

San Francisco Chronicle

Truancy: Alameda County court educates families

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Saturday, June 18, 2011



Paul Chinn / The Chronicle

Judge Gloria Rhynes hugs Jerome Hunter after he completed the truancy prevention program in Oakland. More than two dozen parents prosecuted for their children's truancy had their cases dismissed after the family completed a program and the students raised their school attendance records.

Third-grader Jerome Hunter walked into an Alameda County courtroom Friday with a shiny medal around his neck and held it up to the judge.

"It's for perfect attendance," he said.

Superior Court Judge Gloria Rhynes beamed as she pulled the Oakland 9-year-old in for a hug.

Just 10 months earlier, Jerome's mother, Doris Scott, had stood in the same spot before Rhynes, pleading guilty to a common crime, but one rarely prosecuted across California: truancy.

By state law, if a child is truant, a parent or guardian can be held legally responsible.

State law considers a child truant after six unexcused absences. All those prosecuted had children who missed much more, said Deputy District Attorney Teresa Drenick.

Last fall, about 100 Alameda County parents faced Rhynes for the same charge. The courtroom was the last-ditch effort in what had been an already long and legally mandated bureaucratic battle by school officials to address truancy.

The charge is an infraction of the state Education Code, on a legal par with a traffic ticket. The violation comes with a \$100 fine.

But officials aren't pulling parents into court only to penalize them, Drenick said.

The point is to get the kids back to class.

"It is not a court of punishment," she said. "We're doing everything we can to eradicate the barriers."
Reasons for missing class

With help from outside agencies, families are referred to counseling, health care and other services to overcome the obstacles leading to their children's truancy. Most of the students are in elementary or middle school.

On Friday, about 30 of those 100 families stood before Rhynes on the third floor of the René C. Davidson Courthouse in Oakland with a smile on their faces.

They were the success stories.

The causes of chronic absenteeism and truancy range from family health issues, homelessness, substance abuse and depression to transportation problems or even obesity.

A 280-pound third-grader, for example, didn't go to school in part because she couldn't fit into the elementary school seats, Rhynes said.

Drenick has heard it all.

"The baby has the flu, it's raining, and nobody went to bed until after midnight," she said. School can quickly take a backseat on the priority list, and one day missed quickly becomes 40.

"Sometimes just coming into court and the shock of it can wake people up from a stupor," she said.

One by one on Friday, the judge slammed her gavel on her bench, dismissing each case and erasing the minor convictions from the parents' record.

For Scott, it had been a long and stressful journey.

The previous year, Jerome missed 43 days of school - more than eight weeks of learning and almost one-fourth of the school year.

Stabilizing the family

Plagued with asthma, Jerome was often out ill, spending many nights at the hospital. Other family issues, including custody issues related to extended family, created increased instability.

With the legal case hanging over her head, his mother accepted the wide range of services and guidance offered by the court. Once a month, she appeared before Rhynes to give an update.

Her son's asthma improved. And Scott finally quit smoking.

"It was hard," she said. "I was trying to stop on my own."

And Jerome went to school - every day. He had the medal to prove it.

"Case dismissed," Rhynes said as she congratulated the mother and son.

Drenick prosecuted her first truancy case eight years ago. Other counties across the state have begun following her lead.

While about 425 Alameda County families have seen the inside of the courtroom for the violation since 2004, the problem is much greater. In Oakland, 1 out of every 7 children missed almost four weeks of schools - absences that were often excused for illness or other reasons.

Yet the vast majority of families who Drenick charged with the infraction eventually had their cases dismissed within a couple of years because their children's attendance improved.

But for some families, it was a steep journey to get back on track.

The child of one parent prosecuted was either late or absent 117 of the 180 school days in the 2009-2010 school year.

Family dysfunction took the form of irregular bed times, and the student was too tired to get up in the morning to go to school.

With the help of parenting classes and other services, the family turned it around.

This year, the girl didn't miss one day, a perfect attendance record that qualified her for a school raffle.

She won a bicycle.

Preventing future prisoners

While most district attorneys fight hard for convictions, Drenick is quite happy to see her cases dismissed.

With third-grade truancy rates used to predict future prison populations, the deputy district attorney is working to keep a case file from landing on her desk some years from now that features the mug shots of any of these children.

"We're trying to save these kids," she said. "You can't save the world, but we're trying to save the families that come before us."

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