
OLR Bill Analysis

sSB 982

AN ACT CONCERNING A PILOT TRUANCY CLINIC IN WATERBURY.

SUMMARY:

This bill gives statutory authorization for the probate court administrator to establish a pilot truancy clinic in Waterbury, within available appropriations. The Waterbury Regional Children's Probate Court administrative judge must administer the clinic. The purpose of the clinic is to identify and resolve the systemic causes of school absenteeism using nonpunitive procedures.

The bill requires the truancy clinic to establish participation protocols and programs and relationships with schools and other individuals and organizations in the community to provide support services to clinic participants.

The probate court administrator must establish implementation policies and procedures and measure effectiveness. The clinic administrator must report to the probate court administrator, by September 1, 2012 and annually after that, on the clinic's effectiveness. By January 1, 2015, the probate court administrator must report on the clinic's effectiveness to the Judiciary and Education committees.

The bill also authorizes probate magistrates or attorney probate referees to conduct truancy clinics that the administrative judge refers to them (see BACKGROUND).

EFFECTIVE DATE: Upon passage

TRUANCY CLINIC PROCESS

Under the bill, an elementary or middle school principal or designee can refer the parent or guardian of a truant child, or one at risk of becoming a truant, to the truancy clinic. The school attendance officer

or a police officer in the case of a habitual truant must deliver a copy of the school's referral and the court's citation and summons to appear. A parent's or guardian's participation is voluntary.

BACKGROUND

Waterbury Truancy Clinic

Since 2008, the Waterbury Regional Children's Probate Court and the Waterbury Public Schools have jointly operated voluntary truancy clinics for elementary school children and their parents. The truancy clinic is a non-judicial, voluntary, nonpunitive proceeding involving the parent or guardian of a student who is truant or at risk of being truant.

In a group setting at the child's school, the judge addresses the parents or guardians who received the citation and summons to attend the clinic. Parents are informed of the school's attendance policies and return the following week to meet individually with the judge to discuss and agree to participate. A third stage of the proceeding includes review meetings with the judge that continue for a 12-month period.

Truant

A truant is a child age five to 18, enrolled in a public or private school, who has four unexcused absences from school in any one month or 10 in a school year (CGS § 10-198a). A habitual truant has 20 unexcused absences in a school year (CGS § 10-200).

Probate Magistrates and Attorney Probate Referees

The positions of probate magistrate and attorney probate referee were created in the probate court reform legislation enacted in 2009 (PA 09-114). The probate court administrator nominates individuals who qualify to be probate magistrates and attorney probate referees for the Supreme Court chief justice's consideration and appointment. They serve three-year terms.

A probate magistrate must be a former probate judge, less than 70 years of age, not receiving retirement benefits due to a permanent and

total disability, and a Connecticut elector. A probate magistrate is paid and hears matters authorized by law.

To be considered for nomination as an attorney probate referee, a person must have been licensed to practice law in Connecticut and in good standing for at least five years, a Connecticut elector, and under 70 years old. The attorney probate referee hears matters referred by probate court judges and is unpaid.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference
Yea 12 Nay 0 (03/03/2011)

Judiciary Committee

Joint Favorable
Yea 41 Nay 0 (04/05/2011)