



## Supreme Court of Appeals State of West Virginia

# News

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### **Justice Davis, Judge Johnson talk to future teachers about truancy**

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CHARLESTON, W.Va. – Future teachers learned a lesson about truancy on Saturday, taught by Justice Robin Jean Davis and Twenty-Eighth Judicial Circuit Judge Gary L. Johnson. More than twenty-five education students from colleges and universities across the state attended the conference of the West Virginia Student Education Association at the Charleston Marriott Town Center.

Justice Davis talked briefly about the meetings she has held across the state with Judge Johnson and Nineteenth Judicial Circuit Judge Alan Moats. She said at those meetings they encouraged communities to set up anti-truancy programs in which the court system, educators, and business leaders collaborate. Such efforts are in everyone's best interest because national statistics show that eighty percent of prison inmates were once truant. "Each program should be tailored to an individual area's needs," Justice Davis said.

She is making follow-up visits to numerous counties this spring and said she has been encouraged that truancy programs are making a difference.

"You would be surprised at the number of parents that allow kindergarteners and first-graders to miss thirty and forty days of school. As Justice Davis says, we are trying to keep them out of prison," said Judge Johnson, who has had a very successful anti-truancy program in Nicholas County for several years.

Judge Johnson puts truant students on probation. As conditions of probation, students must attend school and work toward passing their classes, they can't just sit. Disciplinary write-ups are considered probation violations, and medical excuses for absences due to illnesses have to be provided within seventy-two hours.

Tina Hellems said she has seen an improvement in students' lives because of Judge Johnson's work and thanked him. Ms. Hellems is a specialized aide in Nicholas County schools who is studying at Bluefield State College to be a teacher.

"I've seen the change," she said. One student she knows was very troubled before she became involved in Judge Johnson's program and now is considering college.

There are still students with issues, she said. One third-grade student told her, "I'm not going to finish school. I'm going to get my GED. All I have to do is take a test."

Judge Johnson said a GED isn't the same as a high school diploma. There is as big an earning gap between a GED and a high school diploma as there is between a high school diploma and an associate's degree, and the military takes a very small percentage of applicants who have GEDs. He said he learned those facts at a conference in New York last week on the school-to-prison pipeline.

Judge Johnson and Justice Davis urged the future teachers to be vigilant about reporting absences to their principals and attendance directors so truancy and other family problems that may be causing truancy can be addressed by courts and social workers.

"Obviously if a kindergartener or first-grader isn't in school, it isn't his fault," Justice Davis said.

"I get cold chills some of the things I hear at the appellate level. Get ready to toughen up," she told the future teachers.

If there is a pattern of medical excuses from the same doctor and the children seem healthy, teachers should report it, Judge Johnson and Justice Davis said.

"If you haul a doctor into court they don't like it, and it will stop," Judge Johnson said.

Morgan Gooden, an education student at Davis & Elkins College, said problems keeping children out of school sometimes begin at school, not at home.

Her little brother was bullied by another child who repeatedly stole his money for extra milk. Her brother eventually began throwing up every day to avoid going to school. His teacher told him not to be a tattletale, and the principal, who was about to retire, did nothing. He's older now and there is a new teacher and a new principal who initiated an anti-bullying program. The bullying hasn't stopped, but it is better, Ms. Gooden said.

Justice Davis acknowledged there is a direct correlation between bullying and truancy, as there is between drugs and truancy.

"You never know what the problem is," Judge Johnson said. One third-grader he had in court for truancy reported that the school bus stopped coming to his house and he had no other way to get to school. That was true, and the problem was solved. In another case, a middle-school girl said she didn't think anyone cared whether she went to school.

"I told her I cared," Judge Johnson said.

"In West Virginia we have some cultural ideas we need to change about education," he said.

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