

**INTERIM REPORT OF
THE VIRGINIA COMMISSION ON YOUTH**

**STUDY OF TRUANTS
AND RUNAWAYS**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 64

**COMMONWEALTH OF VIRGINIA
RICHMOND
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COMMONWEALTH of VIRGINIA

Commission on Youth

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January 8, 1998

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TO: The Honorable George F. Allen, Governor of Virginia

and

Members of the Virginia General Assembly

The 1997 General Assembly, through House Joint Resolution 490, requested that the Virginia Commission on Youth "be directed to study status offenders, children in need of services, and children in need of supervision."

Enclosed for your review and consideration is the report which has been prepared in response to this request. The Commission received assistance from all affected agencies and gratefully acknowledge their input into this report.

Respectfully submitted,

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Ex Officio Appointments

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I. Authority for Study

§ 9-292 of the *Code of Virginia* establishes the Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." § 9-294 provides the Commission the power to "...undertake studies and gather information and data in order to accomplish its purposes...and to formulate and present its recommendations to the Governor and members of the General Assembly."

The 1997 General Assembly enacted House Joint Resolution 490 requesting the Commission on Youth to conduct a study examining status offenders, children in need of services and children in need of supervision. The study resolution identified six areas for analysis: (i) Juvenile Courts' and local schools communication and intervention with truants, (ii) review of Court's diversionary and probationary practices, (iii) assessment of the system's service capacity, (iv) analysis of other states' approaches to dealing with this population, (v) appropriateness of designating a lead agency, and (vi) development of recommendations for improving the system through legislative and administrative reforms. In fulfilling its legislative mandate, the Commission undertook the study.

II. Members Appointed to Serve

The authorizing legislation required the Commission on Youth to establish a twenty-three member Task Force to assist the Commission in its work. The following appointments to the Task Force were made in accordance with HJR 409:

Commission on Youth Members	Del. Eric I. Cantor (Henrico) Del. L. Karen Darner (Arlington) Del. Phillip Hamilton (Newport News) Del. Thomas M. Jackson, Jr. (Carroll) Del. Jerrauld C. Jones (Norfolk) Sen. R. Edward Houck (Spotsylvania) Mr. Gary L. Close (Culpeper)
Other General Assembly Members	Del. David B. Albo (Springfield) Del. Ward L. Armstrong (Martinsville) Sen. Charles R. Hawkins (Chatham)
Juvenile and Domestic Relations Court Judge	Judge Gayl B. Carr (Fairfax)
Court-Appointed Counsel	Ms. Stacey Strentz (Stafford)
Local School Division Superintendent	Dr. Roy D. Nichols, Jr. (Norfolk)
Local Department of Social Services Director	Mr. Peter Walentisch (Williamsburg)
Public Service Provider	Mr. Frank J. Kern (Chesapeake)
Private Service Provider	Mr. Richard L. Munchel (Goochland)

Task Force Members (continued)

Local Law Enforcement Representative

Chief Charles R. Wall (Virginia Beach)

Juvenile Court Service Unit Director

Mr. Gary Conway (Roanoke)

Ex-Officio Members

Mr. Robert N. Baldwin, Supreme Court of Virginia
Mr. Clarence Carter, Department of Social Services
Ms. Sheila Hill-Christian, Department of Juvenile Justice
Mr. Richard E. Kellogg, Department of Mental Health,
Mental Retardation and Substance Abuse Services
Dr. Richard T. LaPointe, Department of Education

III. Executive Summary

As part of study activities for HJR 490, the Commission on Youth held eleven focus groups involving over 200 direct service providers throughout the state. The focus group sessions yielded valuable information on the current service system in Virginia for CHINS, CHINSup, and status offenders. The following recommendations are offered in response to the focus group themes and the data and fiscal analysis conducted on the study topic.

The resources for the status offender population have been severely curtailed in all agencies. Schools, Courts, mental health and law enforcement are all overwhelmed in responding to a growing population. Truants and runaways fall to the bottom of the list for service priority. The lack of immediate interventions often causes the child's behavior to escalate. Court intervention is seen as the only means to access mental health services for clients. This has resulted in a situation whereby every locality's group said, "We wait until the child commits a criminal act and then we know there will be the resources and the authority to serve them."

Recommendation 1

Increase the range of immediate community interventions available for status offenders and their families prior to Court referral.

Across the state, it takes an average 6-8 weeks for a petition filed with the Court to be heard by a Judge. In some places, the time lag is as long as 10 weeks. With truancy, this often means the student has already failed and/or has not been attending school for a full semester before being seen by a Judge. The increase in the types and complexity of cases and the impact of new mandates on the timeframes for Juvenile Court hearings have severely backlogged the dockets.

Recommendation 2

Improve Court docketing systems to reduce delay between complaint, petition and Court hearings.

Localities expressed a frustration with the lack of Court access for the truant and runaway population and the unavailability of detention space. The Court's reluctance to impose sanctions on either the student or the parent was perceived to undercut the importance of school attendance and render the compulsory school attendance law unenforceable.

Recommendation 3

Expand the range of sanctions available to the Court for status offenders.

Many school districts admitted having limited options available to the student who is truant and in danger of failing (or who has already failed) for the semester or the year. The requirements for obtaining the General Education Development (GED) certificate were reported to be overly restrictive. Many school systems cited the need for additional apprenticeships and job skills and independent living skills programs. Public schools were reportedly geared to the college-bound student, leaving other students with fewer educational opportunities.

Recommendation 4

Expand the variety of academic options available to truants.

When runaways and truants are academically low functioning, these youth perceive school as a place of continued failure and often begin to have behavioral problems. Schools become ambivalent at best about keeping them. Vocational education is seen as a "dumping ground" and the "poor relation" within the school divisions. When vocational education training is offered, it is often provided too late (10th and 11th grades) or is geared to the college bound student. Often vocational education is high tech-oriented, while the community's available jobs are in low-tech fields. Truancy is related partially to school failure, which is related (again partially) to the "fit" between the student and the academic program offered.

Recommendation 5

Increase the viability, accessibility and relevancy of vocational education.

In all of the focus groups, parents were reported to be inconsistently and marginally involved in the resolution of the problems causing a child's non-attendance at school or running away. Sanctions for parents who overtly keep their child from school are not used and the perception is that the Court has no jurisdiction over the parent. Groups drew a clear distinction about where to place the ultimate responsibility for the child's behavior, depending on whether the child was younger or older.

Recommendation 6

Increase parental responsibility for school attendance and involvement in recommended services.

None of the agencies collects data in any systematic way to show how many youth are served, how much money was spent, and what the outcomes are. There is no data on the number of truants and limited accountability on how the money was spent on services, although all providers report that they are stretched beyond their limit in working with youth and families.

Recommendation 7

Improve the data collection and program evaluation for status offenders.

Focus group discussions across the state evidenced a lack of knowledge of the laws and procedures regarding status offenders. Statements made about the law and the local procedures established to comply with the Code by representatives of the justice system, child protective services and school systems were consistently inaccurate.

Recommendation 8

Provide in-depth training to all involved service professionals on juvenile law and procedures.

IV. Study Goals and Objectives

On the basis of the requirements of HJR 490, the following study goals for the first and second year of the study were developed by staff and the study workgroup and approved by the HJR 490 Task Force:

- I. Identification of major issues impacting service delivery to status offenders, children in need of services (CHINS) and children in need of supervision (CHINSup) in Virginia;
- II. Review of other states intervention with study population;
- III. Analysis of the data trends for truants, runaways and out of control youth;
- IV. Analysis of the resource allocations to this population in Virginia;
- V. Review of current Code provisions and legislative history of policy response to population.

To meet the study goals a workgroup representing local schools, Juvenile Courts, social services, the Comprehensive Services Act and the Judiciary was convened. This group helped identify the primary issues for analysis and was instrumental in developing the tools used to gather information in the field through a series of focus groups with direct service providers. Using the study plan, the workgroup identified the following issues for analysis:

Definitional Issues

Truants

- The Code specifies that the school is to take action after student misses five days with unexcused absences.
- Operational and legal requirements prompting school intervention differ across the state.

Definitional Issues (continued)

Runaways

- There are variations across the state between identifying youth as a victim or a defendant.
- Operational differences are based on local practice and the age of the runaway.

Incorrigibles

- The *Code* provides no legal definition for this population.
- The “triggering event” for public sector intervention varies across the state.

Role of Service Agencies

- Numerous agencies are routinely involved with these youth and their families:

Public Agencies

School System
Law Enforcement
Department of Social Services
Juvenile & Domestic Relations Court
Commonwealth’s Attorneys
Community Service Boards

Private Agencies

Group Homes
Therapists
Residential Treatment
Guardians ad Litem
Attorneys

- No one agency has clear responsibility for service planning and delivery.
- The role of each provider agency is not well delineated and may conflict.
- Parents are unclear about who has control of the case.
- Policies established by one agency may conflict with another agency.
- Cases are “bounced” from agency to agency.

Operational Issues

- There is no consistency across the state as to when children are identified for service.
- The process for identifying youth for early intervention services varies by case and across the state.
- No coordinated plan exists to provide all the services for youth and their families’ needs.
- The time sensitive nature of cases conflicts with crowded Court dockets.
- Service providers are divided as to whether the client is the child or the family.
- Agencies can be exclusionary.
 - Schools are ambivalent about wanting truants to return to their classrooms.
 - The Department of Social Services is frustrated with youth who run from foster care.
 - Courts may not want to hear non-criminal cases.

Service Barriers

- Communication across agencies is problematic, impeding coordination efforts.
- Many children fall between the cracks for services.
- Statewide, there is a lack of services available for the young (under 10) and older (over 16) youth.
- Often there is an absence of parental support and skills.
- Court sanctions are not always effective in changing behavior.
- Schools have a lack of resources to comply with attendance law.
- There is a lack of shelters for runaways.
- Individualized, hands-on services for youth and their families are lacking.
- There is no clear funding source to develop or purchase services for the population.
- There is no systematic evaluation of services.

To fulfill the study mandate, the Commission undertook the following first-year activities:

1. Convened focus groups in every region of the state in order to administer structured questions and identify local issues regarding status offenders. These focus groups were comprised of local direct service providers working with the target population;
2. Began other state statute and policy reviews;
3. Identified and administered data collection instruments to ascertain the number of statewide truants, runaways and curfew violators by locality;
4. Conducted Task Force Meetings
 - Overview Session (Legislative History, Previous Survey Results, Issue Identification)
 - Visit Residential/In-Home Program(s)
 - Receive Briefing on Statewide Truancy Projects
 - Present Results of Statewide Court/School Meetings

V. Methodology

The first-year study methodology incorporated a variety of research approaches to meet the study mandate. During this first year, staff convened Task Force and workgroup meetings to identify the issues and discuss study activities. Staff also briefed the Task Force and workgroup on funding trends, data and research findings, facilitated focus groups statewide, and analyzed the results of those focus group sessions. Additionally, a literature review of national studies on status offenders was conducted. Each of these activities will be discussed briefly.

A. TASK FORCE AND WORKGROUP MEETINGS

The full 23-member Task Force held three meetings between June and November. At the organizational meeting on July 22nd, there were presentations on the scope of the study, the study methodology, background data on status offenders and an overview of the changes in the legal status and services offered to status offenders in the last 25 years. The second meeting was held on September 17th in Hanover County. This meeting consisted of a public forum in which Task Force members heard from status offenders and parents from across the state and observed a truant/parent counseling session. Presentations at the third meeting on November 13th detailed the results of the statewide focus groups, two model truancy prevention programs, and legislative recommendations for second-year study activities

A workgroup of professional and lay persons was established to assist staff in responding to the study mandate. Represented in the workgroup were:

- local school divisions,
- Juvenile Court Service Units,
- local Comprehensive Services Act coordinators,
- local group home providers,
- state Department of Criminal Justice Services,
- Juvenile Court Judiciary, and
- local Department of Social Services.

