

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

ORDER ESTABLISHING TRUANCY COURT FOR COLLIER COUNTY

Pursuant to this Court's inherent authority to administer and regulate the courts of the Twentieth Judicial Circuit, as well as the authority prescribed by Fla. R. Jud. Admin. 2.215 and Florida Statute § 43.26, the Court hereby establishes a Truancy Court Program for Collier County, Florida.

Truancy petitions filed with the Clerk of the Court by the Superintendent of Schools are governed by Chapter 1003 of the Florida Statutes. Upon the filing of any such petition with the Clerk of the Court in the Juvenile Division, the Clerk shall assign a case number and a summons shall issue directed to the parent and child for an arraignment hearing the next scheduled truancy court date that is no later than thirty (30) days of the filing of the petition.

Practice and procedures for such petitions are as set forth in Florida Statute § 984.151 and any applicable rules of court. At the initial hearing, the court will arraign both the child and the parent on the petition and if the parent and child admit or consent to the petition, the court shall proceed as prescribed by the Florida Statute § 984.151(7).

If the parent and child deny the allegations in the petition at the initial hearing, the court will set a trial date and notice will be given to the school social worker or other school representative to appear on the trial date to present the school's case. In that instance, the court shall proceed to make findings on the record and issue its ruling pursuant to Florida Statute § 984.151(7).

Copies of the disposition order shall be given to the superintendent, the school social worker or other school representative, the parent or guardian of the child, and the child.

The school district, through its designated representative, is responsible for assisting the parent or guardian and the child with compliance with the order. This representative will be available for review hearings to inform the court of the progress of the case.

4118309 OR: 4321 PG: 2891

RECORDED in the OFFICIAL RECORDS of COLLIER COUNTY, FL
01/17/2008 at 11:18AM DWIGHT B. BROCK, CLERK

RRC FEE 129.00

Retn:
JAY CROSS
EXTN #2725

The court will set a review hearing, no less than thirty (30) days from the date of disposition, in order to ensure compliance with its order and may set further review hearings as may be necessary within the exercise of its sound discretion. Any order entered by the court is enforceable through its contempt powers pursuant to Florida Statute § 984.151(9).

Truancy Court will be held at the Collier County Courthouse in the courtroom and at such intervals as the court deems necessary in order to carry out the purpose and intent of this order.

Guidelines for the establishment of the Truancy Court Program are as provided in the proposed manual submitted by the District School Board of Collier County and by the Interagency Agreement entered into between the School District of Collier County, the Collier County Sheriff's Office, the State Attorney of the Twentieth Judicial Circuit, Lutheran Social Services, Inc., David Lawrence, the Florida Department of Juvenile Justice, and the Florida Department of Children and Family Services. Copies of the proposed manual and the Interagency Agreement are attached to this order and made a part hereof.

Any incidental costs associated with the operation of this program will be born by the school district. Such costs may include, but are not limited to, costs incident to the provision of security and Clerk's personnel.

This order shall remain in effect until otherwise modified, amended or rescinded by further order of the Court.

DONE AND ORDERED in chambers in Naples, Collier County, Florida this 15
day of January, 2008.



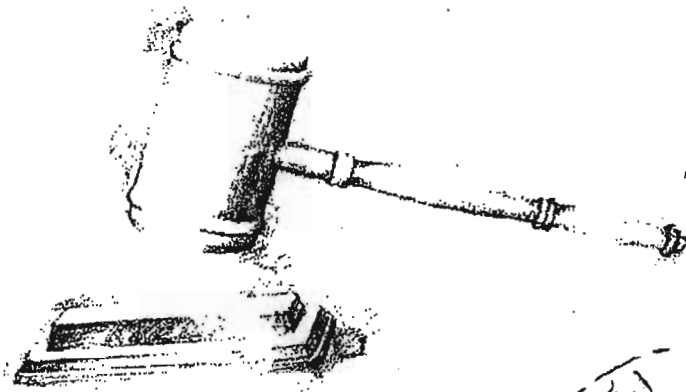
G. Keith Cary
Chief Judge

History.- New.

