

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 11-177—sSB 982

Select Committee on Children

Judiciary Committee

Education Committee

AN ACT CONCERNING A PILOT TRUANCY CLINIC IN WATERBURY

SUMMARY: This act authorizes 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 act 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 act also authorizes (1) the administrative judge to refer any truancy clinic matter to a probate magistrate or attorney probate referee and (2) probate magistrates or attorney probate referees to hear these matters (see BACKGROUND).

EFFECTIVE DATE: Upon passage

TRUANCY CLINIC PROCESS

Under the act, an elementary or middle school principal or his or her 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 after his or her appearance as required by the court's citation and summons.

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

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who is a truant or at risk of becoming a truant.

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 qualified attorneys and former probate judges. The chief justice of the Supreme Court considers and appoints them. They serve three-year terms. A probate magistrate is paid and hears matters authorized by law. An attorney probate referee hears matters referred by probate court judges and is unpaid.

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