The workgroup met five times from April through November. The workgroup identified issues and questions for the focus groups, prioritized issues, and assisted in the preparation of presentations for the Task Force.

B. LITERATURE REVIEW

National material examining legal and program trends on status offenders was identified. Journals examining the changing legal provisions for this population were reviewed and summarized, as were articles addressing educational issues for truant. Federal sources, such as the U.S. Department of Education, National School Safety Center, Office of Juvenile Justice and Delinquency Prevention and the National Network for Runaway and Homeless Youth, were contacted for policy and program information. Commission staff then obtained more detailed information from 25 programs identified through these federal sources. Lastly, an Internet search on recent changes in state statutes on status offenders was conducted. These statutes were reviewed for their applicability to Virginia. The results of this literature search were used to understand policy trends impacting the population and to identify approaches which could be replicated in Virginia.

C. ANALYSIS OF STATEWIDE STATUS OFFENDER DATA

Status offenders are served by many different service delivery systems. There is no single data source on either the number of status offenders or the programs serving Virginia youth and their families. Therefore, collecting data on the number of status

offenders, programs and state and federal appropriations was problematic. Six data sources were analyzed to determine the number of offenders. These included:

- Virginia State Police (VSP) Missing Children Clearinghouse Reports to obtain information on persons under age 18 years reported missing from 1991 to 1996;
- VSP Uniform Crime Reports for runaway arrests 1991 to 1996;
- Department of Education Outcome Accountability Data for the percentage of students absent more than 10 days from School Years 1990-91 through 1995-96;
- Virginia Supreme Court State of the Judiciary Reports for status offense case filings from 1988 to 1996;
- Virginia Department of Social Services Foster Care Placements FY 1985-1997; and,
- Virginia Department of Criminal Justice Services Three Year Juvenile Justice and Delinquency Prevention Plans for status offenders in secured settings from FY 1985-1996.

Information on the cost of programs for status offenders was collected from the DCJS Three Year Plans, the Department of Health and Human Services Runaway and Homeless Youth Act for 1990 to 1996, and the Comprehensive Services Act funding data from FY 90 to FY 96 for the non-mandated population.

D. FOCUS GROUPS

The success of intervention with this population is, in part, dependent on the strength of the inter-agency cooperation in the community. Given the inter-agency nature of service provision to status offenders, the workgroup and staff decided to convene focus groups around the state as a means of gathering information. The purpose of these groups was to examine the service network for status offenders and identify barriers to effective service delivery. The workgroup assisted in developing the content and in the ordering of issues to be discussed. A copy of the focus group discussion questions is included in Appendix E. Ten localities were initially identified for the focus groups. The localities were chosen based on:

1. mixture of urban, suburban and rural Court districts based on population and defined by the Joint Legislative Audit and Review Commission (JLARC) in *Juvenile Delinquents and Status Offenders: Court Processing and Outcomes*, 1996;
2. mixture of high, medium and low status complaints per 100 average daily membership (ADM) in school districts where: high complaints per ADM equaled 8.29 to 1.1, medium complaints per ADM equaled 1.06 to .36, and low complaints per ADM equaled .31 to .0; and,
3. statewide geographic distribution and location of at least one locality representing each of the eight judicial/superintendent liaison committee districts.

Table 1 presents a list of the initial localities based on the statistical quartile assignments. However, after presenting the localities to the workgroup, it was decided that two additional localities should be added due to specific client population factors. Fairfax County was included due to the large number of youth in their locality; Virginia Beach was included because of the large number of runaways which this resort city has

each year. The instrument and process were pre-tested in Henrico County prior to application statewide.

Table 1

Focus Group Localities

	High Status Complaints Per ADM	Medium Status Complaints Per ADM	Low Status Complaints Per ADM
Urban Court District	Hampton (#2)	Arlington (#4)	Manassas (#4)
Suburban Court District	Danville (#6)	Hanover (#1) Middlesex (#3)	Rockingham (#5)
Rural Court District	Buckingham (#8)	Pulaski (#7)	Brunswick (#8)

(#X) indicates Virginia Supreme Court Judicial/Superintendents' Liaison Committee District

Source: Virginia Commission on Youth Graphic and Analysis, June 1997

The focus groups consisted of front-line direct service providers who work on a regular basis with status offenders and their families. These included:

- School division staff (attendance officers, guidance, or social workers),
- Department of Social Services' child protective service and foster care workers,
- Court Service Unit probation officers (either intake or probation),
- police officers with juvenile caseload responsibility,
- DARE and school resource officers,
- Community Service Board clinicians,
- Commonwealth's Attorneys,
- Guardians ad litem,
- Private mental health providers, and
- Runaway shelter staff, if applicable.

Each focus group followed the same format: one three-hour session, with the first part of each meeting devoted to questions and issues involving runaways and out-of-control youth and the second half devoted to truancy issues. A Commission on Youth facilitator presented questions to each focus group and, where warranted, directed specific questions to agencies having lead responsibilities.

The statewide focus groups met between July and October. Each locality's responses to questions were recorded on structured data collection sheets by two Commission staff. After each meeting, Commission staff analyzed responses jointly; these were combined into one response sheet for each locality. The 11 locality sheets

were aggregated into runaway and truant Excel databases to determine the statewide trends in each area of inquiry.

VI. Background

A. NATIONAL POLICY

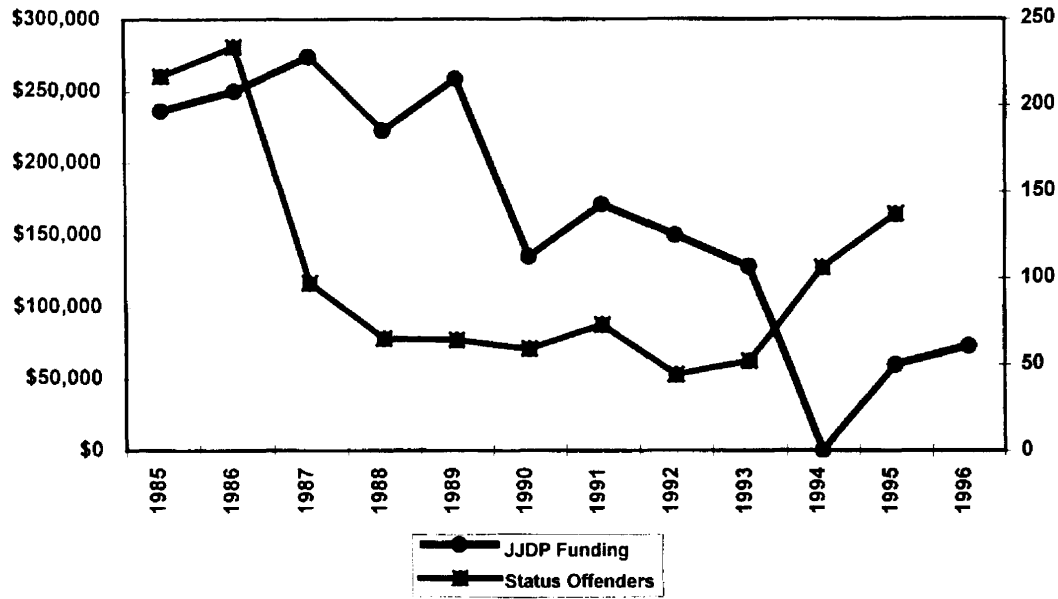
A status offense is behavior which is unlawful for minors, although the same behavior is permissible for adults. By virtue of the minors' "status," acts such as running away from home, truancy, curfew violations and incorrigibility are treated as public safety offenses. Different states have a variety of acronyms for this class of youth: MINS (Minors in Need of Services): PINS (Persons in Need of Services): and CHINS (Children in Need of Services), as they are called in Virginia. Every state has established systems in which the juvenile justice system is involved to a greater or lesser degree with interventions to this population. There is widespread disagreement about the appropriateness of the Courts having a role in handling status offense cases. One side of the argument views status offenses as symptomatic of family problems and therefore promotes treatment-based intervention; on the other side, there are frustrated parents and service providers who want to evoke Court-imposed sanctions as a way to change defiant behavior. Disagreement about the appropriate policy focus for status offenders has its roots in a national debate which began in the 1970's with the enactment of the federal Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974.

In the 1960's, some states, notably California and New York, began to differentiate legally between status offenders and delinquents. Other states enacted laws which redefined status offenders by reclassifying them as dependent or neglected children through creation of new jurisdictional classifications. These jurisdictional categories established new rules for processing and dispositional sentencing that were distinct from those applied to delinquents.

In the 1970's the policy of deinstitutionalization was being embraced in the mental health and juvenile justice arenas. In juvenile justice, deinstitutionalization meant that non-criminals, i.e., status offenders, could no longer be confined in correctional institutions. The JJDP Act created fiscal incentives for states to amend their status offender laws to achieve deinstitutionalization. One result of this legislative reform, coupled with funds to establish community-based alternatives, was a nationwide decrease in the secure detention rates for status offenders. Virginia's experience was similar to that of other states, as portrayed in Chart 1 which follows.

Chart 1

Virginia Status Offenders in Secure Settings



Source: Virginia Commission on Youth Graphic and Analysis of Virginia Department of Criminal Justice Services Three Year Plans and Compliance Reports, FY 1985-1996, July 1997

As the chart shows, while the focus of federal dollars was directed toward the establishment of non-secure alternatives for status offenders, secure confinement rates decreased. As the dollars were redirected to other parts of the juvenile justice system, non-delinquent youth began to be incarcerated at higher rates. Several studies have found that, as a result of deinstitutionalization, children who could no longer be detained were being re-labeled as delinquent in order to place them in secure settings.¹

Nationally, some members of the Judiciary viewed the federal requirement for deinstitutionalization as a limit on their authority to enforce their own orders. In the 1980's, as arrests for juvenile crime began to increase and public sentiment shifted towards a more punitive approach, the JJDP Act was amended. These amendments reintroduced the use of secure detention for juveniles who violated court orders on status offenses. This came to be known as the Valid Court Order Amendment. According to a 1991 report of the General Accounting Office, from 1980 to 1988, use of Valid Court Order provisions was adopted in 38 states.² Although Judges were the primary force behind the Valid Court Order Amendment, they recognized the need for a continuum of services for runaway, truant, and substance abusing children. The National Council of Juvenile and Family Court Judges issued a report in 1990 which portrayed these children as being victims more often than offenders and recommended that Court intervention be used only as a last resort after community services had failed.³

Whether the failure of deinstitutionalization can be laid at the feet of the states which did not adequately fund community alternatives or at the intractable nature of adolescent behavior is not clear. However, as the pendulum has swung from incarceration to community alternatives and back again, states are struggling to find ways to respond effectively to this group of youthful behaviors. While the specific behaviors which comprise status offenders are often arbitrarily combined, they reflect unique service concerns and legal issues deserving of attention.