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COLLIER COUNTY TRUANCY COURT MANUAL



Dr. Dennis Thompson
Superintendent of Schools

2007

OR: 4321 PG: 2893

APPENDIX

Attendance Law - Florida Statute 1

Truancy Court 1

Truancy Procedures 2

Truancy Court Sanction List by Provider 3

Stopping Truancy Before It Starts 4

Tips for Improving School Attendance..... 4

Contacts..... 5

OR: 4321 PG: 2894

ATTENDANCE LAW - FLORIDA STATUTE

State of Florida Compulsory School Attendance Laws require all children who attained the age of six (6) years, or who will be six (6) years by February 1 of any school year, or who are older than six (6) years of age, but who have not attained the age of sixteen (16) years, to attend school regularly during the entire school term.

Parents failing to properly enroll or require their children to attend school regularly shall be guilty of a misdemeanor of the second degree punishable as provided in the law.

Under the law, children failing to attend school properly will be called to the attention of the School Administrator, and if found to be a habitual truant, may be referred to the juvenile court of the county and dealt with as a dependent child.

Parents who do not make a legitimate effort to have their children attend school regularly are also **liable for prosecution in circuit court.**

TRUANCY COURT

Truancy Court is a cooperative effort between The District School Board of Collier County, Collier County Sheriff's Office, and Twentieth Judicial Circuit Court along with the support of the following agencies: The Office of the State Attorney, Lutheran Services Florida, David Lawrence, and the Florida Department of Juvenile Justice - to help reduce truancy in the county.

Truancy Court will begin in August of the 2007-2008 school year.

Students ages 6-16 who are habitually truant (five (5) unexcused absences within a calendar month or fifteen (15) unexcused absences within 90 calendar days), will be referred to Truancy Court when it is determined by the school representative that the student is non-compliant with the Florida Attendance Laws (s.1003.27(2)(a)).

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TRUANCY PROCEDURES

Truancy

- Five (5) unexcused absences within a calendar month, or
- Fifteen (15) unexcused absences within a ninety (90) calendar days, with or without the knowledge or consent from parent or legal guardian
 - School sends letter
 - School contacts parent
 - Document all parent contact
 - If parent does not respond within five (5) days, skip to attendance investigation



Child and Adolescent Support Team (CAST) Meeting

- School schedules a meeting with parent to discuss concerns
- CAST Meeting held at school with parent and child, if appropriate
- If parent does not attend, CAST may meet with child, if appropriate
- Interventions may include, but are not limited to: monitor attendance, school counselor contact, changes in learning environment, placement in different classroom, attendance contract, referral to outside agencies, review of ESE/504 Plan



If truancy continues:

Attendance Investigation

- Principal or designee makes request to one of the Attendance Assistants
- Executive Director of Student Services reviews results of district Attendance Assistant report



Truancy Referral

- Attendance Assistant prepares school documentation of case
- Executive Director reviews case documentation and refers to Legal Department
- CCPS Legal Department reviews case and determines processing
- CCPS submits truancy petition to filed in truancy court, as needed



Truancy Court

- Judge hears truancy petition

OR: 4321 PG: 2896

TRUANCY COURT SANCTION LIST BY PROVIDER

Provider – COLLIER COUNTY SHERIFF'S OFFICE

Contact – Sgt. Tom Wedlock (239-793-9125)

- Random Drug screening
- Community Work details (Saturdays 8 a.m.-1p.m.) *10-18 year olds
- JAR Intervention Program (one day consequence awareness program) *10-15 year olds
- Weekly monitoring/mentoring program
- Parent workshops (Gang Awareness, Truancy Awareness, Drug Awareness, Parent Support Group)
- Additional educational opportunities according to needs
- Cool Kids Club- community work in exchange for rewards

Provider – DAVID LAWRENCE CENTER

Contact – Angela Gelger (239-643-6105 ext. 2204)

