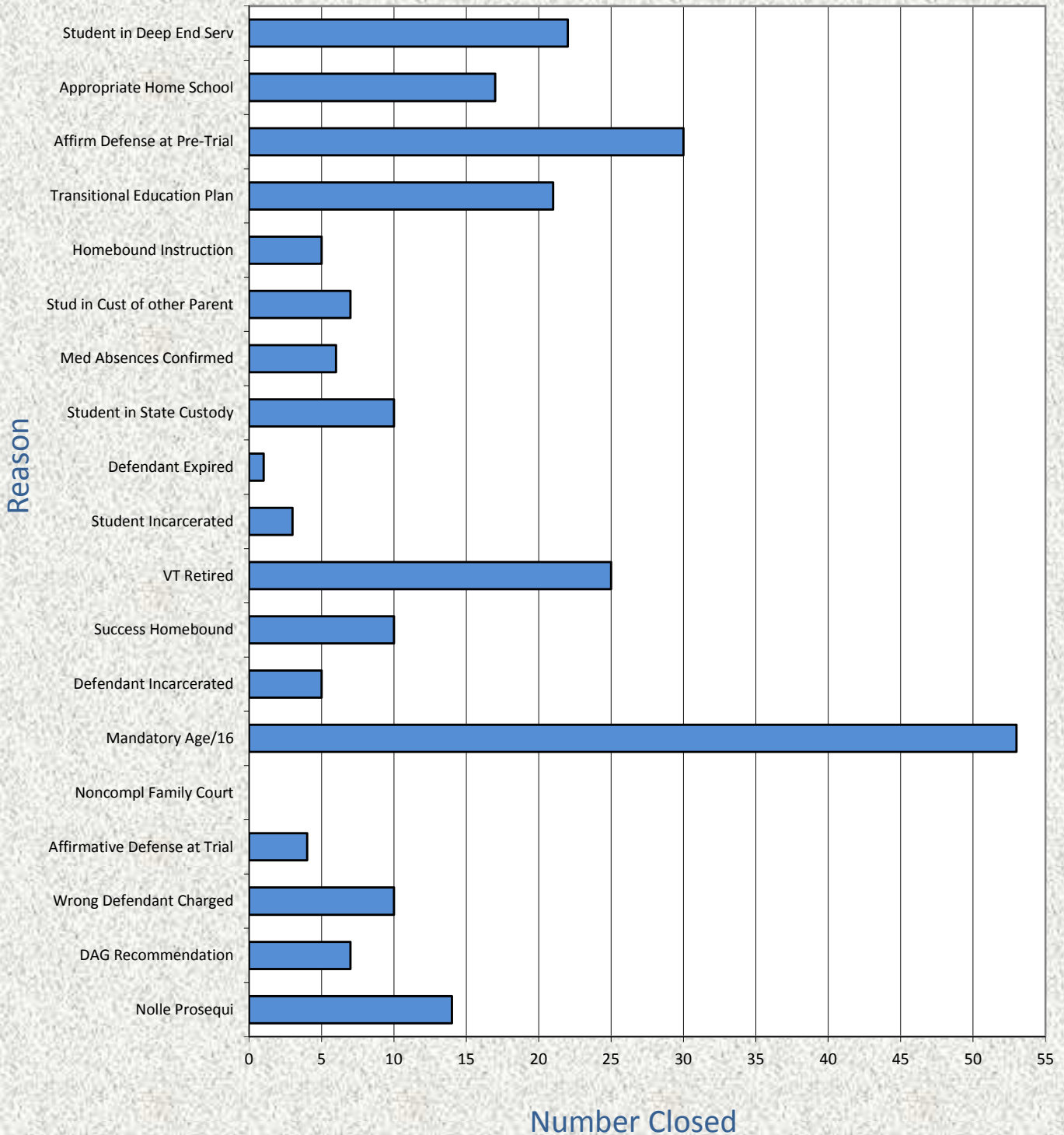
Dispositions

- 1415 cases were closed during the 2015-2016 school year.
 - This is a significant increase from 2014-15 (960).
- 41% achieved compliance with Truancy Court.
 - This represents a slight decrease from the previous 5 year average (42%).
- 7.1% were closed as non-compliant, unsuccessful outcome.
 - This represents a decrease from 2014-2015 (8.2%).
- 138 cases were closed via Visiting Teacher dismissal, representing 9.8% of all cases closed.
 - As a percentage of dispositions, this is nearly identical to 2014-2015.
- 97 cases were closed due to defendants' relocating out of state, representing 7% of all cases closed.
 - As a percentage of dispositions, this is a decrease from 2014-2015 (8.4%).
- 151 cases were closed due to defendants' relocating in Delaware, representing 10.7% of all cases closed.
 - As a percentage of dispositions, this is a 5.4% decrease from 2014-2015.
- 100 cases were closed due to a lack of prosecution.

The remaining 250 cases were closed across 19 other disposition codes, as shown in the following graph.

Truancy Cases Closed 2015-2016

N = 250



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.