B. SPECIFIC POPULATIONS

1. Truants

School non-attendance, or truancy, is often cited as a gateway behavior to delinquency, teen pregnancy, and substance abuse. Truancy often leads to a student's dropping out of school and hence to the person's reduced capacity to participate productively in society. While not all truants become delinquents, over 61% of all delinquents have a history of truancy.⁴

The national focus on educational improvement began under the Reagan administration. The federal government has increased its role in identifying priorities for states and local school districts to embrace. In the second term of the Clinton administration, the issue of truancy has become a priority issue for the U.S. Department of Education. The scope and severity of school failure as a risk behavior and national crisis were underscored a decade ago with the publication of *A Nation at Risk*.⁵ The U.S. Department of Education has sponsored special in-service programs on reducing truancy and introduced a \$10 million discretionary grant program to address strategies to achieve lower truancy rates.

State Courts play a critical role in the battle to combat truancy.⁶ In most states, Courts will require school authorities to follow specific procedures when bringing truancy charges, including due process. Most Courts view their role as helping truants to remediate, rather than as punishing.

While no national data on the extent of truancy exists, the U.S. Department of Education estimates that in some cities unexcused absences can number in the thousands each day.⁷ The U.S. Department of Education, in its *Manual to Combat Truancy*, outlines five primary elements of a comprehensive community and school strategy to combat truancy.

1. Involve parents in all truancy prevention activities.

Schools are encouraged to be "family friendly" and facilitate regular contact between parents and teachers. The use of homework hotlines, parent liaisons, and giving parents a voice in school decisions are encouraged.

2. Ensure that students face firm sanctions for truancy.

School districts should communicate a zero tolerance policy. Attempts to link school attendance to participation in extra-curricular activities and receipt of a driver's license are encouraged.

3. Create meaningful incentives for parental responsibility.

A variety of sanctions—from losing eligibility for public assistance to Court-ordered fines—are suggested based on the individual community sentiment.

4. Establish on-going truancy prevention programs in schools.

Truancy is viewed in light of other risk factors and schools are encouraged to address the unique needs of each child and to develop initiatives to attack the root causes of the behavior including enhanced security, drug prevention programs and career academics.

5. Involve law enforcement in truancy reduction efforts.

Schools are encouraged to develop close linkage with law enforcement and Juvenile Courts. Police sweeps during school hours and clear communication on policies to bring the student back to school once picked up by law enforcement is supported.

2. Runaways

Recently there have been two major national efforts to identify the number of runaways. In 1995 the Research Triangle Institute published a national analysis of runaways commissioned by the U.S. Department of Health and Human Services under the auspices of the Runaway and Homeless Youth Act. This Act mandates federal funding through runaway shelters and programming for at-risk youth and currently provides funding for almost 400 agencies across the country.⁸ The research found, based on a 1992-1993 survey, that 2.8 million children between the ages of 12 and 17 had some runaway experience in the 12 months preceding the study.⁹ The profile of these children was such that half of them could be classified as being "thrown away" by their families and a substantial proportion of the remaining group reported parental substance abuse and physical/sexual abuse by their parents as contributing factors to their leaving their homes.

3. Curfew Violators

Most curfew laws are municipal ordinances which target adolescents, prohibiting them from being in public places in late evening/early morning hours. Curfew laws have been an increasingly popular response to juvenile crime. A 1995 survey of 387 cities by the Conference of Mayors reported that seven out of ten cities have curfew laws and nearly half of the cities surveyed had either modified their curfew laws or adopted new ones in the past year.¹⁰

While curfew ordinances are universally touted as an effective juvenile crime-fighting strategy, they often face legal challenges based on infringement of minors' rights to freedom of assembly and equal protection under the Constitution. Municipalities enforce curfew laws in a number of ways. The most common approach is to arrest minors and return them to their parents. Some models require parents to pick their children up at a processing center in which counseling and supportive services are offered. Curfew arrests may lead to secure confinement and formal Court processing. Curfew violators represent an increasingly growing sub-group of status offenders.

Virginia has not been unaffected by the national trends, as the following chapter will detail. With respect to juvenile arrest trends, public policy, and allocation of resources, the Commonwealth has mirrored the nation with respect to its response to status offenders.

C. OVERVIEW OF VIRGINIA'S SYSTEM

1. Policy and Resources

Since the 1950's, Juvenile Court has had jurisdiction over delinquent children as well as abused, abandoned, and incorrigible youth. However, the law did not differentiate between the types of offenses in its dispositional provisions. In 1974, Congress passed the JJDP Act requiring the removal of status offenders from secure confinement and correctional institutions in exchange for funding for an expansion of community-based alternatives. In Virginia, at the same time, the Juvenile Code Revision Subcommittee was appointed by the Virginia's Advisory Council Committee studying services to youthful offenders. This subcommittee was charged with developing changes in the *Code* to bring the state into compliance with federal reform efforts. As a result of their effort, a recodification of the Juvenile Code was enacted in 1977. The recodification gave Juvenile Court jurisdiction over the parent, legal guardian or custodian. The term "child in need of services" (CHINS) was established to define a youth who was absent from school, a runaway, disobedient to their parent or guardian, or violated other laws which only applied to minors. Using this definition, the intake procedure was amended to prohibit placement of CHINS in correctional institutions. "It was felt that these formal definitions would eliminate the gray areas between delinquent behaviors and acts which would not be considered criminal if committed by an adult."¹¹ The *Code* revisions of 1977 also allowed the Court to compel agencies to provide services. The statutory definitions coupled with the receipt of approximately \$1 million annually in federal funds resulted in a decrease in the number of status offenders securely held and the growth of community alternatives. Unfortunately, these results were short-lived. In 1986, Virginia, like the nation, directed its resources away from status offenders and its secure confinement rates began to climb. Since 1985, Virginia's use of federal funds targeting status offenders has declined, while the number of offenders in secure confinement has increased, as is referenced in Chart 1.

Frustration over the lack of alternatives available to the Courts resulted in the introduction of House Joint Resolution 247 in 1986 to examine the service needs of status offenders. As a result of the study, the *Code* was again amended in 1987 and two classifications of status offenders were created. The term CHINS was redefined to include only those children whose behavior, conduct or condition results in a serious threat to their well-being or physical safety. The term "children in need of supervision" (CHINSup) was created to include chronic or habitual runaways and chronically truant youth for whom efforts had been made to affect school attendance. This distinction provided for the secure detention of CHINSup if the Court had found the juvenile

violated the original court order and persisted in its status offending behaviors. The *Code* further required an inter-agency staffing for the chronic status offender to develop a treatment plan for Court approval. Subsequent amendments to the *Code* in 1989 created a third group of status offenders charged with curfew or alcohol and tobacco possession violations.

The *Code* outlines the processing procedures for CHINS and CHINSup cases. It is the intent of the law that judicial sanctions are not to be used until all efforts at community intervention has been exhausted. In 1995, the Joint Legislative Audit and Review Commission (JLARC) was directed by the General Assembly to conduct a comprehensive review of Virginia's Juvenile Court system. While the JLARC study was devoted primarily to the analysis of Court processing of delinquent youth, JLARC did examine the status offender population as well. Specifically, they analyzed the Court processes available for status offenders and the degree to which this group of juvenile offenders re-offend.¹²

The JLARC study found that the majority of first-time CHINS (82%) are diverted from Court with a service plan. These service plans may include a referral to family counseling, parent training, or other community services. About half of the Courts reported following up on the plan to determine if services were actually received.¹³ Diversion occurs slightly less often with CHINSup cases, with 72% of the cases reported to have been diverted with a service plan; however, follow-up attempts increase to 67%. On average, 46% of first-time status offense complaints were diverted from Court proceedings at the time JLARC conducted its analysis.¹⁴

The diversion of status offenders to community programs is in keeping with the goals of the juvenile law. The Court intake worker is given discretion to decide whether to file a petition on status offenders. Under the law, parents, school officials, and other citizens can file a complaint with the Court for a status offense. The intake officer as authorized in §16.1-260 is to proceed informally on a CHINS or CHINSup complaint. *Code* amendments in 1996 limit the number of times an intake officer can divert a CHINSup complaint. Again, citing JLARC's 1996 report in which 2,920 youth Court records were examined, 53% of the Court Service Units face internal or external policy limits which reduce the discretion provided the intake worker.¹⁵ While the analysis focused primarily on the intake practices for felony cases, the diversion rate for status offense cases was reported to be very high. Many Courts, faced with an increase in delinquency cases, have sought to limit the number of status offense petitions brought before the Judge. The desire to limit CHINS and CHINSup cases is based on three concerns: limited resources to respond to their volume of cases, ambivalence over the role of the Court in non-delinquency proceedings, and frustration over the limited dispositional options available after adjudication. The current dispositional options available for status offenders are listed on Table 2.

Table 2

DISPOSITIONAL OPTIONS
Provided by the Code of Virginia

DISPOSITIONS §16.1-278.4 - §16.1-278.8	CHINS	CHIN-Sup
Remain with parents, subject to limitations the Court may order	√	√
Order parents to participate in programs for rehabilitation of parent and juvenile	√	√
Order parents to participate in programs for rehabilitation of the juvenile		√
Fine parents \$100/day each day they refuse to cooperate with the school and their program(s)		√
Excuse juvenile over 14 from school	√	√
Permit local DSS or public agency designated by CPMT to place juvenile	√	√
Parent guilty of contributing to the delinquency of a minor		√
Transfer legal custody to relative, other person or agency	√	√
Require juvenile to participate in public service projects	√	√
Probation		√

Source: Virginia Commission on Youth Graphic, Analysis of Chapter 11, *Code of Virginia*, 1997

When cases are brought before a Judge, dispositions tend to be court orders to participate in treatment services and attend school. The authority of the Court to order the youth and their family to participate in services is routinely sought in response to community service providers' inability to enforce participation in treatment plans. JLARC's review of status offenders recidivism rates shows that approximately 53% of all first-time offenders are convicted of another offense within a three-year period. Eighty-five percent of all these offenses are for a more serious charge than the original offense.¹⁶

The requirement for compulsory school attendance for parents and students is established in § 22.1-254. Prior to 1996, the *Code* did not provide a definition of truancy. § 22.1-78 sets forth the responsibilities of school boards for the "proper discipline of students, including their conduct going to and returning to school." § 22.1-258 outlines the responsibilities of the school attendance officer and requires intervention when a "pupil fails to report to school for five consecutive days" and there is no indication the student's parents are aware of their absence. In 1996, § 22.1-258 was amended as a part of the Juvenile Justice Reform Act to define truancy in the following way:

*three consecutive days, or a total of five scheduled school days per month,
or an aggregate of seven school days per quarter.*

School boards have the power to appoint attendance officers to identify and follow up with truant students. The *Code* requires the attendance officer to make a reasonable effort to notify a student's parents by telephone when the student does not report to school. However, if no attendance officer is hired, the responsibilities of the position are vested with the division superintendent. Therefore, the use of an attendance officer is purely voluntary, and there is no guidance provided on the ratio of students per division to the number of attendance officers. Once the timeframe outlined in the statute has elapsed, the school principal or designee is required to send the student's parents a letter and request either a written explanation for the absence or to accompany their child back to school.

Many localities follow a variation of the process outlined in statute. Most schools have their office staff or volunteers make the initial telephone call to the home. However, very few schools across the state have their own attendance officer, as this responsibility (if specifically designated) tends to be centralized within the school district. Centralization adds a number of days to the process of identifying the truant and contacting the parent. Responsibility for home visits and other forms of follow-up with the truant and family is dispersed among visiting teachers, guidance, school social workers, and school resource officers, depending on the district.