- Mental Health Assessments
- Drug Screening
- Counseling services
- Youth prevention groups-Substance abuse, Conflict Resolution, S.T.A.R.S.-Students that are Reaching Success, Making Positive Choices, Parent Project, Parenting for Problematic Teens
*small fees for some classes

Provider – DISTRICT SCHOOL BOARD OF COLLIER COUNTY

Contact – Angela Valmaña (239-377-0524)

- Attendance Awards/Rewards/Incentives
- Sports Programs and Activities
- School Counseling referral
- Mentor (school staff and volunteer program through school)
- School community service
- J.R.O.T.C.
- Alternative Schools (must qualify)
- Florida Driver License Program (revocation of driving privileges)
- Florida Learnfare Program (reduction or elimination in public assistance)
- Parent volunteer at school (subject to Jessica Lunsford Act clearance)
- Attendance contracts with students
- If student is ESE or 504, reconvene IEP/504 team to review appropriateness of services and determine if changes/additions need to be made

Provider – 4H CLUB

Contact –Anne Galdames (239-353-4244)

- Career Development and mentorship program
- Healthy lifestyles and nutrition program
- Program activities - farming, woodworking, fishing, arts and crafts, computers, cooking, performing arts, etc.
- Educational Summer camp
- In process of developing wilderness program

OR: 4321 PG: 2897

STOPPING TRUANCY BEFORE IT STARTS

REASONS TO STAY IN SCHOOL

- ◆ **Finding Work Is Easier**
You are almost twice as likely to be unemployed if you do not finish high school
- ◆ **You'll Earn More**
Studies show high school graduates make 50% more money than dropouts
- ◆ **What This Means**
High school graduates are:
 - ❖ Less likely to live at home
 - ❖ More likely to be able to buy a car and rent an apartment
 - ❖ Less likely to need welfare or public assistance
- ◆ **Less Likely To Be A Prison Inmate**
Seventy-Five (75%) of all inmates are high school dropouts
- ◆ **Bottom Line - It's Your Future**
Your choices now will determine how well you live for the rest of your life

TIPS FOR IMPROVING SCHOOL ATTENDANCE

- ✓ Make education a family priority and emphasize the important role education plays throughout life.
- ✓ Meet your child's teachers and other school personnel. They can provide important insights into the child's school performance and suggest ways for improvement.
- ✓ Help your child develop good study and work habits.
- ✓ Schedule daily home study time and help with homework when needed.
- ✓ Get your child tutorial help with subjects that pose learning difficulties.
- ✓ Help your child develop and achieve academic goals.
- ✓ Develop a phone-in policy with the school to check on the child's daily attendance, or have the person in charge of school attendance alert you about non-attendance.
- ✓ Explain how dropouts have more trouble getting and keeping jobs and make half as much money as graduates.
- ✓ Self-confidence is important. Recognize when your child does well in school and other activities.
- ✓ Get to know your child's friends and classmates. They can influence your child's school performance. Lack of friends or problems with classmates can also affect school performance.

OR: 4321 PG: 2898

CONTACTS

COLLIER COUNTY SHERIFF'S OFFICE

Sgt. Tom Wedlock
239-793-9125

DAVID LAWRENCE CENTER

Angela Geiger
239-643-6105 ext. 2204

DISTRICT SCHOOL BOARD OF COLLIER COUNTY

Angela Valmafia
239-377-0524 (Naples)

Pamela Lee Anderson
239-377-0527 (Naples)

Martha DeLeon-Gonzalez
239-377-4310 (Immokalee)

4H CLUB

Anne Galdames
239-353-4244

OR: 4321 PG: 2899

INTERAGENCY AGREEMENT

The School District of Collier County, Florida
Collier County Sheriff's Office
State Attorney, 20th Judicial Circuit
Lutheran Social Services, Inc
David Lawrence
Florida Department of Juvenile Justice (DJJ)
The Department of Children and Family Services

I. Purpose: This agreement has been developed between the above-named agencies pursuant to section 1003.27(4), Florida Statutes, to provide consistency in dealing with habitual truancy and related issues.