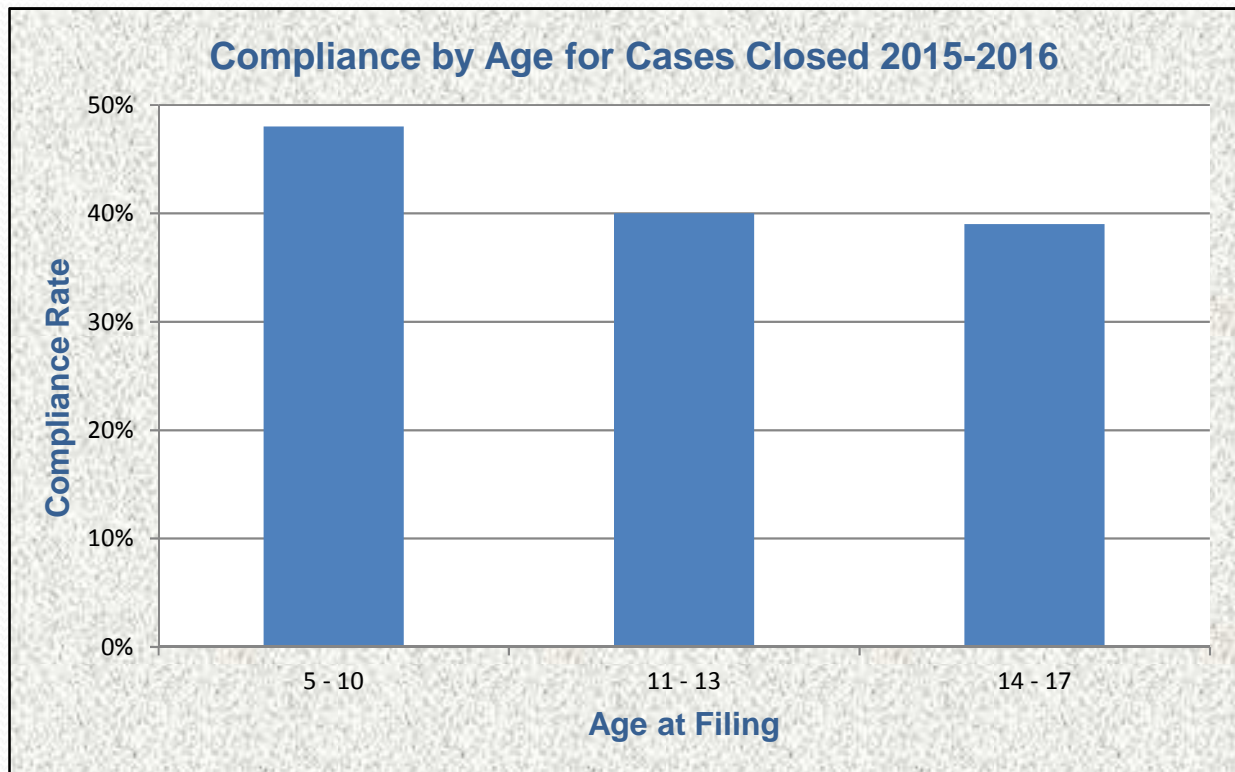
A secondary consideration in determining "compliance" is a student's academic performance. Insofar as a student's academic achievement can be linked to his/her attendance, performance in this area can be considered as part of the overall determination of case success.

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.

Early Intervention and Successful Outcomes

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.




Compliance rates for age groups 5-10 and 11-13 are similar to 2014-2015. The compliance rate for the 14-17 age group increased 9% from 2014-2015.

A Case Example

A 12 year old male student appeared in Truancy Court after compiling nearly 50 unexcused absences. Significant family challenges were impacting the student's functioning across multiple life domains, including his school attendance, academic achievement, and social interactions. Among the family's many stressors/obstacles was mother's ongoing battle with substance abuse. Mother was very open and honest about her addiction history, and the impact on her son was obvious to the Court, school district, and support workers. The student was also facing criminal charges in Family Court. His pending charges resulted in a delay in the Court-ordered mental health evaluation through the Division of Prevention and Behavioral Health Services (DPBHS). Due to some of the family's identified risk factors, a referral was made to the Division of Family Services (DFS).

Several unsuccessful attempts were made to connect mother with substance abuse treatment. Over the course of multiple case review/status hearings, the Court worked to address the identified child protective issues, the need for behavioral health assessment and intervention, community supervision concerns, educational supports, and the family's history of trauma. Successes were minimal and short-lived, with the majority of status reports indicating no change or regression across multiple areas. The student also was referred to the Truancy Reduction Program with the Delaware Center for Justice (DCJ). In response to an escalation in the child protective risk factors, the student was temporarily removed from the home due to safety concerns.

Following additional case coordination, including resolution of the student's criminal charges, his psychological evaluation was completed. This would aid in identifying and organizing crucial supports. The parties involved in the case at this time were indicative of the breadth of the case planning. Active supports included DFS, DCJ,



DPBHS Clinical Services, and Multi-Systemic Therapy (MST). As a result of mother's ongoing battle with substance abuse, it was necessary for DFS to provide a group home residence. They also would search for an appropriate foster home setting.

Ongoing case reviews provided for monitoring of the various services, including behavioral health intervention and mother's substance abuse treatment. An appropriate foster home was identified to which the student would later transition. The foster home was in a different district from that which originated the truancy charge. The student's interest in school increased, as he demonstrated a strong rapport with his new teachers and classmates. The positive engagement was reflected in improved attendance and academic performance. Reunification will remain a goal for the family.

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:

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Truancy Court Locations

Sussex County

Justice of the Peace Court
408 E. Stein Highway
Seaford, DE 19973
Phone: 302-629-5433
FAX: 302-629-3427

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