Once the student is identified and follow-up contact has occurred, an intervention plan is developed. However, at this point, even in the most efficient systems, at least three weeks have elapsed. As reported from a 1995 Commission on Youth survey of elementary, middle, and high school principals, the forms of intervention offered are school conferences, referrals to services, suspensions or, for a majority of the respondents (53%), referral to the Comprehensive Services Act.¹⁷ When the case is handled internally by the school system, the most frequent forms of intervention are an assessment of the student's academic needs and alteration of the student's class schedule. When the truant and their family are referred to community agencies, family counseling and parenting classes are routinely provided.

In the mid-1980's, through the receipt of federal Runaway and Homeless Youth Act funds, Virginia saw five shelters and two independent living programs established for runaway youth. The shelters provide temporary residence for youth who have run away from home or been pushed out by their parents. The shelters provide crisis counseling and referrals to services in the community to help stabilize the family after the youth returns home. In the 1980's most of these shelters were open to all adolescents and it was common practice for youth to find their way off the street to these programs. National bus lines established a program to provide free transportation to return runaways to their home community. A national toll-free hotline was initiated to connect runaway youth with their families free-of-charge. Most law enforcement agencies had juvenile units specializing in outreach to street youth in an effort to place them in shelters as the first step in their reunification with their families.

Independent living programs were established for the older runaway for whom reunification with the family was not possible. These programs helped youth with job search and retention, budgeting skills and provision of support while they moved into an independent living arrangement. Youth aging out of the foster care and juvenile corrections systems and having no viable family support were also placed in these programs.

Programs established to work with runaways soon found themselves dealing with a greater range of issues than was initially anticipated. Physical and sexual abuse, sexually transmitted diseases, teen pregnancy, substance abuse and alcoholism, housing, educational and medical needs were routine issues to which the programs were required to respond. With the recession of the 1980's, treatment funds became scarcer and most of the shelters closed. Law enforcement agencies and the network of referral agencies re-deployed their staff to other divisions and the network of referral agencies decreased. As the data section of this report describes, while resources for the runaway population had dramatically decreased by the beginning of the 1990's, the number of minors who have run away has increased over the last six years.

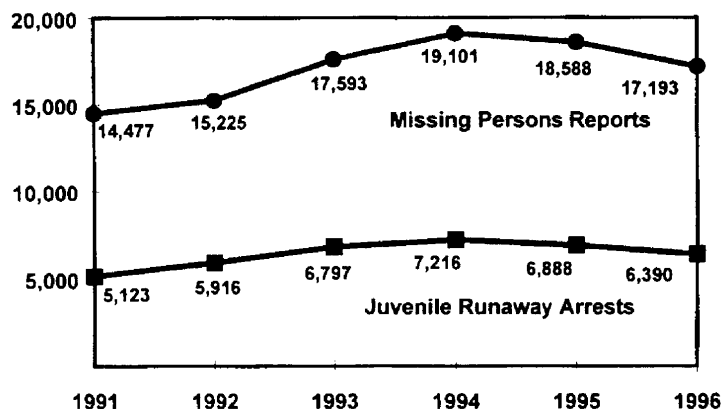
2. Data

There is no single source for data on status offenders. Because this is a population whose symptomology brings them to the attention of a variety of public sector agencies, the data which does exist comes primarily from law enforcement in the form of arrest data, from Juvenile Court (with respect to intake petitions), and from foster care caseload data. Local school systems record absences, but do not capture on an aggregate level if the absences were excused or not. Therefore, there is no statewide data which captures truancy rates.

Law enforcement's data captures arrests for juvenile runaways and Missing Persons Reports for those under the age of 18. Missing Person Reports include toddlers who wander from home, child abductions, as well as children who run away from home. The number of Missing Persons Reports for those under 18 increased 18%—from 14, 477 to 17,193. The highest number of Missing Persons Reports—19,101 cases—was reported in 1994. This increase is dwarfed by the number of runaway arrests for the same period, which increased 25%. In 1991, 5,123 arrests were made for juvenile runaways. This number has steadily increased over the past six years and peaked in 1994 at 7,216. These two data sets on runaways from law enforcement data are captured on Chart 2.

Chart 2

**Comparison of Virginia
Missing Persons Reports for Minors
to Juvenile Runaway Arrests
1991-1996**



Source: Virginia Commission on Youth Graphic, Analysis of Virginia Department of Criminal Justice Services Three Year Plans and Compliance Reports, FY 1985-1996, July 1997

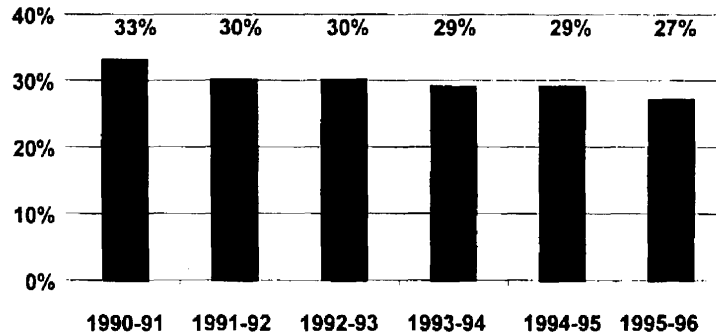
While the law enforcement data identifies the number of arrests made and reports filed, it may not provide a completely accurate portrait of Virginia's runaway population. Variations in local practice for apprehending runaways and responding to reports of missing adolescents limit the reliability of the data.

Truancy is not captured in the aggregate by the Department of Education. The Code provides a definition of truancy with respect to outlining a local school's system response to the unexcused absence. However, on the local level, there is no standard definition applied to data collection, thus limiting uniform data on unexcused absences. There are variations among school systems in the counting of full-day versus half-day absences. On a statewide level, the best measure to use to approximate truancy rates is the percentage of students absent for more than ten days in a school year. As Chart 3 shows, this was found to be one-third of the student population in the 1990-91 school year and has steadily declined to 27% of the student population for the most recent year for which data is available (1995-96 school year).

Often youth who are labeled as being beyond parental control or whose behavior is characterized by frequent episodes of running away are placed in foster care. In these cases, attempts to provide home-based services to keep the family intact have been unsuccessful and the child has responded by displaying defiant, acting-out behaviors. In the child welfare system, the term CHINS (Child in Need in Services) is

Chart 3

**Student Absences
School Years 1990-91 through 1995-96**

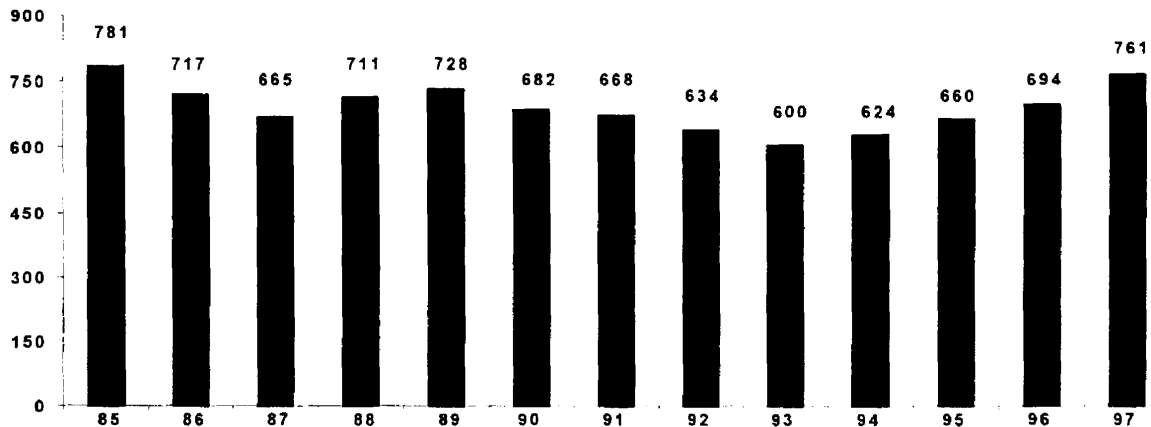


Source: Virginia Commission on Youth Graphic, Analysis of Virginia Department of Education Outcome Accountability Project Data 1990-1996, July 1997

used as a catch-all phrase to denote children whose families have a variety of dysfunctions, caused perhaps by parental substance abuse, poverty, limited emotional stability, or limited parenting skills. When youth are placed into foster care, the reason cited is the CHINS behavior, although routinely there are attendant family issues. Over the past 12 years, the percentage of CHINS comprising the total foster care caseload has been approximately 10%. In the most recent fiscal year (1997), 761 youth were placed in foster care as CHINS cases. The 12-year trend is provided in Chart 4.

Chart 4

**CHINS Placement in Foster Care
FY 1985-1997**

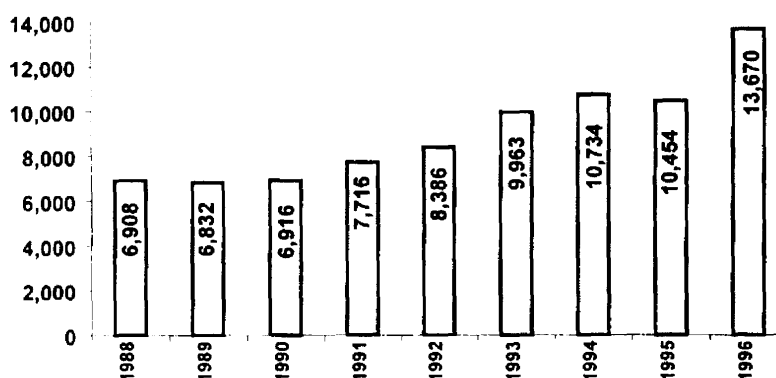


Source: Virginia Commission on Youth Graphic, Analysis of Virginia Department of Social Services Data, July 1997

Status offenses routinely bring the youth to the attention of a variety of public service agencies, such as the Departments of Social Services and Mental Health for family problems, or to the schools, because of non-attendance. Despite ambivalence on the part of many Juvenile Courts regarding their ability to intervene effectively with non-delinquent (due either to limited resources or philosophical concerns about the appropriateness of jurisdiction), the number of new Court cases on status offense petitions has doubled in the last nine years, as shown in Chart 5.

Chart 5

**CHINS, CHINSup and Status Offender Juvenile Court Petitions
1988-1996**



Source: Virginia Commission on Youth Graphic, Analysis of Virginia Supreme Court State of the Judiciary Reports 1988 to 1996, July 1997

When viewed as a whole, it is clear that incidence of status offenses—with the exception of school attendance—has increased throughout the system. While most policy debate and resource allocations have focused on the serious violent juvenile offender, the status offense population has grown.

VII. Findings and Recommendations

Focus groups were convened in eleven Virginia localities. Direct service providers representing local schools, Juvenile Court, community mental health, social services, Commonwealth Attorney's offices, local defense counsel, and private treatment providers participated in these groups. The focus groups lasted an average of three hours as Commission on Youth staff moved the participants through a series of questions regarding their localities' handling of truants, runaways and out-of-control youth. The detailed findings for the runaway and truant population are found in Appendices F and G. Analysis of the focus group responses tracks specific findings in the following areas: a) community response capacities, b) effectiveness of sanctions, c) educational options, d) family and community barriers, e) system accountability, f) policies and laws, g) training and h) resource needs.

