



General Order 44.4 - Juvenile Operations

PURPOSE: To define procedures used when coming into contact with [truants](#).

DATE OF APPROVAL: 01/12/06

DATE OF ISSUE: 01/12/06

EFFECTIVE DATE: 01/12/06

REVIEW DATE: Annual

AMENDS: 44.4.1, 44.4.2

THIS ORDER CANCELS: 44.4 Approved 02/01/03

ISSUED BY : Sheriff Jeffrey T. Easter

REVIEWED BY: Standard Review Committee

INDEX AS:

[44.4.1 Truancy Policy](#)

[44.4.2 Determining Truancy](#)

[44.4.3 First Time Truant](#)

[44.4.4 Second and Subsequent Truants](#)

DEFINITIONS:

- A. Truant: Any child subject to compulsory school attendance who is found away from home or school without a valid excuse. This applies to all children under the age of 16, or any child under the age of 18 who attends a special education or gifted school.

44.4.1 TRUANCY POLICY

- A. Deputies will follow the outlined procedures whenever they come in contact with a truant child.
 - 1. The only exception will be if the truant is involved in some other criminal activity.

2. Existing departmental policy in regards to handling juvenile suspects will then be utilized.
- B. **(R)** A case will be generated each time a truant situation exists, regardless of the circumstances.
1. If the only violation involved is truancy, the case classification will be miscellaneous offense - truant.
 2. **(R)** Should the child be a suspect in a criminal act at the time the truant condition is discovered, a case will be generated and appropriate action taken.
- C. These policies and procedures are written to provide guidance to departmental personnel so they may comply with the provisions set forth in:
1. [K.S.A. 38-1527\(d\)](#);
 2. [K.S.A. 38-1528\(G\)](#);
 3. [K.S.A. 72-1113\(c1\)](#); and
 4. [K.S.A. 72-1113\(d2\)](#).
- D. In the event that policy conflicts with state statute, then state statute shall take precedence.

44.4.2 DETERMINING TRUANCY

- A. When a deputy suspects he/she is dealing with a truant child the deputy will determine the status of the child by:
1. **(R)** If the child attends a U.S.D. 259 school, contact S.P.I.D.E.R., who will contact U.S.D. 259 Safety Services Department at 973-2260.
 - a. If a telephone is available to the deputy, he/she may make the call without utilizing S.P.I.D.E.R.
 2. The deputy will provide the name and date of birth of the child to S.P.I.D.E.R., who will relay the information to the Board of Education (B.O.E.).
 3. B.O.E. will in turn provide the deputy with the name of the school of enrollment, if that school is in session at that time, and whether or not the child has been returned to school by law enforcement during the current school year. The name, address for work and home, and the appropriate phone numbers of the parent(s) or guardian will also be given to the deputy.
 4. In the event the child attends a school outside U.S.D. 259 the deputy will contact S.P.I.D.E.R., giving them the appropriate information on the child and school. S.P.I.D.E.R. will make the required school contacts and provide the necessary information from the school so the deputy can take the appropriate action with the truant.
- B. If the child is not truant the deputy will take any action appropriate, based on the circumstances of the situation and the deputy's discretion.

- C. If the child is truant the deputy will follow the procedures listed, based on whether the child is a first time truant or a repeat truant.

44.4.3 FIRST TIME TRUANT

- A. Return the truant to his/her school.
 - 1. Deputies having contact with the truant will be responsible for transport anywhere within the jurisdiction of the Sedgwick County Sheriff's Office (to include the City of Wichita).
 - 2. If the truant is from a school outside the deputy's jurisdiction (such as Butler County), the deputy will contact the appropriate jurisdiction and have law enforcement from that jurisdiction return the truant.
 - 3. If the deputy is unable to make arrangements with the other jurisdiction, the deputy shall contact his/her supervisor.

44.4.4 SECOND AND SUBSEQUENT TRUANTS

- A. If S.P.I.D.E.R. advises of a second or subsequent incident of truancy, the deputy will transport the truant to J.I.A.C.
- B. If the juvenile is truant from a school outside of Sedgwick County, the deputy shall attempt to make arrangements with law enforcement from the appropriate jurisdiction to have that agency take custody of the truant.
 - 1. If the deputy is unable to make such arrangements, the deputy shall transport the truant to J.I.A.C.