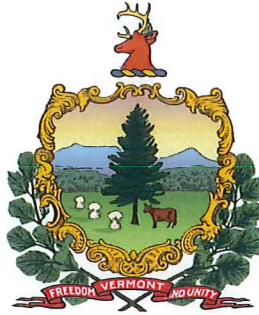


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STATE OF VERMONT  
OFFICE OF THE CHITTENDEN COUNTY STATE'S ATTORNEY

October 10, 2018

**TO:** Chittenden County Superintendents  
**FROM:** Chittenden County State's Attorney's Office  
**RE:** Truancy Petition Criteria

The purpose of this memo is to establish county-wide criteria for the filing of Truancy petitions. Different schools take different approaches to identifying, managing, and addressing student absenteeism. However, it is important that the State's Attorney's Office takes a consistent approach to deciding when it is appropriate to file a Truancy petition. Requiring youths and their families/guardians to come to Court is a serious measure. It is a hardship for working parents/guardians and/or parents/guardians with limited resources for transportation, childcare, etc. Sometimes requiring a youth to come to Court has a "scared straight" effect. However, using the Court system as a "scare tactic" is not the philosophy of the State's Attorney's Office when it comes to children and families/guardians. If families/guardians need the help of the Court system, we do not want them to fear the Court system.

Therefore, we only want to file Truancy petitions in the most urgent and/or serious cases in which the Court can take action that the School is unable to take. Toward that end, starting with the 2018/2019 school year, all Schools will be required to satisfy the following criteria when filing an affidavit/request for the State's Attorney's Office to file a Truancy petition:

1. Filing of all Truancy petitions should happen no later than April 30<sup>th</sup>, annually.
  - a. This criterion is not intended to prohibit filing affidavits in May or June if concerning absenteeism occurs *at that time*;
  - b. This criterion **is** intended to prohibit filing affidavits in May or June for absenteeism that occurred earlier in the school year.
2. The **Chittenden Truancy Response Form** should be completed and filed with every affidavit to:
  - a. Outline for the State and the Court the issue(s) underlying the absenteeism (i.e., from the School's perspective: Why is the student missing school?);
  - b. Identify any in-school interventions and/or out-of-school referrals made to address the absenteeism, and to report on the youth's level of engagement with any services offered;
  - c. Identify what action the School thinks the Court can take that the School is unable to take.

A PDF of this form is attached to this email, and the most current version of the Truancy Service & Access Screening can now be found here: <https://centerpointservices.org/our-services/community-based-services/>. If you go to the Truancy Intervention & Support Services section you will find a PDF of the form (which will always be current).

**TRUANCY AFFIDAVITS FILED LATER THAN APRIL 30<sup>th</sup> AND/OR FILED WITHOUT THE Chittenden Truancy Response Form MAY RESULT IN THE STATE'S ATTORNEY'S OFFICE DECLINING TO FILE A TRUANCY PETITION OR MAY BE DISMISSED BY THE COURT AT THE PRELIMINARY HEARING.**

PLEASE distribute this memo to all the Principals at each relevant school district.

If you have any questions, please contact the Juvenile Prosecutor for our office, Luke Collins.

Best,



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