II. Definition: "Habitual Truant" is a student who has been found to have fifteen (15) unexcused absences from school within ninety (90) calendar days with or without the knowledge or justifiable consent of the student's parent or legal guardian, which student is subject to compulsory school attendance under sections 1003.21(1) and (2)(a), Florida Statutes, and who is not found to be exempt under sections 1003.21(3) or 1003.24, Florida Statutes, or who otherwise does not satisfy the criteria for an exemption provided by law or by rules of the State Board of Education. Such a student must have been the subject of the activities specified in sections 1003.26 and 1003.27(3), Florida Statutes, without resultant successful remediation of the truancy problem, before being determined to be a child in need of services according to the provisions of Chapter 984, Florida Statutes. See section 1003.01(8), Florida Statutes.

III. All parties agree:

1. To communicate with all other parties to this agreement relative to truancy matters and individual student progress, as necessary. Information shall be shared between parties in order to improve school safety, reduce truancy, in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions, consistent with the provisions of section 1002.22(3)(d)13, Florida Statutes.

2. To maintain the security and confidentiality of student information received from other parties that is exempt from Chapter 119, Florida Statutes, and to ensure that such information is not re-disclosed to unauthorized persons or agencies.

3. To designate a contact person to facilitate interagency communication under this agreement, and to inform all other parties of the name, address and telephone number of such designee.

4. To cooperate with the other parties to this agreement in current or new truancy programs.

IV. The School District of Collier County, Florida, agrees as follows:

1. The schools shall monitor student attendance daily and promptly contact the parent if truancy develops. The schools shall implement the steps set forth in section 1003.26, Florida Statutes, to enforce regular school attendance.
2. In the event of truancy, the schools shall follow applicable School Board policy.
3. To utilize the court system pursuant to sections 1003.27(1), 1003.27(6), and 984.151, Florida Statutes, for the referral of parents for prosecution and filing of petitions in Truancy Court.
4. To report truancy of children whose academic progress is jeopardized and whose families receive assistance to the Department of Children and Family Services Department through Learnfare and when the children's attendance substantially improves. See section 414.1251, Florida Statutes.
5. To participate in the Child and Adolescent Study Team (CAST) committee with other parties to this agreement, as appropriate. See sections 1003.26(1)(g) and 984.12(2), Florida Statutes.

V. The Collier County Sheriff's Office agrees:

1. To participate in the case staffing committee with other parties to this agreement, as appropriate, consistent with sections 1003.26(1)(g) and 984.12(2), Florida Statutes.
2. To serve notices, pleadings and orders as directed by the Court without cost to the parties to this agreement.
3. To provide a bailiff in proceedings before the Court.

VI. The Office of State Attorney, 20th Judicial Circuit, agrees:

1. To review cases involving parental violation of the compulsory school attendance law and prosecute where appropriate. See section 1003.27(6), Florida Statutes.

OR: 4321 PG: 2901

VII. Lutheran Social Services agrees:

1. To accept clients into services without regard to race, sex, sexual orientation, handicap, economic status, color, creed, religion or national origin.
2. To facilitate services in partnership with the school district to serve truant youth as well as those at-risk.
3. To use the case staffing committee to assist with Children in Need of Services (CINS) and or Families in Need of Services (FINS) cases when the student has not made satisfactory progress, consistent with section 984.12, Florida Statutes.
4. To assist in filing of CINS petitions for those cases meeting the requirements of section 984.15 (2), Florida Statutes.

VIII. David Lawrence agrees:

1. To accept clients into services without regard to race, sexual orientation, handicap, economic status, color, creed, religion or national origin.
2. To facilitate services in partnership with the school district to serve truant youth as well as those at-risk.
3. To assess clients needing mental health and substance abuse services and make recommendation for services.
4. To provide compliance and noncompliance of counseling recommendation to the court.