It should be noted that the use of focus groups represents a unique research methodology. Focus group responses may or may not be replicated in every Virginia community. However, the themes which emerged as a result of the groups were identified and from those themes—based on the sampling process—it is assumed that these issues would be raised across the state. With the caveats regarding generalizing from focus groups so noted, eight recommendations are offered in response to focus group themes:

1. Increase the range of immediate community interventions available for status offenders and their families prior to Court referral.
2. Expand the range of sanctions available to the Court for status offenders.
3. Increase parental responsibility for school attendance and involvement in recommended services.
4. Expand the variety of academic options available to truants.
5. Increase the viability, accessibility and relevancy of vocational education.
6. Improve Court docketing systems to reduce the time lag between complaint, petition and Court hearings.
7. Improve the data collection, reporting and evaluation related to status offenders.
8. Provide in-depth training to all involved service professionals* on relevant juvenile law, local procedures and resources.

* Local Law Enforcement, Magistrates, Juvenile Court Judges, Juvenile Court Service Unit's Intake and Probation staff, Local Schools' Guidance Counselors, Attendance Officers, and Administration personnel, Commonwealth's Attorneys, Department of Social Services, Child Protective Services, and Foster Care workers and Mental Health practitioners

A. COMMUNITY RESPONSE CAPACITIES

It was acknowledged that, when interventions are provided quickly to the youth in all three status offender populations and their families, the chances for remediation are improved. However, because there is no single agency designated to work the population and status offenders are not a priority population, the ability of all communities to intervene quickly is impaired. Eighty-two percent of the communities participating in the focus groups reported problems with the timeframe for community response to truants. While the *Code* outlines the procedure by which truants are identified and contact is to be made with the student's home, only 55% adhered to the specific timeframe requirements. Respondents attributed their inability to meet the timeframes primarily to the lack of personnel available to follow-up on the truant and to the fact that identification and follow-up is centralized within the school divisions.

Participants reported that response time is also affected by the referral process to community services. These referrals to outside agencies were often indicated when

there were issues perceived to be beyond the purview of the agency having initial contact, i.e., truants in need of financial assistance and family counseling, runaways whose parents are unable to exercise control over their children. For runaways, one of the problems noted was the informal policy of local law enforcement to assign a low priority to a Missing Person's Report for an adolescent. Twenty-seven percent indicated that such a policy exists in their localities. When the Court is looked to as a means to order services to the family, Code requirements to "exhaust community resources" prior to Court involvement were cited as a barrier to effective and rapid community response. In the absence of an immediate response, the truant, runaway, and incorrigible youth's behavior often escalates. In many cases, the initial status offense behavior, left unattended, evolves into a delinquent behavior: dropping out of school, becoming pregnant, or involvement with alcohol and drugs.

Summary

Resources for the status offender population have been severely curtailed in all agencies. Schools, Courts, mental health and law enforcement are overwhelmed in responding to a growing population. Truants and runaways fall to the bottom of the list for service priority. The lack of immediate interventions often causes the child's behavior to escalate. Court intervention is seen as the only means to access mental health services for clients. Each locality indicated, "We wait until the child commits a criminal act and then we know there will be the resources and the authority to serve them."

Across the state, it takes an average of 6-8 weeks for a petition filed with the Court to be heard by a Judge. In some places, lapsed time is as long as 10 weeks. With issues such as truancy, this often means the student has already failed and/or has not been attending school for a full semester before being seen by a Judge. The increase in the types and complexity of cases and new mandates on the timeframes for Juvenile Court hearings have severely backlogged the dockets.

Recommendation 1

Increase the range of immediate community interventions available to status offenders and their families prior to Court referral.

Recommendation 2

Improve Court docketing systems to reduce delay between complaint, petition and Court hearings.

B. EFFECTIVENESS OF SANCTIONS

The majority of the participants agreed that treatment services were the initial service need for the youth and parents. Most often-cited examples of service needs were parenting classes, family counseling, and re-assessment of the student's academic program. However, participants often said that, when the intervention provided proved to be unsuccessful in changing behavior, providers were without effective sanctions. Ninety-one percent requested more effective sanctions for parents and their children. All providers found the absence of effective sanctions to be a

barrier, but it was said to be most acute by those involved with school attendance issues. Only 18% reported that Judges in their localities would impose sanctions against parents of truants. Participants acknowledged that it was difficult to find effective sanctions for parents who themselves did not value education and favored their children's securing employment to attending school. Further, it was noted that, for many of these families for whom economic viability was uncertain, the option of jailing the parent or levying fines would potentially further harm the families. Once a school system had pursued Court intervention, 64% said inconsistent judicial response to status offense cases was a barrier to services.

Runaways present special challenges to those seeking to secure effective sanctions. Focus group participants noted that runaway youth were frequently well known to the service providers. These youth were frequently characterized as being "bounced" from one service system to another and, as a result, knew how to manipulate the system to shirk their responsibilities. However, 91% of the participants noted that there are specific health and safety issues with runaways. These youth were seen as more prone to becoming involved with youth gangs, prostitution, and drugs. In predominately urban areas (although the same phenomenon was noted even in the smallest locality), there are adults who harbor runaways for whom the law was seen as loosely drawn, making apprehension very difficult. Seventy-three percent of the participants reported there were inadequate sanctions against adults who harbor runaways.

Summary

Localities expressed a frustration with the lack of Court access for the truant and runaway population and the unavailability of detention space. The Court's reluctance to impose sanctions on either the student or the parent was perceived to undercut the importance of school attendance and render the compulsory school attendance law unenforceable.

Recommendation 3

Expand the range of sanctions available to the Court for status offenders.

C. EDUCATIONAL OPTIONS

Focus groups reported that many truants are low functioning academically and are perceived to be behavioral problems when they do attend school. Many students who are truants, however, have technical and manual abilities. As a means of bringing truants back into the schools, 64% suggested alternate class scheduling, i.e., nights, weekends. In areas of the state where many truant students have afternoon jobs, alternative scheduling might encourage more students to attend school. For those truants who had dropped out school, it was suggested by 46% of the participants that eligibility for the General Education Development (GED) certificate be altered and that waiting lists be eliminated. With respect to other alternative educational approaches, 73% reported a need for more life skills and apprenticeship programs as a means to respond to the needs, interests and abilities of the truant population.

In addition to alternative educational programming, the role of vocational education was mentioned throughout the state. Vocational education, when available, is often offered too late in the student's academic career. Focus groups cited the need for more options, such as additional classes, classes available at earlier grade levels, and training in more traditional trades. Vocational education offerings often tend to reflect a high-tech, college bound bias despite the absence of high tech jobs in many communities. While many school systems work with the truant to design an academic program which fits their needs, most areas said they were limited in the options they had available for students. As school systems become more geared to the college-bound student, concerns were expressed that the low academic achieving student was being left behind. Ninety-one percent of the focus group participants said there should be multiple education tracks offered within every school system. Three tracks—College Prep/Advanced Studies Diploma, Standard Diploma and a Vocational Education Diploma—were envisioned. By placing greater emphasis on vocational education, schools could offer a curriculum perceived by students to have greater relevance.

The issue of compulsory school attendance age generated a tremendous amount of debate. While only 36% of the participants suggested the age should be lowered, debate on the issue was heated and protracted in every locality. On one hand, proponents for dropping the age suggested that school was not important to many of the older students who became truant or exhibited behavioral problems. Efforts to meet the needs of these students were seen as detracting from the needs of the rest of the student body. On the other side of the argument were those who said that dropping the age of compulsory school attendance would mean metaphorically turning the system's back on many young people and sending them out to the world without the skills they needed to survive in a competitive society.

Summary

Many school districts admitted having limited options available to the student who is truant and in danger of failing (or who has already failed) for the semester or the year. The requirements for obtaining the General Education Development (GED) certificate were reported to be overly restrictive. Many school systems cited the need for additional apprenticeships and job skills and independent living skills programs. Public schools were reportedly geared to the college-bound student, leaving other students with fewer educational opportunities.

When runaways and truants are academically low functioning, these youth perceive school as a place of continued failure and often begin to have behavioral problems. Schools become ambivalent, at best, about keeping them. Vocational education is seen as a "dumping ground" and the "poor relation" within the school divisions. When vocational education training is offered, it is often provided too late (10th and 11th grades), is geared to the college bound student, or is high tech-oriented, while the community's available jobs are in low-tech fields. Truancy is related partially to school failure, which is related (again partially) to the "fit" between the student and the academic program offered.

Recommendation 4

Expand the variety of academic options available to truants.

Recommendation 5

Increase the viability, accessibility and relevancy of vocational education.

D. FAMILY AND COMMUNITY BARRIERS

The dynamics present in the family of the truant, runaway, or out-of-control child were noted to be different. However, for each population, it was noted that often there is a history of family issues for which the status-offending behavior is only one small part of a larger picture of family dysfunction. Parents who are ill equipped to provide role models for their children, set consistent and appropriate limits, and work with public agencies were identified in every community focus group. Ninety-one percent of the participants mentioned lack of parental cooperation when services are offered as a barrier to services. The most often cited examples of parental non-compliance were refusal to comply with court orders and unwillingness to view the child's problem as a family problem. Many parents' ability to work in partnership with community providers to change their child's behavior was further complicated by parental substance abuse and physical or sexual child abuse and neglect. Many of these families were known to the service community for many years; often the child's status offenses were just one out of many problems the family presented to the community. Many of these parents had not had successful experiences with their own schooling, with 91% saying prior academic history was a barrier to staying in school. Areas of the state having a large number of immigrants reported unique cultural barriers to working with newly arrived families. These focus groups reported that immigrant parents were more reluctant to file a report to the police, call the schools, or get involved with the system. Differing cultural values on education and the role of the public sector in family life were also mentioned, with 64% citing cultural barriers between clients and providers as impacting effectiveness of service delivery.

In terms of the community environment, 82% reported inadequate public transportation as a barrier to services for runaways. While lack of transportation was also noted as an excuse for families who were ambivalent about participation in services, it was acknowledged that the lack of services adds additional economic stress to the others they were experiencing. In the focus groups, 64% identified family financial stress and/or poverty as impacting services to status offenders.

Summary

All of the focus groups reported that parents are inconsistently or marginally involved in the resolution of the problems causing a child's non-attendance at school or running away. Sanctions for parents who overtly keep their child from school are not used and the perception is that the Court has no jurisdiction over the parent. Groups drew a clear distinction about where to place ultimate responsibility for the child's behavior, depending on whether the child was younger or older.

Recommendation 6

Increase parental responsibility for school attendance and involvement in recommended services.

E. SYSTEM ACCOUNTABILITY

The primary scope of inquiry for the focus groups was the service delivery system established by localities to respond to the needs of truants, runaways and incorrigible youth. However, as part of the focus group process, participants were asked questions about their respective agencies' data systems and program evaluations. Responses across agency lines indicated a lack of program accountability in the form of information systems to capture the number of clients served, cost per services, or effectiveness of the services. None of the programs routinely keeps any form of outcome data. When asked about truancy data, all the focus groups said truancy was not accurately reported at the state level. State-level data reflects information on absences, but there is no distinction to indicate whether absences were excused. Many school systems struggled with data systems requiring a lengthy process of verifying truancy information on a weekly basis. This process created longer delays between identification of school absences and intervention with the student. Once the truant or runaway was identified and a corresponding service plan for intervention from community agencies was developed, only 27% of the localities reported that the agencies provided feedback on services delivered. Without a formal feedback process, providers had no way of knowing whether the interventions were being provided or if they were successful.

