



# Supreme Court of Appeals State of West Virginia

## News

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### **Justice Davis announces statewide anti-truancy effort**

For immediate release Thursday, July 28, 2011  
(Photos from the event will be sent shortly)

KINGWOOD, W.Va. – Supreme Court Justice Robin Jean Davis today announced the details of an unprecedented new effort to coordinate judicial truancy programs in West Virginia.

Beginning this fall, Justice Davis will appear at fourteen regional meetings of school superintendents and principals to discuss ways the court system can work with educators, the Department of Health and Human Resources, and other community officials to keep children in school.

The regional meetings are tentatively planned for Wheeling, Morgantown, Parkersburg, Clarksburg, Elkins, Keyser, Martinsburg, Point Pleasant, Charleston, Summersville, Lewisburg, Huntington, Logan, and Beckley. Dates and venues have not been selected and will be announced at a later time.

“The truancy habit can lead students to drop out of school before graduation. That is usually the beginning of a lifetime of trouble that can include unemployment, drug dependency, crime, and incarceration,” Justice Davis said Thursday at a gathering of teachers from across West Virginia. “Our state jails and prisons are overflowing. We can’t afford to wait another minute to address this problem, or to allow another young life to be wasted.”

Justice Davis has been appointed by the Supreme Court to coordinate the efforts of circuit judges who work with schools to reduce truancy rates. The Court hopes a Justice’s leadership will encourage more judges and schools to work together.

Justice Davis spoke today to more than 170 teachers and school service personnel who are attending a week-long summer school sponsored by the American Federation of Teachers-West Virginia at the Camp Dawson Conference Center in Kingwood, Preston County.

Truancy also was the topic of a meeting during the spring Judicial Conference in Charleston in June. Circuit Judges from around West Virginia were joined in that discussion by State Schools Superintendent Jorea Marple; Board of Education President Priscilla Haden; Senate Education Chairman Robert Plymale, D-Wayne; and House Education Chairwoman, Mary Poling, D-Barbour. They agreed that the three branches of government should work together on the issue.

Justice Davis' speech in Kingwood was so well received that the American Federation of Teachers-West Virginia and the West Virginia School Service Personnel Association immediately voted to endorse the judicial anti-truancy plan.

"Everyone realized just how critical this is," said Bob Brown, Executive Director of the West Virginia School Service Personnel Association. The issue of truancy is vitally important to school service personnel, who include bus drivers who sometimes drive three miles up a hollow only to find a bus stop where there are no children waiting.

"This is something we deal with all the time," said Judy Hale, President of the American Federation of Teachers-West Virginia. "It takes a tremendous amount of time on our part and it is so detrimental to the children who drop out or who are excessively absent. We are all delighted with this initiative, and we hope we can go to these meetings across this state and have input, because clearly it is teachers and school service personnel who deal with these issues."

Some circuit judges in West Virginia already have initiated truancy programs. At the regional meetings, Justice Davis will discuss those programs as examples of ideas that work. The purpose of the regional meetings, however, will be to begin to tailor similar programs that would work best in individual communities.

"In some areas, especially rural areas, a judge is a respected member of the community. Judges want to use that position to let children know that someone other than a teacher does care about them, even if they may not have anyone at home who does. We judges want to be your backup," Justice Davis told the teachers.

"Public schools have a broad mission. You must provide a thorough and efficient education to all. You must accept all students; each student is a unique bundle of hopes – and problems. But you cannot solve the students' problems. If they are abused, neglected, hungry, or afraid, you need the help of social services and the court system," she said. "We want to help you. You cannot teach children if they are not in school."

Justice Davis noted that many judges who have truancy prevention programs are some of the most experienced judges in West Virginia.

For example, Nineteenth Judicial Circuit Judge Alan Moats, whose circuit covers Barbour and Taylor Counties, appeared before the West Virginia Board of Education on June 8 and will appear at a Department of Education summit on truancy in Charleston on August 1 to talk about his anti-truancy effort. He initiated an anti-truancy and dropout program in his area when he realized he was seeing many of the same faces appearing before him in criminal cases that had appeared before him in truancy cases. He later discovered that more than fifty percent of Barbour and Taylor County students miss more than ten days of school each year.

Judge Moats' research shows that high school dropouts have an eighty percent chance of ending up in jail or prison some time in their lives.

In Nicholas County, Twenty-Eighth Judicial Circuit Judge Gary Johnson has worked with the Nicholas County Board of Education on a new procedure for handling truancy cases in the court system. Before, cases went first to a magistrate. Judge Johnson now handles them directly in circuit court.

If the child is in elementary school, parents can be charged with educational neglect through the Department of Health and Human Resources system. If a child is older – old enough to get up, get dressed, and get to school by themselves – the child can be charged with truancy. Either route leads to Judge Johnson. Hearings before him sometimes reveal that the problem is easily solved. Other times the family needs the

services of mental health or other professionals. Sometimes the children need to be removed from the home. Judge Johnson usually puts truants on probation and keeps them there until they finish school.

In Logan and Wayne Counties, Circuit Judges Eric O'Briant and James Young have assigned probation officers to deal solely with truancy. In Fayette County, Judge John Hatcher has been working on truancy cases with Judy Lively at the Fayette County Board of Education.

In Putnam County, Judge Phillip Stowers set up a truancy program two years ago that is based in magistrate court, where he works closely with magistrate Linda Hunt, a former school counselor. In the last school year, Putnam County truancy complaints were about half what they had been in previous years.

"These are just a few examples of what judges in our state are doing," Justice Davis told the teachers. "In every circuit where there is a truancy program, there is an effort to work with schools and to work with families. Parents must be involved," she said.

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