IX. The Florida Department of Juvenile Justice (DJJ) agrees:

1. To participate in the case staffing committee with other parties to this agreement, as appropriate, consistent with sections 1003.26(1)(g) and 984.12(2), Florida Statutes.
2. That it will file CINS/FINS petitions and represent the state, when appropriate, consistent with sections 984.15(2) and 984.17(4), Florida Statutes.

OR: 4321 PG: 2902

3. That when a minor has been placed under DJJ supervision, it will monitor the minor's school attendance and report truancy to the court for review.

X. The Department of Children and Family Services agrees:

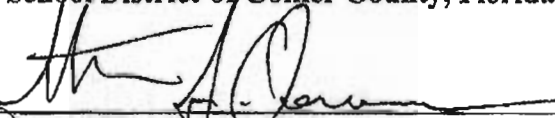
- 1. That a representative of the Department will attend each multi disciplinary staffing.
- 2. That the Department's representative, in accordance with the law, will provide background information regarding and limited to the truant, if such background information exists.

XI. Timeline: This Interagency Agreement will become effective with the signatures of all the parties, and will remain in effect until June 30, 2011. Any party may terminate its participation at any time upon thirty (30) days written notice to all other parties. Upon agreement by all parties, this Agreement may be amended in writing at any time.

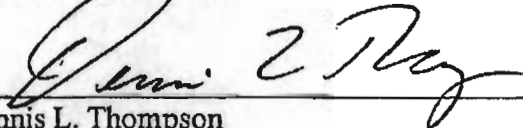
XII. All parties shall assist in the investigation of injury or damages either for or against either party pertaining to their respective areas of responsibility or activities under this agreement and shall contact the other parties regarding the legal actions deemed appropriate to remedy such damage or claims.

This agreement shall be effective upon full execution.

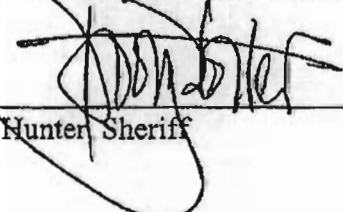
The School District of Collier County, Florida

By:  10-18-07
 Steven J. Donovan, Chairman Date
 Collier County School Board

School Board Attorney Review  <u>9.12.07</u>

Attest:  10-18-07
 Dr. Dennis L. Thompson Date
 Superintendent of Schools

Collier County Sheriff's Office

By:  26 SEP 07
 Don Hunter, Sheriff Date

OR: 4321 PG: 2903

Collier County Sheriff's Office

State Attorney, 20th Judicial Circuit

By: Atty. General Russell 10/5/07
Assistant State Attorney Date

Lutheran Social Services, Inc.

By: May Ellen Jaba 10/4/07
District Administrator Date
Lutheran Social Services, Inc.

David Lawrence

By: D. Lawrence 10/4/07
CEO Date
David Lawrence

Florida Department of Juvenile Justice

By: _____ Date
Deputy Secretary
Florida Department of Juvenile Justice

Department of Children and Family Services

By: Beeth W. Task 10/5/07
Date

OR: 4321 PG: 2904

**Department of Juvenile Justice (DJJ) Addendum to the Agreement with
Various Collier County Agencies to Support Truancy Court**

The purpose of this addendum is to replace the section pertaining to The Florida Department of Juvenile Justice (DJJ) with the following:

IX. The Florida Department of Juvenile Justice (DJJ) agrees:

1. To participate in the case staffing committee with other parties to this agreement, as appropriate, consistent with sections 1003.26(1)(g) and 984.12(2), Florida Statutes.
2. That it will file CINS/FINS petitions and represent the state, when appropriate, consistent with sections 984.15(2) and 984.17(4), Florida Statutes.

Signature

Perry L. Anderson, Jr.

Perry L. Anderson, Jr., South Regional Director for Probation & Community Involvement

for
11/20/07
Date

School Board Attorney Review

Kim W. Holt 11.15.07