For the runaway population, in order for the Juvenile Court to proceed on a petition, the *Code* requires that the youth be a "chronic and habitual" runaway. Only 18% of the localities have a formal definition of "chronic and habitual" and only 9% of the law enforcement agencies reported keeping longitudinal records for runaways. The majority of the localities had no way of tracking to see whether the youth had a history of running away and hence handicapped themselves in meeting the Court's requirement for chronicity.

TANF requirements tying the recipients' continued eligibility to their children's school attendance was the only example of a statewide data system which identified truants and was shared between service agencies, i.e., the local departments of social services and the schools. These requirements were overwhelmingly seen as successful, with 73% of the participants reporting the TANF attendance requirements to be effective. However, it was noted that the TANF program has resulted in a two-tier system where welfare recipients are closely tracked for school attendance. Sanctions for school non-attendance are applied consistently, but only to a sub-population of students.

Summary

None of the agencies collects in any systematic way data on how many youth are served, how much money was spent, and what the outcomes are. There is no data on the number of truants and limited accountability on how the money was spent on services, although all providers report that they are stretched beyond their limit in working with youth and families.

Recommendation 7

Improve the data collection and program evaluation for status offenders.

F. POLICY AND LAW

All of the focus groups mentioned local policies or state laws as impediments to services for status offenders. The examples given ranged from statutory requirements to local policies adopted by the service agencies. These policies and laws were seen as restrictive for a variety of reasons: they limited the authority of the agency; required a system of cross referral and verification which did not exist in the community; provided limited direction as to the agency's responsibility; or created disincentives for the students re-engagement in their education. An example of the latter was the many local School Board policies on attendance, failure and extra-curricular activities. Specifically, school boards in many localities have adopted policies whereby a certain number of absences results in the student's automatic failure of the class. When the student has reached that number early on in the school year, the providers felt they had no inducement to get the student to return. In the student's mind, they had already failed the class for the year and there was no reason to attend. Additionally, many school systems require students to maintain a certain grade point average to be eligible to participate in sports or driver's education classes. Missed classes and low grade point averages prohibited many students from participating in extra-curricular activities, often the only "hook" between the student and the school. Many educators felt that pushing the marginal student out of school was an unintended consequence of these actions.

Lack of clarity about agency role can be illustrated by, for example, varied interpretations of the educational neglects statute. Some localities reported that local Departments of Social Services did not get involved in "pure" educational neglect cases and were called in only when there were allegations of abuse or neglect which impacted school attendance. In other localities, the Child Protective Service Unit was the primary provider of services to elementary and middle school truants. Participants expressed uncertainty about whether there was a legitimate role for social services in these cases and cited conflicting messages from their supervisors about the advisability of becoming involved.

Across the state the statutory guidance on filing petitions was seen as very restrictive by Court personnel. Concerns were raised about what was regarded as a limited authority to file truancy petitions, in that only schools were authorized to file

truancy complaints. Similarly, another barrier to effective intervention was the Code requirement that runaways be considered habitual and that community resources exhausted prior to Court action. Providers felt that the requiring the community to provide a certain level of services before the Court would accept a petition created insurmountable barriers to accessing court-ordered treatment.

G. PROFESSIONAL TRAINING

Concerns expressed about the adequacy of the law and soundness of the local policies had to be evaluated in the context of the general knowledge base of the focus group participants. Respondents in 55% of the focus groups did not know one or more laws regarding school attendance or Court criteria for petitions. Many of the participants had no information about the services offered by other agencies or their statutory role in working with the client population. Misinformation ranged from an understanding of the eligibility for certain federal programs (most often noted were special education and Medicaid requirements), compulsory school requirements, Juvenile Court jurisdiction and the authority of law enforcement to intervene with status offenders. Included in discussions were the following examples of misinformation:

"CHINS is a civil offense."

"It was an absolute nightmare when we went to 17 [for compulsory school attendance]."

"VJCCCA funds can be used for only individual placements, not group activities."

"The Juvenile Court does not have jurisdiction over parents in CHINS cases."

"We (law enforcement) have no authority to arrest truants."

For the majority of the families across the Commonwealth, "the system" means the individuals employed by public sector agencies. Misinformation about the law, alternative programs available to families, parental responsibility for their children's education, etc. exacerbates frustration and precludes ineffective intervention. In the past five years, there have been tremendous changes in both juvenile justice and educational law in Virginia. Direct service providers have possibly not had the benefit of thorough training on the current law and policies. Prior to skill enhancement to help communities replicate best practices with status offenders, basic skill training is needed.

Summary

Focus group discussions across the state evidenced a lack of knowledge of the laws and procedures regarding status offenders. Statements made about the law and the local procedures established to comply with the Code by representatives of the justice system, child protective services and school systems were consistently inaccurate.

Recommendation 8

Provide in-depth training to all involved service professionals on juvenile law and procedures

H. RESOURCE NEEDS

One consequence to having no single agency responsible for the service delivery to status offenders is the reduction of resources to respond to their needs. As the priority has shifted to other populations, agencies are often without the resources to work with this population until their behavior escalates. Intervention with status offenders is often understood to be a part of a community's early intervention strategy. As treatment needs become more acute, resources are re-allocated to "deeper end services". This phenomenon has been experienced in every public sector service agency. Eighty-two percent of the localities reported a lack of resources and responsibility for payment as a barrier to services for runaways and truants. This lack of resources was mentioned in every component of the service system, with 82% reporting that their locality needed additional staff to identify and follow-up with truants and 55% reporting a need for more foster care homes or crisis shelters to place runaways.

The most cited restraints on accessing funding for the population were the Comprehensive Services Act funding criteria and private insurance policy restrictions. Because the status offender population is not a priority service area, providers would often seek to re-label the client in order to access services for them. Specifically, a runaway who flees after taking the parents' car would be re-labeled as delinquent on an "authorized use of an automobile charge"; truants would be labeled as substance abusers to access mental health services. All the focus groups reported a chronology of events which affects "labeling" status offenders to get services. The desire for increased access to Court services appeared to be, after further prompting by the focus group facilitator, motivated more by the leverage of the Court in ordering services than from a sense that these cases are most appropriately served by Court intervention. In summation, due to the lack of resources to serve this client population as defined, providers go to great lengths to make the client "fit" the program which has funding. This may result in status offenders being re-classified as delinquents or contributing mental health factors being emphasized as the primary service need. Unfortunately, as a result, many clients do not receive needed services or the services provided are more restrictive and expensive than the behavior may actually warrant.

¹ Steinhart, David J., "Status Offender," *The Future of Children, The Juvenile Court*, Vol. 6, No. 3, Winter 1996, p. 91.

² Steinhart, p. 91.

³ Metropolitan Court Judges Committee, *A New Approach to Runaway, Truant, Substance Abusing and Beyond Control Children*, National Council of Family and Juvenile Court Judges, Reno, 1990, p 12.

⁴ Groginsky, Scott and Jay Kroshus, "An Ounce of Prevention," *State Legislature*, Vol.12, No. 3, May 1995, p. 21.

⁵ National Commission on Excellence in Education. *A Nation at Risk: The Imperative for Educational Reform*, U.S. Printing Office: Washington, 1983, p. xxiii.

⁶ Menacker, Julius, Ed.D., "Legal Policy Affecting School Truancy," *Education Law Reporter*, Vol. 4, No.1, Winter 1997, p. 763.

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- ⁷ U.S. Department of Education, *Manual to Combat Truancy*, U.S. Printing Office, Washington, p. 3.
- ⁸ U.S. Department of Health and Human Services, *1995 Runaway and Homeless Youth Act--Public Law 93-415 Program Summary*, U.S. Printing Office, Washington, April 1996, p.14.
- ⁹ Steinhart, p. 93.
- ¹⁰ Poinke, J., "Conference Survey Finds Cities Moving to Youth Curfews," *U.S. Mayor*, Vol. 20, No. 62, December 1995, p. 8.
- ¹¹ Virginia Joint Legislative Audit and Review Commission, *Performance Review: Juvenile Court Procession and Outcomes*, *Senate Document 14*, Richmond, December 1995, p. 83.
- ¹² Virginia Joint Legislative Audit and Review Commission, p. 43.
- ¹³ Virginia Joint Legislative Audit and Review Commission, p. 84.
- ¹⁴ Virginia Joint Legislative Audit and Review Commission, p. 42.
- ¹⁵ Virginia Joint Legislative Audit and Review Commission, p. 33.
- ¹⁶ Virginia Joint Legislative Audit and Review Commission, p. 86.
- ¹⁷ Virginia Commission on Youth, *Report on the Study of Juvenile Justice Reform*, *House Document 37*, Richmond, 1996, p. 57.

VIII. Acknowledgments

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HOUSE JOINT RESOLUTION NO. 490
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Rules
on February 17, 1997)
(Patron Prior to Substitute—Delegate Cantor)

Directing the Virginia Commission on Youth to study status offenders, children in need of services, and children in need of supervision.

WHEREAS, all states have classifications for juvenile offenders who commit certain acts that, if committed by adults, would not be considered crimes; and

WHEREAS, in 1989, Virginia amended its law to delineate three types of status offenders; and

WHEREAS, in 1995, the Joint Legislative Audit and Review Commission studying court processing and outcomes of juvenile delinquents and status offenders found that 53 percent of all first-time status offenders re-offend within a three year period; and

WHEREAS, resources for this group of juveniles have decreased over the last five years as the juvenile justice system's emphasis has shifted to the more serious offender; and

WHEREAS, these juveniles often display behaviors which bring them to the attention of a variety of educational and human service agencies; and

WHEREAS, there is no one public agency designated to be responsible for service planning and delivery to these juveniles; and

WHEREAS, the imposition of court sanctions on this population has met with mixed success; and

WHEREAS, interviews conducted in 1996 with service providers in both juvenile court and treatment settings verified the need to revisit both service capacity and statutory provisions for this population; and

WHEREAS, the 1996 expansion of the Virginia Juvenile Community Crime Control Act to provide diversion services for status and minor offenders should result in new service alternatives for this population; and

WHEREAS, a comprehensive analysis of this population, which comprises at least ten percent of the juvenile court caseload, has not been conducted since the 1989 statutory changes; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Commission on Youth be directed to study status offenders, children in need of services, and children in need of supervision. The Commission is directed to examine the state's policies, procedures, and services applicable to this population with the goal of suggesting reform to increase the system's effectiveness and efficiency.

The Commission's study shall include, but not be limited to, the following: (i) an analysis of juvenile courts' and local schools' communication and intervention with truants; (ii) a review of juvenile court diversionary and probationary practices for this population; (iii) an assessment of the service capacity for status offenders, children in need of services, and children in need of supervision; (iv) an analysis of other states' approaches to dealing with this population; (v) an analysis of the appropriateness of designating a lead agency to be responsible for services; and (vi) the development of recommendations for improving the system through legislative and administrative reforms; and, be it

RESOLVED FURTHER, That an advisory task force be established to assist the Commission in its work. The task force shall be comprised of 22 members as follows: six members of the Virginia Commission on Youth; two members of the House of Delegates, to be appointed by the Speaker of the House; one member of the Senate, to be appointed by the Senate Committee on Privileges and Elections; one juvenile and domestic relations court judge, one representative of court-appointed counsel, one superintendent of a local school division, one director of a local Department of Social Services, and one public agency representative providing residential and/or home-based services to the population, all to be appointed by the Speaker of the House; and one representative of law enforcement, one juvenile court service unit director, and one private agency representative providing residential and/or in-home services to this population, all to be appointed by the Senate Committee on Privileges and Elections. The Commissioner of the Department of Social Services, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, the Superintendent of Public

1 Instruction, the Director of the Department of Juvenile Justice, and the Executive Secretary of the
 2 Supreme Court of Virginia shall serve as ex-officio members, with voting privileges. Nonlegislative
 3 members of the task force shall serve in a voluntary capacity and shall not be entitled to
 4 compensation or reimbursement, except for travel expenses paid by the Commission.

