



DOUGLAS COUNTY DISTRICT ATTORNEY

Seventh Judicial District
Judicial & Law Enforcement Center
111 East 11th Street
Lawrence, KS 66044
(785) 841-0211 Fax (785) 832-8202

<https://www.douglascountyks.org/depts/district-attorney>

Suzanne Valdez

District Attorney

MEMORANDUM OF UNDERSTANDING

DOUGLAS COUNTY TRUANCY PREVENTION DIVERSIONS

This Memorandum of Understanding (MOU) serves as a formal expression of cooperation between the Douglas County District Attorney's Office, USD 497, the Kansas Department for Children and Families (DCF), Douglas County Criminal Justice Services – Youth Programs (CJS), Center for Supportive Communities (CSC), and the O'Connell Children's Shelter (OCS). Hereinafter collectively referred to as the Parties.

OVERVIEW OF THE PARTIES

DEPARTMENT FOR CHILDREN AND FAMILIES:

In the Kansas Code for Care of Children, the definition of child in need of care [K.S.A. 38-2202(d)(6)] includes children who are not attending school as required by law [K.S.A. 72-3120]. The statutes related to compulsory school attendance [K.S.A. 72-3120] place responsibility with local school boards of education to determine the validity of excuses for absences and to designate one or more employees to be responsible for notifying the Department for Children and Families (DCF) or the county/district attorney of unexcused non-attendance(s). [K.S.A. 72-3121].

A report from a person designated by a school system to report the non-attendance of a child age 7 or more but less than 13 as required by law shall be, accepted by DCF for assessment of either Educational Neglect or Family in Need of Assessment (FINA) Truancy per Structured Decision Making (SDM). It is then the responsibility of the DCF to investigate per abuse/neglect or FINA policies as defined in the Child and Family Services Policy and Procedure Manual (CFS PPM).

The purpose of both abuse/neglect and FINA assessments is to determine if the child may be a child in need of care and if services to the child and family are appropriate. In evaluations where a DCF worker identifies whether a family could benefit from services and has consented to DCF assistance, it is the responsibility of the worker to coordinate relevant services. Families may decline services at any time. If DCF determines a family requires support to address school non-attendance, but a family has declined voluntary participation in services, it is at the discretion of the DCF worker and DCF supervisor to determine if a child meets criteria for a Child In Need of Care case which may be filed by the District Attorney's office. If criteria is met, DCF shall send a PPS1006 to the DA's office for CINC case to be considered for filing.



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In Douglas County, DCF has partnered with the O’Connell Children’s Shelter and SupportED to address truancy concerns. Both programs offer behavioral support for families who are specifically experiencing school attendance problems, and once referred, families are able to receive wraparound services to address truancy causations and prevent future barriers to attendance.

DEPARTMENT OF CRIMINAL JUSTICE SERVICES:

Juvenile Services Officer-Truancy (JSO) receives truancy referrals from DCF, and the Douglas County District Attorney’s Office. The JSO accepts truancy referrals, communicates with the referral agency, and makes the initial contact with the parent/guardian of school-aged children or youth. The JSO meets with the parent/guardian to assign and match their child with a SupportED mentor. The JSO collaborates with the SupportED Administrators to provide weekly oversight of the mentors, to assist them as they establish healthy working relationships with the youth and their families. The JSO ensures that the mentors are able to communicate effectively with school staff to obtain and monitor school attendance, services, and grades. The JSO acts as a case manager to connect youth and families with available community resources, and coordinates with service providers. The JSO communicates regularly with the Douglas County District Attorney’s Office, DCF and the Douglas County District Court regarding the status of SupportED truancy clients. The JSO is responsible for writing court reports, and affidavits for the court.

CENTER FOR SUPPORTIVE COMMUNITIES:

Center for Supportive Communities is a nonprofit organization in Lawrence, KS, dedicated to using behavior science to create equal opportunities and meaningful change for children, families, and communities. Center for Supportive Communities’ SupportED program, (previously the KU Truancy Prevention and Diversion Program), is a community-based truancy intervention and diversion program that has supported Douglas County truant school-age children and youth and their families since 1979. SupportED is operated in partnership between Center for Supportive Communities and Douglas County Criminal Justice Services and is available to truant elementary, middle, and high school students who are residing in Douglas County. SupportED functions both as a diversion program for truant students and as a rehabilitative community alternative for court-ordered truant children and youth. SupportED combines functional behavior assessment; attendance, grades, and behavior monitoring; 1:1



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weekly mentoring; function-based treatment; case management; court backup (when necessary); and other as-needed services to remove attendance barriers, counteract missed educational instruction, increase school attendance, decrease unexcused school absences, divert truant students and their families from the juvenile justice system, and support justice-involved children and youth in remaining out of state custody for truancy. Center for Supportive Communities and Criminal Justice Services work collaboratively with key community partners (e.g., Douglas County Public School Districts, Kansas Department for Children and Families, Douglas County District Attorney's Office, Douglas County District Court) in providing a comprehensive community program dedicated to improving youth outcomes in Douglas County.

