

Brookings Partners With Schools To Improve Attendance

By Gary Milliman, City Manager Emeritus, Truancy Court Judge

Brookings is the latest city in Oregon to partner with its local school district to address chronic absenteeism in public schools.

Chronic absenteeism is defined as missing more than 10% of school days. A recent article in the Klamath Falls Herald and News noted that 29% of Oregon high school students—40% of seniors—are chronically absent.

In the Brookings Harbor School District (BHSD), chronic absenteeism among high school seniors peaked in 2017-18 at 53.5%, an increase of 28.5% from the previous year.

Why is school attendance important? The obvious answer is the correlation between attendance and learning...and graduation. As absenteeism rose in 2018, the graduation rate and achievement scores in state examinations dipped.

“We know we will never achieve our district’s ultimate graduation rate goal without solving the attendance issue,” said BHSD Superintendent Sean Gallagher.

In 2018, the BHSD decided to take a more aggressive approach to enforcing the state’s mandatory school attendance provisions (ORS 339 et seq). The message went out that students are not allowed to miss school. To some parents and students, this came as quite a cultural shock.

Beginning at the high school, staff called home each time a student was absent or late for a class. Parents and students were invited to “resource meetings” with school staff to identify impairments to school attendance. Approaches were developed to deal with issues such as bullying, learning disabilities, student/teacher conflicts, transportation to school, parent awareness, and even home changes such as buying an alarm clock.

One more element was added to the program, the establishment of a “truancy court.” The idea was broached by the high school’s assistant principal, Mark Hebert, as part of a program to address truancy and its underlying issues. According to Hebert, adding the court to the mix communicates that “every kid should have an education, and when they are deprived of that gift, it is a crime.” The court also re-enforces the importance of student success to the community.

Shortly thereafter, the Brookings City Council adopted an ordinance codifying ORS 339 into the city’s municipal code, thereby bringing school attendance requirements under the jurisdiction of the Municipal Court. All BHSD schools are located within the city, so the Brookings Municipal Court has jurisdiction for attendance violations regardless of the parent/student residency.

If efforts at the school to secure compliance with mandatory attendance fail, parents are issued a citation by the superintendent and are ordered to appear in truancy court.

In court, the judge discusses the importance of school attendance and queries as to reasons for non-compliance. The judge serves as a facilitator to find solutions to whatever the impairment is, and often “brokers a deal” between the parents, students and the school aimed at improving attendance.

Parents and students are asked to sign an agreement with the school that the student will maintain regular attendance. The student and parent are also warned about possible fines for missing school and that the court will monitor student attendance for irregularity. Parents and students are ordered to return for a review one month later.

Truancy court is held in the same setting as municipal court, with a judge, court clerk, “prosecutor” and defendant tables. The defendants are the parents or responsible adults, not the students; the public is not excluded. Having all of the defendants in court listening to all of the cases has actually assisted in moving a number of the cases to positive outcomes.

A typical court session lasts 60-90 minutes during which a dozen or so cases are heard. Sessions begin at 6 p.m.

And, many cases are resolved without ever coming to court. It seems parents would rather comply than be identified in the community as a “bad parent.” The local newspaper covers truancy court, and names names.

The city and the school district developed an intergovernmental agreement to create truancy court. The city provides the judge and the court clerk, maintains court records, collects and retains fines, and handles post-court correspondence. All of the pre-court activity is handled by school district staff who function as the “prosecutor.” The court clerk—also the deputy city recorder—works about four hours each month on truancy court matters. For the first year, I have served as judge on a pro-bono basis; I am the regular municipal court judge pro tem.

Through the court, the school is reinforced by the broader community that school is important and that the community refuses to give up on its youth. Parents can use this message to leverage the decisions of oppositional children or may redirect themselves.

My first case as judge was last October, and involved a high school senior who was failing all of her classes. She was an obstinate young woman who said she had everything under



Left: Truancy Court Judge Gary Milliman with Brookings-Harbor High School Vice Principal Mark Hebert. Right: Students and parents attend truancy court in Brookings.

control and would graduate without worrying about her attendance. Her guardians had basically “given up” and attempted to disavow any responsibility for supervising the 17-year-old.

Upon their third appearance and finding no improvement, the parents were fined \$660. By the next court appearance—five weeks later—this same student had a record of perfect attendance, had finished her graduation requirements, was doing well in all her classes and was on target to graduate. Recognizing their efforts, I cut the parents fine in half and Vice Principal Hebert bought the student a pizza. She and her guardians were publicly acknowledged for their hard work.

Most defendants/students show improvement without imposing a fine.

By all measures, our truancy court works. Chronic absenteeism has been reduced by 22% in the first five months of the program, and not just at the high school. Elementary and middle school administrators report that parents and students at their schools had also “gotten the message” and attendance was improving. The district plans to add the elementary and middle schools to the program later this year.

Truancy court—also known as attendance court—is not new in Oregon. Other cities have been operating similar special courts for years. In preparing to serve as truancy court judge in Brookings, I spent a day with Judge Laraine McNeice in Oregon City, who has been doing this for nine years.

The day I attended, Judge McNeice had a courtroom full of parents and students, many of whom she had been seeing monthly for more than three school years. Judge McNeice utilizes a mix of tough love and compassion to help keep those kids in school. Many parents and students thanked her during the court session for her support, saying they would

not have been on the road to graduation without the intervention. Judge McNeice even participates in the high school graduation. It was inspiring. ■

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