5 All agencies of the Commonwealth shall provide assistance to the Commission for this study,
 6 upon request.

7 The Virginia Commission on Youth shall complete its work in time to submit its findings and
 8 recommendations to the Governor and the 1998 Session of the General Assembly as provided in the
 9 procedures of the Division of Legislative Automated Systems for the processing of legislative
 10 documents.

Official Use By Clerks	
<p style="text-align: center;">Passed By</p> <p>The House of Delegates</p> <p>without amendment <input type="checkbox"/></p> <p>with amendment <input type="checkbox"/></p> <p>substitute <input type="checkbox"/></p> <p>substitute w/amdt <input type="checkbox"/></p>	<p style="text-align: center;">Passed By The Senate</p> <p>without amendment <input type="checkbox"/></p> <p>with amendment <input type="checkbox"/></p> <p>substitute <input type="checkbox"/></p> <p>substitute w/amdt <input type="checkbox"/></p>
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Focus Group Questionnaire TRUANCY

Section 1: Truants

1. How does your locality deal with the issue of truancy? (trigger: what is local definition of a truant)

Legal (trigger: state statutes)

3 day attendance officer notification requirement

learnfare requirements

Policy (trigger: Local School Board)

Operational (trigger: at what point does your locality take action?)

2. What steps do you take to get the students' back in school? (trigger: What is each agency/persons' role, task and primary responsibility in dealing with truants? Which agency/entity do they see as having primary responsibility for truants?)

PRIMARY RESPONSIBILITY

ROLE

TASK

3. Is there a chronology of events that affect the “labeling” of truants and the services delivered?

Yes why?

No why?

3a. What is the chronology of service delivery? How does service availability effect “system response” to truants? (triggers: juvenile court/sanctions, secure detention, truancy officers).

[Number sequencing]

Respondent Presenting Chronology

school phones calls				
school letter				
visitation/direct contact				
in-school committee staffings				
external committee staffings (CSA, other)				
initiation of court process				
contacts with DSS or other service providers				
charges filed (educational neglect, CHINS, CHINSup)				
court diversion (when, formal vs. informal)				
services ordered				
other				

3B. Does who “houses the services” impact the delivery of services to truants and their families?

Yes why?

No why?

4. How, and at what point, are truants identified for services?

(Who identifies, what is done, who are the clients, what works, why is it needed, and is there a feedback loop on service delivery/progress)

5. What are the barriers to truants being successful in school?

(lack of flexibility in school system, lack of voc. ed. curriculum track, history of poor academic performance, family does not value education, unstable family life, lack of job skills curriculum tracks)

6. What are the local systemic barriers to accessing services for truants?

{language/Policy (CHINS/CHINSup, etc), timeframes for action, responsibilities for action, who pays for services, parental response to intervention, judicial inaction/actions, local collaboration/planning, data/information sharing, transportation, staff resources, multi-disciplinary staffing (CHINS required), lack of understanding (roles/limitation of other providers in system), and program resources}

6. What recent changes in state policy/laws in education have impacted truancy?

(triggers: SOLs, SOQs, IEP process, ADM, compulsory school age, vocational education)

7. What recent changes in state juvenile court and family law/policy have impacted truancy? (*triggers: CHINS vs. CHINSup, intake criteria, intake procedures, curfew violations, detention thresholds*)

8. What recent changes in state child welfare laws/policy have impacted truancy? (*triggers: CHINS vs. CHINSup, learnfare, alternative education programs, CSA process*)

9. What are the health and safety issues associated with truants?

10. What changes can the state make to assist in service delivery for this population? (*triggers: legislation to clarify lead and definitions of population, barriers*)

11. If you had access to more funds for truants, what 3 programs/services would you do to assist with this population?

11A. Why are the programs needed?

12. Do you think truancy is adequately reported? ___ Yes ___ No

12A. If NO, why?

(Time, money/staff resources, perception of the school system affected, unpleasant issue, lack of incentive)

13. What programs/services have you heard “works” with truants?

ADDITIONAL ISSUES/NOTES.

Focus Group Questionnaire RUNAWAYS

Section 2: Runaways

1. How does your locality deal with runaways? (trigger: what is the local definition of a runaway)

Legal (State statute/Interstate Compact)

Policy (Local Police, DSS, group homes)

Operational (At what point does your locality take action?)

2. What steps do you take to get the runaway into a stable living environment? (What is each agency/persons' role, task and primary responsibility in dealing with runaways? Which agency/entity do they see as having primary responsibility for runaways?)

PRIMARY RESPONSIBILITY

ROLE

TASK

Focus Group Questionnaire RUNAWAYS

Section 2: Runaways

1. How does your locality deal with runaways? (trigger: what is the local definition of a runaway)

Legal (State statute/Interstate Compact)

Policy (Local Police, DSS, group homes)

Operational (At what point does your locality take action?)

2. What steps do you take to get the runaway into a stable living environment? (What is each agency/persons' role, task and primary responsibility in dealing with runaways? Which agency/entity do they see as having primary responsibility for runaways?)

PRIMARY RESPONSIBILITY

ROLE

TASK

3. Is there a chronology of events that affect the “labeling” of runaways and the services delivered?

Yes why?
No why?

3a. What is the chronology of service delivery? How does service availability effect “system response” to runaways? (*triggers: juvenile court/sanctions, secure detention, runaway shelters, hospitals*). [Number sequencing] (*parent/guardian phone calls, law enforcement arrest/charges filed, contact with the CSU, contact with DSS, out-of-home emergency placement (shelter, detention, foster care), initiation of court process, court diversion (when, formal vs. informal), services ordered (types), other (explain)*)

OTHER SEQUENCING/CHRONOLOGY BELOW.

4. How, and at what point, are runaways identified for services?

(*who identifies, what is done, who are clients, what works/why is it needed, is there a feedback loop on service delivery/progress*)

5. What are the local systemic barriers to accessing services for runaways? (*Explain barriers underneath*)

(*Language/Policy (CHINS/CHINSup, etc)., timeframes for action, responsibilities for action, who pays for services parental response to intervention, Cultural Differences, local collaboration/planning, data/information sharing, Transportation, Limited Service Options*)

6. What recent changes in state policy/laws in education have impacted runaways?

7. What recent changes in state juvenile court and family law/policy have impacted runaways?
(triggers: CHINS vs. CHINSup, curfew violations, inter-family crimes, detention thresholds)

8. What recent changes in state child welfare laws/policy have impacted runaways?
(triggers: CHINS vs. CHINSup, learnfare, interstate compact, family preservation)

9. What are the health and safety issues associated with runaways?

10. What changes can the state make to assist in service delivery for this population?
(triggers: legislation to clarify lead and definitions of population)

11. If you had access to more funds for runaways, what 3 programs/services would you do to assist with this population?

CUMULATIVE FOCUS GROUP RESPONSES ON TRUANTS & RUNAWAYS

Timeframe for Intervention

- **82% reported problems with the timeframe for community response for truants.**
- **55% adhered to the 3 day attendance officer requirement as required by the Code.**
- **Response time is affected by referrals to community services and Code requirements to “exhaust community resources” prior to Court involvement.**
- **27% have informal law enforcement policies assigning lower risk to adolescent runaways.**

Sanctions

- **91% requested more effective sanctions for parents and truants.**
- **73% reported there were inadequate sanctions against adults who harbor runaways.**
- **64% said inconsistent judicial response(s) to status cases were a barrier to services.**
- **18% reported that the judges in their locality would impose sanctions against parents of truants.**

Resource Needs

- **82% reported a lack of resources and responsibility for payment as a barrier to services for runaways; CSA funding criteria and private insurance policies were the most often cited reasons.**
- **All the focus groups reported a chronology of events affects “labeling” status offenders to get services.**
- **82% said their locality needed additional staff to identify and follow-up with truants.**
- **55% reported a need for more foster care homes or crisis shelters to place runaways.**
- **45% reported the need for a single agency to be responsible for runaway services.**

Educational Options

- **91% said there should be multiple education tracks:**
 - College Prep/Advanced Studies Diploma*
 - Standard Diploma*
 - Vocational Education Diploma*
- **64% suggested alternate class scheduling (i.e., nights, weekends) would decrease truancy.**
- **46% requested GED eligibility be altered and that waiting lists be eliminated.**

Educational Options (cont.)

- **91% reported the need for more vocational education options:**

- More classes*

- Start classes at earlier grade levels, and*

- Training in more traditional trades*

- **73% reported a need for more job skills, life skills and apprenticeship programs.**
- **36% suggested the age for compulsory school attendance should be lowered.**

Individual/Family Barriers

- **91% mentioned the lack of parental response to interventions as a barrier to services:**
 - *Refusal to comply with court orders*
 - *Unwillingness to view child's problem as a family problem*
 - *Parental substance abuse*
 - *Abuse and neglect by parents*
- **91% said prior academic history was a barrier to staying in school.**
- **91% reported health or safety issues with runaways in their area.**
- **Focus groups reported immigrant parents were more reluctant to file a report and get involved with the system.**

Community Barriers

- **82% reported inadequate public transportation was a barrier to services for runaways.**
- **64% cited cultural barriers between clients and providers as impacting services.**
- **64% identified family financial stress and/or poverty as impacting services to status offenders.**

Accountability

- **All the focus groups said truancy was not accurately reported at the state level.**
- **18% of the localities have a formal definition of “chronic and habitual” runaway.**
- **27% of the localities reported the agencies provide feedback on services delivered.**
- **9% of the law enforcement agencies reported keeping longitudinal records for runaways.**
- **No programs keep outcome data.**
- **73% reported the TANF attendance requirements have been effective.**

Policy and Law

- **All of the focus groups mentioned local policies or state laws as impediments to services for status offenders:**
 - *Interpretation of educational neglect statute/regulations*
 - *Local School Board policies on attendance, failure and extra-curricular activities*
 - *Medicaid eligibility criteria*
 - *Restrictive authority to file status petitions*
 - *criteria for runaways to be considered habitual and "community resources be exhausted" prior to Court action*
 - *legal status of out-of-state runaways*

Professional Training

- **Respondents in 55% of the focus groups did not know one or more laws regarding school attendance or Court criteria for petitions.**
- **Comments included:**
 - "CHINS is a civil offense."*
 - "It was absolutely a nightmare when we went to 17 [for compulsory school attendance]."*
 - "VJCCCA funds can only be used for individual placements not group activities."*
 - "The Juvenile Court does not have jurisdiction over parents in CHINS cases."*
- **64% of the localities did not consider a child a runaway if the parent knew their whereabouts.**

Glossary of Child-Service Related Terms

Acquittal: A court judgment that a juvenile is innocent of the charge(s) filed against him/her.

Adjudicatory Hearing: The court hearing to determine whether a juvenile is innocent or guilty of the charge(s) against him or her.

Aftercare: Court-ordered supervision by the Department of Juvenile Justice that a juvenile receives from the time of commitment until release from care. In some cases, the judge can order the Department of Social Services to supervise a juvenile's case.

Aftercare Counselor: Court worker who maintains contact with a youth and provides guidance, information, and supervision upon return to the community after commitment to the Department of Juvenile Justice. Also called Parole Officer.