O'CONNELL CHILDREN'S SHELTER:

The O'Connell Children's Shelter has offered multiple family services for children, youth and families in Douglas and surrounding counties since 1996. The goal of prevention programs is to enable families to stay together and avoid court involvement.

Truancy Prevention and Diversion

The High School Truancy and Diversion program serves Douglas County high school aged youth (grades 9-12) who have been identified as legally truant to alleviate attendance barriers and promote academic success. Youth work with a case manager who monitors their attendance and grades, provides referrals for additional community support as needed and supports positive communication between families and schools to resolve truancy issues without court involvement. This program also works with high school aged youth who are under court supervision for truancy to support them throughout the court process and prevent the youth from being placed in state custody.

Specialized Case Management

Specialized Case Management is a voluntary prevention program designed to keep Douglas County youth of all ages from becoming court-involved in either the Child in Need of Care (CINC-NAN) or juvenile offender systems with the ultimate goal of preventing children from coming into state custody. The program provides case management support using a family centered, trauma-informed approach. Families work with a case manager to identify at risk behaviors and develop goals to overcome their barriers successfully. The program provides strengths based assessments and referrals for additional community support as needed.



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UNDERSTANDING AND GOALS OF THE PARTIES:

WHEREAS the Parties believe that the students of USD 497 can benefit from truancy programs to address attendance issues, limit interactions with the child in need of care system, and support justice-involved truant youth, the Parties agree to collaborate to effectuate the goals described below. Connecting families with truancy services early will better serve the students of USD 497.

It is understood by the Parties that truancy is a recurring and growing problem, with devastating impacts on a community's youngest citizens. It is understood by the Parties that truancy services allow for evidence-based practices to address attendance issues, with the intention of fixing truancy and, when appropriate, limiting a student's involvement within the child in need of care system. Providing students with early access to truancy services will enable more successful case outcomes.

The Family Educational Rights and Privacy Act (FERPA) details federal legal privacy protections for families and students. (See 20 U.S.C. § 1232g; 34 CFR Part 99). In general, all schools governed by FERPA must receive written communications from parents to release any information from a student's educational record. Schools may disclose, without express parental permission, a student's directory information including name, address, phone number, birth date, honors or awards, and dates of attendance. However, FERPA recognizes that there may be incidents when a school may release information without written consent if the district has a student support need to share the information. Per 34 CFR § 99.31 FERPA, permits the release of information to *accredited organizations* and to *state and local authorities within the juvenile justice system pursuant to state law*. See K.S.A. 72-3135(b). OCS and CSC are both accredited organizations. USD 497 and the DA's office frequently work together to manage truant students in accordance with statutory requirements for attendance.

Pursuant to this MOU, at the time of sending a formal warning letter to families, USD 497 shall refer students to a truancy service partner, which would be either CSC or OCS depending on the child's grade level. The referral shall happen *prior* to USD 497 filing a 1006 request for court intervention or submitting a report with DCF. USD 497 shall provide truancy partners with the necessary information for services tailored to students who are at risk of truancy or are truant.



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RECOMMENDED TRUANCY REVIEW PERIOD:

USD 497 and the DA’s Office may formally review CSC, CJS, and OCS truancy services annually to renew the commitment as previously agreed upon or modify as needed. The Parties understand that truancy services may be terminated upon good cause and the discretion of Parties.

CONTACT INFORMATION:

District Attorney’s Office	785-841-0211	
ADA, Kylee Ann Tokoi	785-841-0211	ktokoi@douglascountyda.org
O’Connell Children’s Shelter	785-843-2085	ginah@oconnelcs.org
Center for Supportive Communities	847-636-2778	kelsey@supportivecommunities.org
Douglas County CJS	785-331-1300	kholman@douglascountyks.org

SIGNATORIES:

X *Suzanne Valdez* X

District Attorney Suzanne Valdez DCF

X	X
CJS Pam Weigand	Superintendent USD 497 Dr. Anthony Lewis



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OCS Gina Meier-Hummel

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CSC Dr. Kelsey Dachman
