

MONTEREY COUNTY TRUANCY COURT PROCESS

DISTRICT ATTORNEY'S TRUANCY ABATEMENT PROGRAM (TAP)

California Ed.C. § 48200

Each person **between the ages of 6 and 18 years** not exempted . . . is subject to compulsory full-time education . . . [and] **shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day . . .**

California WIC §601.3

Authorization of the district attorney

Subsection (a): If the district attorney . . . receives notice from the school district . . . that a minor continues to be classified as a truant after the parents or guardians have been notified . . . the district attorney . . . may request the parents or guardians and the child to attend a meeting in the district attorney's office . . . to discuss the possible legal consequences of the minor's truancy.

MONTEREY COUNTY OFFICE OF EDUCATION

Provides formal truancy referral forms, created by District Attorney's TAP, to schools online; TAP training; provides alternative education programs

MONTEREY COUNTY PUBLIC SCHOOLS

Identify truant students, notify and meet with parents/guardians, refer to TAP.

Ed. C. §§ 48260.5, 48261, and 48262.

DISTRICT ATTORNEY TRUANCY MEDIATION

All students referred to TAP for habitual truancy are scheduled to participate, along with their parents/guardians, in an individual truancy mediation hearing. *Ed. C. §§ 48260.6, 48262., 48263, 48263.5; WIC §601.3*

Sustained, improved school attendance results in no further intervention.

DISTRICT ATTORNEY TRUANCY MEDIATION POST MEDIATION REVIEW HEARING.

Persistent Truancy = Prosecution

Juveniles: WIC § 601; Adults: ED.C. § 48293

Referral to Silver Star Resource Center, county agencies and community-based organizations, as appropriate.

Possible Sanctions for Minors

- Probation
- Community Service
- CDL suspension/delay
- Court-ordered programs
- Repeated court appearances
- Drug testing
- \$100 fine
- Orders to parents

Ed. C. § 48264.5, WIC §601.3, WIC §245.5., CVC §13202.7

MONTEREY COUNTY TRUANCY COURT

Jurisdiction: WIC §§ 601b and 601.4

MONTEREY COUNTY JUVENILE PROBATION DEPARTMENT

SUPERVISION

WIC §725a

Possible Penalties for Adults

- \$100, \$250, \$500 fine
- Repeated court appearances
- Attend school with student
- Personally deliver student to school
- Parenting Classes

Possible misdemeanor charges for unabated truancy under *PC § 272* – possible incarceration, probation, \$2500 fine, and other court orders as appropriate.