Aid to Dependent Children (AFDC): Welfare payment to families, has been replaced by TANF program as a part of Federal and State welfare reform initiatives.

Arrest: Taking a person into custody for the purpose of charging him or her with an offense.

Attendance Officer: An individual required by Code in each local school to follow up on students who are absent. Many school systems have specified individuals to fulfill this role however most divisions have school secretaries or parent volunteers meet this requirement by calling the student's home when they are absent from school without advance notice from the parent or guardian.

Average Daily Membership (ADM): Aggregated daily student attendance of a specific school division. The ADM is a component of the funding formula for local schools in the Standards of Quality.

Average Daily Population (ADP): The average number of juveniles admitted/committed to a State facility(s), either a juvenile correctional center or secure detention home or residential group home, on any given day.

Block Grant Funding: Funding mechanism used by the Department of Juvenile Justice to provide funding for secure detention homes; local group homes and other community based programs. The Block Grant program has been replaced by the Virginia Juvenile Community Crime Control Act as of January 1, 1996.

Bond: Conditional release for which a financial commitment is made to guarantee youth's appearance in court.

Case Staffing: Process by which service professionals meet as a group to discuss the needs and strengths of a child and their family and develop a plan for service. Routinely the child and their family are participants in this process.

Case Management: The designation of an individual to be responsible for oversight of the progress of a specific case with respect to identifying and securing services (both therapeutic and concrete) to the child and the family and to keep all the professionals involved in the case informed of the activities of one another and the progress the client is making.

Child Protective Services (CPS): Division of the local Department of Social Services responsible for the investigation of allegations of child abuse and child neglect.

Children in Need of Services (CHINS): A child whose behavior, conduct or condition presents or results in a serious threat to their well-being.

Children in Need of Supervision (CHINSup): A status offender who has been before the court previously on status offense(s) or CHINS petition(s) for (1) truancy, (2) runaway, (3) curfew violations or (4) incorrigible behavior, and the court finds that all community services have been exhausted, the judge can order admission to a secure detention facility for up to 30 days as a violation of court order.

Commitment: An order by the judge at the dispositional hearing which transfers a juvenile's legal custody to the Department of Juvenile Justice or a child welfare agency.

Community Policy and Management Teams (CPMT): The governing body of each single locality or multi-jurisdictional districts which has the responsibility for implementing the requirements of the Comprehensive Services Act and overseeing the expenditure of funds appropriated by the localities and the State.

Community Service Boards(CSB): Local public mental health services for community residents. Services are provided in three general areas: mental health, mental retardation and substance abuse services.

Complaint: Issue brought to the attention of the intake Officer of the Juvenile and Domestic Relations Court, or a magistrate. Court intake will then determine if the issue is one which they have jurisdiction over, if probable cause has been met, and, in some cases, if the interest of the child is best served by the filing of a petition with the court.

Comprehensive Services Act (CSA): The CSA was established by the 1992 General Assembly to create a collaborative system of community based services and funding for troubled and at-risk youth and their families.

Court Service Unit (CSU): State operated local staffing units for the Juvenile and Domestic Relations Court. Generally all courts offer diversion, intake probation and parole services. Some courts have more specialized programs such as mediation, intensive supervision, group counseling etc.

Crisis/Shelter Care: These homes serve delinquent, CHINS, and abused/neglected youth. They provide 24 hour residential crisis shelter for youth who cannot return home but may not require secure confinement in detention. Youth placed in these programs remain a part of their community, attending local schools, continuing other support services, and receiving assessment and counseling. This type of program may be a locally-operated group home, a private facility, a volunteer family operated by Volunteer Emergency Families for Children (VEFC) or a holdover program.

Detention: The secure custodial holding of a juvenile. Detention is used routinely as a custodial holding for juveniles while they await their trial, it is also used in some jurisdictions as a sentencing option for juveniles who have not complied with a court order or the Judge feels can best be served by placement in a secure facility but is inappropriate for commitment to a Juvenile Correctional Center.

Diversion: Action taken by the Juvenile Court to refer juvenile and their family to community services and not to proceed with the complaint through the court system.

Drug and Alcohol Resistance Education (DARE): Program sponsored by law enforcement to provide educational training in grades K-5 to help students learn decision making skills to help them remain drug and alcohol free.

Electronic Monitoring (EM): The use of an electronic device which is placed around the ankle or wrist of a youth providing monitoring through a computerized telecommunication system. This system notifies designated staff when a monitored youth leaves an established area. This service is usually used in conjunction with another supervision program such as house arrest, outreach detention or intensive supervision.

Family Assessment and Planning Teams (FAPT): The second tier of management for single locality or multi-jurisdictional district under the Comprehensive Services Act responsible for establishing procedures governing referrals for services and reviews of children and families, and staffing cases which are referred to them.

Foster Care: A formal arrangement whereby a judge places custody of a child with the local Department of Social Services. Foster parents then provide a home and care for children who cannot live with their families.

Guardian Ad Litem (GAL): Court appointed attorney in child abuse and neglect cases. Some courts appoint Guardians Ad Litem in child custody cases, CHINS and CHINSup cases as well. The role of the Guardian Ad Litem is to represent the child's best interest as opposed to the child's wishes.

Group Home: Group homes are community-based, single home-like dwellings in which a number of residents live under the supervision of staff members. They are distinguished from other residential facilities by the small number of youth living in the facilities, increased interactions with the surrounding community and reliance on community resources to provide essential services.

Halfway Houses: A residential program designed to provide treatment before a youth's return to his/her community from a juvenile correctional center. There are four state-run halfway houses in Virginia.

Hearing Officer Individual designated by the court to as a diversion alternative to "preside" over cases and fashion dispositions from a range of options agreed upon by the Judge(s) of that district for specified types of cases.

Home-Based Services: These services help stabilize family crisis situations and provide an alternative to incarceration or residential placement for youth. Counselors provide services in the client's home and are available 24 hours per day, seven days per week. These services routinely focus on parenting skills and daily life skills management issues.

Homeless Youth- A person under the age of eighteen who is in need of services and without a place of shelter where he or she receives supervision and care."

House Arrest: This option is used in several judicial districts whereby youth are confined at home under the supervision of their parents in lieu of confinement in secure detention. House arrest is usually monitored by periodic phone calls and/or visits.

Individual Educational Plan: Service plan required by federal law for all special education identified students. The IEP must outline the services offered and the goals for these services.

Intensive Supervision: Probation officers carry a small caseload of six to twelve clients and provide at least twice weekly face to face contact with the youth assigned to their caseload as part of the probationary agreement. Intensive supervision may be used pre- as well as post-dispositionally.

Intake: A juvenile's first contact with the juvenile court in which the juvenile complaint is received, reviewed and a decision is made either to file a petition or to divert from the court.

Juvenile Community Crime Control Act (VJCCCA): Funding system which replaced the Block Grant program. Funds are provided through a formula for every locality in the state to develop diversion, pre and post trial services for juveniles who come before their court on status, CHINS, CHINSup or delinquent complaints or petitions.

Juvenile Correctional Center (JCC): State run institutions which provides residential treatment, custody and care programs for juveniles committed to the Department of Juvenile Justice; juvenile correctional centers provide the most restrictive supervision of juveniles. There are six juvenile correctional centers in Virginia.

Juvenile Justice and Delinquency Prevention Act (JJDP): Federal legislation and funding system for juvenile justice programs. If states choose to participate in the Act, they must meet its mandates which call for; the removal of juveniles from adult jails (excepting those transferred by Circuit Court), the sight and sound separation of juvenile from adult inmates, the de-institutionalization of status offenders and the assessment of patterns of minority over-representation in the juvenile justice system. States receive funds based on a formula to help them comply with the mandates of the Act.

Learning Disability (LD): A disorder in one or more of the basic psychological processes involved in the understanding or using language. A learning disability may result in an imperfect ability to listen, think, speak, write spell or do mathematical calculations.

Less Secure Detention: These facilities provide a less restrictive alternative to secure detention for those children who do not pose security or safety risks, but who do require a high level of supervision prior to disposition of pending charges. These facilities are often operated in conjunction with a secure detention facility.. The programs in these facilities are similar to crisis homes with a home-like structure in a community-based setting.

Mandated Population: Administratively determined categorization of children served under the Comprehensive Services Act. Refers to those groups of children for which there is a federal mandate to provide services if the state is in receipt of funds on behalf of these children. Primarily includes Foster Care, Special Education and Foster Care Prevention clients.

Missing Persons Report: Official entry by a law enforcement officer into a state-wide data system. In the case of minors, reports are entered immediately for children under the age of ten, routinely twelve hours has to pass prior to the formal entry of the data on the system, for all other minors the parents must no know the location of their child for their name to be entered on the system.

Non-Mandated Population: Administratively determined categorization of children served under the Comprehensive Services Act. Refers to those groups of children for which there is no federal mandate to provide services. Generally refers to clients who are receiving services from Juvenile and Domestic Relations Court or Community Service Boards.

Non-Residential Care: Treatment and care that is provided pre- or post-dispositionally while the juvenile is living at home or with a guardian.

Outreach Detention: This program is a home-based nonresidential detention alternative providing supervision to youth before the court. The level of contact varies from four face-to-face contacts per week to daily home visits. This program has been administered in detention, group homes, court service units and as stand-alone programs.

Personal Recognizance: Release by court on youth's own personal non-monetary guarantee that he/she will appear in court.

Petition: The formal filing of a complaint with the Judge of the Juvenile and Domestic Relations Court. The Petition triggers the process by which the child will be brought before the Judge for the determination of guilt or innocence, and disposition if applicable.

Pre-adjudicatory Court Supervision: Court appoints a probation officer to provide supervision or assigns the youth to another service agency prior to the adjudicatory hearing.

Probation Officer (PO): Officer of the court responsible for the development and direct delivery or supervision of services to juveniles assigned to their caseload.

Resource Officer: Law Enforcement Officer assigned to a local school system to provide security, educational and informal counseling services to students.

Runaway- A person under eighteen years of age who absents himself or herself from home or place of legal residence without the permission of his or her parents and or legal guardian.

Social History. Information compiled on a client addressing the individual's family, home environment, educational progress and records, treatment and employment history and any other information as may be deemed relevant. Social histories are used in a variety of settings however the Juvenile Court is required to submit a social history to the Judge prior to their rendering a disposition.

Special Education: Specially designed instruction offered at no cost to the parent to meet the needs of a child with a disability.

Status Offense: An act which is an offense only when committed by a juvenile, e.g., truancy, running away or disobeying parent/guardian.

Suspended Commitment: A juvenile court decision to enter a commitment order into a juvenile's record but without sending the juvenile into State care.

Temporary "Lock-Up": Incarceration in an adult jail for a period of not more than six hours while arrangements are made to transfer an arrested juvenile to a juvenile facility.

Throwaway youth: A person under the age of eighteen whose parent and or legal guardian refuses to provide shelter or supervision for the individual.

Transfer Hearing: A hearing to determine whether a juvenile's case should be handled by the Juvenile and Domestic Relations Court or transferred to the Circuit Court for trial as an adult.

Treatment Plan: A written plan based on a juvenile's problems and needs specifying treatment goals and methods to be used in a juvenile correctional center.

Treatment Team: A group of juvenile correctional center staff members who help establish and review a treatment plan for each juvenile.

Truant: A juvenile between the ages of six and seventeen years who has unexcused absences from school.

Ward of the State: A juvenile who is placed in the legal custody of an agency such as the Virginia Department of Juvenile Justice or a local Department of Social Services.

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